Ray O'Connell, President
Julio A. Guridy, Vice President
Joseph Davis
Jeanette Eichenwald
Jeff Glazier
Daryl Hendricks
Cynthia Y. Mota

Allentown City Council
435 Hamilton Street
Allentown, Pa. 18101
AllentownPa.Gov

Facebook: Allentown City Council

COUNCIL MEETING
June 17, 2015
COUNCIL CHAMBERS

Parks and Recreation Committee Meeting – 5:00 PM

Bill 32 WPA Parkway Restoration

Amending the 2015 Capital Project Fund Budget to provide for a transfer of Twenty Three Thousand Eight Hundred and Fifty ($23,850) from Capital Project 1698 (Ice Skating Rink) to Capital Project 2202 (WPA Structures) for design services and construction documents necessary to rebuild a failing section of WPA stone masonry retaining wall along the Lehigh Parkway.

Community and Economic Development Committee Meeting – 5:15 PM

Bill 13 Sacred Heart Rezoning

Amends the Zoning Code by rezoning an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and generally Oak Street extended to the north from Medium High Density Residential (R-MH) and Institutional and Government (I-G) District to High Density Residential (R-H) District, requested by T&M Associates on behalf of Sacred Heart Housing, LP

Public Works Committee Meeting - 5:45 PM

Bill 30 Street Vacation

Providing for the vacation of a portion of North Levan Street from the centerline of Turner Street to the centerline of Russell Street and a portion of Russell Street from the centerline of North Levan Street to the centerline of North Penn Street located in the Ninth Ward of the City of Allentown.

PUBLIC HEARING
INTERMUNICIPAL LIQUOR LICENSE TRANSFER – 6:00 PM

Notice: Allentown City Council will conduct a Public Hearing on Wednesday, June 17, 2015 at 6:00 PM in Council Chambers, 435 Hamilton Street, Allentown, PA 18101. The purpose of the Public Hearing is to take public testimony on the request for the Intermunicipal Transfer of Liquor License Number R-1524, LouAnn Restaurant Group, LLC, from 129 - 131 Howertown, Road, Catasauqua, PA 18032 to 365 S. Cedar Crest Boulevard, Allentown, PA 18103 (Weis Markets, Inc.). The transfer applicant is Weis Markets, Inc. There will be a resolution on the council meeting that follows the public hearing that will allow City Council to approve or disapprove the transfer.

PUBLIC HEARING - REZONING PETITION – 6:30 PM

Allentown City Council will take testimony on the following proposal:

Bill 13 Sacred Heart Rezoning

Amends the Zoning Code by rezoning an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and generally Oak Street extended to the north from Medium

High Density Residential (R-MH) and Institutional and Government (I-G) District to High Density Residential (R-H) District, requested by T&M Associates on behalf of Sacred Heart Housing, LP

COUNCIL MEETING – 7:00 PM

1. Call to Order
2. Invocation: Pastor Jim Rivera, City Limits Assembly of God
3. Roll Call
4. Courtesy of the Floor
Courtesy and Privilege of the Floor Rules

Please observe the Rules of Council when addressing the body. A full copy of Council Rules can be found on the city website or by email if you contact Council office.

There are multiple opportunities to address Council. Individuals can speak during Courtesy of the Floor (addressing items not on the agenda) and during Bills and Resolutions on Final Passage and Introduction. When given the Floor, please go to the podium and state your name and address. All remarks must be directed towards the presiding officer or council as a body; not a particular Council member or elected official, the audience or city staff. Unless otherwise determined, individuals shall have three minutes to address council and individuals representing a bona-fide group shall have five minutes. Privilege of the Floor will not be extended for personal insults or personal attacks on any individual, name calling or other behavior that is inconsistent with the purpose and intent of conducting official business. Please address council as a body. Refrain from using offensive language, cursing and making noises while other people are speaking. Act with decorum. Remove your hat and turn cell phones off.

5. Approval of Minutes: June 3, 2015

6. Old Business

7. Communications
Watson Skinner Award – In Memoriam: Ernie Atiyeh

8. REPORTS FROM COMMITTEES:
Budget and Finance: Chairperson Glazier
Public Safety: Chairperson Eichenwald
Community and Economic Development: Chairperson Guridy
Parks and Recreation: Chairperson Mota
Public Works: Chairperson Davis
Human Resources, Administration and Appointments: Chairperson Hendricks
Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson O'Connell
City Controller's Report
Managing Director's Report

9. APPOINTMENTS:

Mary Hammer Joachim	**Shade Tree Commission**	**Term to Expired 08/16/2018**

10. ORDINANCES FOR FINAL PASSAGE (To be Voted On):

Bill 13 Sacred Heart Rezoning
Amends the Zoning Code by rezoning an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and generally Oak Street extended to the north from Medium High Density Residential (R-MH) and Institutional and Government (I-G) District to High Density Residential (R-H) District, requested by T&M Associates on behalf of Sacred Heart Housing, LP

Bill 30 Street Vacation
Providing for the vacation of a portion of North Levan Street from the centerline of Turner Street to the centerline of Russell Street and a portion of Russell Street from the centerline of North Levan Street to the centerline of North Penn Street located in the Ninth Ward of the City of Allentown.

Bill 29 Police Fee Adjustments
Amending Article 397.01, Police Fees, and Article 397.02, Police Academy Fees, by increasing fees for accident reports, false alarms, criminal history checks, and police training fees; and establishing a fee for video requests for civil services to better reflect the costs associated for providing the particular services.

Bill 31 PEMA Grant
Amending the 2015 General Fund Budget to provide for a supplemental appropriation of $14,284.70 from a PEMA grant, Pennsylvania Emergency Management Agency, to the Fire Department to provide for Self Contained Breathing Apparatus Equipment

Bill 32 WPA Parkway Restoration
Amending the 2015 Capital Project Fund Budget to provide for a transfer of Twenty Three Thousand Eight Hundred and Fifty ($23,850) from Capital Project 1698 (Ice Skating Rink) to Capital Project 2202 (WPA Structures) for design services and construction documents necessary to rebuild a failing section of WPA stone masonry retaining wall along the Lehigh Parkway.

11. RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

12. ORDINANCES FOR INTRODUCTION (To be referred to Committee with public comment prior to referral)

Bill 33 EPA Pass through Grant **TO BE VOTED ON**
Amending the 2015 Grant Fund Budget to provide for a supplemental appropriation of $404,667 from an EPA grant, The Environmental Protection Agency, for the Community Department to provide for Brownfields funds for a remediation Allentown Metalwork project.

Bill 34 Zoning Map Change **Refer to CEDC, City and Lehigh Valley Planning Commissions**
Amending the Zoning Map by rezoning 715, 715 ½ and 717 North Railroad Street from Medium High Density Residential (R-MH) to Limited Business/Residential (B-1/R) and 707, 709 and 711 North Railroad Street from Medium High Density Residential (R-MH) to Limited Business/Residential (B-1/R).

13. RESOLUTIONS FOR INTRODUCTION (Can be voted on or Referred to Committee):

R28 Liquor License Transfer Weis Markets, Inc. **To Be Voted On**
Approves the proposed intermunicipal transfer of restaurant liquor license no. R-1524 into the City of Allentown by Weis Markets, Inc.

R29 Grant Submission for Pedestrian Street Lighting **To Be Voted On**

Authorizes Submission of an Grant Application to the Pennsyvlania Department of Transportation for One Million ($1,000,000) Dollars from the Multimodal Fund for Center City Pedestrian Lighting

R30 Grant Submission for American Parkway Lighting and Monitoring System **To Be Voted On**

Authorizes the submission of a Grant Application to the Pennsylvania Department of Transportation for One Million Four Hundred Thousand, ($1,400,000) Dollars in Multi Modal Funding to be used for the installation of new LED Street light with monitoring system along American Parkway from Union Street to Airport Road project.

