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September 15, 2023

The Honorable Daryl Hendricks
President, Allentown City Council
435 Hamilton Street
Allentown, PA 18101

THRU: Michael Hanlon (michael.hanlon@allentownpa.gov)
Clerk of City Council

Re: Petition to Vacate a Segment of Susquehanna Street

Please be informed that at the monthly meeting of the Allentown City Planning Commission held on September 12, 2023, the proposed vacation of a segment of Susquehanna Street between S. 7th Street and Virginia Street, petitioned by The Khan Partnership – was reviewed.

After deliberations, in a 4:0 vote, the Commission recommended for City Council action the vacation as proposed subject to the following conditions:

- a. For the petitioner to work with the city, and the owners and occupants of Parcels 1 and 3 towards an arrangement for access easement, acceptable to all parties, – all with due regard to the staff reviews from the City Public Works Department and the LVPC.
- b. Any recommendations for approval be strictly conditioned upon compliance with any recommendations by the Public Works Department during its detailed review and polling of adjoining property owners and review agencies as well as a review of any easements.
- c. **This petition will not be placed on City Council agenda until the Public Works analysis on the matter has been completed.**

Attached is the Planning Staff Report to the ACPC for reference. **As noted above, as agreed upon by the applicant, this item should not be placed on a City Council agenda until the Public Works staff report has been prepared. Staff will follow up when this report is available.** If you have any questions concerning this action, please contact Jesus Sadiua at 610-437-7613 ext. 2865 or jesus.sadiua@allentownpa.gov directly for this purpose.

Truly yours,
Jennifer
Gomez
Jennifer Gomez

Digitally signed by: Jennifer Gomez
DN: CN = Jennifer Gomez email = jennifer.gomez@allentownpa.gov
C = AD
Date: 2023.09.19 14:01:05 -04'00'

Attachment:

- Planning Staff report

ec: Yasin Kahn (drynkhan@gmail.com)
City of Allentown (Mark Shahda, David Petrik, Brian Borzak, Megan Wells), File



Planning & Zoning Staff Report to Allentown City Planning Commission

All comments in the report are advisory

Street Vacation : Portion of W. Susquehanna Street from S. 7th Street and S. Virginia Street

