

Allentown

*435 Hamilton Street
Allentown, Pa. 18101*



Minutes - Final

Tuesday, July 14, 2020

12:15 PM

Teams

Planning Commission

Call to Order

Minutes of Public Meeting of June 9, 2020

SIDEWALK POSTPONEMENT REQUESTS:

--- 115 S. 22nd Street (Spring Street), S20-5, requested by R. Scott & Michele E. Unger.

--- 601 S. 10th Street (S. 10th Street), S20-6, requested by R. Scott Unger.

STREET VACATION:

--- A portion of South Aubrey Street from East Mosser Street (Unopened) to Toward South for Approximately 275' with utility easements, 20-4 (V) requested by Burnt Offerings LLC.

LAND DEVELOPMENTS:

--- 1811 Glenwood Street, LMA-2020-00007, preliminary/final plan approval requested by MFB Allentown L.P.

The application proposes to construct two industrial/warehouse buildings totaling 152,475 sq. ft.

--- 2843 Mitchell Avenue, LMA-2020-00008, preliminary/final plan approval requested by Filmtech Corporation.

The application proposes to construct a 69,990 sq. ft. warehouse.

--- 950 West Hamilton Street, LMA-2020-00009 & LDC-2020-00003, preliminary/final plan approval requested by City Center Investment Corporation.

The application proposes to construct a five-story building with 78 apartments and 2,287 sq. ft. of retail space on the first floor.

REZONING:

--- Bill No. 32 Amends the Zoning Map by rezoning parcels at 201-221 North Front Street, 115-143 North Front Street, 51-97 North Front Street, and 113 North Front Street. To be rezoned B5-Urban Commercial Zoning Classification to B/LI-Business/Light Industrial Zoning Classification.

Staff Report

Adjourn

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

MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Irene Woodward, Planning Director
Frederick Andrayko, Zoning Supervisor
Craig Messinger, Public Works
Mark Geosits, Public Works
Nelson Varughese, Public Works

OTHERS PRESENT:

R. Scott Unger
Chirag Thakkar
Adam Smith
Robert DiLorenzo
Jane Heft
Paul McNemar
Joe Fitzpatrick

MINUTES:

Motion made by Atty. Oldrich Foucek to approve the minutes of June 9, 2020 as written. Motion passed unanimously.

SIDEWALK POSTPONEMENT REQUESTS:

--- 115 South 22nd Street (Spring Street), S20-5, requested by R. Scott & Michele E. Unger.

Scott Unger on the phone.

Scott explains that they subdivided a property at the intersection of South 22nd and Spring Street around November or December and they have a public improvements agreement and cash escrow with the City for several public improvements. The sidewalks are not part of those public improvements' agreement, but they are related. The deferral isn't triggered by any action from the City I instigated this to get guidance from the City so that the improvements that I am required to install are done so in a deliberate fashion with the rest of the property. The house will front on South 22nd and Spring street has sporadic sidewalks. South 22nd Street is also a narrower frontage. South 22nd Street is about 87 feet wide and Spring Street that functions like an alley is 120 feet long now 130 with the vacation of Aurora Street. It is a much larger segment of street. The other part that makes it unconventional is that there is sidewalk and curb there presently although in depleted condition. The curb installed was not full depth curb and is in poor shape. This street functions like an alley and this segment only serves 2 houses in terms of driveways. The house that I am in the process of building and the house of the adjacent property behind to the East. Neighbor is supportive.

Atty. Foucek follows, in my mind this is an alley. There is really no traffic. The value of having a sidewalk is not really that material. Maybe sidewalks at a later date.

Richard Button and Anthony Toth both looked at the property and Mr. Toth states that it functions as an alley. This sidewalk is smaller curb and sidewalk, I do not know what purpose that curb serves and why we are still requiring it. A lot of those sidewalks you can not walk on. Something that we should address and see what engineering thinks. It is a major cost to put that sidewalk in. Why install more impervious features.

Atty. Foucek asks for motion to grant a postponement request for a ten year on the sidewalk. Jeff Glazier makes motion. Richard Button seconds the motion. Motion passed unanimously.

--- 601 South 10th Street (South 10th Street), S20-6, requested by R. Scott Unger.