R31 HARB Approvals **To Be Voted On**

Approves Certificates of Appropriateness for work at 340-1/2 N. 9th Street and 348 N. 9th Street

R32 Cancels July 1st Meeting **To Be Voted On**

Cancels July 1st Council Meeting

14. NEW BUSINESS

15. GOOD AND WELFARE

16. ADJOURN

Ed Pawlowski, Mayor
City of Allentown
435 Hamilton St, 5th Floor
Allentown, PA 18101-1699
Office 610.437.7546
Fax 610.437.8730
Ed.Pawlowski@allentownpa.gov

Allentown
City without limits.

TO: Michael Hanlon
City Clerk

FROM: Ed Pawlowski
Mayor

DATE: June 2, 2015

SUBJECT: Authorities, Boards, Commissions Appointments

Mayor Pawlowski has approved the following appointment for City Council's consideration.

Name	Authority/Board/Commission	Term to Expire
Mary Hammer Joachim	Shade Tree Commission	08/16/2018

Ms. Joachim is to replace Lorraine Harper who moved out of the area. Her resume is attached for your review.

EP/kal

Attachments

REQUEST FOR APPOINTMENT **DATE** 10-10-2014

AUTHORITY, BOARD OR COMMISSION YOU ARE REQUESTING APPOINTMENT TO: Shade Tree Commission

NAME: Mary Hammer Joachim

HOME ADDRESS: 909 N. 19th Street, Allentown, PA 18104

BUSINESS ADDRESS: N/A

TELEPHONE NO. (RESIDENCE) 434-4590 **BUSINESS** _____

EMAIL: maryjoachim@hotmail.com

PRESENTLY EMPLOYED BY: retired

JOB TITLE: Attorney

EMPLOYMENT (Prior): Bucceri + Pincus, 300 Broadacres Drive, Bloomfield, N.J. 07003

EDUCATION:

HIGH SCHOOL GRADUATE:	✓ **YES**	**NO**
COLLEGE OR UNIVERSITY GRADUATE	✓ **YES**	**NO**
DEGREE/FIELD OF STUDY		

JD Fordham University School of Law

CURRENT MEMBERSHIP IN ORGANIZATIONS AND OFFICES:

Allentown Garden Club: Garden Consultant, Clerks Co-Chair and Parlimentarian

IF YOU ARE BEING CONSIDERED FOR REAPPOINTMENT, PLEASE INDICATE HOW MANY TERMS YOU HAVE SERVED _____ AND THE YEAR YOU WERE FIRST APPOINTED _____.

NOTE: This information will be used for making appointments to authorities, boards and commission and in the event you are appointed/reappointed, it may be used as a news release to identify you to the community.

Mary L. Joachim
Signature

10-10-2014
Date

Please forward this request for appointment, along with a resume to:

Mayor'S Office
City Hall
435 Hamilton Street
Allentown, PA 18101

Mary J. Hammer
909 North 19th Street
Allentown, PA. 18104
610-434-4590
maryjoachim@hotmail.com

AREAS OF PRACTICE

Labor and Management

Management. Developed Affirmative Action and Sexual Harassment Policies. Developed procedures for handling affirmative action and sexual harassment complaints and investigations. Supervised the Office of Labor Relations. Advised senior staff regarding policies concerning hiring, firing and promotion. Interfaced with outside counsel.

Labor. Represented the NJEA and its members before PERC, the Commissioner of Education, Division on Civil Rights and in federal and state courts. Counseled union representatives regarding various issues of concern to the members, including the state and federal family leave acts, discrimination, sexual harassment and disability accommodation.

Commercial Litigation

Handled various commercial litigation matters, including construction, real estate and real property tax appeals.

Anti-Trust Litigation

Handled multi-district anti-trust litigation in several federal jurisdictions.

Real Estate

Drafted commercial lease agreements. Handled commercial and residential real estate closings. Reviewed commercial leases for the NJEA.

Contracts

Reviewed all types of contracts, ranging in complexity from simple vendor contracts to complex construction contracts. Reviewed numerous commercial and employment contracts for management and labor.

Family Law

Handled divorce, adoption and child support enforcement matters.

EMPLOYMENT HISTORY

10/88 to 5/2010 Bucceri & Pincus, 300 Broadacres Dr., Bloomfield, NJ; Senior Associate
02/87 to 08/88 Medvin and Elberg, One Gateway Center, Newark, NJ; Associate
10/85 to 01/87 Nagel, Rice & Dreifuss, 301S. Livingston Ave, Livingston, NJ; Associate
11/75 to 09/84 New Jersey Institute of Technology, 323 MLK Blvd., Newark, NJ; General Counsel
02/68 to 08/71 Harcourt Brace Jovanovich, New York, NY; Assistant Editor
09/66 to 08/67 New York Life Insurance Company, New York, NY; Contract Analyst

Bar Admissions

New York, 1976
New Jersey, 1975

Education

J.D., 1974 Fordham University Law School, New York, NY
B.A. in English Literature, 1966, Adelphi University, Garden City, NY, Cum Laude

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 13 - 2015

MARCH 18, 2015

AN ORDINANCE

Amending the Zoning Code, Article 1301 – 1331, of the Codified Ordinance of the City of Allentown.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the area on the Zoning Map of the City of Allentown, depicted on Exhibit "A" attached hereto, be rezoned from Institutional and Government (I-G) and Medium High Density Residential (R-MH) to High Density residential (R-H).

