

Allentown

*435 Hamilton Street
Allentown, Pa. 18101*



Minutes - Final

Tuesday, September 10, 2019

12:15 PM

Council Chambers

Planning Commission

MEETING VIDEOTAPED FOR PUBLIC RECORD ON THE CITY'S WEBSITE**Call to Order****Approval of Minutes of August 13, 2019 public meeting****Presentation: Allentown 2030 Vision****Hamilton Street Overlay District Review**

--- City Center Investment Corporation, 732 Hamilton Street, design review to erect on the west wall of the building an individual exterior illuminated letter sign (2.12' x 20.33') "The Garden" using aluminum foil base material (43 sq. ft.) requested by North Star CM at the above address.

--- City Center Investment Corporation, 732 Hamilton Street, design review to erect on the front wall of the building an individual halo-lit channel letter sign (2.08' x 8.58') "HOP DADDY'S Brewing Co. Pizza Brewhouse" using black aluminum cabinet backer (17.84 sq. ft.) requested by FastSigns Allentown at the above address.

Land Developments

--- The Waterfront-Phase 2, 3 Furnace Street, LMA-2019-00004, preliminary/final plan approval requested by Waterfront A, LP. (Tabled at March 12, 2019 meeting)

The application proposes to create seven (7) lots for construction of a 461,000 sq. ft. office building; 37,400 sq. ft. retail; 8,000 sq. ft. warehouse and 35,000 sq. ft. other.

--- Penn Square Flats, 906 S. Albert Street, LMA-2019-00008, preliminary/final plan approval requested by Allentown Community Development Company. (Tabled at June 11, 2019 meeting)

The application proposes to construct six - three story buildings, to create a 190 unit apartment complex.

Adjourn

MINUTES

MEMBERS PRESENT:

Oldrich Foucek, III, Esquire, Chairman
Mark Buchvalt, Vice-Chairman
Richard Button, Secretary
Christian Brown
Damien Brown
Jeff Glazier
Anthony Toth

CITY STAFF PRESENT:

Irene Woodward, Planning Director
David Kimmerly, Chief Planner
Craig Messinger, Interim Director of Public Works
Mark Geosits, P.E. Senior Civil Engineer/Assistant City Engineer
Nelson Varughese, Traffic Controls Superintendent
Richard Rasch, Associate Utility Engineer
Hannah Clark, Senior Planner
Tawanna Whitehead, Deputy City Clerk
Fred Andrayko, Zoning Supervisor
Devin Yeatter, Intern-Planning and Zoning
Jeanne Marsteller, Recording Secretary

OTHERS PRESENT:

David Lear, Mark Leuth, Mark Jaendl, Zac Jaendl, Jarid Westerman, Wilson Reppert

MINUTES:

After a correction was made to wording on page four, the minutes were approved as written.

PRESENTATION:

Allentown 2030 Vision

Ms. Clark gave an update on the Comprehensive and Economic Development Plan (Allentown 2030 Vision). She presented the Executive Draft and announced the public comment period will begin on September 16th. Ms. Clark pointed out the next Community Collaboration meeting will be held on Thursday September 12, 2019 from 6-8 pm at the St. Luke's Sacred Heart Hospital Auditorium, 421 Chew Street.

Ms. Woodward noted the Comprehensive Plan is a high-level overview and there will be more specific recommendations with additional study that may be done in terms of neighborhood planning that will come out of it. Zoning is one of the recommendations that will be undertaken by the Planning office.

HAMILTON STREET OVERLAY DISTRICT REVIEWS:

City Center Investment Corporation, 732 Hamilton Street, design review to erect an individual exterior illuminated letter sign 2.12' x 20.33' (The Garden) using aluminum foil base material (43 sq. ft.) requested by North Star CM at the above address.

Kevin Wenck of FastSigns Allentown represented the applicant.

Mr. Wenck explained The Garden sign will be on the side of the building and presented the Commission a sample of the aluminum foil base material. Mr. Button interrupted and asked what is going on. Mr. Wenck said Hop Daddy's is the brewery and The Garden is the patio in the adjacent alley for the brewery.