There will be review of the policy overall which hopefully gets resolved in the next ten years. Scott Unger states this request is being instigated by one of the condominium unit owners. Bridgeworks by the Creek at 601 South 10th is a 4-unit industrial condominium complex for which ADC acts as the managing agent and I am the treasurer of the condominium board. One of the unit owners Blen- Pro Penetron has a unit they are working on which is the reason for deferral. There are no sidewalks present and there is a bridge by Little Lehigh Creek that does not have a sidewalk.

There is a pending minor land development and one of the options was to seek postponement for a semi-permanent structure for storage.

Jeff Glazier points out that there is sidewalk further up when you get to ADC owned and City owned property. This property is still tax exempt, is there a reason for that?

Scott Unger states they filed all the paperwork and should look at Lehigh County.

Craig Messinger states that they will not put midblock crosswalk at the end anyone who wants to crossover up at the intersection. PennDot will not agree in that area and handles all the crossings and

the safety enhancing would not work there.

The Owner is Bridgework by the Creek Condominium Association. The Board of the condominium reviewed this so while it is only one of the two condominium owners that is doing the minor land development, I did seek the authorization of the entire condominium board to request deferral.

Atty. Foucek moves to make a motion to grant the postponement as requested for sidewalks on South 10th Street for 10 years.

Richard Button asks for a 5-year extension to see if anything looks like it will be developing with that bridge and it does not look like it is entirely safe.

Atty. Foucek states we can either do 10 years or if the bridge is widened before then, whichever comes sooner.

Craig Messinger states that they have requested funding for the bridge construction but that is on our short list.

Atty. Foucek asks for motion. Anthony Toth makes motion to grant a 10-year waiver for the sidewalk up until a point where the bridge comes under final design in engineering for construction. Richard Button makes a second motion. Motion passed unanimously.

STREET VACATION:

--- A portion of South Aubrey Street from East Mosser Street (Unopened) to Toward South for Approximately 275' with utility easements, 20-4 (V) requested by Burnt Offerings LLC.

Christian Brown speaks on behalf of the applicant. Explains that they are preparing a minor land development for this owner who recently purchased the old Romberger precast concrete plant property at the end of South Aubrey. South Aubrey stops at the northern property line and the road was never opened beyond. The proposal is to vacate this extension of Aubrey Street and we are working with city staff to do a separate kind of split rather than a split down the middle so that my client can obtain the front portion of the property line within the right of way and then the city would obtain the back portion of the property. It will be equal split, and the outcome would be providing my client with frontage in the ability to construct a private driveway to access the property. I think the planning commission's role is to determine whether it makes sense or is appropriate to vacate. I think how the property is disposed then I think is up to the two parties and in this case, it is my client and the city.

The city agrees with that.

Richard Button asks what is the structure at the gate?

Mr. Brown answers that it was the headquarters of the office for the Romberger precast concrete. All the classic Romberger homes out in the west end of Allentown have those cast stone colonnade entry type and all those products were made in this facility. The steps on the building are being preserved and renovated. My client currently operates a daycare for individuals with special needs. They are looking to develop and own their own facility here. It is clean slate on the inside of the building, and they are running out of room at their current rented space near Queen City Airport.

Anthony Toth states that I do not think that we as a commission should delve into the role of private property interest even though the city is the other party in this. Was this street ever dedicated?

Atty. Foucek states I was just stating that it should ultimately be approved by City Council. It seems like there has already been discussion between these two property owners to alter what otherwise would be the operation of law.

Chris Brown answers it was never open beyond this northern property line. Never dedicated. Chris Brown adds that my client agrees with satisfying any easement requests or requirement that might be necessary.

Atty Foucek asks commission to make a motion. Jeff Glazier makes motion to recommend to City Council that the request for this street vacation be approved. Richard Button makes second motion. Christian Brown abstains to the motion. Motion passed.

LAND DEVELOPMENTS:

--- Allentown Industrial, 1811 Glenwood Street, preliminary/final plan approval requested by MFB Allentown L.P. The application proposes to construct two industrial/warehouse buildings totaling 152,475 sq. ft.

Joe Fitzpatrick is the applicant along with Chirag Thikkar who has been the engineer on the project. This project is almost triangular between queen city airport and I-78. It is at the IE dead end of Glenwood Street and Glenwood Street Southwest immediately adjacent to the Home Depot facility. Safety concerns expressed by city representatives, location of buildings, location of stormwater and management facilities, I believe we are in good shape. We did receive a letter from the Lehigh Valley Planning Commission on Friday afternoon (3 or 4 days ago). We do not want to consider sidewalks and additional landscaping and rainwater reuse.