SECTION TWO: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

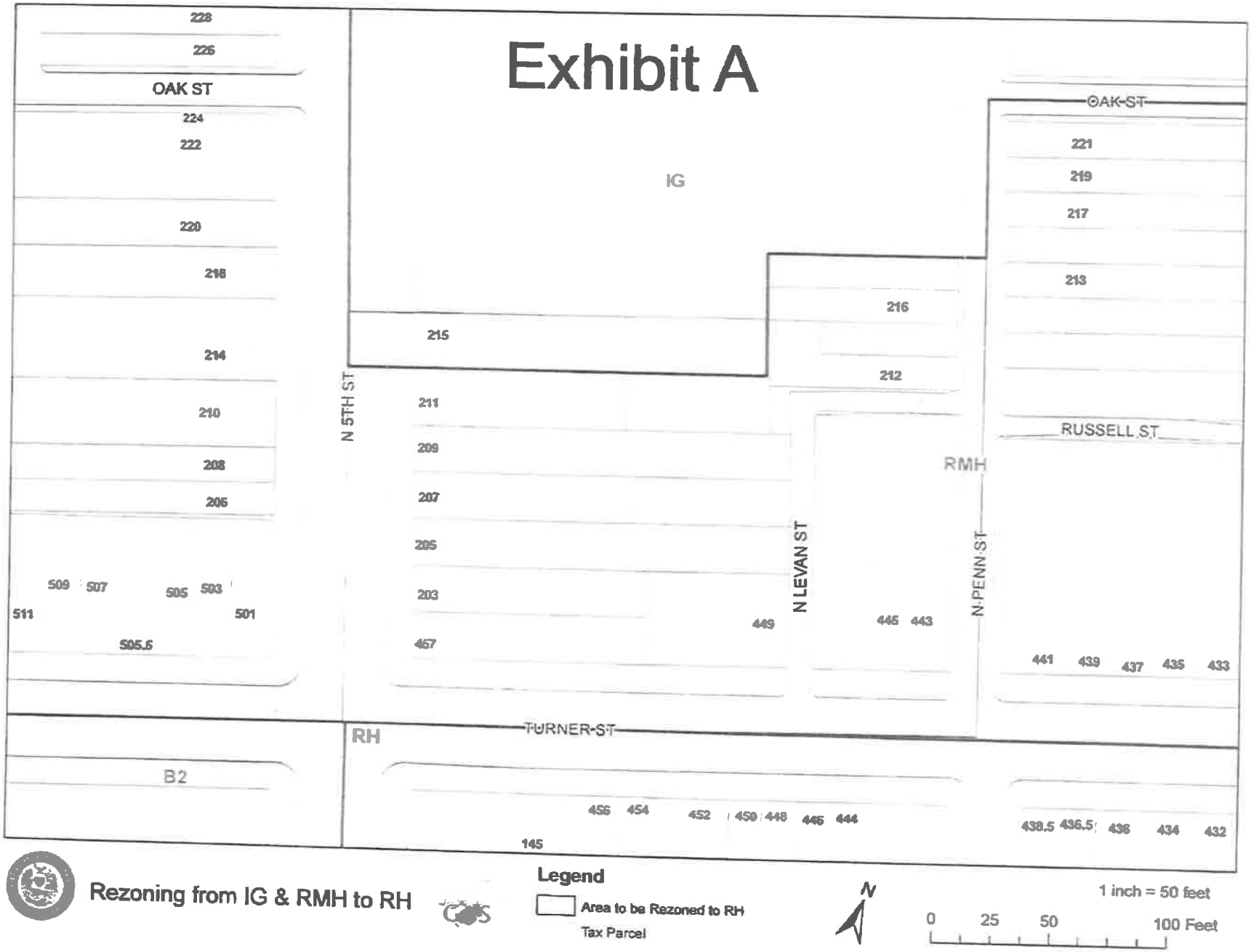
Exhibit A
OAK ST
OAK ST
IG
RMH
RH
B2
TURNER ST
RUSSELL ST
N 5TH ST
N LEVAN ST
N PENN ST
228
226
224
222
220
218
214
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208
206
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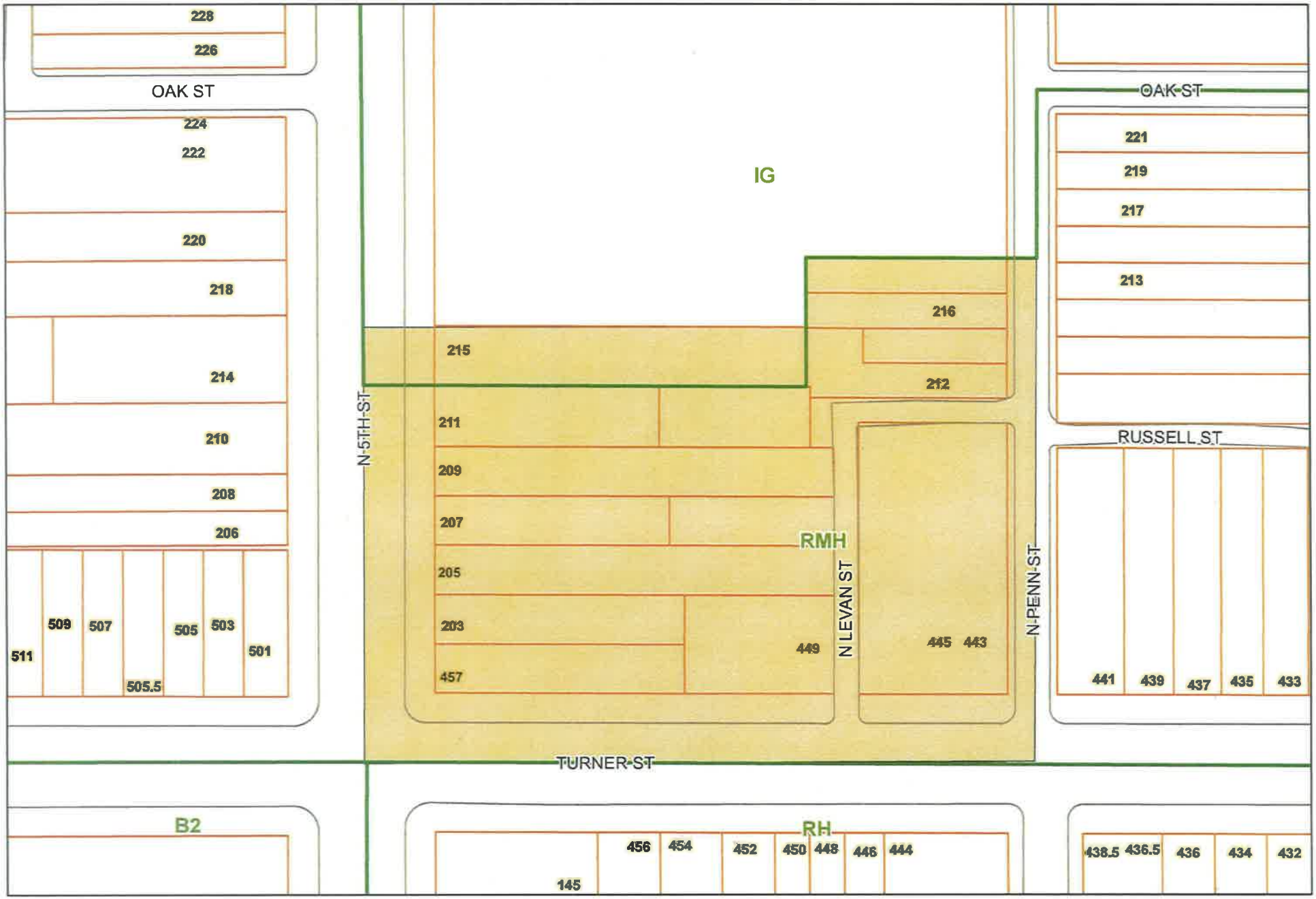
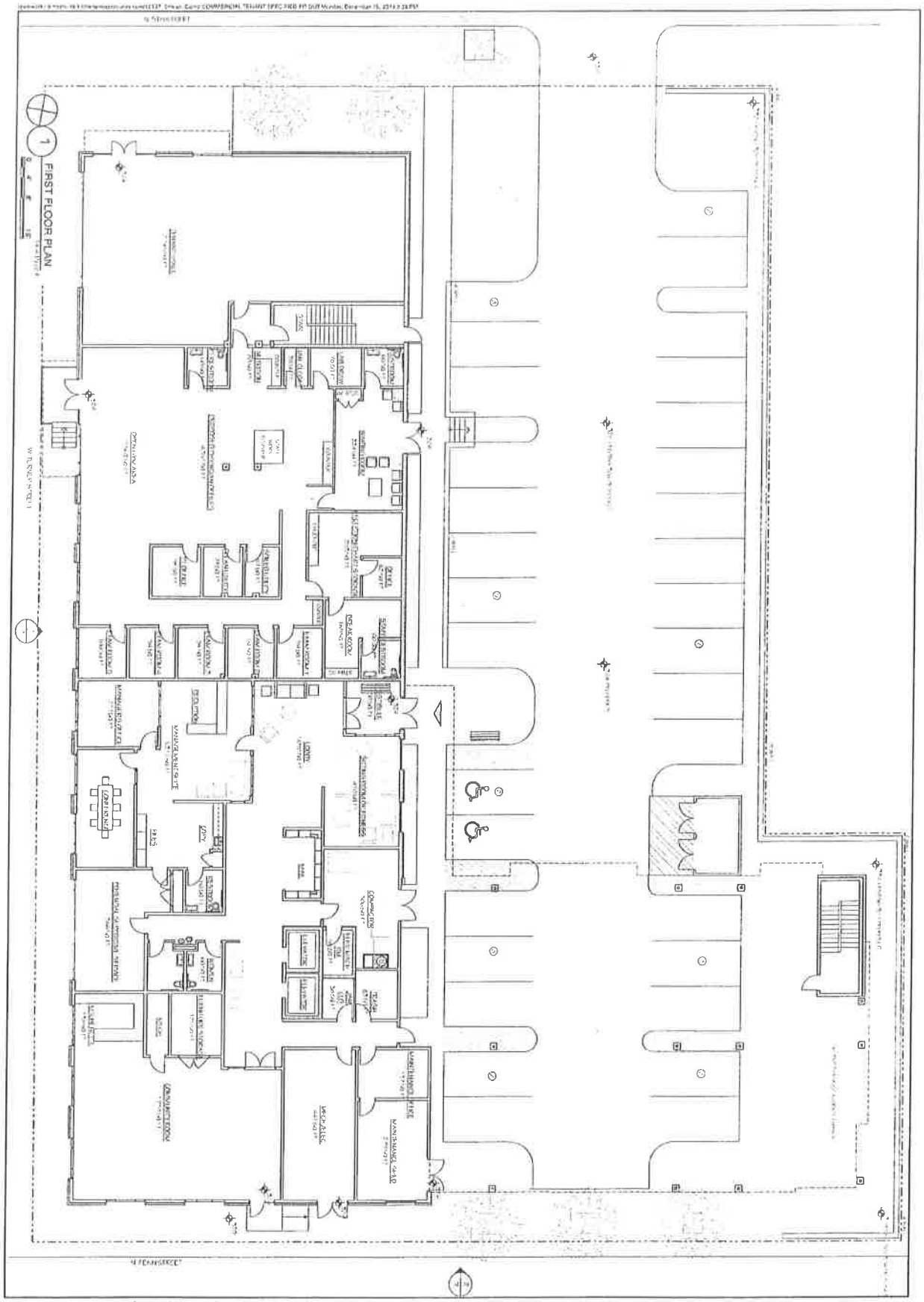
145
438.5
436.5
436
434
432
Rezoning from IG & RMH to RH
Legend
Area to be Rezoned to RH
Tax Parcel
N
1 inch = 50 feet
0
25
50
100 Feet



