



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

Planning Commission

Tuesday, May 14, 2019

12:15 PM

Council Chambers

MEETING VIDEOTAPED FOR PUBLIC RECORD ON THE CITY'S WEBSITE

Call to Order

MEMBERS PRESENT:

Oldrich Foucek, III, Esquire, Chairman
Richard Button, Secretary
Christian Brown
Jeff Glazier
Anthony Toth

CITY STAFF PRESENT: David Kimmerly, Chief Planner
Leonard Lightner, Director of Community and Economic Development
Tom Williams, Deputy Director and Operations Manager of CED
Craig Messinger, Interim Director of Public Works
Mark Geosits, P.E. Senior Civil Engineer/Assistant City Engineer
Nelson Varughese, Traffic Controls Superintendent
Fred Andrayko, Zoning Supervisor
Hanna Clark, Senior Planner
Jesse Sadiua, Senior Planner
Tawanna Whitehead, Deputy City Clerk
Jeanne Marsteller, Recording Secretary

Approval of Minutes of March 12, 2019 & April 9, 2019 meetings

The minutes were approved as written.

Atty. Foucek noted and welcomed Mr. Toth back to the Planning Commission.

Presentation: Allentown 2030 Vision

Mr. Lightner, Mr. Williams and Ms. Clark gave an update on the Comprehensive and Economic Development Plan (Allentown 2030 Vision). Ms. Clark stated the next Community Collaboration meeting will be held on Tuesday, June 18th from 6-8 pm at the Jewish Community Center of the Lehigh Valley, 702 N. 22nd Street.

Sidewalk Construction Postponement Requests

--- 638 East Tilghman Street, S19-3, requested by Sylvia Vidal.

Sylvia Vidal was present.

Atty. Foucek asked if this is part of a street restoration. Mr. Messinger stated yes, the street program. Atty. Foucek pointed out a slight slope but needs to be determined if a retaining wall is needed to install sidewalks.

Mr. Glazer asked is it possible to place the sidewalk next to the curb. Mr. Geosits said yes, recommended in low volume neighborhoods. Mr. Glazier pointed out the neighboring property has the sidewalk close to the curb. Mr. Button concurred. Christian Brown added sometimes there is very little grass area between the curb and sidewalk that it is hard to plant a tree and agrees with Mr. Glazier.

Atty. Foucek explained the ordinance and said they need to consider if the condition of the land is a hardship to install sidewalks. The opinion of the members is if the sidewalk is installed next to the curb there is no need for a retaining wall. Ms. Vidal said she is requesting a postponement due to hardship and explained her situation.

Atty. Foucek appreciates her circumstance, but the Commission is not allowed to consider financial circumstances as they are looking for the safety of all citizens and asked staff if there is a payment schedule. Mr. Messinger answered at this point the payment would be due within 90 days, with a 90-day grace period and then a lien is placed on the property.

Mr. Glazier asked if it is possible to use a private contractor. Mr. Messinger said yes, they would actually recommend that as the city has to pay prevailing wage rates and they could get it cheaper. Mr. Glazier added it is possible a private contractor would give a flexible payment schedule that the City cannot offer. Mr. Messinger stated they have a list of contractors that are licensed.

Ms. Vidal asked what has to be done first, curb or sidewalk. Atty. Foucek questioned what is wrong with the curb. Mr. Geosits answered it is damaged and needs to be replaced. Atty. Foucek suggested Ms. Vidal seek out a contractor and work with the city.

Mr. Button made a motion to DENY the postponement of sidewalks at 638 East Tilghman Street and required that at time of installation the sidewalk be installed up to the curb, so that there is no grass strip between the sidewalk and the curb. Mr. Glazier seconded. Motion passed unanimously.

--- 706 N. Gilmore Street (frontage on E. Tilghman Street), S19-4, requested by Isabell and Barbara Azar.

Barbara Azar was present.

Ms. Azar explained the property has half sidewalk as the property slopes down, so sidewalk was never installed. Atty. Foucek asked if there is curbing. Ms. Azar said yes where there is sidewalk, but the tree would need to be removed if curbing is needed all the way.

Mr. Brown said this neighborhood would benefit from the sidewalk being adjacent to the curb. Ms. Azar said the sidewalk has a grassy area and the sidewalk around the tree is not an issue, but the tree is an issue for the curbing.

Mr. Toth stated constructability is not an issue and believes this fall under the threshold of the character of the neighborhood and the pedestrian use of the area. The neighboring area is industrial and residential. Mr. Glazier concurred you need to look at the whole area and believes the industrial property will be installing sidewalks and without sidewalks here there would be a gap. Mr. Toth agreed it will allow connectivity as much as possible.

