

# **Allentown**

*435 Hamilton Street  
Allentown, Pa. 18101*



## **Minutes - Final**

**Tuesday, December 10, 2019**

**12:15 PM**

**Council Chambers**

**Planning Commission**

**MEETING VIDEOTAPED FOR PUBLIC RECORD ON THE CITY'S WEBSITE****Call to Order****Minutes of Public Meeting of November 12, 2019****STREET VACATION:**

- Ruhr Street from Hickory Street to Spring Street 19-4(V), requested by R. Scott Unger & Michele E. Unger.

**LAND DEVELOPMENTS:**

- 948 S Front Street, LMA-2019-00018, preliminary/final plan review requested by Front Street Lot Owners, LLC.

The applicant proposes to construct four townhomes on one lot.

**THIS CASE HAS BEEN TABLED BY THE APPLICANT**

- Waterfront-Phase 2, 3 Furnace Street, SMA-2019-00004, preliminary/final approval requested by Waterfront A, LP.

The applicant proposes to combine parcels associated with the Phase 2 development.

**REZONING:**

- Amends the Zoning code by rezoning 201-221 N. Front Street, 115-143 N. Front Street, 51-97 N. Front Street and 113 N. Front Street from B5- Urban Commercial to B/LI-Business/Light Industrial and to revise the Zoning map to apply the B/LI District to those parcels as requested by Charles Street Capital, LLC.

**OLD BUSINESS:****SIDEWALK POSTPONEMENT REQUESTS:**

- Riverside Drive between W. Liberty & Pump Place, S19-6, requested by Brewers Hill Development Group, LP.

- W. Liberty Street between N. Front Street & Riverside Drive, S19-7, requested by Brewers Hill Development Group, LP.

- N. Front Street between W. Liberty Street & Pump Place, S19-8, requested by Brewers Hill Development Group, LP.

- Pump Place between N. Front Street & Riverside Drive, S19-9, requested by Brewers Hill Development Group, LP.

**NEW BUSINESS:**

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Request of the Redevelopment Authority of the City of Allentown for a recommendation for the reuse of the following properties certified as blighted pursuant to the Urban Redevelopment Law (Section 1712.1) entitled Blighted Property Removal

26 N. 13th Street	325 N. 9th Street	813 N. Silk Street
101 S. 8th Street	335 N. Fulton Street	942 S. Race Street
116 N. 8th Street	408 1/2 N Penn Street	954 W. Green Street
129 Chestnut Street	409 N. 5th Street	1028 W. Chew Street
132 N. 12th Street	510 Park Street	1122 Lehigh Street
136 S. 8th Street	512 N. 4th Street	1216 Chew Street
137 S. Jefferson Street	532 W. Allen Street	1250 W. Gordon Street
147 N. Ellsworth Street	631 Allen Street	1621 S. Race Street
147 W. Turner Street	733 North Street	1643 W. Turner Street
218 Chestnut Street	734 N. 5th Street	

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2020 Meeting Schedule

**STAFF REPORT:****ADJOURN**

**!! APPLICANTS ARE REQUIRED TO  
ATTEND !!  
ANY QUESTIONS? CALL  
610-437-7611**

## MINUTES

## MEMBERS PRESENT:

Richard Button, Secretary  
Damien Brown  
Anthony Toth  
Jeff Glazier

## CITY STAFF PRESENT:

Irene Woodward, Planning Director  
Kelly McElroy, Redevelopment Authority  
Fred Andrayko, Zoning Supervisor  
David Kimmerly, Chief Planner  
Craig Messinger, Public Works  
Mark Geosits, Public Works

## OTHERS PRESENT:

Scott Unger, David Lehr, Jeff Brown, Attorney Schantz, Patrick Nesberal

## MINUTES:

Motion made by Richard Button to approve the minutes of November 12, 2019 as written. Motion passed unanimously.

## STREET VACATION:

Ruhr Street from Hickory Street to Spring Street 19-4(V), requested by R. Scott Unger & Michele E. Unger.

Scott Unger stated he and his wife have a minor subdivision currently being reviewed and as part of that the city requested that an unopened portion of Ruhr street be vacated, so along with application in October they submitted a petition to vacate per the request.

Richard Button stated they have a letter from the staff and asks if they have anything to add.

