



Minutes - Final

Community and Economic Development Committee

Wednesday, January 30, 2019

6:00 PM

Council Chambers

Call to Order: Chairperson Robinson, Guridy, Affa

[15-2731](#)

R7 CEDC, forwarded favorably
Denial of a Certificate of Appropriateness – 425 N 10th Street

Attachments: [R7 HARB Denial - 425 N 10th Street Resolution](#)
[425 N 10th St Final Review DENIAL](#)
[Resolution #29763](#)

Mr. David Kimmerly stated that this is a standard straight forward violation of an installation of a satellite dish on the front of the building. It is installed on slope roof on the porch and very visible. The violation was sent, followed by a second violation which was followed up by an application for a Certificate of Appropriateness to continue the satellite dish in its current condition. The HARB meeting was scheduled and the owner was asked to attend and he did not show up to the HARB meeting. The next step was to have HARB table case or deny. They decided to deny.

Mr. Courtney Robinson stated that on May 8, 2012 it was a violation. Was it the same property owner.

Mr. David Kimmerly stated yes. He did call him and he spoke to DirecTV about the satellite dish and it would cost him between \$49 and \$200 to have it moved. He does not have the funds to afford that and he cannot move it himself.

Mr. Courtney Robinson stated that he understands the concerns, but the owner went through this once before. He asked his colleagues if they had any questions or comments.

Ms. Candida Affa asked if he missed the two meetings. She asked if the cost was between \$49 - \$200.

Mr. David Kimmerly stated that just one HARB meeting and he is not here tonight. He stated yes, by DirecTV.

Mr. Julio Guridy stated this is an issue we have been dealing with for many,

many years. He stated that he is in support of the administration.

Mr. Courtney Robinson asked if any other members of Council have any questions or comments. He asked if there were any questions from the public.

Mr. David Hubert, 2829 W. Tilghman Street asked for Council's support to uphold the decision. It is a clear violation of HARB guidelines.

Mr. Joe Calhoun, 313 N. 10th Street, appreciates the city taking action on this issue. They raised the issue with the Old Allentown Preservation Board. A recent survey of the neighborhood found 110 satellite dishes we believe is in violation of HARB standards. He stated that going forward he hopes they will have more removed.

Mr. Courtney Robinson asked if he noted buildings with multiple.

Mr. Calhoun stated that he could not tell precisely, but there were buildings with as many as four on the same primary facade.

Mr. Courtney Robinson asked if the city made an attempt to communicate with DirecTV to update them on standards.

Mr. David Kimmerly stated that he did not with satellite dishes, but with UGI on gas meters. The communication has to go from corporate to the subcontractor.

Mr. Courtney Robinson asked Mr. Lightner to ask the Solicitor's office to draft a letter with approval of you and Mr. Kimmerly.

Mr. Leonard Lightner stated that they are looking at other municipalities or states to see how they can regulate it.

Mr. Daryl Hendricks stated that maybe we can put forward some legislation. It minimizes the value of the neighborhood.

Mr. Courtney Robinson asked a member of the committee to make a motion to forward this to the full Council.

Mr. Julio Guridy stated that he agrees wholeheartedly. This is an issue that the independent contractors have a disconnect with the headquarters. Not just DirecTV, but Dish Network. It is a major issues that we have been dealing with this for many years.

A motion was made by Julio Guridy, seconded by Candida Affa, that this Resolution be recommended for approval. The motion carried by the following

vote:

Yes: 3 - Courtney Robinson, Julio Guriy and Candida Affa

Enactment No: 29763

[15-2727](#)

Bill 4

Amending the Zoning Map by rezoning parcels at 1216, 1224, 1228 and 1236 South Meadow Street from R-ML Residential Medium Low Density to B-3 Highway Business.

Attachments:

[Bill 4 Rezoning](#)

[Bill 4 Exhibit A](#)

[ACPC recommendation \(Rezoning\)](#)

[REZONING - ACPC Minutes](#)

[Rezoning Labels for 1216, 1224, 1228 and 1236 South Meadow Street](#)

[Receipt from the Lehigh County Law Department for Rezoning of Meadow Street from RML to B3](#)

[Letter from Mike Hanlon regarding Bill 4 Amending Zoning Map to Rezone Parcels at 1216, 1224, 1228, and 1236 South Meadow Street R-ML to B-3](#)

[Rezoning Posting - 1216, 1224, 1228, 1236 S. Meadow Street](#)

[Letter from David Kimmerly regarding 1224, 1228, 1236 S. Meadow Street RML to B3 - The Allentown Planning Commission Ratified Previous Favorable Recommendation](#)

[Letter from Lehigh Valley Planning Commission regarding 1216, 1224, 1228, and 1236 South Meadow Street RML to B3](#)

Mr. Courtney Robinson asked Mr. Lightner does he or Mr. Messinger want to talk about this before we have the developers and the property owners speak and then the administration.