Rezoning from IG & RMH to RH



SCHEMATIC ONLY - NOT FOR CONSTRUCTION

1A
COMMERCIAL TENANT SPECIFIED 1ST CKT

SACRED HEART Residence

215 N. 5th Street
Allentown, PA 18102

PENNROSE
Properties, LLC

Date:	12-15-2014
Job #:	12137
Drawn:	MM
Mngr:	MM
Revision:	Date:

12137_Sheard_Comp_Tenant

Kitchen & Associates
Architecture
Engineering
Planning
Interiors

Allentown
City without limits.

March 12, 2015

Michael C. Hefele, AICP
Director of Planning
Bureau of Planning & Zoning
435 Hamilton Street
Allentown, PA 18101-1699
Office 610-437-7611
Fax 610-437-8781
Michael.Hefele@allentownpa.gov

The Honorable Ray O'Connell
President, City Council
City of Allentown
435 Hamilton Street
Allentown, PA 18101

Re: Amends the Zoning Code by rezoning an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and generally Oak Street extended to the north from Medium High Density Residential (R-MH) and Institutional and Government (I-G) District to High Density Residential (R-H) District

Dear Mr. O'Connell:

Please be advised that at the monthly meeting of the Allentown City Planning Commission held on Tuesday, March 10, 2015, the Commission reviewed the above-referenced amendment to the City's Zoning Map requested by Sacred Heart Housing, LP. The Commission voted to RECOMMEND APPROVAL of this amendment to City Council.

If you have any questions concerning this action, please contact me.

Yours truly,

Michael C. Hefele, AICP
Director of Planning

MCH:jf
Enclosures
xc: Mayor Ed Pawlowski
Francis Dougherty, Managing Director
Sara Hailstone, Director of Community & Economic Development
Michael Hanlon, City Clerk
Kyle Speece, Sacred Heart Housing, LP

n:\pln\plncommon\acpc\rezoning\2015\SacredHeartHousing\acpcapproval

Allentown
City without limits.

Michael C. Hefele, AICP
Director of Planning
Bureau of Planning & Zoning
435 Hamilton Street
Allentown, PA 18101-1699
Office 610-437-7611
Fax 610-437-8781
Michael.Hefele@allentownpa.gov

STAFF REPORT TO THE
ALLENTOWN CITY PLANNING COMMISSION

March 9, 2015

SUBJECT: 15-1(Z) Request to rezone an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and generally Oak Street extended to the north from Medium High Density Residential (R-MH) and Institutional and Government (I-G) District to High Density Residential (R-H) District. (**Note**: the actual limits of the proposed rezoning are shown on the attached map).

BACKGROUND:

This request is to rezone an area located at the northeast corner of N. 5th Street and Turner Streets from Medium High Density Residential and Institutional and Government Districts to a High Density Residential District (see attached map).

The request is being made by Sacred Heart Housing, LP for the following reason: "R-H zoning district standards better accommodate potential redevelopment of the parcel for senior housing with commercial and office space on the first floor. An R-H zoning district is an adjacent zoning district and therefore compatible with the neighborhood."

EXISTING LAND USE AND ZONING:

The area requested to be rezoned consists mostly of residential land uses, primarily multi-family, with one mixed use property located at the corner of N. 5th and Turner Streets. A total of 15 properties containing approximately 28 residential units are involved in the request. The area proposed to be rezoned is bounded by residential uses on the east, west and south (an existing auto repair garage is also situated directly south of the site); by the campus of Sacred Heart Hospital to the north, and by the facilities of The Morning Call to the southwest.

As previously stated, the current zoning of the subject site is primarily Medium High Density Residential with one parcel being located in an adjacent Institutional and Government District. The existing R-MH zoning extends to the east and west of the subject area; an R-H District exists to the south across Turner Street, and the I-G District is located north of the site and includes various uses associated with Sacred Heart Hospital.

FINDINGS:

The petition includes a preliminary site plan of the proposed project (attached). That plan portrays a single four story building containing 61 units of senior housing and approximately 7,100 sq. ft. of office and commercial uses on the first floor. A 32 car parking facility is also shown on the site plan.

The current R-MH zoning permits most residential uses other than boarding homes and mobile home parks. Institutional uses such as schools, nursing homes, places of worship and child care centers are permitted by special exception. Other than art galleries, commercial or industrial uses are not permitted. Residential uses are permitted at relatively high densities of up to 24 units/acre, however, those densities are usually limited by the maximum permitted height of 38 feet and the ability to provide required parking.

The R-H zoning district extends the uses allowed in the R-MH District by permitting by special exception uses such as residential conversions, drug and alcohol treatment facilities, museums and temporary shelters. The R-H District also allows the introduction of certain commercial uses such as bed and breakfast inns and offices by right; as well as restaurants, personal services, exercise clubs and retail stores that are located entirely within a residential structure containing in excess of 25,000 sq. ft. with no exterior entrance.

In general, the development standards associated with the R-H District are more liberal than the R-MH. Residential densities are permitted at 29 units/acre, however in the case of buildings of 4 or more stories such as the subject case, the intensity of development is controlled by the application of a Floor Area Ratio (FAR) rather than a prescribed permitted housing unit density. (note: a FAR is an expression of the amount of floor area that is permitted to be developed on the basis of the lot size. Hence a FAR of 2.0 applied to a 10,000 sq. ft. lot would allow a building of 20,000 sq. ft. to be developed). In this case, senior housing is permitted with a FAR of 2.5. When applied to the lot in question, a building of 91,476 sq. ft. would be permitted. While height limits do not apply, projects must continue to meet minimum parking requirements – often a limiting factor in dense urban areas.

The applicant has sought financing for the proposed project through the Pennsylvania Housing Finance Agency, which was supported by the City administration. If approved, the project will be able to provide housing affordable to low and moderate income seniors.