Irene Woodward stated they recommended that it be approved.

Damien Brown stated he has not seen the subdivision plans and asked what type of homes

Scott Unger stated it is a 1 lot minor subdivision and that is why they have not seen plans, because of the staff review it is for a single family home, actually 2 lot subdivision, 1 existing there will be 2 when done, so 1 new lot.

Tony Toth asks why the reason the street vacation needs to occur

Scott Unger states as part of the subdivision plan, he met with the City and the City indicated that since the street has not been opened within the prescribed time that the City has essentially lost its right to construct a street in that right of way and as part of the minor subdivision plan asks that they make a petition to vacate, simply to clean up the unusable right of way and return it back to the private property owners on either side.

Tony Toth states that it will go half and half then.

Scott Unger states yes.

Richard Button made motion to approve, Damien Brown seconded and the board unanimously approved.

#### LAND DEVELOPMENTS:

948 S Front Street, LMA-2019-00018, preliminary/final plan review requested by Front Street Lot Owners, LLC. WITHDRAWN

Waterfront-Phase 2, 3 Furnace Street, SMA-2019-00004, preliminary/final approval requested by Waterfront A, LP.

Richard Button calls Waterfront-Phase 2

David Lehr states he is with Lehigh Engineering and representing the plans for the minor subdivision plan to consolidate lands along American Parkway that the City owns and a small portion American Parkway right of way, to be consolidated with the phase 2 development.

Richard Button asks if they run through it a little more using the map.

David Lehr states as you see on the screen, the American Parkway where the red dot is there were some slivers of land left that the City had owned and still owns, that was remainder for when the American Parkway roadway and bridgework was put in. So there is a sliver of land roughly between 50 and 100 ft wide to the Southern portion of the American Parkway right of way. David states there was a slope easement that also went down across some of this property that the City owns and that slope easement will remain with this plan. David states there is nothing on this conveyance of property that is related to the total slope this was presented with the original tentative plan and the phase 1 approval back around 2014, so the land is really just for the total slope of the embankment for the American Parkway.

Richard Button asks if the staff has any comments.

Irene Woodward states staff recommends the project be approved, it really should have been approved probably last month with the street vacation, but there was some miscommunication, so this kind of going with that street vacation making sure that this be addressed and there are some comments.

Richard Button asks Mr Lehr if he has the comment letter.

David Lehr states he did receive the comment letter and has a copy with his responses, asks the board

if they have a copy.

Richard Button states they have not gotten a copy and asks if there is anything in the letter that is an issue.

David Lehr states there is nothing in the letter that they will not comply with.

Richard Button states they do not need to go through each item on the letter that are ok as long as there are no objections, it will be a conditionally acceptance based on the comment letter.

Tony Toth asks if engineering had a chance to look at and review the letter.

Engineering states yes everything is in compliance.

Richard Button states this is a preliminary final approval and made a motion to approve, Jeff Glazier seconded and the board unanimously approved.

#### REZONING:

Amends the Zoning code by rezoning 201-221 N. Front Street, 115-143 N. Front Street, 51-97 N. Front Street and 113 N. Front Street from B5- Urban Commercial to B/LI-Business/Light Industrial and to revise the Zoning map to apply the B/LI District to those parcels as requested by Charles Street Capital, LLC.

Richard Button states the next item is a zoning change requested by Charles Street Capital, LLC.

Jeff Brown, Principal of Charles Street Capital states he is with his attorney.

Attorney Schantz states he is with firm Davidson and McCarthy, and that he is there representing Charles Street Capital, states Charles Street Capital is the equitable owner through an agreement of sale with the current property owner which is ACIDA of the parcels that are listed in the zoning position as parcel A, B and C, parcel D is currently owned by PPL and they have had communication with them and their position is they are not taking a favorable or unfavorable position in this because as a PUC they are not impacted by Zoning so they don't really have an opinion to how this land is Zoned. Attorney Schantz states as you will see in the rezoning request petition, his client Charles Street Capital is requesting the land be rezoned from its current B5 Urban Commercial to BLI Business Light Industrial zoning, the main reason for this is that there is a conceptual land development plan and some other hurdles to clear but they want to try the uses that are proposed fit the surrounding areas with the America on Wheels and some of those other areas with the new apartment facility across the street, more of automotive type of use. Attorney Schantz states that in the BLI district, the uses in that district are more compatible and they are of the opinion that it offers a transition zoning from the surrounding area into this parcel and beyond to the other industrial zoning that surrounds the Lehigh Waterfront and also they feel it is compatible with the visions established by Allentown 2020 and Allentown 3030. Attorney Schantz stated they have Scott Unger here from ACIDA who is in support of the petition. Attorney Schantz states he has a table of uses.