Chirag Thikkar speaking, I spoke with Mark and Nelson. I do not think there is anything that needs further clarification. We will comply with the comments here or work with a mutual acceptable solution. In concept we agree with the comments and will accept them.

Joe Fitzpatrick states that the property had been zoned before about a year and a half ago. The current owners had the property for almost 20 years and the city approved for us to rezone this parcel for this particular use. We are looking for final approval and new jobs in there.

Atty Foucek asks about comment 5 referencing an interest in examining what the elevation, what is the building going to look like driving along 78? Is there a way to make it as good as it can look?

Mr. Fitzpatrick answers we will put in some variation of color and the developer respects that and will work with you and will be addressed moving ahead. Joe Fitzpatrick agrees to work with staff around their limitations.

Atty. Foucek asks to make a motion to approve preliminary final approval subject to the comments of the staff letter of July 9, 2020 and work with Shade Tree Commission. Chris Brown makes motion. Jeff Glazier seconds the motion. Motion passed unanimously.

--- 2843 Mitchell Avenue, preliminary/final plan approval requested by Filmtech Corporation. The application proposes to construct a 69,990 sq. ft. warehouse.

Adam Smith from Barry Isett and Associates representing. This was a sketch plan back in May of 2019. This site is adjacent to the existing Filmtech property located at 2121 31st street southwest. The new facility would support the existing facility. The two sites will connect with an internal driveway constructed as part of this project. Filmtech will own a portion of the building and will lease the remainder with the eventual of Filmtech occupying the entirety of the building. Mitchell Avenue will be widened in front of the property to meet City requirements and we are proposing to plant 14 native trees and 57 native shrubs. The project proposes 65 parking spaces in front of the building. Stormwater management will be provided by an underground detention basin behind the building and a spray irrigation system. The project will require MPDS Permitting and Permit from DEP received, and favorable review from the City Planning department and comply with comments from the city engineer. There is no intent to consolidate the two parcels. Right now, an agreement would not be needed because they are both the same property owner and internal vehicles, in the future if one property is sold then Filmtech will not want access to the other property. Both sites have frontage, there would be

no reason to use that driveway or have an agreement in place. That driveway would be gated, no longer be used. Mark Geosits suggested to put a note on the plan to that effect. For the water course it is unmained tributary. The Flood lay is 50 feet from the top of the bank. We did a water course determination and there were no wetlands near the crossing. The only location where there are any wetlands between these two sites is in the top right corner of the plan on the other site far from this development. We have not investigated traffic signalizing. Trucks would likely be using the northern and regardless of which driveway, they could still go out to 29th street because it is closer to the site than 28th would be. It would be good to have a third-party review before the permit is issued.

Chris Brown states that the entire frontage of Mitchell Avenue is going to need to be considered in terms of Shade Tree compliance. A few more trees need to be required but there appears to be plenty of room to accommodate all the trees that would need to be required.

Atty. Foucek asks for motion to grant conditional PRELIMINARY/FINAL plan approval subject to the staff comments of July 9, 2020, the forthcoming shade tree commission comments as well, and a third-party review of the design of the box culvert. Chris Brown makes motion. Richard Button make second motion. Motion passed unanimously.

--- 950 West Hamilton Street, preliminary/final plan approval requested by City Center Investment Corporation. The application proposes to construct a five-story building with 78 apartments and 2,287 sq. ft. of retail space on the first floor.