As envisioned, the project is intended to take advantage of the site's relationship to Sacred Heart Hospital and the services it is able to provide to seniors.

While a formal sketch plan has not been submitted for review, a preliminary zoning review of the attached sketch indicates that the proposed rezoning would eliminate the need for variances for the building height, doctor's offices and density of the residential use. The rezoning would not eliminate the need for a likely parking variance or for the proposed commercial use. Other dimensional variances may be necessary, but these would apply under either zoning district.

The City's Comprehensive Plan provides guidance on how to assess zoning/land use changes. Land Use Policy 1.1 provides the following criteria by which to review such applications:

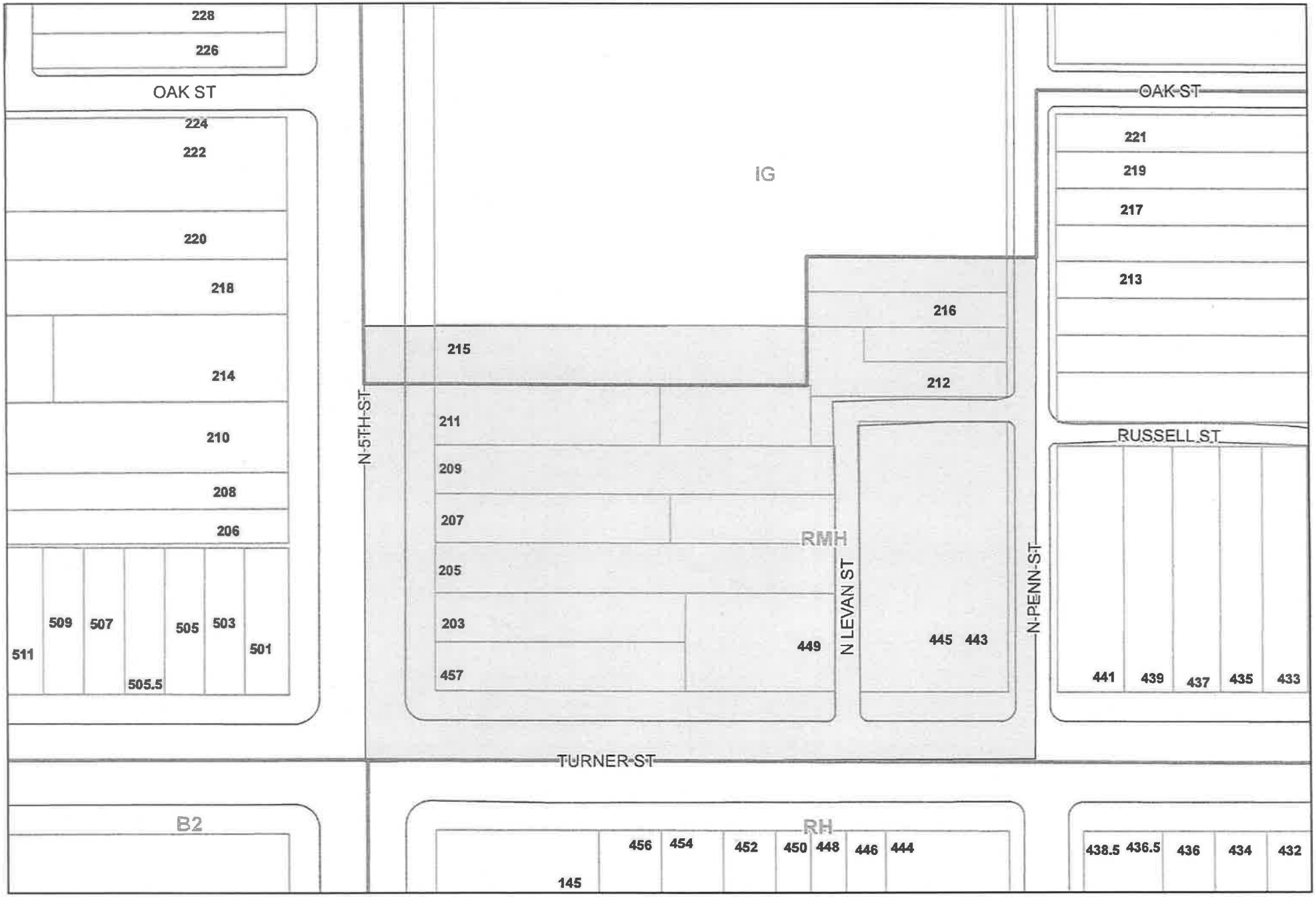
- The use must be compatible with adjacent land uses
- The use much be accommodated by existing or potential infrastructure capacity
- The use must be in accordance with the environmental policies of the plan
- The use must address the housing, economic development, employment and City fiscal objectives outlined in the plan

RECOMMENDATION:

Based upon the above findings, this office finds the proposed rezoning to be acceptable. The rezoning will provide a bridge between the current hospital/institutional zoning on the north, and the City's redeveloping downtown core and high density zoning to the south. Knowing the

details of the proposed project enhances this finding as the scale and use of the proposed building is consistent with the surrounding neighborhood.

Michael C. Hefele, AICP
Director of Planning



Rezoning from IG & RMH to RH

GIS

Legend

- Area to be Rezoned to RH
- Tax Parcel

N

1 inch = 50 feet

0 25 50 100 Feet

SCHEMATIC ONLY - NOT FOR CONSTRUCTION

1A
COMMERCIAL TENANT SPEC FIT OUT

SACRED HEART Residence

215 N. 5th Street
Allentown, PA 18102

PENNROSE
Properties, LLC

Kitchen & Associates
Architecture
Engineering
Planning
Interiors

back in 2013 which did not indicate any RAC's on the property and a more detail phase 1 and a phase 2 was completed in January, 2015 and did not indicate anything significant on the property. Reports are available upon request.

Mr. Hefele summarized the major points were reviewed and this is not in the position to be acted upon today. This is one of those plans that would have benefited from a sketch plan review or pre-submission meeting to better understand the issues and the developers thinking for this site. The concern for this site is everything happening on the site that has a potential of offsite impact is located on the residential side of this site. The dumpster location, the drive through, the microphones, the drive through for the bank are all located on that side of the property. Atty. Foucek concurred some fine tuning of the plan needs to take place before any further action is taken and work with the staff to work out the details.

Mr. Jeitner stated they understand the fact with the access comments and more importantly the PennDot review in those aspects, they understand and are fine with the application being considered for comment today and tabled for action until another time.

Mr. Button made a motion to TABLE the plan with the developer's approval to next month's meeting. Mr. Glazier seconded the motion. Motion passed unanimously.

Sacred Heart Residences, 449 Turner Street LMA-2015-00004 Sketch plan review requested by Sacred Heart Housing, L.P. The application proposes to construct a four story, 61 units senior housing building with 6,496 sq. ft. commercial on first floor.

Mr. Buchvalt recused himself.

Atty. Joseph Fitzpatrick, Mark Buchvalt of T & M Associates and Kyle Speece of Sacred Heart Senior House and Pennrose Properties, LLC represented the applicant.

Atty. Fitzpatrick reviewed the project. A sketch plan has been submitted and is in receipt of the staff review letter. The site is located at the corner of 5th & Turner Streets bordered on the east by Penn Street and currently the property is owned by Sacred Heart Hospital and the remaining by Pennrose Properties. What is being proposed is a tremendous upgrade to the block and a physical structure between the Sacred Heart Hospital campus and the downtown commercial district. The residents will essentially be senior citizens who would reside in apartments with parking and have close proximity to medical care at Sacred Heart Hospital. The first floor will contain medical offices and a rehab facility that is associated with senior living.