Richard Button states the board has a summary of that in their packet.

Attorney Schantz states from looking at the map, the parcels are right where the orange B5 is, surrounded by I2 and there is another section of B5 zoning as well and RMH zoning, rezoning this

parcel would create a transition from residential into bits of industrial and then ultimately into the industrial I2 zone. Attorney Schantz stated they did look into the I2 zone and those uses seemed for larger parcels and more intensive, and what they are envisioning will fit with the smaller lots and lot areas.

Jeff Brown stated they are looking at a 50,000 sq. ft. flex facility, that would target certain use groups that draw from the B and certain uses that draw from the I, in terms of the business use groups and the industrial use groups, for instance fabrication of panels something like that. Jeff Brown stated they are looking at targeting a wide net, they don't want to limit options and want to be able to target use groups that are on the industrial side but also target use groups that are on the business side.

Richard Button states we have a staff report

Irene Woodward stated a staff report was provided and the recommendation was it not be rezoned, did not see it as a transition zone, also looked at some of the uses between the 2 categories and what the differences were. Most of the ones that were not permitted in the B5 were heavier manufacturing traffic but warehousing self-storage and what we viewed would be a lot of truck traffic, so that was one of the concerns between those uses considering that the new Riverside Drive would go along that road as well.

Richard Button asks if those uses Jeff Brown is envisioning the industrial type heavy truck traffic type uses.

Jeff Brown states they would like to have the capability to bring a 18 wheeler in to facilitate, in the Valley you see a lot of 200,000 sq. ft size distribution facilities you don't see a lot of smaller facilities that are 8-10,000 sq. ft so 50,000 sq. ft facility they can have 6 different tenants and maybe they are probably selling into an amazon and the tenant will have an amazon truck pickup goods from their business and take it to the amazon distribution facility. So they would like to have that capability to bring in an 18-wheeler but it is going to be a lot smaller facility so don't expect these trucks coming in all the time, but would like to meet tenants demands.

Jeff Glazier states he sees the 3 parcels and they are also looking at a 50,000 sq. ft. building so in relationship to the 3 parcels how large of a footprint is that.

Jeff Brown states so those 3 parcels are about 5 acres right now but the net acreage that would be delivered would be closer to 3.5 because that new Riverside drive is going to take up a portion of those parcels and also you see the basketball courts in lot A those get taken out as well. So after the new Riverside drive and basketball courts are taken out we are looking at a 50,000 sq. ft facility that would be primarily on that lot B with our required parking and then we would phase it so that we would do that 50,000 sq. ft building first, then we look to redevelop lot C afterwards.

Jeff Glazier states he would note in the brief presentation we have listed 2 possible uses 1 as manufacturing and 2 as distribution. Jeff Glazier stated he would also note that there is a boat club at the foot of Wharf street and he is not sure how the rezoning would affect them if at all but they might be part of the PPL parcel, but would be interested in how that would affect them.

Jeff Brown states he does not think it will impact the boat club at all because of the access road.

Scott Unger states it is his understanding that the Frick boat club leases from PPL and part of their discussions, where letter D is there are number of challenges and they met extensively with Public Works with PPL to try and sort out where the cart way of Wharf street is not even fully in the right of

way of Wharf street and there has already been dialogue between the developer, PPL and the city in resolving that and part of that would include access easements over top of the road. Scott Unger states it is Public Works position that this not be a public road because that would require a cul-de-sac and the developer has already verbally at least agreed with both PPL and the city to take this on as a private road that would however still be subject to access easements in favor of PPL and their tenants.

Jeff Glazier states the basketball courts there, that had been city land at one point.

