

Allentown

*435 Hamilton Street
Allentown, Pa. 18101*



Minutes - Final

Tuesday, September 8, 2020

12:15 PM

Teams Meeting

Planning Commission

<https://rebrand.ly/ACPC-September-8>
Dial: 717-740-2323
Conference ID: 298 692 346#

Call to Order

Minutes of Public Meeting of August 11, 2019

Adaptive Re-Use Application

--- 1021 Turner Street 20-3(SP). Application of Dairy on Turner, LLC to convert vacant building into 6 dwelling units. Section 1327 of the Zoning Ordinance provides the Planning Commission with the opportunity to review and provide comments to the Zoning Hearing Board.

Requested Waivers

--- 1110 North Sherman Street, LMI-2019-00007, requested by Hellsnell, LLC c/o Paul Snellen.

The applicant requested under Section 1385.11.B regarding the distance of excavation from any adjoining property line. The property line will be less than 5' from the adjoining property line to the north.

Land Developments

--- 902-912 & 914-916 Union Boulevard, LMA-2020-00010 & LDC-2020-00005, preliminary/final plan approval requested by UB Development LLC.

The applicant proposes to construct a 2,454 SF restaurant.

--- 108 South Seventh Street and 718 West Walnut Street, LMA-2020-00011 & SMI-2020-00009, preliminary/final plan approval requested by Allentown Parking Authority.

The applicant proposes to construct a multi-level parking deck.

Adjourn

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

MEMBERS PRESENT:

Oldrich Foucek, Chairman
Mark Buchvalt, Vice Chairman
Richard Button, Secretary
Jeff Glazier
Damien Brown
Christian Brown
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:

Lucienne Di Biase Dooley
Joe Rentko, Hanover Engineering
David Wilson, Regio Engineering
Ammar Jali and Sue, UB Development
Tyler Krause, McMahon Associates
John Morgan, Allentown Parking Authority
Richard Young, Allentown Parking Authority
Glenn Lichtenwalner, W2A Design Group
Michael Minervini, Liberty Engineering

MINUTES:

Motion made by Atty. Oldrich Foucek to approve the minutes of August 11, 2020 as written. Motion passed unanimously.

ADAPTIVE RE-USE:

--- 1021 Turner Street 20-3(SP). Application of Dairy on Turner, LLC to convert vacant building into 6 dwelling units. Section 1327 of the Zoning Ordinance provides the Planning Commission with the opportunity to review and provide comments to the Zoning Hearing Board.

Lucienne Di Biase Dooley is one of the owners and the architect for the project as the presenter. We bought this property in May of 2019. This is a former dairy building that sits in downtown Allentown unused for about 30 years. The Allentown Economic Development Inc. had bought it from the City of Allentown about 12 years ago. Our intent is to build six live/ work residential units and one commercial unit on the store front side of Turner Street. Still deciding on what to do with the commercial space. 6 residential units will each have a working and living space. This is something that the market is looking for as many people work from home. Milk was distributed from this location ending in the 40s. Then it was converted into an auto parts distribution center and 30 years ago stopped all use. We hope to give this a new life for the neighborhood.

Atty. Foucek asks where the garbage disposal will be? Lucienne responds that they will take one of the six parking spaces in the back to use for the dumpster and get additional parking spaces not too far from there to accommodate what they need. We are working with Zoning Supervisor, Frederick

Andrayko. We have 5 units that are two stories, the first and second floor, and the commercial space which needs to be allocated for a use. There is currently a door in the front of the building. They are going to create a lobby that will separate the access to the apartment building on the second floor. There will be two entrances. We are creating interior steps from the entrance to the door. There will be no steps outside the door, we will have steps upon entrance in the building. It is very tight, and we are trying to make it safe.

Atty. Foucek states that this time during Covid, live/workspaces are in demand and will need some approvals from zoning. Christian Brown participated in one of the meetings with the applicant and city staff. The Historic District has been waiting for something like this to come for some time. This is what we look for with any sort of adaptive reuse in the historic district combination of residential with a commercial space and a live/work opportunity. We intend as an organization to support it when we can so at the zoning meeting my organization will be in attendance.

Atty. Foucek asks for a motion to recommend approval to the Zoning Hearing Board for this property. Jeff Glazier makes the motion to recommend approval. Richard Button seconds the motion. Motion passed unanimously.

REQUESTED WAIVER:

--- 1110 North Sherman Street, LMI-2019-00007, requested by Hellsnell, LLC c/o Paul Snellen.

This is a waiver for a minor land development. Joe Rentko is present and explains that there is another commercial use next to the property. The two neighbors get along and the neighbor has a shed encroaching Mr. Snellen's property, but they are amicable about it. We are not proposing to put any features within five feet of the property line but there is some minor grading from that curb line within the five-foot setback, so we are requesting waiver for it.