Mr. Buchvalt reiterated the layout and footprint of the building. It is a four story building, 61 units for senior housing with the ground floor for medical offices. Behind the building will be a parking lot entering from N. 5th Street, with just over 30 parking spaces that should satisfy the requirements of senior housing. The balance of the parking that is required for the commercial on the first floor, is currently being worked out with a shared parking agreement with Sacred Heart and their garage. Atty. Foucek asked if there is a driveway underneath part of this building coming in off of Penn Street. Mr. Buchvalt answered yes, the driveway comes in off of N. 5th Street and goes underneath a level of the building but does not open to Penn Street. Access for the residents to the building will be in the rear. Access to the office spaces in the front will be at Turner & 5th Street.

The comment letter from the staff was received. Most comments will be addressed as they progress further into the land development.

Atty. Foucek stated there is a comment about a retaining wall located on the north side of the property. Is that part of the building? Mr. Buchvalt stated no. The plans are to dig into the hillside so a retaining wall is needed. You have the wall, space and then the building.

Mr. Button question if the fire department is in agreement with the parking lot in the back of the building. Mr. Hefele stated the fire department has reviewed this plan. Atty. Foucek perceived this is a wonderful improvement and great use with a lot of synergy with the hospital and can't find much to fault.

Mr. Glaizer asked if there was ever a thought for a green roof which would set a good example for the downtown construction and yield benefits as well. Mr. Speece stated they have thought of a variety of energy efficient and green elements but decided to follow a passive house regime. The building will have an extremely tight façade, so the utility bills the tenants face will be extremely small. Experience as a real estate development company with green roofs they are a little too expensive upfront and more importantly very tough from a maintenance perspective.

Since this is at the sketch plan level, no action of the Commission is needed.

REZONING:

Bill No. 13 Amends the Zoning Code by rezoning an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and generally Oak Street extended to the north from Medium High Density Residential (R-MH) and Institutional and Government (I-G) District to High Density Residential (R-H) District 15-1(Z) requested by T&M Associates on behalf of Sacred Heart Housing, LP (This matter was previously reviewed and recommended favorably by the Planning Commission. Pursuant to the Pa. Municipalities Planning Code, the City Clerk has now referred the formal amendment to the Planning Commission for review.)

Mr. Hefele reviewed the procedure. This was discussed briefly at the last meeting at that point the Commission voted to support the rezoning. The purpose of the rezoning would be to better reflect the nature of the project and remove some of the zoning issues they may have run into otherwise, but there may be some minor variances they may still need. The staff and commission have supported the rezoning request and now it is back under the more formal procedure now that the bill has been introduced to city council. They have scheduled the public hearing and now is the formal time for the Planning Commission to make their recommendation.

Atty. Fitzpatrick commented this is less than one acre and there are no special zoning issues. There is contiguity with the RH district and is hopefully looking for a motion of a recommendation of approval so it can go to public hearing to City Council as soon as possible.

Mr. Damien Brown made a motion to recommend favorably to City Council. Second by Mr. Glazier. Motion passed unanimously. Mr. Buchvalt abstained.

LAND DEVELOPMENTS:

Quebec Manufacturing, 1229 Quebec Street LMA-2015-00005 Sketch plan review requested by Quebec Realty LLC. The application proposes to construct a 10,920 sq. ft. building for indoor manufacturing and/or bulk process uses as permitted by zoning ordinance, section 1313.01.

Mr. Hefele advised that the plan was withdrawn from today's agenda by the applicant.

REZONING REQUEST PETITION

Date February 9, 2015

City Council
Allentown, PA 18101
TELEPHONE: (610) 437-7539
FAX: (610) 437-7554
EMAIL: Michael Hanlon hanlon@allentownpa.gov
Tawanna L. Whitehead whiteheadt@allentownpa.gov

Members of City Council:

We, the undersigned and interested parties, hereby request your honorable body to rezone the following tract of land or amend the zoning code in the following manner:

Request to re-zone an area bound by N 5th to the west, N Penn St to the east, W Turner to the south, and generally Oak Street to the north, a property more formally described and contained in the attached deed descriptions.

from RMH and IG zoning classification to RH zoning classification. A legal description of the property to be rezoned must be included with this application. Attach any necessary additional information.

The reason for this rezoning is: RH zoning district standards better accommodate potential re-development of the parcel for senior housing building with commercial and office space on the first floor. RH zoning district is an adjacent zoning district and therefore compatible with the neighborhood.

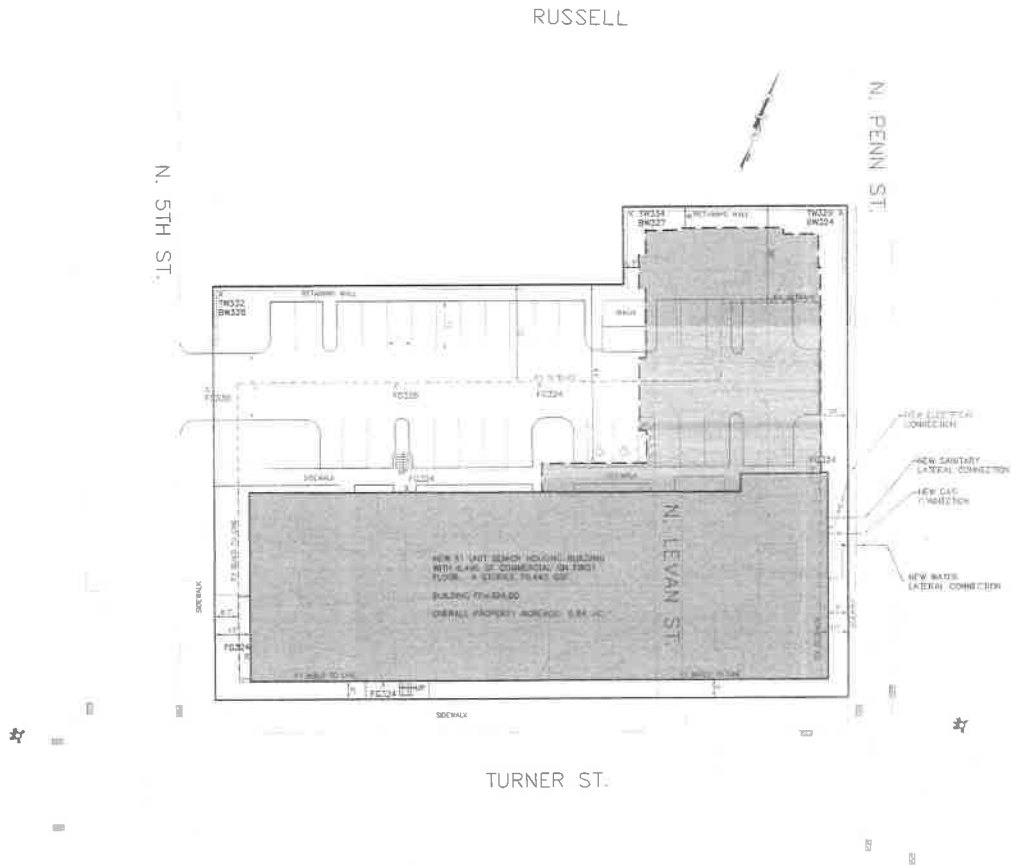
NAME	ADDRESS
Sacred Heart Housing, LP	1301 North 31st Street	Philadelphia, PA 19121

Kyle F. Speece, Senior Developer

Send or deliver this petition, along with $300 check to cover administrative costs, payable to the "City of Allentown." In addition the petitioner must pay in full all costs incurred in publishing the legally required advertising for the Map or Zoning Code Amendment.

