



City of Allentown  
Staff Report

All comments in the report are advisory

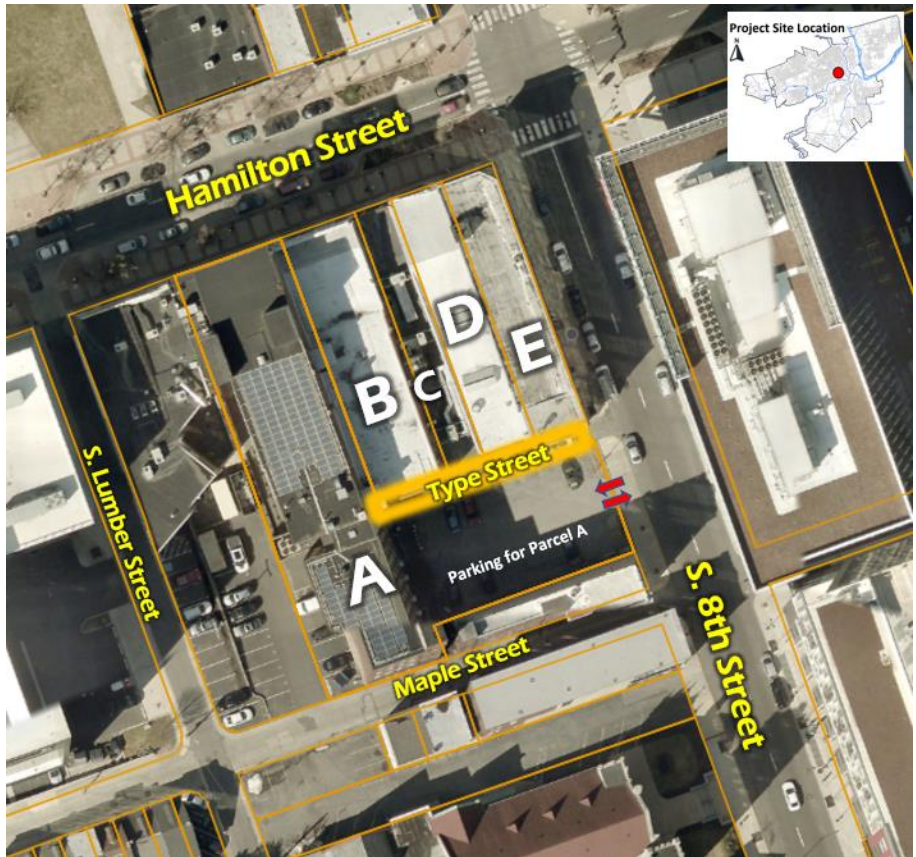
**To:** Allentown City Planning Commission  
**From:** Bureau of Planning & Zoning  
**Meeting Date:** February 13, 2024  
**Staff Contact:** Jesus Sadiua, Planner  
jesus.sadiua@allentownpa.gov

**Proposal:** Vacate Type Street from S. 8<sup>th</sup> Street, westward up to its terminus  
**Applicant:** City of Allentown, Public Works  
**Case Number:** V-24.01

**Description**

1. The City of Allentown, through its Public Works Dept., proposes to vacate -- with easements -- the segment of Type Street from S. 8<sup>th</sup> Street, westward up to where the street dead ends onto a building.
2. The purpose is to prepare the area for the impending Hamilton Street Sidewalk Improvement project, which encompasses this half-block of S. 8<sup>th</sup> Street up to Maple Street (related discussion on this in Item 6).

Fig-1. Aerial of vicinity showing Type Street, abutting parcels, and adjoining roadways.