City Center Investment Corporation, Robert DiLorenzo representing accompanied by Jane Heft and engineer Paul McNemar. This site is located on the 900 block of Hamilton Street downtown. Currently the properties that exist are 950, 954, and 956 West Hamilton Street. The property stretches from West Hamilton Street to the North to West Maple Street to the South. We have undergone HARB review back on January 6, 2020. At that point they supported and were in favor of demolition of these existing structures due to the lack of historical and architectural significance. We went in front of the ZHB on January 13th, 2020 and received approval to demolish existing structures. In June we went in front of the ANIZDA Board and we received staff comments from the Planning Department and Goody Clancy. We went back to the HARB for feedback on the proposed project design. We will work with City staff to work with comments. Comment number 12 we submitted a relief letter and we are also in receipt of the Planning. / Zoning staff report. This is the former Tuckers Yards building and the properties were in blighted condition and vacant. Brick and Masonry along the Hamilton street elevation with metal cladding and cement. There are two retail on the left- and right-hand side. The awnings will be compliant by the Hamilton Street overlay with umbrella black canvas awnings with overhead lighting. We will comply with all the signing detail on that. The south elevation along Maple street is the secondary entrance with a ramp and trash would be picked up and move ins. The sidewalk is about a 4-foot sidewalk. There is a green wall where the loading is. It has an overlook over top to enhance Maple Street. The upper left-hand corner has a balcony, which will be an amenity space shared with all the residents. The elevation in Hamilton is lower than on Maple. There will not be any actual basement in the building. Lobby, bicycle storage, lockers will be provided for residence. The first floor will have water service and mail area and one elevator. The second floor will have ADA compliant ramp, a loading area, electrical service off of Maple. There is an internal Trash Shute. 2 bedrooms, 1 bedroom, and studio units will be provided. The 5th floor will serve as an amenity space. Due to proximity we want to promote community, so we are allowing the residents to use the amenities offered in our other building, City Place South, with club room, gaming area, two fitness centers, outdoor grills, firepits, patios and dog park. Parking will be offsite working with the APA. Between taxes and revenue, it will generate an additional 338,000 dollars a year.

It is not a manned lobby; this building offers everyone their own mailbox. We have parcel lockers for

USPS package delivery and parcel pending, where we have different sizes of parcel lockers that Amazon, FedEx, UPS can deliver packages to that system. We reevaluated the size of our cold storage lockers and increasing the size of the lockers themselves. Lockers are different sizes. Residence get a locker program and will receive a notification of a code to that locker. 940 came in front of the ANIZDA Board back in June and we see it as an opportunity for an office building. There are two properties between that site and this site, 948 and 946 Hamilton Street.

Trash will come through the loading area and out through the dock not stored in the loading area and people will be moving in through that area. Similar concept to our other designs. They are going to exit the rear of the building to enter their car and there is a vestibule to bypass the loading area but during move in and move out it would be open. It is going to be a hydraulic lift. One of the design challenges is the three orange circles which are existing PPL utility poles and working around those utility poles. Hydraulic lift is not in public right of way. Would typically want to separate that stuff from residents. We do have secured agreements for parking. We are required to provide 56 parking spaces and we can provide letter from APA. In compliance with the Zoning Ordinance. The Shade Tree Commission sent out a letter which you will receive. The other observation that Shade Tree Commission made was that the PPL Plaza came in proposing some work which we recommended deferring some tree work. We do not want to put a hold on the project just a reserve of judgement on the species of trees. Robert DiLorenzo agreed to compliance with the Shade Tree Commission. This project falls under the HSO as well. Advisory back to the supervisor, I think if there is additional signage that will be reviewed later. The Zoning Officers will make that determination with city staff discussion.

Request by developer for relief from Section 1385.11.B about the excavation from 5 feet of the adjoining property line. We address the land development piece and then the request for waiver.

Atty. Foucek asks to make a motion to grant Preliminary/Final plan approval with the condition of the comment letter from July 9, 2020 and the Shade Tree Commission letter on its way to the developer. Richard Button makes the motion to approve. Jeff Glazier makes the second motion. Motion passed unanimously.

The request for relief from Section 1385.11.B. Atty. Foucek asks to make a motion to grant the waiver from the provisions of Section 1385.11.B. Chris Brown makes motion. Jeff Glazier seconds the motion. Motion passed.

REZONING:

--- Bill No. 32 Amends the Zoning Map by rezoning parcels at 201-221 North Front Street, 115-143 North Front Street, 51-97 North Front Street, and 113 North Front Street. To be rezoned B5-Urban Commercial Zoning Classification to B/LI-Business/Light Industrial Zoning Classification.

Atty. Foucek abstains. Richard Button calls case. Rezoning of 4 parcels in the Riverfront area. We make a recommendation on a bill to them, City council passes, and then comes back to Planning Commission. This is a zoning map change, not a swap, changing the zoning of these four parcels. Richard Button asks for motion to accept Bill No. 32. Jeff Glazier makes the motion. Anthony Toth seconds the motion. Motion passed with one abstention.

ADJOURN:

There being no further business, the meeting adjourned.

Respectfully submitted,

Recording Secretary