Petitions for zoning map and zoning amendments can be found on the City website or by contacting the City Clerk's Office. A written Petition for a Zoning Map Amendment (Rezoning) may be submitted to City Council by a citizen. It must be notarized and signed by the owners of 50% or more of the land proposed to be rezoned, and it must be submitted together with a check in the amount of $300.00 payable to the City of Allentown, to the City Clerk's Office, 435 Hamilton Street. A written petition for a Zoning amendment may be submitted to City Council by a Citizen and it must be submitted together with a check in the amount of $300.00 payable to the City of Allentown, to the City Clerk's Office, 435 Hamilton Street. In addition, the petitioner must pay in full all costs incurred by the City in publishing the legally required advertising for the Map or Zoning Code Amendment prior to final Council Action. (Ordinance 15173 adopted 12/4/2014)

City Clerk
City Hall
Room 510
435 Hamilton Street



LEGEND

EXISTING		PROPOSED	EXISTING		PROPOSED
	TRACT BOUNDARY			UTILITY POLES	
	PROPERTY LINE			SIGNS	
	BUILDING LINE			WOODED LIMITS	
	EASEMENT			STORM SEWER	
	EDGE OF PAVEMENT (CURB)			SANITARY SEWER	
	SIDEWALK			POTABLE WATER	
	BUILDING			WATERLINE BEND	
	CONCRETE MONUMENT			NATURAL GAS	
	IRON PIN			ELECTRIC	
	FENCE LINE			TELEPHONE LINE	
	LIGHT POLE				

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

GRAPHIC SCALE

20 0 20 40 80

(IN FEET)
1 inch = 20 ft.

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MARK J BUCHVALT
LICENSED PROFESSIONAL ENGINEER
STATE OF PENNSYLVANIA LICENSE No. [illegible]

DATE

TAX CREDIT APPLICATION
SACRED HEART RESIDENCE
PENNROSE PROPERTIES
CITY OF ALLENTOWN LEHIGH COUNTY, PENNSYLVANIA

SCHEMATIC SITE AND UTILITY PLAN

X-X

SHEET 1 OF 1

LVPC
Lehigh Valley Planning Commission

KENT H. HERMAN, ESQ.
Chair

LIESEL DREISBACH
Vice Chair

STEPHEN REPASCH
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

Planning for the Future of Lehigh and Northampton Counties at 961 Marcon Blvd., Ste 310, Allentown, PA 18109 ■ (610) 264-4544 ■ lvpc@lvpc.org ■ www.lvpc.org

March 27, 2015

Mr. Michael P. Hanlon
City Clerk
435 West Hamilton Street
Allentown, PA 18101

Re: Bill 13
Amend Zoning Code 1301 – 1331
Rezoning from Institutional and Government (I-G) and Medium High Density Residential (R-MH) to High Density Residential (R-H)
City of Allentown
Lehigh County

Dear Mr. Hanlon:

The Lehigh Valley Planning Commission reviewed the subject amendment at its meeting on March 26, 2015. The zoning ordinance and map amendment proposing a rezoning from I-G and R-MH to (R-H) at the site in question, framed by North 5th Street, North Penn Street, West Turner Street and generally Oak Street. This rezoning is consistent with the County Comprehensive Plan.

Feel free to call me if you have any questions about this review. Should the City adopt the proposed overlay district, please send us a certified copy within 30 days as required by the MPC.

Sincerely,

Eric McAfee, AICP, LEED AP
Director of Community Planning

Cc: Michael C. Hefele, AICP

MICHAEL P. HANLON

hanlon@allentowncity.org
435 West Hamilton Street
Allentown, PA 18101
Phone: (610) 437-7539
Fax: (610) 437-7554

CITY CLERK

March 19, 2015

Michael C. Hefele
Director of Planning
City Hall, Allentown, PA 18101

Eric C. McAfee
Lehigh Valley Planning Commission
961 Marcon Boulevard
Suite 310
Allentown, PA 18103-9397

Gentlemen:

Attached, please find Bill 13 which Allentown City Council introduced on March 18, 2015 that would amend the Zoning Code by rezoning an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and generally Oak Street extended to the north from Medium High Density Residential (R-MH) and Institutional and Government (I-G) District to High Density Residential (R-H) District 15-1(Z) requested by T&M Associates on behalf of Sacred Heart Housing, LP.

The petition is hereby referred to the Allentown City Planning Commission and Lehigh Planning Commission for your review and comment. A copy of the Bill is enclosed.

Please submit your report to this office. If you have any questions, please call the office.

Very truly yours,

Michael P. Hanlon
City Clerk

xc: Council
Mayor Ed Pawlowski
Fran Dougherty, Managing Director
Sara Hailstone, Director, Community and Economic Development
Oldrich Foucek, Chairman of the Planning Commission ,
Susan Ellis Wild, City Solicitor
Kyle F. Speece, Senior Developer – Sacred Heart Housing, LP
Allentown Public Library
Lehigh County Law Library

Council meetings are held on the first and third Wednesday of each month beginning at 7:00 pm in Council Chambers.
For copies of the agenda or meeting announcements, please visit our website at www.allentownpa.gov.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 13 - 2015

MARCH 18, 2015

AN ORDINANCE

Amending the Zoning Code, Article 1301 – 1331, of the Codified Ordinance of the City of Allentown.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the area on the Zoning Map of the City of Allentown, depicted on Exhibit "A" attached hereto, be rezoned from Institutional and Government (I-G) and Medium High Density Residential (R-MH) to High Density residential (R-H).