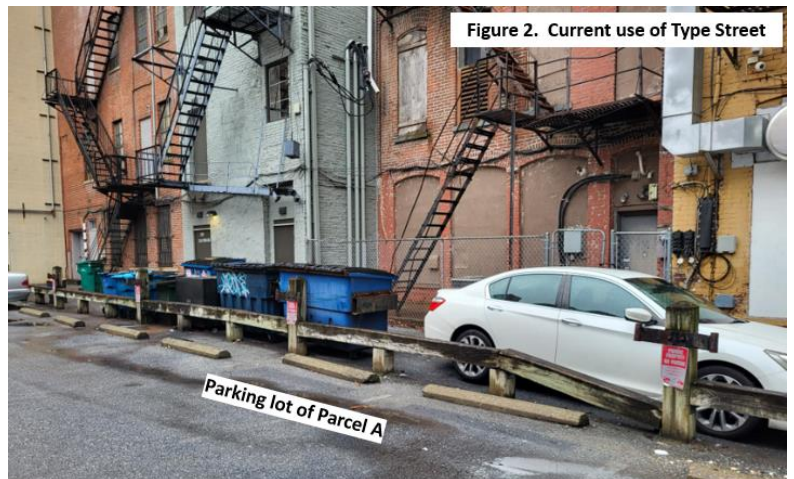
**Findings /Comments**

3. The subject street is an open but dead-end street. It is partly improved with unplanned asphalt paving and curbing where the street opens onto S. 8th. The subject street segment is approximately 10 feet wide and about 115 feet long. The proposed vacation would free up approx .03 acres of land.
4. There are 5 parcels abutting this segment of Type Street (see **Fig-1** for parcel label reference).

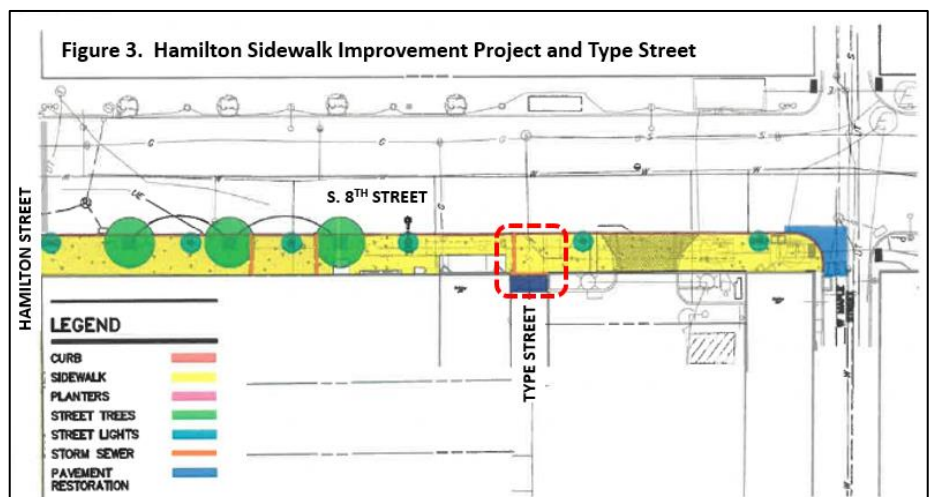
- a. Parcel A – i.e., the L-shaped lot -- hosts an active sit-in restaurant (*Allentown Brew Works*), owned by Fegley’s, whose parking lot fully abuts the subject street.
- b. Parcel B – is a vacant commercial building owned by an NYC-based LLC. The building used to house the *Hamilton Mall Family Center* on the ground floor, with offices above.
- c. Parcel C – contains an active sit-in restaurant and take out counter on the ground floor (*Mo’s Eatery*). This is owned by City Center.
- d. Parcel D – is a commercial building, owned by Jungsook Yoon, that hosts a retail concern on the ground floor (*Lana’s Beauty Supplies*).
- e. Parcel E – Is also a commercial building -- owned by Yong Kim – whose ground floor hosts a retail concern on Hamilton Street (i.e., *The One*) and a sit-in restaurant on 8<sup>th</sup> Street (*La Bicicleta*).