Scott Unger states presently the Northern part of parcel A and as Mr. Brown pointed out this is about 5 acres to total assumed amount that will be transitioned in the agreement of sale will be about 3.5 partially because of rights of way being dedicated to Riverside drive but also because the basketball courts was envisioned would be conveyed to the city, so they are currently under a license agreement so there is no intent to remove the basketball courts simply it was netted out of the equation, which shortens up the available land.

Attorney Schantz states what Mr. Brown was stating with the size of these parcels and the fact that Wharf street is going to need to be an easement that is going to stay there. So we are not looking at lots A, B, C and D being consolidated to one lot there is going to need to be that Wharf street access there, so really focusing on lots A and B and quite frankly once you comply with setbacks and parking requirements not certain if this site is going to lead to the development of a full distribution type of situation where there is going to be tractor trailers coming in and out of there.

Jeff Brown, brings up concept plan and states he is walking through a little more into detail and where the basketball courts are in relationship to the facility they are planning and how the parking would look. So you would have a 50,000 sq. ft facility between lots A and B with the parking behind it, there is really no residential or nothing else you can do with this PPL co-generation facility. So as a developer if they are looking to do a 50,000 speculative build we want to be able to cast a large net and that means going after people that are looking at those business use groups but it also means going after people that are looking at light industrial use groups. Jeff Brown states when they look at in terms of the transitional zoning and you have the I2 industrial here and the B5 here, we don't see any reason why you shouldn't be able to have light industrial, distribution, fabrication right here as well. This land has sat vacant for many years, they think it is contextual with everything here and contextual with the vision 2030.

Scott Unger asks if he can have a copy of the staff comments because they have not seen them.

Richard Button asks since the Planning Commission is only advisory would they want to wait until they have had time to review the comments and get back with them.

Scott Unger states he guesses they will have to do that to some extent but it would have been helpful to see them before hand, states they have met with the city several times on this project, and upset he did not have the opportunity to review the comment letter in advance to the meeting. Scott Unger states secondarily these parcels have been in ACIDA's ownership for decades, they have completed remediation of the sites, have an Act 2 compliant site it is one of several brown fields that they have redeveloped, have been successful in putting America on Wheels in place, successful in securing ACRs redevelopment with the Ruozzi brothers and their redevelopment of the Klein building. Scott Unger states the fact that these parcels are environmentally impaired, and sit in front of PPL's equipment, no one is going to build high end residential or high-end office, it is very challenging to find another use and they don't have a long list of developers that are interested. Scott Unger states this developer has a proven track record of sensitively redeveloping a property adjacent to a historic and cultural feature in the downtown, and that Charles Street Capital did the Trifecta building which he thinks was very sensitive to Zions church, and felt they had a developer that was sensitive to the



context but was willing to take on a challenging site that ACIDA and AEDC have been working on for a very long time. Scott Unger states it is very frustrating to know that not only does the city oppose but they have a longer letter that they did not have an opportunity to see and as far as Zoning goes right in Vision 2030 it talks about how the old way of Zoning was to do finite zones and it refers to doing more form based type zoning. Scott Unger states doing something that is a transitional zone, essentially if you look at the zoning ordinance between B5 and I2 is the BLI so what is being proposed in his opinion is not at all out of context when you have the I2 that is at the bottom that is Olsen Technologies it is the oldest manufacturing company in the City of Allentown dating back to the late 1800s.

Jeff Brown states he would like to address the traffic, states they are not adding any additional street parking, building a parking lot, we are talking about commerce there is going to be some trucks here enabling commerce but not adding to the Allentown school district roles, this is a commercially viable redevelopment of land that has been vacant for many years and would appreciate the support of the City.

Scott Unger states presently ABC operates 440,000 sq. ft of manufacturing space so we are a landlord and developer and it is our observation and LVEDC would support the same information because we have collaborated with them, that while the large developers of manufacturing sites and distribution tend to gravitate to much larger properties. Scott Unger states there is a significant demand for 30-80,000 sq. ft spaces for existing manufacturers to grow and expand and those spaces tend to not be huge drivers of truck traffic, you only have a 30,000 sq. ft building how many trucks can you possibly put in there a day without filling up the space. Scott Unger states, yes its speculative but again it is a significant demanded space the bulk of what LVEDC is sees in prospect alerts for interested users are manufacturing related and quite honestly I don't know of a better class of uses that's going to be reasonably and practically attractive to this site. Scott Unger states they can draw up plans and say this is what we like to see but in the absence of relocating PPL's equipment that is a significant challenge to most real estate developers and it being attractive.