Discussion continued on the removal of the tree and was suggested to work with City staff. Ms. Azar stated she already talked to City staff and was told to take it down.

Mr. Button made a motion to DENY the postponement of sidewalks at 706 North Gilmore Street, frontage on East Tilghman Street. Mr. Glazier seconded. Motion passed unanimously.

--- 633-639 E. Tilghman Street, S19-5, requested by Eugene & Cheryl Achey.

Eugene Achey addressed the Commission.

Mr. Achey explained he is not contesting the curbing, but if sidewalks are installed it will lead into a parking lot and his property is zoned commercial, not residential. Atty. Foucek stated sidewalks are required in any zone as long as there is the potential of foot traffic.

Mr. Achey indicated this area is isolated and there is no reason for anyone to walk there and explained the sidewalks are not going to be used and are not necessary and cause more maintenance for him (snow removal).

Atty. Foucek explained the Commission's obligations. Mr. Achey reiterated people walk on other streets. Atty. Foucek said if you put sidewalks in people will walk on the sidewalk. Mr. Glazier reiterated the neighboring industrial property will be installing sidewalk and it is important that everything is connected.

Mr. Glazier made a motion to DENY the postponement of sidewalk at 633-639 East Tilghman Street. Mr. Brown seconded. Motion passed unanimously.

Street Vacations

N. Emery Street from W. Court Street to its terminus at W. Howe Street with utility easements and W. Howe Street from N. Church Street to its terminus at N. Emery Street with utility easements, 19-1(V), requested by City Center Investment Corporation.

Atty. Foucek recused himself. Mr. Button assumed the Chair.

Robert DiLorenzo of City Center Investment Corporation addressed the Commission.

Mr. DiLorenzo explained these streets are adjacent to the current pocket park along W. Court Street. With the recent public improvements currently underway east of the pocket park it was decided to move forward with improvements that tie into the design and aesthetic of the Hamilton Street connector. N. Emery Street is located between City Center owned property and City owned property. W. Howe Street is located between City Center property to the north and properties 627 - 619 W. Hamilton St. City Center has met with the adjacent property owners and submitted a petition approved by the adjacent property owners. The vacation will incorporate the streets into the pocket park and give the adjacent neighbors access to the rear of the property, which they currently do not have. Mr. DiLorenzo shared a proposed site plan of the pocket park and explained some of the changes.

Mr. Button asked if there are any utility easements. Mr. DiLorenzo answered yes, along N. Emery Street and will remain in place. Mr. DiLorenzo continued by stating they are also working on an access agreement for all the property owners along Hamilton Street that everyone will have access to that property.

Mr. Toth asked who will own the pocket park. Mr. DiLorenzo answered it is owned by Four City Center OP LP, a subsidiary of City Center. The park is privately owned but public accessible. Mr. Toth noted then it will be maintained by City Center and no intentions of transferring to the City. Mr. DiLorenzo stated no intentions.

Christian Brown made a motion to APPROVE the request subject to the conditions the owners providing easements to the existing utilities that are currently in the proposed vacated streets right-of-way, obtaining access agreements with the adjoining neighbors and file a consolidation deed

incorporating the subject streets into their lot within 90 days. Mr. Toth seconded. Motion passed. Atty. Foucek abstained.

Atty. Foucek assumed the Chair.

Land Developments

Luv & Hugs Village, 309 E. Hamilton Street (310 Hanover Avenue), LMA-2019-00007, preliminary/final plan approval requested by Cereta Johnson, NGPNLP, LLC. (Tabled by applicant prior to April 9, 2019 meeting)

The application proposes to demolish buildings to make parking for a child care center and a laundromat.

Cereta Johnson, NGPNLP, LLC and Glenn Lichtenwalner of W2A Design Group were present.

Ms. Johnson gave a history of Luv & Hugs Village and the intention of the new center. Atty. Foucek mentioned a staff comment letter was distributed in March. Mr. Lichtenwalner explained yes, the comments have been addressed, and a few technical comments that are being addressed and with the comments from today, plans will be submitted within a few weeks.

Mr. Lichtenwalner explained in order to obtain enough parking for the child care center and proposed laundromat, the building along E. Hamilton Street will be demolished along with a portion of a building behind the used car dealership and the current mini market will remain. Mr. Lichtenwalner pointed out street trees will be hard to place in the rear alley and will utilize the cash in lieu of planting that is allowed and explained where the dumpster will be located and how it will be accessed. Mr. Button noted then staff will walk across the parking lot to place the garbage in the dumpster. Mr. Lichtenwalner answered yes. Atty. Foucek asked for clarification on the location and the enclosure that will be used. Mr. Lichtenwalner said the dumpster will be screened.