5. (Refer to **Fig-2**) During the Staff’s site visit on February 2, 2024, the following were noted:

- a. This dead-end street is mainly used for vehicle parking and storage of wheeled garbage dumpsters and other large refuse. It would seem that for the garbage to be collected, the dumpsters would either have to be rolled in and out of the alley onto 8<sup>th</sup> Street, or reached by the garbage truck at this location.
- b. All abutting buildings have a fire escape ladderway attached to their buildings.
- c. All buildings abutting this street segment have man-doors that open onto Type Street, presumably to access this alley.
- d. At least 3 of the 5 abutting buildings maintain some form of utility meter panels and /or ductwork attached to their buildings.
- e. There is a wooden fence that separates this alley from the parking lot of Parcel A. Staff does not know who maintains the fence.
- f. Although no person was seen in the alley itself, it is highly likely that occupants of the abutting buildings use this alley for whatever purpose.



6. According to the city’s PW Dept., the Hamilton Street Sidewalk Improvement project (cited in Item 2) is expected to pave over the “mouth” of Type Street -- which transitions Type Street onto S. 8<sup>th</sup> Street -- to achieve a continuous sidewalk flow (refer to hatched red box in **Fig-3**). This construction will be designed to retain access for wheeled garbage dumpsters in to and out of the vacated



alley but restrict car access thereto.

7. In accordance with Section 545-36.D of the city's Codified Ordinances (re: Street Vacations), Planning Staff reviewed the proposed vacation against criteria prescribed therefor:
  - a. **Whether the right-of-way vacation will adversely affect the street pattern or circulation of the immediate area or of the community.**
    - i. No, since the subject street segment is not a through street and not used as a roadway.
  - b. **Whether the public need will be adversely affected.**
    - i. No, since the subject street is not a through street and neither used as a roadway nor as a pedestrian route.
  - c. **Whether the public right-of-way may be needed for future public use.**
    - i. The city's Public Works Dept has proposed for this street vacation with conditions (refer to Item 8.d)
  - d. **Whether any abutting property owner will become landlocked or will have his access substantially impaired.**
    - i. No. All abutting properties (Parcels A to E in Fig-1) have primary access on Hamilton Street.
  
8. Meanwhile, Staff Report from the city's Bureau of Engineering, Public Works Dept informs of the following findings:

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

<b>Parcel Label</b>	<b>Property Owner</b>	<b>Response</b>
A	Fegley Real Estate LLC	Did not respond.
B	808 W Hamilton Heights Assoc LLC	Did not respond.
C	City Center Investment Corp	Did not respond.
D	Jeongsop & Jungsook Yoon	<b>Objects to vacation.</b> "We want to keep access to Type Steet."
E	Jong & Yong Kim	No objection.

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

<b>Utility Agency</b>	<b>Response</b>
PPL	No objection.
UGI	Has not responded.
LCA	<b>Objects</b> due to an active sewer line in the ROW and will need easements.
Verizon	No objection.

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	Has not responded.
A F D	No objection.
Traffic Superintendent	No objection
Stormwater Engineer	No objection.
Communications /EMS	Has not responded.

d. The Bureau of Engineering proposed for this street vacation with the condition that the City of Allentown reserves an easement over the vacated area for drainage and for passage of public utilities, together with right of entry thereon for repairs, construction and reconstruction of the drainage facilities and the public utilities without any liability for damages on the part of the City. Where the easement is reserved, no construction, temporary or permanent, shall be made over or across without the approval of the City of Allentown.

9. Finally, while LVPC thinks that the proposed vacation is not expected to negatively impact current traffic circulation, the action could affect access to the rear of properties that use Type Street for refuse containers, as well as emergency access via fire escape infrastructure on the exterior of buildings above street level. **It is strongly recommended that access to fire escape equipment be maintained at all times,** in accordance with any recommendations from the City Fire Department and emergency services (FutureLV Policies 2.2 and 5.1). Moreover, Responsibilities for utilities and drainage should be clearly defined, ensuring that all parties are informed during the review of the ordinance. **It is recommended that utilities, whether above or below ground, remain accessible for maintenance or repair** to sustain essential services (FutureLV: The Regional Plan Policy 5.4).

**Summary**

10. Planning Staff agrees with the recommendations by PW staff and LVPC, to vacate the subject street on the condition that **easements should be retained for drainage and access of the utilities.**