Mr. Wenck continued by stating the external lights will be shining on the text. Atty. Foucek asked is this opposed to painting on the brick face. Mr. Wenck said yes. Atty. Foucek noted then it is fairly permanent? Mr. Wenck said fairly permanent but can be removed without damaging the wall.

Mr. Glazier made a MOTION to approve the sign as submitted. Damien Brown seconded. Motion passed unanimously.

City Center Investment Corporation, 732 Hamilton Street, design review to erect on the front wall of the building an individual halo-lit channel letter sign (2.08' x 8.58') "HOP DADDY'S Brewing Co. Pizza Brewhouse" using black aluminum cabinet backer (17.84 sq. ft.) requested by FastSigns Allentown at the above address.

Kevin Wenck explained for this storefront sign there was a set of halo-lit channel letters that were removed and now there are holes on the front façade. Being proposed is a black aluminum backer to cover the holes and explained how the electric will be connected and what the lighting of the letters will look like.

Mr. Toth asked about the zoning issue. Mr. Wenck said he believes it was the design/size of the sign. Christian Brown added he believes the original submission the sign was too large for the combination of the two signs that is why the lettering was reduced in size. Mr. Andrayko said that is correct.

Mr. Button made a MOTION to approve the sign as submitted. Christian Brown seconded. Motion passed unanimously.

LAND DEVELOPMENTS:

The Waterfront-Phase 2, 3 Furnace Street, LMA-2019-00004, preliminary/final plan approval requested by Waterfront A, LP. (Tabled at March 12, 2019 meeting) The application proposes to create seven (7) lots for construction of a 461,000 sq. ft. office building; 37,400 sq. ft. retail; 8,000 sq. ft. warehouse and 35,000 sq. ft. other.

Zach Jaindl, Principal in the Waterfront Development Co. and Chief Operations Officer at Jaindl Enterprises and David Lear of Lehigh Engineering were present. Mr. Jaindl stated he can answer

design questions and Mr. Lear can address the engineering questions.

Mr. Lear stated they are here to provide an update on the overall project and explain the Phase 2 project.

Mr. Jaindl explained the overall Waterfront project, the new roadway, Riverside Drive that connects Furnace Street down to Union Street and will connect the properties in the adjacent neighborhood. The project is broken down into two phases, with the Tilghman Street bridge bisecting the 29-acre site with Phase 1 to the south (2 office buildings, 2 residential buildings and 2 parking structures) and Phase 2 to the north (3 office buildings, 2 residential buildings and 1 parking structures). The entire development is joined by a ½ mile Riverwalk, Waterfront Drive (the central promenade) and Riverside Drive. There are 12 buildings across the site all within the Neighborhood Improvement Zone. The first floor of every building will have retail restaurant for riverside patio dining.

Mr. Jaindl explained Phase 1 what it will look like and amenities, a retaining wall which serves as the backbone of the Allen Street plaza provides social space for public use with an outdoor farmer's market, evening and weekend shows and other social amenities. There is a boat dock on the south side of the site, an amphitheater with a stage and 200 seats. The façade of the apartments will be a silk mill industrial style. Mr. Jaindl continued by stating the infrastructure to accommodate 12 new buildings along the banks of the Lehigh has been installed. The underground utility systems required for future buildings, building pads are prepped, light standards are up, and Waterfront Drive Phase 1 is complete. Alleviating concern about traffic, Riverside Drive will reduce congestion along the Front Street corridor.

Mr. Buchvalt asked about the timing of Riverside Drive being done and when will the balance be completed. Mr. Jaindl answered grants are funding a majority of the roadway and it is complete from Furnace Street to Allen Street and will be working south from Allen Street to Front then Linden, as far as possible to go with grant money.