Mr. Leonard Lightner stated that he will leave it up to the property owners and the developers if they want to speak and if Council has questions directly we will answer.

Attorney Julie Von Spreckelsen - Eastburn and Gray, stated that she is here on behalf of the petitioner which is HRES Allentown Susquehanna LLC. She handed out documents on what they are seeking. The petitioner is the equitable owner of eight parcels and they comprise a city block located on W. Susquehanna, S. Meadow Street, Juniata Street, and S. Fourth Street. There is a portion of the roadway that runs to about the middle of the city block. The property owner is using it as a driveway. They are not the legal owner, but the equitable owner. All legal owners of the properties have signed the petition both to rezone and vacate Jute Street. On this particular block it is already zoned B-3 Highway Business District. They want to consolidate the properties to B-3 and demolish existing buildings and redevelop the property with a convenience store with fuel

dispensing facilities. They need to rezone the four R-ML parcels to B-3 High Business. It is a split zone right now. The city can cut down on a curb cuts. It will be two curb cuts after the rezoning. They need to have Jute Street Vacated.

Mr. Courtney Robinson asked if the administration had anything to add.

Mr. Craig Messinger stated that it would be put into one parcel. If we were to have business, after business, after business on this property with the intersection so close makes it a safety hazard. Putting it through as one parcel and combining all eight and having areas put at a safe place for an entrance and exit.

Mr. Leonard Lightner stated from a Planning and Zoning standpoint it does make sense. It would be spot zoning and we are trying to alleviate that. They are in support of it and going through the process as well.

Attorney Julie Von Spreckelsen stated that she was before Planning and Zoning in November and they unanimously recommended approval.

Mr. Courtney Robinson stated that in reading the notes of the Planning Commission and the desires to make sure this became one parcel.

Attorney Julie Von Spreckelsen stated that it is about timing. They are not settling on the parcel until they get their approval.

Mr. Courtney Robinson stated the four residential units have an agreement of sale contingent on the rezoning. The entire block will be your property.

Attorney Julie Von Spreckelsen stated that is correct.

Mr. Courtney Robinson asked Ms. Affa and Mr. Guridy if they had any questions.

Mr. Julio Guridy asked if there were any comments or concerns from the residents.

Mr. Michael Hanlon stated that notices went out to all the property owners.

Mr. Leonard Lightner stated that a resident came today just before the meeting and said he had no issues and left. It was the neighboring resident.

Mr. Courtney Robinson stated that the Planning Commission discussed the possibility of the lighting issues. Is there work in the Land Development

Plan for the light pollution?

Attorney Julie Von Spreckelsen stated absolutely and there will be no spillage to the abutting properties and the light fixtures have shields and are faced downward.

Mr. Julio Guridy asked about the lots on Meadows Street and if they are leveling that.

Mr. John Hornet from Bohler Engineering stated that the site has a grade differential. Meadow Street is high and Fourth Street is low. It will be in the middle grade with a retaining wall. They provided a 20 foot buffer.

Mr. Daryl Hendricks stated that he assumes that they are not going to allow traffic to exit off of Meadow Street.

Mr. John Hornet stated correct. They are only proposing two driveways. One on Susquehanna Street and the second one of Juniata closer to Fourth Street.

Mr. Courtney Robinson asked about the Lehigh Valley Planning Commission and the Safety Improvement and the studies. He asked about the entrances and exits.

Mr. Craig Messinger stated that it won't effect it one way or another. It will be so much safer. In the future, it will be upgrades to the intersection.

Mr. Courtney Robinson asked if the stop light on Susquehanna and S. Fourth Street is not one of our smart intersections.

Mr. Craig Messinger stated no. All the new work will be involved with that.

Mr. Courtney Robinson asked the public if they had any questions or comments.

Mr. Lewis Shupe, 814 W. Walnut Street, asked if there was a traffic study and asked about the utilities impact on the water and sewer.

Mr. John Hornet stated that yes, there has been a traffic study done. They are going to be using public water and sewer. It will basically be a wash. They will be relocating two existing sewer mains because they cut through the property. Constructing multiple underground infiltration facilities. They have to comply with the MPEDS Program as well.

Ms. Carmen Serrano, 1235 S. Meadow Street, stated that originally she

was not for it, but after doing her research it doesn't seem that bad. The only thing would be the garbage which is right in front of her house. She knows the trees will be there, but is concerned about the smell and the lighting. She stated that people tend to fly through that street and asked about a stop sign. She had concerns on noise.

Mr. Craig Messinger stated that the amount of traffic going in the sections does not call for it, but if something changes in the future, they will look at it again. They will not be able to put a four-way stop. It is a requirement from PennDot that certain traffic counts could be there.

Mr. Courtney Robinson asked about permanent speed boards.

Mr. Craig Messinger stated that they can do a Speed Study.

