



Minutes - Final

Planning Commission

Tuesday, July 10, 2018

12:15 PM

Council Chambers

Call to Order

Present 5 - Oldrich Foucek, Richard Button, Christian Brown, Damien Brown, and Jeff Glazier

Approval of Minutes of June 12, 2018

The minutes of June 12, 2018 approved as written.

Sidewalk Construction Postponement Requests

--- 725-727 Quincy Street, S18-3, requested by JR Hamilton Prop

Robert Piligian, PLS of Bascom & Sieger and Rudy Amelio, Principal of JR Hamilton Properties were present.

Mr. Piligian distributed current photos to the Commission, explained the property originally was a set of twins and then became four-units. The former owner was approved by the Zoning Hearing Board to convert back to two-units but never formally completed. The current owner appeared before the Zoning Hearing Board to convert it back to four-units, which requires the consolidation of two parcels as well as a parking area be constructed. The building permit application prompted the sidewalk notice. Sidewalk and curbing is along Quincy Street, but not along Dent Street.

Atty. Foucek asked about access for the units. Mr. Piligian stated they would all have access off Quincy Street. There was never parking for the four-units and there was once a garage but was demolished. Mr. Amelio said there are fire escapes in the rear for second floor units and ground floor doors for first floor units.

Mr. Glazier commented there is room for a sidewalk for the length of the property, but after that going east, it becomes a narrow street and be like putting in sidewalks to nowhere. Mr. Button concurred.

Atty. Foucek asked if they would require curbing. Mr. Piligian said they applied for the curb postponement. Mr. Geosits said they would look at that. Damien Brown agreed sidewalk is not warranted but believes that curbing should be considered. Atty. Foucek concurred and pointed out the Commission does not decide on curbing.

Yes: 5 - Oldrich Foucek, Richard Button, Christian Brown, Damien Brown, and Jeff Glazier

--- 601 S. Filmore Street, S18-4, requested by Dean Bucks

The applicant was not present. Atty. Foucek observed after driving the area that it would be difficult to install sidewalk on this corner given the slope and trees. Damien Brown differed and stated the slope does not look quite as drastic. The concern on South Filmore is if a pedestrian walks from the Basin Street area to

Roosevelt Park, there is a continuous sidewalk from north to south everywhere except for the two properties on today's agenda. Atty. Foucek interrupted by asking if Damien Brown visited the site. Damien Brown stated yes he visited the site and continued by pointing out sometimes the topography could be misleading. Christian Brown agreed but believes the sidewalk at this site would be difficult to install. Atty. Foucek pointed out some properties have small retaining walls, but this would require a higher wall, which would be more costly.

Yes: 4 - Oldrich Foucek, Richard Button, Christian Brown, and Jeff Glazier

No: 1 - Damien Brown

615 S. Filmore Street, S18-5, requested by William and Michele Loy

Mr. Loy was present. Atty. Foucek stated some neighbors along the street have sidewalk with retaining walls. Mr. Loy said yes and explained the property up the street has a high wall, and the next-door sidewalk was installed when the apartment building was built.

Christian Brown stated from a feasibility standpoint this property would be feasible to have sidewalk. The fact that it is the missing link between two sidewalks suggests it should be there and would complete a segment and eliminate some unsafe walking conditions.

Mr. Button disagreed and stated a retaining wall will be required. The standard was if a retaining wall was needed to make the topography work, then a postponement was awarded.

Mr. Loy pointed out the driveway would need to be graded. Atty. Foucek concurred; some of the neighbors with the same topography chose to grade their yards. The macadam driveway would not be as accommodating.

Christian Brown asked what triggered this project. Mr. Geosits stated part of the streets program. Christian Brown observed the driveway as it stands with the asphalt going directly to the curb is not correct, so a concrete apron and crossover would be minimally required. Mr. Glazier asked if a crossover and apron are going to be required with the street project. Mr. Geosits said this is done when you install sidewalk. Mr. Messinger clarified it would be required here but would have to be looked at it to see how the crossover would lay. Atty. Foucek suggested tabling this until next month to have staff take a closer look and give an opinion to see if sidewalks can be installed with minimal grading and without being too costly.

With the applicant's approval, Mr. Glazier made a motion to TABLE this matter until the next meeting. Mr. Button seconded. Motion passed.