Mr. Jaindl explained Phase 2 extends from the Tilghman Street bridge north to American Parkway up to "the finger" and the trestle beer garden on the other side of American Parkway. The goal is to tie in as many walking pathways to create social cohesion throughout the City. Not only will it link on the site, but also along Riverside Drive to Hamilton Street and other trail networks, such as the D&L Heritage Trail. Three buildings along the banks of the river ties phase 2 together with a plaza, boat docks with suburban and urban aspects to tie in the green elements into the walkable urban campus. Parking lot is optimized for visitor parking and food truck pods to create additional programming. The plaza located at the end of Furnace Street is angled to focus on the archways of the Tilghman Street bridge. The pavers are designed to direct pedestrians with a chevron in the paver's themselves to facilitate walking and biking pathways while maintaining green space. The "Lehigh Structural Steel Co" sign was preserved and will be reinstalled on the campus to preserve as much of the site's industrial history as possible. Pathways and green spaces are located throughout the site, with a pathway under the American Parkway bridge leading to the trestle, which will ultimately be used as some social construct to get people over the river.

Discussion was held on the greenspace at the northern end of the parcel and the use of outdoor sitting areas and outdoor usage with access to the river.

Mr. Toth pointed out the dog park under the Tilghman Street bridge and asked about access to the river for watercrafts on the western side of the river is very limited. Access from the east side is through Kimmett's Lock and feels this would be an opportunity to make access for small crafts, such as kayaks would bring a lot to the development plan. The dock does not have access close enough for drop off. Mr. Toth also asked if an athletic field was planned, such as soccer or baseball fields, etc. Mr. Jaindl agreed 100% on both points, from the kayak perspective they are looking at kayak storage and rental

space in the first residential building for people to utilize even if they don't own a kayak. Any way to facilitate this through the boat dock design will be looked at. There is a concern about larger craft access to the river and how to navigate through an urban walkable pathway. They are looking for as much access to the river for smaller crafts as possible.

Mr. Jaindl noted he is working on a private partnership with Bucky Boyle Park to the south to facilitate sports fields as well as the Lehigh University Boathouse, waterpark and playground. Mr. Toth asked if Lehigh approached them into incorporating the boathouse into the development. Mr. Jaindl said not at this point but there is always a possibility and are looking at all options.

Discussion continued with small watercraft access to the river. Mr. Lear noted there are five access points off the parking lot to the river. Atty. Foucek stated the parking lot then is for public access, not just residents and retail customers. Mr. Jaindl explained the parking situation and said they are creating a safe, vibrant environment that is walkable for the communities, visitors to the city, tenants and residents.

Atty. Foucek questioned the maintenance of the greenspace. Mr. Jaindl answered it will have non-evasive species along the bank, wild grasses, amenities that will be maintained to a professional standard. Atty. Foucek asked who will maintain the dog park. Mr. Jaindl stated it will be maintained by a full-service property management staff between all the buildings.

Atty. Foucek asked for clarification on the connectivity to the parcel. Mr. Jaindl explained the road infrastructure, walking pathways, neighboring properties, parking lots and service lots. Everything on site from property management to security will be maintained by The Waterfront Association.

Atty. Foucek stated it is too early to determine public transportation but bus stops are shown on the plan. Mr. Buchvalt observed there are existing sidewalks to the south. Mr. Jaindl explained the D&L trail terminates at Canal Park on the east side of the river and will be brought over the Hamilton Street bridge via a walking pathway and connect into an urban trail way that will connect near American on Wheels and connect north as they control the railroad from Union Street in Allentown to Race Street in Whitehall. The intention is to take the roadway to Wood Street in Whitehall and link the Ironton Rail Trail which connects into the larger D&L and to potential future pathways.

Atty. Foucek questioned what the status of the tracts along American Parkway is. Mr. Lear stated that remains a condition and has been working with the City. The two strips of land along the western edge of the parking lot to the slope of American Parkway will be conveyed over to the Waterfront property. There will be a license agreement that Waterfront can maintain the grass and pathway from the bottom of the embankment to the fence along the sidewalk of the American Parkway. Also, will request a license agreement for the pathway under American Parkway to access the trestle.