Atty. Foucek asks for motion to grant the waiver. Mark Buchvalt makes the motion. Damien Brown seconds the motion. Motion passed unanimously.

LAND DEVELOPMENTS:

--- 902-912 & 914-916 Union Boulevard, LMA-2020-00010 & LDC-2020-00005, preliminary/final plan approval requested by UB Development LLC.

David Wilson on the line from Civitas Regio. To the North is an existing Wawa and to the left (west) is another gas station. Right now, is an existing approximately 2,800 square foot vacant building on the site and to the right (east) use to be a single-family dwelling and detached garage. We are proposing to demo the existing vacant building and billboard and install a fast-food restaurant with drive thru services. It will be smaller than the existing building. The fast-food restaurant will be about 2,454 square feet. Shows a video the architect drew.

Mr. Wilson compares this restaurant to a McDonald's, Wendy's, or Burger King as fast food serving primarily burgers. It is a new franchise in existence for about a year, and new to the Lehigh Valley. This was an attractive idea to start here and then grow into other areas. The property currently has two driveways on Irving Street, one on Union Blvd, and there use to be a garage on Ingram. We will be closing the driveway on Union Blvd and the northern driveway on Irving Street. The southern on Irving will be kept and there will be a new driveway on Ingram Street. It is two properties, one about 0.32 acres and the other is about .11 so combining a little under half an acre. One issue in the comment letter was providing a five-foot buffer strip on Ingram Street which pushed parking to the east so in order to be in compliance is to do angle parking with a reduced driveway width or another option in zoning is to allow the parking stalls instead of being 8 and ½ feet wide be 9 and ½ feet wide and make it a one way instead of a two way. North Ingram and Irving would be counterclockwise maneuvering. We will be adding some street trees. We may not be able to add all the required street trees so we would be in lieu. The other comment was storm water, we will be putting an underground detention basin in, spoke to city engineer about that. Public utilities available. Water and sanitary sewer on the existing lines on N. Ingram street. UGI will tie into the existing gas line on east side of Ingram street. In the process of coordinating with DEP, the city, LCA, and LVPC. Submitted land development plans to LVPC for review. Proposed 32 indoor seats and 12 outdoor seats by front entrance.

Richard Button states that on Clay street side that there is a dramatic grade difference. Mr. Wilson

explains that this drawing shows a retaining wall. We may make modifications and have it as curb. Resubmitting a new six-inch curb along Clay street and it will be a 3 to 1 slope. We will put a vehicle guide rail and a pedestrian side rail to protect people from going down the slope, but the area will primarily be landscaped. UB development owns the 3 parcels and is the applicant and Ammar and Sue are the company owners. That lot consolidation would be part in parcel to the improvement of the Subdivision land development plan. We are consolidating the lot so both will be done concurrently. Tyler Krause with McMahon Associates explains that they did a traffic impact study and did not see issues that would be present for Westbound Union Boulevard and southbound Irving Street at the intersection of Union and Airport road/Irving Street. The driveway on N. Irving Street would prevent that. Irving Street has a median and there would be signs for right in right out traffic. They would not be able to make a left going southbound on Irving.

Damien Brown comments on pedestrian access and that this will generate pedestrian traffic particularly from Dieruff High School from the South and multiple points of access for public safety reasons and liability would be good possibly aligned with main entrance on Irving Street directly across to the public seating area outside sidewalk and crosswalk, and another from Union Blvd and Ingram Street. The other comment is along Clay Street on the video, it looked like there was some landscaping on the slope, but I do not see it on the plan. The minor concern there is traffic heading South through the parking area shining headlights on residents to the south. Possibly some minor landscaping along Clay street could alleviate that concern.

Mr. Wilson states we can add minor landscaping in that area to prevent vehicular light disturbance. We can look into providing pedestrian access. There is sidewalk along North Irving Street and we will have to look at the slopes and investigate providing sidewalk. Union Boulevard has a 3 to 1 slope so it may be challenging to provide sidewalk. We would probably view North Irving street as the main pedestrian entry. The double door facing north Irving street would be the main entrance. We have 3 parking spaces north of the building, sidewalk, and a driveway. There is a little under 2-foot height difference between the parking lot and the sidewalk on Union Boulevard but there will be pedestrian flow in that area. Richard Button suggests that the pedestrian access should be on the Southside of that Irving Street entrance by the buffer yard because that is the first point that pedestrians from the high school will reach on that property. It might be safer and more effective, but you might run into slope issues there. We can look into moving the crosswalk. You are going to have a lot of pedestrian traffic through Ingram street because of the residential neighborhood below it. This side would be hard to provide a pedestrian walkway we will look into it per code we are required to provide one. We start running out of real estate. Mr. Brown suggests that the north east pedestrian approach on Union boulevard might alleviate some of that. Another option is to go directly east from the front of the restaurant and connect with Ingram street and you can access that from Union Boulevard. So, the northern face of restaurant and immediately to the right to the Sidewalk on Ingram street that is close to Union Boulevard.