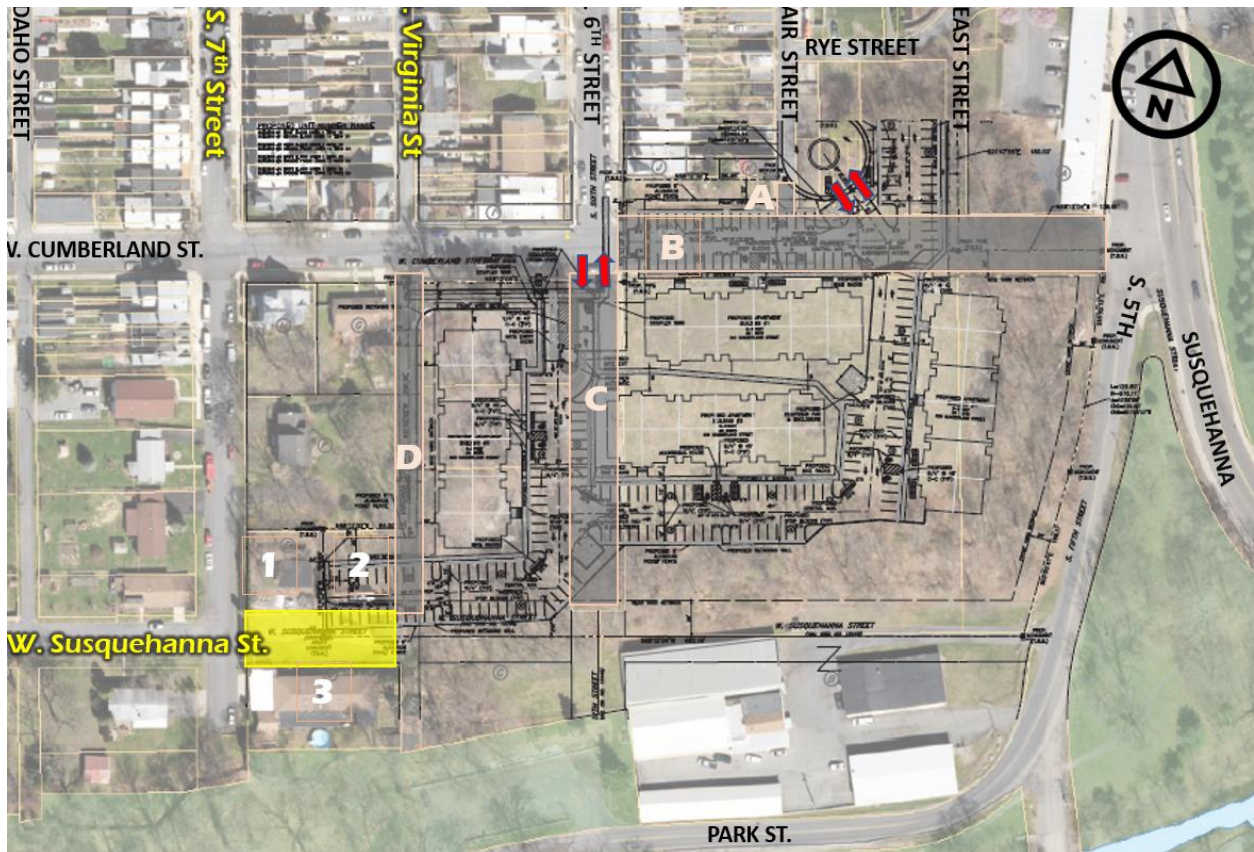
Petitioner : The Khan Partnership

DATE : September 12, 2020

Background

1. This proposed vacation comes from Yasin Khan (owner-developer of the lands immediately east of the subject street vacation (denoted by yellow rectangle in Fig-1). The purpose is to acquire the freed-up right-of-way to form part of the housing project called Cumberland Street Apartment Complex, which obtained conditional approval from ACPC in 2022 (i.e., CPC Case No. LMA-2022-00015 & LDC-2022-00007).
2. Petitioner requests that the vacation be granted with easements.
3. The subject roadway segment is in South Allentown, between S. 7th and S. 5th Streets.

Figure 1. W. Susquehanna Street to be vacated (yellow rectangle) and abutting parcels.



Findings /Comments /Conclusion

4. In late 2022, the ACPC reviewed and endorsed to City Council the vacation of 4 roadway segments in this same area to form part of the said housing development. These street

segments are identified in Fig-1 as A, B, C and D. These were subsequently vacated by City Council in mid-2023.

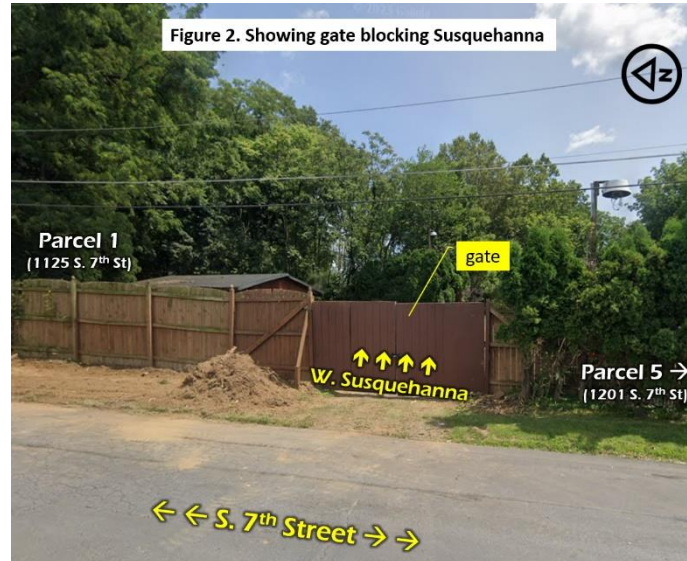
5. This current petition for W. Susquehanna Street (i.e., the yellow rectangle in Fig-1) is an item missed by the applicant in the initial petition and is now being petitioned for the same action. A favorable action will enable the developer to install one of the parking lots for the envisioned housing development.
6. At this point in the review, it should be mentioned that this petition is being considered today by ACPC ahead of the usual staff review from Public Works and LVPC. Reports produced by these units are important as they include comments from abutting property owners, public utilities, relevant city services, as well as the local and regional perspectives of the street vacation. Their respective staff reviews usually take time and effort to produce.
7. Due to the urgent request of the petitioner for an immediate action, should the Planning Commission add this item to the agenda, any ACPC action on the matter will hinge on what PW and LVPC recommends after their respective reviews later.