Mr. Glazier questioned Riverside Drive and the neighboring streets. Mr. Lear explained the movement with the neighborhood access, traffic movement and control. Mr. Buchvalt asked if Riverside Drive was required for the development. Mr. Jaindl said traffic studies done years ago indicated with the Tilghman Street Bridge, Front Street and American Parkway bridge, Riverside Drive would ease congestion in the residential neighborhoods. Discussion continued on traffic volume and the continual flow of traffic.

Atty. Foucek responded to the comment letter and noticed they are basically drafting items, some that require further explanation. Mr. Lear said they are clear and will comply. Zoning comments in the letter will require some clarification on the parking spaces and retaining wall height. The clarification of the placement and location of signage was discussed and will be noted on the plan.

Mr. Toth reiterated the concept of access to the river, the walking paths, personalize watercrafts and there is an opportunity by the American Parkway bridge for an access point for personalized watercrafts. Mr. Jaindl stated they agree. Mr. Buchvalt suggested maybe some oversize parking spaces for personal watercrafts and vehicle. Mr. Lear explained the grades down to the river and the possibility of providing access.

Mr. Button made a motion to grant conditional PRELIMINARY/FINAL APPROVAL subject to addressing the comments contained in the staff letter of September 6, 2019 and Mr. Lear's response letter of September 10, 2019 to the satisfaction of City staff and satisfy the agreement with the City regarding the property along American Parkway. Mr. Glazier seconded. Motion passes unanimously.

Penn Square Flats, 906 S. Albert Street, LMA-2019-00008, preliminary/final plan approval requested by Allentown Community Development Company. (Tabled at June 11, 2019 meeting)
The application proposes to construct six – three story buildings, to create a 190 unit apartment complex.

Arthur A. Swallow represented the applicant.

Mr. Swallow explained since the last time they received approval on the stormwater management, approvals from LCA on the sewer and water layout and actively pursuing NPDES permit with Lehigh County Conservation district and doing a second submission for LVPC on the stormwater. One of the challenge is Zoning concerning the steep slopes. This plan requires one zoning relief for the disturbance of incidental steep slopes on the property and no waivers are needed. Atty. Foucek asked about the difference between the disturbance and the building on steep slopes. Mr. Swallow answered there are incidental steep slopes because of the nature of the property. This is a reuse of a former foundry industrial site and in the past zoning relief was granted.

Mr. Toth asked what quantity the impact is. Mr. Swallow believes on the whole site, 15% of 25% slopes and 15% of 35% slopes and disturbing less to the west of the development that will not be touched, where most of the slopes are. The slopes affected will be the driveway, few buildings and parking lots will be disturbed. The zoning ordinance does not differentiate between a natural slope or a manmade slope. Atty. Foucek said a slope is a slope. Mr. Swallow pointed out you can't disturb a slope, but you are allowed to build a slope.

Atty. Foucek asked about the staff letter and asked if there are any concerns. Mr. Swallow said there is nothing they object to and have worked with the city engineering department to clear up some comments. Atty. Foucek reviewed the staff report that pointed out some recommendations to litigate the visual impact and stormwater on the local neighbors and asked if they would be acceptable to the developer, such as buffer strips, increased plantings. Mr. Swallow said they will be able to and the vegetation to the west of the development will remain. Mr. Toth asked about the landscape plan that will be submitted. Mr. Swallow stated he has submitted a landscape plan as required by the ordinance and the Shade Tree Commission has stated they need to find place for three more trees, which will be found. Mr. Buchvalt recapped the recommendation is to increase the plantings along the neighboring properties. Mr. Swallow stated they agree do that. Atty. Foucek concurred and stated it could be a condition of approval.

Discussion continued pertaining to the Shade Tree Commission ordinance regarding street trees vs. a subdivision/land development on land in a vegetative state, non-disturbed state. Atty. Foucek asked if a plan that incorporates the recommendations from city staff can be submitted and asked if that would be a problem. Mr. Swallow said yes, because it is not an ordinance requirement. Mr. Buchvalt clarified there is a recommendation here and Mr. Swallow is agreeing to do it. He has a landscaping plan that

shows areas where trees are going to be kept and those going to be removed.