Atty. Foucek states that the appropriate thing would be to give the developer more time to address the issues raised. Mr. Wilson states we will take these comments into consideration and grant a time extension if needed and make some adjustments to resubmit. Our next hope would be to request approval and meet all the comments with the next submission. Atty. Foucek states final comments about this site. Pedestrian access comments are significant. The bulk of foot traffic will come from the high school to the south. Ingram goes all the way south to the high school, but the school exit is to the west directing traffic largely up Irving Street. Christian Brown comments on fast food restaurants adjacent to existing residential use we spent time on talking about the drive thru window, the call box, and the noise factors and if there should be any discussion about that and hours of operation. We have brought these up mostly because we have talked about these things mostly in response to objectors, just something to keep in mind and subject to the noise ordinance in the city. Otherwise with the access and circulation just as important to accommodate pedestrian traffic where it wants to be and techniques to discourage it where you do not want it, maybe incorporating landscaping or fencing where your steep slopes are to keep folks from damaging landscape. Damien Brown comments that the elevation changes may alleviate that. Mr. Wilson states they will provide landscaping such as the

arborvitae tall, skinny shrubs which might help against the noise. We can see if we can rotate the call box more towards Irving Street instead of East Clay. Action not made at this meeting.

--- 108 South Seventh Street and 718 West Walnut Street, LMA-2020-00011 & SMI-2020-00009, preliminary/final plan approval requested by Allentown Parking Authority.

John Morgan and Richard Young from the APA, W2A, and Mike Minervini are all present. They each received the comment letter dated September 3, 2020. Richard Young speaks on behalf of the APA. Starting with comment number 4 under engineering about switching the entrance and exit and because of internal circulation the entrance and exit should remain as they are on 7th Street. There are two on 7th street as you are facing the parking garage the one on the right is the exit and the left is the entrance. We will have signage on the left entrance to attract to that location due to internal circulation. Next, comment number 8 changing the aisle width from 9 feet to 10 feet. 9 feet is a standard width to slow people down as they are coming up to the gate so making it narrower makes sense. Number 7 we will be using a thermoplastic pavement marking on the interior. Number 20, we will provide a planning module if we need it. Mark Buchvalt states that you may want to assume for a flow and go for the module because they take a while to get to DEP. Comment number 29, lighting along Hall Street. Right now, there is no lighting and we are not proposing any. The level of lighting from deck will be slightly more than there is today. The current surface lot has lighting. It will be better with the deck because the existing lot is roughly 15-20 feet below Hall street, so the lighting is not hitting the sidewalk. However, the proposed garage is open on the sides so some of that light will spill on to the sidewalk of Hall street so it will be an improvement to the existing use. Jeff Glazier replies that this seems to be a bit of a double edge sword because there is no setbacks for these homes and they are right on the street. The parking deck will also be hard onto hall street so how much light is going to be there? You need enough for safety but is there going to be too much lighting? Atty. Foucek states that the concern is the issue with safety. It is not clear if there will be enough light provided by this deck to provide people who live there or congregate there. We should know that there is going to be enough light and lighting fixtures that can go to the side of the building to light down the side of building and side of street without being overly bright. Putting this kind of structure on top of an alley in downtown Allentown is an invitation for some potential messy-ness. There should be some accommodations for that without shining headlight type lights into living rooms across the alley. Mark Geosits comments that every other parking garage we have put in we always require building lighting if there is sidewalk. As you said it is not a big cost and is going to be a big draw for foot traffic so it should be lit. There is no pedestrian access to the parking garage from that street. Jeff Glazier states the issue is going to be the neighbor's degree of safety. It is not a big use for pedestrian traffic currently, but we may see complaints and comments down the road from residents and the APA would have to deal with it at that point. Atty. Foucek suggests that maybe the developer can look at other parking decks in downtown like this one. Jeff Glazier states that the only thing he can think of is Sacred Hearts deck on Chew street in the back faces a half street. Put a note to come back to that point.

Richard Young continues, number 33 talks about construction within 5 feet of the property line. We are requesting a waiver of that requirement. The only areas within 5 feet are against the retaining wall that there is today. Atty. Foucek states that will not be an issue. Richard Young continues, number 37 about an existing easement. There are no existing easements with those powerlines, and they will be relocated. Mark Geosits comments please indicate "to be removed" on the plan. Richard Young continues number 42, offsite improvements we will not be doing any of that. It talks about improvements to the intersection at Union Street and 7th Street with ADA ramps, lights, changing LEDs, painting the poles, that is offsite improvements not part of this project. Mark Geosits states that he has this as a recommendation. As part of a discussion point with the planning commission. Not necessarily mandated, but it is recommended. This is going to be a 1,232-space parking deck and a generator for foot traffic. If it is a cost issue, there are others who would be impacted. Atty. Foucek states that it is a good recommendation.