Yes: 5 - Oldrich Foucek, Richard Button, Christian Brown, Damien Brown, and Jeff Glazier

1511-1525 E. Pennsylvania Street, S18-6, requested by Jan and Lucinda Erdman

Mrs. Erdman was present. Mr. Geosits clarified the notice was for the ADA handicap ramp and not sidewalk along the whole frontage. Mr. Messinger explained it is only for 200 sq. ft. and when the ramp is installed there is sidewalk that has to ramp out to meet the grades that are required by Federal Law. Damien Brown asked when doing the curb cuts as part of street repaving does

that fall on the property owner. Mr. Geosits confirmed the installation of ADA handicap ramps are the responsibility of the property owners. Ms. Erdman asked if there is any type of postponements for this. Mr. Messinger answered no; it is a Federal Regulation when it comes to handicap ramps. Following discussion with the Commission and City Staff, Mrs. Erdman withdrew her application and will receive a refund of the sidewalk postponement fee.

New Business

Small-Scale Alcoholic Beverage Manufacturing (Brewpub, Micro-distilleries)

Mr. Stewart stated there has been an increase interest in alcoholic beverage manufacturing. The Planning Bureau is looking at small-scale alcoholic beverage production in Allentown by categorically allowing such land uses in our Zoning Ordinance (ZO).

Mr. Sadiua made a presentation to the Commission and stated the emergence of this specialized market segment is a definite contributor to the local economy and a draw for tourism. Mr. Sadiua continued by indicating what other jurisdictions have been doing to promote/regulate this emerging land use and identify what areas in the Zoning Ordinance that may need investigating or changing to properly accommodate this type of land use.

Mr. Sadiua stated the next step is to have more meetings into how to develop a legislation for this purpose and look into where pubs/restaurants can be established in neighborhoods without negative impact on the environment. Mr. Stewart added small breweries and distilleries has been a positive component in cities experiencing revitalization and zoning controls need some implementation to protect the health, safety and welfare.

Damien Brown stated he would like to see regulations that steer brewers to certain areas where they would have the best economic impact on the community and aggregating these facilities to be in close proximity to each other. Commissioner Christian Brown expressed concern about being too restrictive on how close they can be and encourage group action. Mr. Stewart noted this is informational for comment only. No action needed.

Short Term Lodging Ordinance

Mr. Stewart stated this includes the AirBnb type of lodging. The Staff is currently going through the procedure with regards to allowing this kind of use, without being potential nuisances. From a Zoning point of view, determination has to be on how to regulate these needs and look how other municipalities control short-term lodging.

Atty. Foucek pointed out there is already a rental registration and inspection program that defines what units are subject to that regulation and suggests coordinating with them. Atty. Foucek continued by stating this is a new era that nobody saw coming. Property owners are bringing in tenants but need to be cautious to ensure there is some basic level of safety in the units. Mr. Stewart stated in the past short-term rentals were known as boarding houses, then bed and breakfast and now overnight accommodations run by private individuals operating much like a hotel.

Damien Brown stated he has used AirBnb in other cities and suggests the city be cautious about being too restrictive. When people come to Allentown, they stay somewhere around Allentown because there is no Airbnb available in Allentown. Mr. Stewart noted the key is to establish health and building codes to protect the

adjoining neighborhoods. This is just informational and will share findings at a future meeting.

Old Business

--- Comprehensive Plan Update

In the final negotiation with a contract for a consulting firm, based in Pittsburgh, PA. The contract will be presented to City Council for approval.

--- TIF Update

At the last meeting it was determined to obtain a legal opinion from the City Solicitor's office. More time is needed to obtain this information before making a recommendation if the neighborhood should be determined blighted.

Hamilton Street Overlay District Review

--- Americus Investors LP, 541-547 Hamilton Street, design review to erect internally illuminated individual channel letter sign (2.33 ft. x 9.58 ft.) at 9 N. 6th Street requested by Brian Nguah

Mr. Nguah was present and explained they are moving a sign from the Strata East building across the street to the Americus Hotel building. The sign is for a retail apparel business. Atty. Foucek asked where the sign is being located on the Americus. Mr. Nguah stated the canopy would be removed and the sign installed in its place. Mr. Stewart added there are several storefronts without canopies and because of this; the applicant's application is fine. Christian Brown made a MOTION to approve the application as proposed. Mr. Glazier seconded. Motion passed unanimously.

Yes: 5 - Oldrich Foucek, Richard Button, Christian Brown, Damien Brown, and Jeff Glazier

Adjourn

There being no further business, the meeting adjourned at 1:22 pm.