Mr. John Hornet stated that one of the things they are going to be doing as part of the project is adding a right turn lane on Fourth, turning right onto Susquehanna.

Mr. Courtney Robinson asked about the buffer and the location of the trash bins.

Mr. John Hornet referred to the Site Plan and stated that the trash enclosure is on the southeast corner. It will be tucked into a nook with a wall, six foot tall screened fence with evergreens trees and street trees.

Mr. Julio Guridy asked if he wanted to get on S. Fourth Street towards Mountainville. How would he do that?

Mr. John Hornet stated that PennDot wants this access to Juniata to Fourth Street to not allow left turns out of the intersection.

Mr. Julio Guridy stated it is kind of dangerous.

Mr. Craig Messinger stated that the city is not allowing the left turn, not PennDot. It is currently no left turns due to accidents in that area. The city did request a light to be put at Juniata to work in conjunction with the light at Susquehanna. PennDot turned that down. One of the keys is to not put an impact on any of the residents in the other areas.

Attorney Julie Von Spreckelsen stated that the traffic engineer is not here this evening, but he will be here when the Plan Development presentation can come in and address it further.

Mr. Courtney Robinson asked if there were any other comments or

questions from the public.

Mr. Patrick Palmer, 617 Allen Street, stated that he was not here and asked how big is it if you were to compare it to 15th Street. He asked what will happen in the morning.

Mr. Leonard Lightner stated that it is taking up the block.

Mr. Courtney Robinson stated that it is a whole city block. He stated that they got off topic. That has nothing to do with if the city can rezone it or not. He asked if there were any other comments. He asked Mr. Hanlon when is the Public Hearing going to be for this zoning change and the steps.

Mr. Mike Hanlon stated that there will be a Public Hearing on February 20th at 6:30 PM, followed by the final vote on the rezoning. The Street Vacation will be on the agenda as well.

A motion was made by Candida Affa, seconded by Julio Gurdy, that this Bill be forwarded favorably. The motion carried by the following vote:

Yes: 3 - Courtney Robinson, Julio Gurdy and Candida Affa

[15-2729](#)

Bill 5

Providing for the vacation of a portion of South Jute Street from the centerline of Juniata Street in a Northerly direction 215' more or less to the South Jute Street limit within the subject block in the Sixteenth Ward of the City of Allentown.

Attachments: [Bill 5 South Jute Street from the centerline of Juniata Street](#)
[South Jute Street from the centerline of Juniata Street - Staff Report](#)
[Letter from Douglas Stewart regarding Vacation of South Jute Street from the center line of Juniata Street North 215 Feet](#)
[Letter from Lehigh Valley Planning Commission - Street Vacation Request - South Jute Street from Juniata Street to Susquehanna Street](#)
[Letter from Mike Hanlon regarding South Jute from Juniata Street to Susquehanna Street - Street Vacation Petition](#)
[Rezoning Labels for 1216, 1224, 1228 and 1236 South Meadow Street](#)
[Staff Report - Meadow, 4th, Susquehanna and Juniata Streets](#)

Mr. Courtney Robinson stated that he will allow the representatives of the future owner to discuss this first.

Attorney Julie Von Spreckelsen stated that she would go back to the very first page of what she handed out on the Zoning Exhibit to see the location on S. Jute Street. It is 215 feet and extends northward to Susquehanna Street. They are looking to vacate the remainder of Susquehanna Street. All the property owners that would be affected signed the petition to have

the street vacated. It is being used as a driveway and is part of the project. It will be demolished and consolidated. They were before the Planning Commission in December and unanimously recommended to vacate S. Jute Street it would come effective upon the consolidation of the parcels and the relocation of the existing utilities and granting the necessary easement to the Utility Companies. She stated that the Lehigh Valley Planning Commission letter was part of the Vacation Petition and stated that they had their traffic engineer follow up on that.

Mr. Julio Guridy asked if everything goes OK when is the plan to start building and the completion time.

Mr. Mike McMahon - Hunt Real Estate stated they will coordinate on the approval the demolition within a couple weeks of the closing of all the parcels. He stated that a project like this would take six months to complete. It is approximately a year from when we tear down the buildings until they open up. The goal will be this summer. He stated that it will be a coordinated effort if the project goes at the same time as our project.

Mr. Courtney Robinson stated that Verizon had objections, but everyone was willing to work they were fine with it. Lehigh County Authority just listed objections, but Attorney Von Spreckelsen he assumes has been working with them.

Attorney Julie Von Spreckelsen stated that is correct.

Mr. Courtney Robinson asked if Mr. Messinger or Mr. Lightner had anything to add. He asked if his colleagues had anything further questions. He asked if there were any comments from the public.

A motion was made by Julio Guridy, seconded by Candida Affa, that this Bill be forwarded favorably. The motion carried by the following vote:

Yes: 3 - Courtney Robinson, Julio Guridy and Candida Affa

Adjourned: 6:48 PM