Jeff Brown states they developed the Trifecta building but also owned and operated Bell Hall and I can tell you the challenges facing retail and the restaurant business in Allentown. Jeff Brown states he does not see putting any more retail or restaurants down by the waterfront, what I do see is building a flex industrial space that people have demand for that is going to bring tax payers downtown and life to that area and right now we have not seen life down there for decades. Jeff Brown states he does wish he received notice of this meeting or the feedback from the city. Jeff Brown states I think we have to table this and come back because I have not reviewed the feedback from the city, I think it's wise if we review what the city put together and review those comments before we have any vote to move forward.

Attorney Schantz states we would like to table this until we have the opportunity to review the comments, so we can come back and be able to answer those comments and perhaps clear up any possible misunderstandings as to what's going to be proposed or generated here. Attorney Schantz states to my understanding with warehousing now is multiple stages and multiple size trucks and the tractor trailers are going to these big warehouses but then Amazon using Amazon as an example will take smaller trucks and drop them off here and has Uber type drivers come that come to these places, I think that is the type of warehousing or distribution that will be done, I don't think it would be a huge type of facility.

Jeff Brown states they would not have that size facility it would be significantly smaller but there is demand a lot of the big developers the process is the same so they want to build a 200,000, 300,000 sq. ft facility as a smaller developer we want to meet that demand at the 50,000 sq. ft level because no one is really targeting those smaller businesses but in today's e-commerce age it is connecting that final mile and there is still that same demand for warehousing, distribution but also being able to take

meetings in the same facility.

Damien Brown states he does not disagree, there is a huge demand for that size facility and why not have Allentown be the home to that. Damien Brown states he does not want to speak for the city but maybe what they had struggled with and what we were wondering before we came to the meeting is there are a lot of permitted uses in that zoning district before we were aware that, that was what you are were proposing today. Damien Brown stated there are a lot of permitted uses in that zoning district that don't have anything to do with light industrial or moderate scale warehousing.

Jeff Brown states there was a lot with the B5, there is a lot of use groups and one thought we did have with America on Wheels there and the RB collection there is a certain automotive theme and one of the adjacent property owners Mr. Bulgary he has a very large Buick collection and there has been some talk that he may want to do some work on our parcel C, but parcel C in particular I like to do something auto related that draws from the RLB collection, American on Wheels and Mr. Bulgary and a lot of those auto use groups you can capture on the BLI, but as developer and speculative build it is really trying to cast a wide net.

Richard Button states ok points well taken.

Irene Woodward states she would just note that our staff reports just generally go to the Planning Commission that has been our practice since we started, just to provide some background and information based on our review.

Tony Toth states in regards to the Bucky Boyle park the adjoining park there, specifically parcel A the existing basketball courts were constructed through a license agreement.

Scott Unger states a license agreement through AEDC and the City of Allentown.

Tony Toth states what is that license agreement state, is that in perpetuity.

Scott Unger states well it is a license agreement so by virtue of a license agreement it is not in perpetuity, a license agreement maybe be canceled by the licensor at any time.

Tony Toth asks do we have a copy of that license agreement.

Scott Unger states not with me, the city is in possession of copies.

Tony Toth states that was a very important point because in the presentation correct me if I am wrong it was qualified that those basketball courts would remain.

Scott Unger states correct.

Tony Toth states but the owner of the property has the right to cancel that license agreement which means those basketball courts would be removed and the property owner of parcel A would be able to develop on that is that correct.

Jeff Brown states before we close we will do a subdivision plan and take out those basketball courts as well as the land impacted by the new Riverside drive and no title will be conveyed for that land so the city will still own those basketball courts.

Tony Toth states another things Mr. Schantz in your opening you referred to part of the reasoning why

you represented the client for the change of the zoning request is as you stated there are some hurdles to overcome, what specifically are those hurdles that you reference

Attorney Schantz states we have to go through subdivision and land development and researching the title of these parcels there are some PPL easements and utilities going through and utilities are located within the easements. Attorney Schantz states so there are discussions about doing land swaps with PPL and providing there easement and possible road vacation, there are discussions with the NIZ so there are a lot of moving parts here, and there is an agreement of sale that does have some deadlines in but the seller has been working the buyer but we need to get some decisions made so that if they want to terminate that agreement they have the right to do that, so we are trying to show positive progress toward the closing of these parcels.