Mr. Toth asked if there is a site engineer as there is a significant amount of stormwater grading. Mr. Lichtenwalner answered Art Swallow did the surveying and is providing his services.

Discussion continued on the buildings that are being removed and what the exterior will look like. Mr. Lichtenwalner answered the daycare area will be "colorful" but simple. Atty. Foucek clarified the comment letter is a will comply. Mr. Lichtenwalner said yes.

Christian Brown asked where they stand on the parking numbers. Mr. Lichtenwalner said with the laundromat they just meet the number of required parking spaces. Christian Brown suggested a buffer between

them and the used car lot. Mr. Lichtenwalner indicated they have a fence, but the buffer may be a consideration as it is aesthetic and not a requirement.

Mr. Glazier asked how many students are anticipating being here and how many students will be able to effectively use the outside play area. Ms. Johnson noted this unit will have 86 students and the play area is per classroom with about 10 children can use at once or the number of children the state will allow.

Christian Brown asked about the peak time of pick up/drop off with the number of students with parents waiting to pick up. Ms. Johnson stated it will not be a problem as there is only about a 10-minute wait with the peak time for drop off from 6:00 - 6:15 am. Mr. Lichtenwalner also stated there is on street parking as well. Atty. Foucek asked if it would possible to have a circulation drop off. Mr. Lichtenwalner said maybe as we go along it could be possible or have someone direct traffic.

Mr. Glazier made a motion to grant conditional PRELIMINARY/FINAL APPROVAL subject to addressing the comments contained in the staff letters of March 20, 2019 and April 3, 2019, to the satisfaction of City staff. Christian Brown seconded. Motion passed unanimously.

--- Woodlawn Property - 1602 Airport Road, LMA-2018-00009, revised sketch plan review requested by Good Mac Airport Associates. (TABLED by applicant to June meeting)

The application proposes to develop the parcel with five pad sites consisting of 78,600 sq. ft. of self-storage facility (3-story), 13,000 sq. ft. of retail, 8,497 sq. ft. of restaurant, 4,867 sq. ft. fast food building, and a 3,558 sq. ft. bank with drive-thru, and six-building, 168 unit apartment complex plus clubhouse.

Tabled by applicant to the June 2019 meeting.

--- Medical Office Building/Plasma Collection Center - 1417 Hanover Avenue, LMA-2018-00010, preliminary/final plan approval requested by Pannenberg Development LLC. (Tabled at April 9, 2019 meeting)

The application proposes to construct a 12,000 sq. ft. single story building with parking for 70 vehicles.

Atty. Michael Clement represented the applicant.

Atty. Clement explained this will be a plasma/blood collection center and create approximately 80 positions. The items in the staff comment letter are a will comply but need clarification on Engineering comments. Atty.

Clement questioned comments referring to the proposed right of way as no proposed improvements are shown and the entrance at Dent Street requiring a concrete crossover to delineate public and private streets.

Atty. Clement indicated what is being proposed is no improvement to the street but depressed concrete curb gutter to delineate where the private and public streets end. The traffic and lighting issues on the north side of Hanover Avenue is a bus lane and not a good idea to interrupt the bus lane and the suggested street markings will be implemented. Atty. Clement continued by stating the installation of an overhead clearance cross bar set at 8 feet; across the exit lane onto E. Tilghman Street will create a safety issue and would like the ability in an emergency situation to get vehicles in and out. Signs will be installed, and lanes narrowed to not allow trucks using this entrance.

Atty. Clement continued by explaining with regard to the corner (elbow) at N. Oswego Street and Dent Street, the intent is to give the City the right of way necessary to accommodate the public road and pave the driveway out to the street and limit traffic as much as possible by making it the truck, emergency vehicle and garbage truck entrance. Crosswalk markings will be placed on Oswego.

Atty. Foucek summarized truck traffic is limited onto Tilghman Street, but believes an overhead cross bar is not necessary and questioned the parking along Oswego Street. Atty. Clement said that is perpendicular parking for the laundromat. Mr. Button asked how many trucks will be daily. Atty. Clement said it is a refrigerated tractor trailer and arrives in the morning.

Discussion continued with the truck turning radius and the engineering staff gave their suggestions on the safest way for the trucks to exit and clearing the laundromat parking to limit conflict. Mr. Toth questioned the existing rights-of-way along Oswego Street. Mr. Geosits answered there is no existing rights-of-ways, the applicant will be establishing that and will be shown on future plans. Christian Brown commented with the new additional driveway on E. Tilghman Street, the street trees will need to be adjusted accordingly.