Richard Young states number 43, the distribution of traffic. That was submitted to PennDOT as part of

an application for a spoken meeting. We have driveways coming out on 7th street, which is a state highway, so we do need a Highway Occupancy Permit. That was submitted to PennDOT and the spoken meeting has not been set up yet. Number 51 talks about lighting distribution internally. That is an internal issue not part of the planning commission. Mark Geosits states our traffic engineer made that comment but as courtesy they are going to have to look at how they are lighting the interior anyway. Whether you want to make it a condition of approval that is up to you but as a courtesy it would be nice to see what the lighting levels are going to be. Especially considering some of the comments with spillover of lighting outside of the building. Richard Young states that when the lighting plans on the internal are completed all of that will be submitted as part of the building permit process. I have no problem submitting copies of that to engineering. Regarding number 44 the gate issue, we are going to have gates which are not shown on the current plan. We are looking at alternative methods for control that would read license plates but at this point there will probably be gates there. Number 48 talks about interior. Adjacent to the entrance and exit we have some areas that are striped off and curbing. We are reluctant to put the curb in now for drainage reasons on the interior. We will be doing the median curb at the entrances. Atty. Foucek asks about the façade on 7th street and its appearance. Other parking decks in downtown look like they blend a lot better into the streetscapes. Your deck looks about 80% open. Richard Young replies that it needs to be open for ventilation. We do have an issue on the first level where we need to put some fans in. Atty. Foucek states there is a photo received from staff of a façade from Lancaster that looks about 4 or 5 stories tall and I would agree that 7th street is a major road in the city and from a visual point of view the comments are fairly well taken. We do not legislate aesthetics and cannot deny anything because of its looks. Damien Brown agrees with cities and Atty. Foucek's comments. I slightly disagree regarding our authority to weigh in on aesthetics specifically in the TNDO Overlay District. I have several issues with the functionality and aesthetics if you refer to Section 1314.02 C and 1314.02 D in the Zoning Ordinance. The 7th street façade there is a large amount of aesthetic related to entrances and exits. The building is adjacent to an existing public alley. The Ordinance does state whenever possible existing alleys should be used over primary streets. It also states parking visible from a public street should be screened which is open to interpretation, but we can all agree that some aesthetically appropriate treatment of garage particularly of this scale is called for. I would like to see more attention on the southern side. At ten stories tall you are going to see this from South Mountain. It is great to see the APA investing in infrastructure, but I still think we have work to do. Mark Buchvalt states that we are really not here to comment on the architecture but this did come up not just with you, but with City Center and the new school that was just built and what they did is have the architect come in and speak with city staff to meet a middle on a revised façade. Richard Young argues that on the renderings there is a different color scheme from the lower to the upper levels. Jeff Glazier agrees with the Planning Commission members that the design should be rethought. It is a very imposing structure on this street and more thought on how it blends in is owed.

Glenn Lichtenwalner is the architect and explains that the façade is viewed as a common parking deck. The issue that you have with these common parking decks is the openness requirement, so you are not creating a ventilation problem in the deck. The structural design requires those to be solid. Anthony Toth gives a brief comment that this should be directed at the Parking Authority because only they could empower them through the funds necessary to derive concepts acceptable to be aesthetically pleasing. Without those funds their hands are tied so they must go back to the APA to have them to empower the design professional to do this. If it is not important to the City of Allentown for aesthetics to take place it is never going to happen, so it needs to start somewhere and maybe this has been overlooked for too long. Atty. Foucek agrees with Mr. Toth, but with the attitude I am sensing from the APA is passive aggressiveness. We have certain authority but are concerned, particularly in the downtown area. We want to have something that we can be proud of and I think you can do a better job on this so unless there is a possibility of spending time and maybe money to accommodate, I am not prepared to move on this. Richard Young agrees to go to city staff. Irene Woodward reads off two public comments, one about the shadows on nearby properties and the other states that you can solve the front by putting in

apartments like on 8th and Walnut. Atty. Foucek states that residential would take away a lot of the parking spaces. Richard Young states if we occupy more of the first level with apartments we must go higher. Atty. Foucek concludes you are trying to achieve the number of 1,000+ parking spaces. Richard Young confirms right around 1200 is what we are needing. Mr. Toth suggests one of the members of the Planning Commission be present in those meetings with city staff. Jeff Glazier states as long as his schedule permits he will do it and this project will come back to the Planning Commission.

ADJOURN:

There being no further business, the meeting adjourned.

Respectfully submitted,

Recording Secretary _____