Tony Toth states so based on what you just said then there is a certain amount of sub surface investigation that needs to take place with these utilities PPL and obviously understanding of the PPL substation that is there that is not going anywhere, it's not going to be moved.

Jeff Brown states we have been working with PPL because there are a lot of site issues with access agreements, easements the one specific thing the lighting related to the basketball courts was slightly outside of the easement, but PPL has been very accommodating and working with us to clean up the site, so we don't have all these easements cutting through the property to make it developable.

Richard Button states we are not talking about land development just talking about the rezoning.

Jeff Brown states so we are looking at zoning is a challenge, the land and easement is a challenge, doing a NIZ transfer is a challenge and the market is a challenge.

Attorney Schantz states if you are referring to subsurface concerns about environmental concerns.

Tony Toth states no I am not referring to environmental concerns I was more looking at the logistical concerns of the easements and where everything is and things not lining up, I did have some more questions but I'll hold onto those

Richard Button states so we will take a motion to table this until next meeting, Damien Brown seconded and the board unanimously approved.

## OLD BUSINESS:

## SIDEWALK POSTPONEMENT REQUESTS:

Riverside Drive between W. Liberty & Pump Place, S19-6, requested by Brewers Hill Development Group, LP.

W. Liberty Street between N. Front Street & Riverside Drive, S19-7, requested by Brewers Hill Development Group, LP.

N. Front Street between W. Liberty Street & Pump Place, S19-8, requested by Brewers Hill Development Group, LP.

Pump Place between N. Front Street & Riverside Drive, S19-9, requested by Brewers Hill Development Group, LP.

Richard Button asks if calls the sidewalk postponement requests

Patrick Lesbirel states I am the Architect here on behalf of Brewers Hills and today we are requesting 4 sidewalk postponements, so let's begin with the first one which is between on Riverside drive between West Liberty and Pump Place. Patrick Lesbirel states so we are requesting the waiver because this section the additional submittal is for West Liberty Street between North Front Street again we have Riverside drive which about to be developed. Mr. Lesbirel stated we don't actually know what is going on their part of what we have seen the original plans show that the area is going to be side walked by the actual right of way so we don't have any information on why we would have to side walk this section the site that's actually not owned by our project. Mr. Lesbirel states the other section in terms of North Front Street from the existing large brewery, up into now we are proposing our new office building we are going to pave sidewalk from that corner all the way from West Liberty to where we have an access again because we don't know how this is going to realign on West Liberty, so those are the 4 we are asking for.

Richard Button states that is clear and asks the board if they have any questions

Damien Brown states can you describe to us the extent of your immediate plans on the site.

Patrick Lesbirel states so we are proposing the entire parking lot in the rear structure the existing 40,000 sq. ft rehabbed into 40,000 sq. ft of office space, there was a proposal for building K which is site for commercial and restaurant use which we are now scrapping, so right now the major project we are looking to move forward with next year is going to be the 40,000 sq. ft office and the site improvements we have lighting, landscaping that we originally proposed in front of the board, that did not have the sidewalk waivers so back just to propose the sidewalk waivers.

Richard Button states I believe these are all the requests for 10 years, are we going to be moving a little faster than that.

Patrick Lesbirel states we are moving very quickly right now and looking to start in March of next year

Damien Brown states I am just going to share a couple of thoughts I understand that is not a reason for approval but it would certainly be burdensome to put sidewalks on all four sides of the project when the immediate scope of the project is relatively small, that said I can see a situation where if we grant them say on particularly Riverside drive until Riverside drive is actually put in or future development on the

site then it never happens and the argument becomes we've been living with no sidewalks for 10 years why do it now. Damien Brown states I certainly along Pump place if that place is going to be realigned we don't want to put sidewalks where the road won't be in the near future, so I think that makes the most sense.

Richard Button states practical matter there is no one in City Hall that sits down that looks at sidewalk postponement deadlines, we do this when some land development plan comes up street comes up if there is not a sidewalk then it kicks in correct.