Christian Brown made a motion to grant conditional PRELIMINARY/FINAL APPROVAL subject to addressing the comments contained in the staff letter of May 9, 2019, except for the Traffic and Lighting comment #9 that is removed; the right-of-way regarding the elbow at Dent Street and Oswego Street be reflected on the final plan and the street trees with the frontage along E. Tilghman Street be adjusted accordingly to the satisfaction of the Shade Tree Commission and the satisfaction of City staff. Mr. Button seconded. Motion passed unanimously.

--- Filmtech - Mitchell Avenue Site, 2843 Mitchell Avenue, LMA-2019-00009, sketch plan review requested by ACA Realty Company.

The application proposes to construct a new 70,090 sq. ft. warehouse and 64 space parking lot.

Adam Smith, PE of Barry Isett & Associates, Shawn Limbert, PE of Schlosser Steel and Lucas Marrero from Filmtech addressed the Commission.

Mr. Smith explained the warehouse will be divided into thirds with Filmtech using one third and rent out the other two thirds. Filmtech owns the property behind this site and a driveway will be constructed connecting the two sites to be used by a single internal truck to keep traffic off the main road. Proposed is 64 parking spaces in the front and six loading docks in the rear of the site and the storm water management will be spray irrigation. Mr. Smith asked if sidewalk would be required along Mitchell Avenue.

Atty. Foucek referenced the photos to determine where the warehouse will be built. Questions were asked about future tenants access, truck traffic, neighboring businesses/properties and location of the docks. Christian Brown asked if any of the businesses use the rail service. Mr. Smith said yes, Filmtech's existing building.

Mr. Toth commented on the underground stream and what has become of it. Mr. Smith said it is a perennial stream and a box culvert will be used under the roadway.

Discussion continued on the spray irrigation and the sidewalk and curbing requirement. Mr. Smith believes the adjoining company Acme Cryogenic was granted sidewalk postponement. Mr. Glazier believes that was along 28th Street and a little on Mitchell. Atty. Foucek stated that is something that needs to be investigated.

Since this is at a sketch plan level, no action of the Planning Commission is required.

Hamilton Street Overlay District Reviews

--- Hamilton Dental Associates, 1144 Hamilton Street, design review to maintain existing 4' x 6' flat, wall-mounted sign and projecting sign (1.5 ft. x 1.5 ft.), non-illumination on north side of building requested by Chandulal & Smita Patel Real Est. Hld, at the above address.

Smita Patel represented the applicant.

Ms. Patel stated the sign was installed about 4-5 years ago. Christian Brown asked why this is before us now. Mr. Andrayko said there were complaints from neighboring businesses. Mr. Andrayko added the sign on the side of the building does have zoning approval. Ms. Patel stated the sign was installed due to patients could not seeing the sign on the side and placing the sign between the windows would get covered with people standing in front of it waiting for the bus. Mr. Andrayko said the location and size are fine, it is mainly an aesthetics issue. Christian Brown said this should be looked at like a proposed sign and one that is not already installed.

Mr. Toth pointed out the Zoning Ordinance requirements of the Hamilton Street Overlay and this sign does not meet those requirements. Christian Brown concurred and if this was coming in front of the Commission for the first time it would not be approved. Atty. Foucek suggested a projecting sign is more appropriate and effective.

Mr. Kimmerly said he will send the applicant samples of projecting signs along Hamilton Street. Christian Brown agreed projecting signs are appropriate for this type of residential style converted commercial buildings and will add value to the property by heightening the professionalism of the building.

Ms. Patel said the only option is to remove it as that is the only location patients can see the sign and asked if there is a time frame that it needs to be taken down? Atty. Foucek asked if 30 days is reasonable. Ms. Patel said that would work.

Mr. Glazier made a motion to DENY the application of the wall-mounted sign to be inconsistent with the Hamilton Street Design Guidelines as submitted and found the projecting sign to be appropriate. Mr. Button seconded the motion. Motion passed unanimously. Ms. Patel has agreed to remove the sign within thirty days.

Great Rock Investments LLC, 1142 Hamilton Street, design review to maintain existing 4 flat wall signs (1 @ 5.83' x 2.67'; 1 @ 2.5' x 6'; and 2 @ 2.5' x 5'), non-illumination on front of the building requested by C. Paul Garabo, at the above address.

Tabled by applicant to the June 11, 2019 meeting.

Adjourn

There being no further business, the meeting adjourned at 1:42 p.m.