8. Subject street segment is about 170' long and 15' wide. If vacated, the action will free up 2,553 ft² (≈ 0.6 acres).

9. Street maps suggest that this segment of W. Susquehanna as unopened. Google Street images, however, show a secured wooden gate blocking this roadway at S. 7th Street (Fig-2). It is not known to Staff who maintains the gate as it is located between Parcel 1 and Parcel 3. If staff would venture a presumption, however, Parcel 1 might be maintaining the gate.

10. There are three (3) parcels deemed affected by the proposed street closure (refer to Fig-3):

- a. Parcel 1 is owned by Joshua Hein. This parcel contains a renter-occupied residential structure. Public access to this property is not readily obvious. The wooden gate that blocks this property on 7th Street is deemed outside the property boundaries of Parcel 1. Again, if Staff would a venture a presumption, it might be using Susquehanna to access 7th St.
- b. Parcel 2 is owned by the developer. It is a vacant lot that forms part of the impending multi-unit housing project.
- c. Parcel 3 is owned by Francisca Garcia Alcantara. This property currently hosts an owner-occupied, single-family structure. Public access to this property is on S. 7th Street.



11. Planning Staff reviewed the proposed vacation against criteria prescribed under Article 915 (re: Street Vacations) of the Codified Ordinances of the City of Allentown, as follows:

- a. Whether the right-of-way vacation will adversely affect the street pattern or circulation of the immediate area or of the community.
 - *No. In view of its unopened status, this segment of W. Susquehanna Steet does not form part of general traffic circulation in the area.*
- b. Whether the public need will be adversely affected.
 - *No. As pointed out in Item 11a. this segment of W. Susquehanna Steet does not form part of general traffic circulation in the area. Its loss will not affect current traffic flow in the area.*
- c. Whether the public right-of-way may be needed for future public use.
 - *Planning Staff defers to the Public Works Staff as to future plans for the subject street segment.*
- d. Whether any abutting property owner will become landlocked or will have his access substantially impaired.
 - *It appears that the residence in Parcel 1 could be impacted; however after consultation with Brian Borzak, we would advised that Parcel 1 would retain access to half of the road and therefore, would retain access.*

12. (This space is reserved for PW review and recommendation.):

a. Comments from abutting properties were obtained with the following results:

Property Owner	Response
Joshua Hein (Parcel 1)	
Yasin Khan (Parcel 2) Petitioner	Petitioner
Francisca Garcia Alcantara (Parcel 3)	

b. Utility agencies were also polled with the following results:

Utility Agency	Response
PPL	
UGI	
LCA	
Verizon	

c. City units that have a conceivable interest in vacating the subject street were also polled with the following results:

City Staff / Department	Response
A P D	
A F D	
Traffic Engineer	
Stormwater Engineer	
Communications /EMS	

13. (This space is reserved for LVPC review and recommendation.)

14. In view of the finding in Item 11.d, Staff advises the petitioner to work with the city, and the owners and occupants of Parcels 1 and 3 towards an arrangement for access easement, acceptable to all parties, – all with due regard to the staff reviews from the City Public Works Department and the LVPC. Staff also suggests that any recommendations for approval be strictly conditioned upon compliance with any recommendations by the Public Works Department during their detailed review and survey of adjoining property owners and review agencies as well as a review of any easements.

Staff will also note that this item will not be placed on a City Council agenda until the Public Works analysis has been completed. If there are critical dates that need to be met, we recommend they coordinate very closely with Public Works staff to ensure their timeline is feasible.

For consideration.