Irene Woodward states the Planning department does keeps a file on every sidewalk postponement so we do track them.

Richard Button states but you don't go through and say who is due in March of 2020.

Irene Woodward stated I haven't done that so far.

Richard Button states so if we would give them an extension for 2 years anything that would happen between now and 2 years would trigger a review.

Patrick Lesbirel states we are basically tied into the facts that we have no control, the other thing is just to be clear there is a 6 foot drop from our site, it would be very difficult, it is out of our control of what everyone else wants to do , because we would have to come back again for site plan review, for any modifications for a site plan, so we are going to be back in front of this board with the new site plans at the next phase of this project or as any of these site plans are modified.

Richard Button states but if we granted you a 10yr postponement then sidewalks would not be part of that plan so that is why I am suggesting a much shorter timeframe

Patrick Lesbirel we have any existing sidewalk, but then if this is being redone by the city or another developer they would have to submit a sidewalk waiver for that application would they not.

Richard Button states not unless there is a 10yr waiver, I don't believe.

Patrick Lesbirel states so it sticks to the site it does not stick to the applicant.

Damien Brown states that is correct.

Richard Button states I believe so yes, so that's why I am thinking a short term.

Damien Brown states it could be 10yr or.

Richard Brown states 10yr or development.

Patrick Lesbirel states 10yr or development action on the site, we have to come back for review.

Tony Toth states before we get to this as commission by ordinance we are allowed to hear variances for sidewalks requests per ordinance and that ordinance is pretty specific as to the reasoning why we can grant those variances there is 2, the character of the neighborhood assessed installation of sidewalk will not serve any public purpose won't qualify here, meet physical conditions make the installation of sidewalks and undue hardships in the absence of the installation will not materially public safety and conveniences again doesn't apply here those are the 2 under our purview. Tony Toth states

this is sort of projecting into the future type of situation based on your submission I would not go along with the request but I would go along with request of a shorter term for 1 or 2 years where we could figure out what's going to happen in this situation protecting our interest, I think 10yrs is certainly out of the question for me.

Richard Button states I would submit that the character of the neighborhood is its under development, and so because of the character of the neighborhood is under development putting in sidewalks is inappropriate at this time until the neighborhood becomes a little more stable

Tony Toth states so you are willing to go 10yrs on that.

Richard Button states I never said that I believe I suggested 2yrs.

Damien Brown states just one more question you mentioned that 6 ft drop off from the parking lot to the proposed Riverside drive, that drop off is at existing grading condition.

Patrick Lesbirel states existing grading condition, so right now from our site dropping down we have drop off which is now being realigned with doing that whole road, but again that is outside of , I don't have the building to access that we have been in contact with the developer doing that and we have been working through that with them on how this is all going to work, but at the present time for us to go in and put sidewalks here.

Damien Brown stated question for the city where Riverside drive is being developed in that area is there is going to be a grade drop off created will that grade about the curb line or is there an area adjacent to Riverside drive that will be level where in theory sidewalks could be installed one day, so is the grading of Riverside drive taking into account the need for sidewalks along its route at some point in the future.

Engineering states I am pretty sure there is sidewalk proposed as part of the design of Riverside drive.

Richard Button states would you go along with 2 yrs.

Damien Brown states yes sure, Front street certainly Liberty street.

Tony Toth states and after 2yrs you can come back and request it again.

Damien Brown states so all 4 of them for 2yrs.

Jeff Glazier makes a motion that we grant 2yr extension on all 4 parcels, Tony Toth seconded and the board unanimously approved.

#### NEW BUSINESS:

Request of the Redevelopment Authority of the City of Allentown for a recommendation for the reuse of the following properties certified as blighted pursuant to the Urban Redevelopment Law (Section 1712.1) entitled Blighted Property Removal

Richard Button states we have the Redevelopment Authority and has a report for us and requests

Kelly McElroy stated she is with the Redevelopment Authority I am bringing forth the list B of 28 properties that have been officially certified by the Planning Commission on October 8th and best use recommendation is the next step prior to us taking a property through the imminent domain process we

have to make sure the property fits in line with comprehensive plan so request was sit into staff and I have the recommendations here and I would like to review them with you, I have pictures of the properties.

Richard Button states the list that looks like a spreadsheet that list the properties and the recommendation is this a real document does this have a name does this have any kind of legal standing.

