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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 N. Skyline Drive

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 North Maxwell Street from the east property line of 501 Skyline Drive, westward to the terminus of Skyline Drive, petitioned by JWAGS Development Company, LLC – was reviewed.

After deliberations, in a 5:0 vote, the Commission recommended for City Council action the vacation as proposed subject to polling Lehigh County as an abutting property owner.

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.

Truly yours,
Jennifer

Gomez
Jennifer Gomez

Digitally signed by: Jennifer Gomez
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Date: 2023.09.19 14:01:05 -0400

Attachment:

- Planning Staff report

cc: John J Wagler; Frank D'Amore (fdamore@flblaw.com)
City of Allentown (Mark Shahda, David Petrik, Brian Borzak, Megan Wells), File



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: September 12, 2023

Proposal: Vacate a portion of Skyline Drive from the East Property line of 501 Skyline Drive to its Western Terminus
Applicant: JWAGS Development Company, LLC
Case Number: V-23.03

Figure 1 Aerial showing Skyline Drive and vicinity, adjoining roadways, and abutting properties.

Description

1. The applicant proposes to vacate a portion of Skyline Drive from the East Property line of 501 Skyline Drive to its Western Terminus with the intentions of using this section as a driveway to a new home being proposed on parcel A.



2. The subject roadway is abutted by three parcels. Parcel A, the co-petitioner, Parcel B, vacant property and Parcel C, Walking Purchase Park (Fig. 1)

Findings /Comments

- 3. The subject portion of the street has a 50' wide Right of Way and extends westward to its terminus, a heavily wooded area. Abutting this subject roadway from the south is a property under foreclosure (Parcel B) (Fig 1.)
- 4. On August 22, 2023 staff conducted a site visit to observe the surrounding area. It was observed that this subject roadway is a dead-end street with no impact to any of the surrounding area (i.e. pedestrian and vehicular traffic).

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 dedicated to future private development. Closing it, as requested, is not seen to affect the existing street pattern.
 - ii. Re: Circulation – No, since the subject street is a dead end.
 - 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. Both 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	JWAGS Development -Co-Petitioner	<i>No-Objection</i>
B	Raymond Jr.& Carol Magneilli	<i>No Response</i>

- 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 Skyline Drive be vacated from the East property line of 501 Skyline Drive to its Western Terminus with easements needed for PP&L.

8. LVPC's review of the subject vacation found it consistent with regional policies concerning vacating roadways.

Summary

7. Planning Staff agrees with the recommendations by PW staff to vacate the subject street. Staff also concurs with Public Works to allow easements for PPL.