Christian Brown said the city doesn't have a lot of requirements regarding landscaping or the way a landscape plan is prepared. The applicant provides what is required, in this case is parking lot and street trees and dumpster area buffering. What is being asked is up and beyond the requirement which is worth asking for and comes down to whether or not it can be accepted on the condition that it is done to the staff's satisfaction and approve it today with that condition or ask them to come back. Atty. Foucek would accept the condition and feels there should be a revised plan consistent with the recommendations approved by staff. Mr. Swallow agrees.

Mr. Glazier addressed the stormwater drainage and the erosion behind the homes on Armour Street and asked if the culvert would be filled in and grading changed. Is this part of the plan? Mr. Swallow stated they will be extending the pipe in the same alignment and locations along the swale to be restored to a stable condition the rest of way. Mr. Glazier asked if there would be any remediation. Mr. Swallow said some, but not to the length as proposed before and pointed out where it will end. It is on the applicant's property and will need to be taken care of.

Rachel Boyer, 833 S. Armour Street addressed the Commission. She presented pictures of the storm drain to the Commission and stated kids swim in the swale every day. If it is not remediated it will not be safe for the residents. Ms. Boyer also stated the steep slopes are located on both sides and encouraged the Commission members to visit the site.

Discussion continued on the drainpipe, swale, stormwater runoff and the slopes. Mr. Swallow pointed out there will always be water coming out of the pipe as the water comes from the Mountainville area. Where the erosion has occurred, and the lining has been disturbed will be cleaned up and repaired to prevent ponding. All improvements proposed are private and will be taking on the responsibility of all the streets, lighting, utilities, stormwater runoff, etc.

Dawn Apgar, 38 Armour Court is concerned that she keeps hearing the word cheap or costly. How is this going to be done cheap. Atty. Foucek thanked her and explained with the townhomes and the swale that it was in their estimate sufficiently costly prohibited to develop and have the right to expect to make money.

Morkos Aziz, 844 Constitution Drive stated he thinks this project will add a ton of value to the properties in the area.

Mr. Buchvalt asked about the previous plan submitted. Mr. Swallow summarized the history of the previous plans (Phase 6 & 7) that were submitted and what happened. Mr. Buchvalt commended the comments have been reduced to a couple of pages, applicant agreed to additional buffering and the only obstacle is the variance. Mr. Swallow said that is correct and a condition on obtaining the variance is acceptable. Mr. Toth asked what the percentage of the land is needs a variance. Mr. Swallow answered approximately an acre.

Mr. Glazier made a motion to grant conditional PRELIMINARY/FINAL APPROVAL subject to addressing the comments contained in the staff letter of September 6, 2019, submission of a revised landscaping plan based on comments contained in Mr. Kimmerly's staff report of September 4, 2019, to the satisfaction of City staff and obtain a zoning variance from the Zoning Hearing Board for all areas of steep slopes that are proposed to be developed that are in excess of the allowable percentage. Mr. Button seconded.

Mr. Toth stated the motion is for preliminary/final approval. Mr. Swallow stated fees were paid for both

applications. Mr. Toth asked if it was possible to only grant preliminary approval. Atty. Foucek said legally preliminary/final gives rights to the developer. Mr. Toth brought it up because of the zoning variance and if there is substantial change. Atty. Foucek said zoning will grant the relief or not. If allowed to build on the areas that are steeper than the Zoning Board requires, he will build; if they don't allow it, he won't build and not satisfy the condition of the Commission's approval.

Motion passed unanimously.

ADJOURN:

There being no further business, the meeting adjourned at 2:08 p.m.

Respectfully submitted,

Jeanne Marsteller, Recording Secretary

A video recording of this meeting is available at:

http://allentownpa.granicus.com/MediaPlayer.php?view_id=1&clip_id=737