

# **Allentown**

*435 Hamilton Street  
Allentown, Pa. 18101*



## **Minutes - Final**

**Tuesday, August 11, 2020**

**12:15 PM**

**Teams Virtual Meeting**

**Planning Commission**

Call to Order

Minutes of Public Meeting of July 14, 2020

**SIDEWALK/ CURB POSTPONEMENT**

--- 402 W. Juniata Street, S20-7, requested by Eddie and Dima Shetayh.

**Staff Report**

**Adjourn**

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

MEMBERS PRESENT:

Oldrich Foucek, Chairman  
Mark Buchvalt, Vice Chairman  
Jeff Glazier  
Damien Brown  
Christian Brown

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:

Michael Gula, Van Cleef Engineering

MINUTES:

Motion made by Atty. Oldrich Foucek to approve the minutes of July 14, 2020 with minor edits addressed. Motion passed unanimously.

SIDEWALK POSTPONEMENT REQUESTS:

--- 402 West Juniata Street, S(20)-7, requested by Eddie and Dima Shetayh

Mr. Gula, the engineer, is representing client, Eddie Shetayh. Mr. Shetayh is rehabbing a property at the intersection of West Juniata and South 4th Street. We submitted a minor land development plan and one comment was to propose curbing and sidewalk along West Juniata. We are asking for a deferral of both of those items for several reasons.

West Juniata Street is a public right of way in the city, unimproved, and a dead-end street. It has no future connections and you would have to cross a railroad. We do have an existing access on to West Juniata Street and that is going to be improved. Originally, we proposed paving to the driveway. Essentially this is serving as a driveway to the property across the street from us, Rudy's Car Wash. Client, Eddie Shetayh, is going to use property as a car repair and car sales, formerly used as an auto parts store and junk dealer. The Parking area needed improvement.

We are proposing to have a driveway access off Juniata Street and come out onto South 4th Street which is currently an existing condition in a dilapidated form.

Atty. Foucek makes it clear that the Planning Commission does not have jurisdiction to grant curbing that is up to City Engineers, but we will consider your request for the sidewalk.

Mr. Gula explains that the deferral allows for a postponement in the case that the unique physical condition that makes the inflation of the sidewalks a hardship. The driveway is not a city street. It is a driveway for the car wash. The standards of the City are not being met with that driveway as far as the street is concerned. The end of the driveway extends onto the car wash property. At the back of our property there is significant change to our topography that would require a lot of excavation and major fill condition for the sidewalk and curbing to be installed and a street. That is before the railroad. There was a right of way at the rear of these properties and that was vacated at a certain street. The topography drops down to the railroad and Eddie Shetayh's property. The right of way and where sidewalk would have to be placed would be far off that existing driveway as it exists today.

Atty. Foucek asks if anyone has any questions.

Mark Buchvalt states not to encourage pedestrian traffic to that location. Discourage people from congregating back there.

Damien Brown comments on record I see no reason to defer curb installment on the street, there is curbing directly across the street and for city staff to take this into consideration.

Atty. Foucek asks if the curbs on the one side going to be on top of or next to a paved area. Is there stormwater control? The photographs do not show this.

Mr. Gula explains that the curbing that is already existing is almost ornamental. I am sure it does provide a Gutter, but it is mostly a rolled curb and it is not a city standard street. It is a driveway and any of the curbing would have to be to the city standard and there would have to be paving improvement.

Damien Brown notes that it is a city street which the city is responsible for repairing and maintaining. Curbing does prolong the life to the city street. Down the road the neighboring property owners are not going to agree with private driveway.

City Engineer, Mark Geosits, states that we very rarely defer curbing. The city will be looking for that area be filled in. At least the fill in area would have to be constructed as part of the development.

Atty. Foucek states that I am gathering that sidewalks do not need to be installed.

Christian Brown states that the Wawa on the other side may also spur some additional development or redevelopment so the more improvements we can make the better. Improving curb and sidewalk up to the point of the access points of the property is important. If they can widen and improve that road, the sidewalks should go in. Having connectivity into the property would be better. I would be in favor of curb and sidewalk up to the second access point on Juniata.

Mr. Gula states that there are sections on 4th street that are going to be addressed.

Atty. Foucek concludes it makes sense to have a stretch of sidewalk to the point of access. Extending sidewalks with an ADA ramp to the point where you have access to enter your property. No point to extending it beyond that.

Mr. Gula states that there is a driveway off South 4th street. There is another access point but that is going to be a fenced in area, closed off to pedestrians. The driveway that is shown now will be utilized. The entrance to the driveway on Juniata Street looks like it is going to be about 30 feet from the curb on South 4th street. We are going to install sidewalk to the corner to the driveway and beyond the driveway and then the only other place is the second driveway but that is going to be gated off.

Atty. Foucek asks for motion to grant the waiver of sidewalks only from the West end of the driveway to the end of the property requiring sidewalks from South 4th street intersection with Juniata to the far end of the first driveway for 10 year postponement. Christian Brown would like to amend that motion due to extending sidewalk to second driveway. Atty. Foucek clarifies that it would not be to the second driveway. Jeff Glazier makes the motion as stated. Mark Buchvalt makes second motion. Motion passed unanimously.

ADJOURN:

There being no further business, the meeting adjourned.

Respectfully submitted,

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