Irene Woodward states the spreadsheet is a summary of the memo that is behind, I provided the spreadsheet to make it a little easier to read through, so you didn't have to read through the short paragraph on each one

Richard Button states do we need to review each property individually or can we accept the recommendation based on review of the spreadsheet and the summary.

Irene Woodward states you can make that recommendation based on the review of the spreadsheet, I just tried to make this easier so that you could go through and the reuse and we do have pictures of each one of the properties

Kelly McElroy states information on each property as follows:

26 N. 13th Street- Commercial office space, 2958 sq. ft, staff recommendation was residential mixed use and office or related use

101 S. 8th Street- Commercial as well, the lot size is 2788 and staff recommendation is residential and commercial or related use

116 N. 8th Street -Commercial zoned B2 sq. ft 3618 and staff recommendation is commercial or related use

129 Chestnut Street- RMH, 1500 sq. ft, staff recommendation is residential or related use

132 N. 12th Street RH, located in HARB, staff recommendation is residential or related use

136 S. 8th Street RH, staff recommendation is residential or related use

137 S. Jefferson Street RMH, 1570 sq. ft, staff recommendation is residential or related use

147 N. Ellsworth Street RMH, staff recommendation residential or related use

147 W. Turner Street RMH, staff recommendation residential or related use

218 Chestnut Street RMH, staff recommendation residential or related use

325 N. 9th Street RMH, located in HARB, staff recommendation residential or related use

335 N. Fulton Street RMH, staff recommendation residential or related use

408 1/2 N Penn Street RMH, staff recommendation residential or related use

409 N. 5th Street RMH, located in HARB, staff recommendation residential or related use

510 Park Street RMH, located in HARB, staff recommendation residential or related use

512 N. 4th Street RMH, staff recommendation residential or related use

532 W. Allen Street RMH, located in HARB, staff recommendation residential or related use

631 Allen Street RMH, located in HARB, staff recommendation residential or related use

733 North Street RMH, located in HARB, staff recommendation residential or related use

734 N. 5th Street RMH, located in HARB, staff recommendation residential or related use

813 N. Silk Street RMH, staff recommendation residential or related use

942 S. Race Street RM, staff recommendation residential or related use

954 W. Green Street RMH, staff recommendation residential or related use

1028 W. Chew Street RMH, located in HARB, staff recommendation residential or related use

1122 Lehigh Street RM, staff recommendation residential or related use

1216 Chew Street RMH, staff recommendation residential or related use

1250 W. Gordon Street RMH, staff recommendation residential or related use

1621 S. Race Street RMI, staff recommendation residential or related use

1643 W. Turner Street RMH, located in HARB, staff recommendation residential or related use

Richard Button states do we have individual motions for this, do we have individual sheets.

Irene Woodward states you can pass them all together that is what we did previously.

Tony Toth states these are all properties that have been through certain phases of the process now, we are up to proposed acquisition correct.

Kelly McElroy states so we are asking you for best use for staff approval best use to confirm the best use, then we will go in front of City Council the beginning of 2020 to ask for the approval to take this list through the imminent domain process.

Tony Toth states how long does that usually take from that time until the City would actually acquire the property.

Kelly McElroy states from City Council approval we file the deed of taking roughly 60 days after that.

Tony Toth states does the property owner have the ability to get out of this at any point.

Kelly McElroy states yes, at any time they can get a CO, that is what we really want compliance we don't really want to take properties, at any time they can get a CO from building, safety & standards and we will remove them from the list.



Richard Button makes motion to accept the recommendations of the Redevelopment Authority of Allentown for these properties, Damien Brown seconded, and the board unanimously approved

#### 2020 Meeting Schedule

Tony Toth makes motion to accept public notice, meeting minutes that be published, Jeff Glazier seconded, and the board unanimously approved.

#### STAFF REPORT:

#### ADJOURN:

There being no further business, the meeting adjourned at 1:00 p.m.

Respectfully submitted,

Recording Secretary \_\_\_\_\_

A video recording of this meeting is available at:

[http://allentownpa.granicus.com/MediaPlayer.php?view\\_id=1&clip\\_id=786](http://allentownpa.granicus.com/MediaPlayer.php?view_id=1&clip_id=786)