



Jennifer Gomez, AICP
Director of Planning and Zoning

City of Allentown
435 Hamilton Street, Allentown, PA 18101-1699
610-437-7630 x2866
jennifer.gomez@allentownpa.gov

July 17, 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

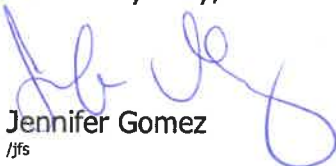
Re: Petition to Vacate a Segment of Dodge Street

Please be advised that at the monthly meeting of the Allentown City Planning Commission held on July 11, 2023, the proposed vacation of a segment of Dodge Street, from S. Muhlenberg to S. 24th Street, petitioned by Irene Librach and Terry Earan -- adjoining property owners -- was reviewed.

After deliberations, in a 5:0 vote, the Commission recommended for City Council action the partial vacation of subject Dodge Street – midway -- from S. Muhlenberg Street up to the center line of the now-vacated Brighton Street.

Attached is the Planning Staff report to the ACPC for reference. If you have any questions concerning this action, please contact Brandon Jones at 610-437-7613 ext. 2859 or brandon.jones@allentownpa.gov directly for this purpose.

Yours very truly,


Jennifer Gomez
/jfs

ec: City of Allentown (Mark Shahda, David Petrik, Brian Borzak, Megan Wells), File
ACPC (cbrown@browndesigncorp.com)



City of Allentown Staff Report

All comments in the report are advisory.

To: Allentown City Planning Commission
From: Bureau of Planning & Zoning
Brandon Jones, brandon.jones@allentownpa.gov
Meeting Date: July 11, 2023

Proposal: Vacate Dodge Street from S. Muhlenberg Street to S. 24th Street
Applicant: Irene Libach & Terry Earan
Case Number: V-23.02

Figure 1 Aerial showing Dodge Street and vicinity, adjoining roadways, and abutting properties.

Description

1. The applicants propose to vacate-without utility easements – a portion of Dodge Street from South Muhlenberg Street eastward to South 24th Street.
2. Two of the property owners immediately abutting the subject street (ie., Parcels D and C in Fig-1) are co-petitioners of this proposed action, both of whom wish to construct a driveway. Two additional property owners immediately abutting the subject street (ie., Parcels A and B) are opposers.



Findings /Comments

- 3. The subject portion of the street is unopened and has curbing and sidewalk along its western entrance. The eastern entrance of the subject street that opens onto S. 24th Street has been privately developed with parking access for the residents of 428 S. 24th Street and 420 S. 24th Street. It has an approximately 20 foot wide right of way with PPL utilities located within the privately developed portion of Dodge Street. The proposed section of Dodge Street is partly improved with asphalt paving and driveways. The remaining street length is deemed unimproved with the exception of curbing and sidewalk along S. Muhlenberg Street.

- 4. On July 3, 2023 staff conducted a site visit to observe the surrounding minor streets with similar configuration (i.e., Ford Street and Saxon Street. No traffic – pedestrian or vehicular – were observed to use these streets to access the Neighborhood Streets of S. Muhlenberg Street and S. 24th Street.

- 5. 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. Re: Street Pattern – No. If vacated the subject street segment would be used as an access to a and final destination for the abutting neighbors. Closing it, as requested, is not seen to affect the existing street pattern.
 - ii. Re: Circulation – No, since the subject street will only serve abutting property owners.

 - b. **Whether the public need will be adversely affected.**
 - i. No, since all abutting parcels will have access.

 - c. **Whether the public right-of-way may be needed for future public use.**
 - i. Planning Staff defers to the PW Staff as to future plans for the subject street.

 - d. **Whether any abutting property owner will become landlocked or will have his access substantially impaired.**
 - i. No. All five abutting parcels will retain accessibility and will not be landlocked.

- 6. Meanwhile, Staff Report from the City’s Public Works Dept informs of the following:
 - a. Comments from abutting properties were obtained with the following results:

Parcel Label	Property Owner	Response
A	Lori Novak	Objects -- Attorney Letter: City has nothing to vacate
B	Julio Astacio	Objects -- Does not want traffic increase/ Reduction in property value
C	Irene Libach- Co-petitioner	
D	Terry Earan- Co-petitioner	

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

Utility Agency	Response
PPL	<i>Objects</i> due to existing facilities and will need easements.
UGI	No objection.
LCA	No objection.
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 Engineer	No objection.
Stormwater Engineer	No objection.
Communications /EMS	Has not responded.

d. Staff from the City’s PW Dept. suggests Dodge Street be vacated from S. Muhlenberg Street to the centerline of vacated S. Brighton Street. No easement will be needed for PP&L

7. Finally, LVPC’s review of the subject vacation found it consistent with regional policies (FutureLV: The Regional Plan Policy 5.2 and 5.4). Supporting the closure, LVPC recommends that the adjacent property owners sign a petition to memorialize their consensus for vacating the street of its entirety. Property owners should also be aware that driveway access, curb cuts and (ADA) improvements along S. Muhlenberg Street should be maintained or constructed to maintain pedestrian connectivity. LVPC finally recommends that utilities that are above and below ground remain accessible.

Summary

8. To Planning Staff’s view this street is not widely used and agrees with the recommendations by PW staff and LVPC, to vacate the subject street. Staff also concurs with Public Works to limit the vacation to S. Muhlenberg Street to the centerline of vacated S. Brighton Street.