SECTION TWO: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

Sacred Heart

HOUSING AUTH CITY ALTWN
1339 W ALLEN ST
ALLENTOWN PA 18102-2143

GODSHALL CHARLES
T/A SEA GEES APARTMENTS
44 N 4TH ST PO BOX 361
EMMAUS PA 18049-0361

GODSHALL CHARLES
T/A SEA GEES
3922 OAKHURST DR
CENTER VALLEY PA 18034-9705

EMERALD ISLE PROPERTIES LLC
3260 SCOTT RD
SCHNECKSVILLE PA 18078

SPRUILL DOUGLAS
2513 ASHBURY CIR
CAPE CORAL FL 33991-3161

MARSTON MARCELLOUSE A & M A MARSTON
206 N 5TH ST
ALLENTOWN PA 18102-4110

ABDELSAYED SAMUEL S & NAGWA SAWIRES
C-O SAMUEL ABDELSAYED
PO BOX 15706
JERSEY CITY NJ 07305-

MIF PROPERTIES III LLC
2762 CREST AVE S
ALLENTOWN PA 18104-6104

SCHMIDT DIANE CAROL
323 N OTT ST
ALLENTOWN PA 18104-4028

DAYOUB YOLAND
1144 E TREMONT ST
ALLENTOWN PA 18109-1580

SACRED HEART HOUSING LP
230 WYOMING AVE
KINGSTON PA 18704

SACRED HEART HOUSING LP
C-O PENNROSE PROPERTIES LLC
1301 N 31ST ST
PHILADELPHIA PA 19121-

GUZMAN MIGUEL E & MARIA D
450 W TURNER ST
ALLENTOWN PA 18102-3439

FERMIN JOSE & ANA
446 W TURNER ST
ALLENTOWN PA 18102-3439

LA TRINIDAD UNITED METHODIST CHURCH
440 W TURNER ST
ALLENTOWN PA 18102-3439

HUMMEL JAMES Y & PAMELA A
752 PUBLIC RD
BETHLEHEM PA 18015-3955

HUMMEL JAMES & PAMELA A
752 PUBLIC RD
BETHLEHEM PA 18015-3955

MC OWEN DOUGLAS S III
511 W TURNER ST
ALLENTOWN PA 18102-4117

MERCURY MONIQUE D
272 EASTERN PKWY
NEWARK NJ 07106

GONZALEZ MIGNA
421 W TURNER ST
ALLENTOWN PA 18102-3426

DUNBAR SPURGEON S
1104 W HAMILTON ST
ALLENTOWN PA 18101-1015

ACOSTA VICTOR M & AGRIPINA MENDEZ
1307 FOXVIEW DR
BETHLEHEM PA 18017-2802

GUILLEN FRANKLIN
143 N 5TH ST
ALLENTOWN PA 18102-4121

SACRED HEART HOUSING LP
230 WYOMING AVE
KINGSTON PA 18704

VILLATORO SANDY E
211 N PENN ST
ALLENTOWN PA 18102-3418

CLEVELAND JACOB D & JACOB CLEVELAND
213 N PENN ST
ALLENTOWN PA 18102-3418

LENTO CYNTHIA L
2280 YOST AVE
BETHLEHEM PA 18015

CRUZ JOSE
456 W TURNER ST
ALLENTOWN PA 18102-3439

SACRED HEART HOUSING LP
C-O PENNROSE PROPERTIES LLC
230 WYOMING AVE
KINGSTON PA 18704

GODSHALL CHARLES
T/A SEA GEES APARTMENTS
3922 OAKHURST DR
CENTER VALLEY PA 18034-9705

Ray O'Connell, President
Julio A. Guridy, Vice President
Joseph Davis
Jeanette Eichenwald
Jeff Glazier
Daryl Hendricks
Cynthia Y. Mota

Allentown City Council
435 Hamilton Street
Allentown, Pa. 18101
AllentownPa.Gov

Facebook: Allentown City Council

PUBLIC HEARING NOTICE
June 17, 2015 – 6:30 PM
COUNCIL CHAMBERS

THE PUBLIC HEARING FOR MAY 20, 2015 AT 6:30 PM HAS BEEN RESCHEDULED TO JUNE 17, 2015 AT 6:30 PM

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Allentown City Council will consider for possible adoption an Ordinance amending the City of Allentown Zoning Ordinance. This proposed amendment, of which this Notice is a summary, proposes to rezone an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and generally Oak Street extended to the north from Medium High Density Residential (R-MH) and Institutional and Government (I-G) District to High Density Residential (R-H) District.

City Council will consider the foregoing at a Public Hearing on Wednesday, June 17, 2015 at 6:30 p.m. in Council Chambers, 435 Hamilton Street, Allentown, PA 18101. Copies of the full text of this Ordinance are available to any interested party for inspection/copying at the City Clerk's Office or for inspection during regular business hours at the offices of this newspaper and the Lehigh County Department of Law. All interested parties are invited to attend this Hearing. City Council may adopt this amendment to the Zoning Ordinance at the regularly scheduled Council Meeting immediately following the Public Hearing.

Copies of the proposed amendment and map are attached to this notification.

Emailed with Bill – May 15th
Morning Call, Easton Express, WFMZ
Neigborhood Groups
Agenda List
Hard Copy with Bill – Agenda List

Council meetings are held on the first and third Wednesday of each month beginning at 7:00 pm in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at www.allentownpa.gov or contact the Clerk at Michael.Hanlon@allentownpa.gov to receive an email notice of the meetings.

Ray O'Connell, President
Julio A. Guridy, Vice President
Joseph Davis
Jeanette Eichenwald
Jeff Glazier
Daryl Hendricks
Cynthia Y. Mota

Allentown City Council
435 Hamilton Street
Allentown, Pa. 18101
AllentownPa.Gov

Facebook: Allentown City Council

PUBLIC HEARING NOTICE
May 20, 2015 – 6:30 PM
COUNCIL CHAMBERS

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Allentown City Council will consider for possible adoption an Ordinance amending the City of Allentown Zoning Ordinance. This proposed amendment, of which this Notice is a summary, proposes to rezone an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and the northerly property lines of 215 N. 5th Street and 218 N. Penn Street from Institutional and Government (I-G) District and Medium High Density Residential to High Density Residential (R-H).

City Council will consider the foregoing at a Public Hearing on Wednesday, May 20, 2015 at 6:30 p.m. in Council Chambers, 435 Hamilton Street, Allentown, PA 18101. Copies of the full text of this Ordinance are available to any interested party for inspection/copying at the City Clerk's Office or for inspection during regular business hours at the offices of this newspaper and the Lehigh County Department of Law. All interested parties are invited to attend this Hearing. City Council may adopt this amendment to the Zoning Ordinance at the regularly scheduled Council Meeting immediately following the Public Hearing.

Copies of the proposed amendment and map are attached to this notification.

Agenda Notice sent April 7, 2015
Emailed with Bill:
Morning Call, Easton Express, WFMZ
Neigborhood Groups
Agenda List
Hard Copy with Bill – Agenda List

Council meetings are held on the first and third Wednesday of each month beginning at 7:00 pm in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at www.allentownpa.gov or contact the Clerk at Michael.Hanlon@allentownpa.gov to receive an email notice of the meetings.

PA-MORNING CALL LLC
C-O EQUITY PROPERTY TAX GROUP
PO BOX 61126
CHICAGO IL 60606-1126

BANUELOS FRED J
542 E TIOGA ST
ALLENTOWN PA 18103-8213

SACRED HEART HOUSING LP
230 WYOMING AVE
KINGSTON PA 18704

ESPINOSA DIEGO
149 VISTA DR
EASTON PA 18042

MATAMORUS CARLOS A & INES
424 W TURNER ST
ALLENTOWN PA 18102-3465

HUMMEL JAMES Y & PAMELA ANN
752 PUBLIC RD
BETHLEHEM PA 18015-3955

LEWIS RANDOLPH M & NINA
5728 MONOCACY DR
BETHLEHEM PA 18017-8229

DEBIASSE ADAM
22 VILLAGE DR
MORRISTOWN NJ 07960-7314

RAMIREZ DANIEL & YASMIN
1293 PROSPECT AVE #9
BROOKLYN NY 11218

VILLATORO LEONZO & CANDIDA E
207 N PENN ST
ALLENTOWN PA 18102-3418

CACERES ANA
42 EDGEMONT PL
TEANECK NJ 07666-4604

MIKOLAJCZYK KINGA
524 N BERKS ST
ALLENTOWN PA 18104-4937

DIRA 1 PROPERTIES LP
1150 S CEDAR CREST BLVD
STE 3600
ALLENTOWN PA 18103

FINDLAY ERNESTO W
1550 E NEW YORK AV #4A
BROOKLYN NY 11212

ESPAILLA BENIGNO & MERCEDES A ALONZO
217 N PENN ST
ALLENTOWN PA 18102-3418

MARCANO CARMEN L
209 N PENN ST
ALLENTOWN PA 18102-3418

ORTIZ JOSE
435 W TURNER ST
ALLENTOWN PA 18102-3426

427 TURNER LLC
1739 W TURNER ST
ALLENTOWN PA 18104-5645

SPADE ROBERT J ET AL
2401 W ELM ST
ALLENTOWN PA 18104-6570

RODRIGUEZ RAFAEL A & RAMONA
423 W TURNER ST
ALLENTOWN PA 18102-3426

REYES JOSE L
421 W TURNER ST
ALLENTOWN PA 18102-3426

TURKO ROBERT A
224 N 5TH ST
ALLENTOWN PA 18102-4110

SACRED HEART HOUSING LP
230 WYOMING AVE
KINGSTON PA 18704

SACRED HEART HOUSING LP
230 WYOMING AVE
KINGSTON PA 18704

SH REALTY CORPORATION
421 W CHEW ST
ALLENTOWN PA 18102-3406

LE JOHNNY H
434 W TURNER ST
ALLENTOWN PA 18102-3465

BORRERO CRISTINA
34-11 N 91ST ST
JACKSON HEIGHTS NY 11372-3604

SIDOIONE RHETT
938 S 6TH ST
WHITHEALL PA 18052-5236

SH REALTY CORPORATION
421 W CHEW ST
ALLENTOWN PA 18102-3490

LASSENDS-MARTINEZ WENNICK
509 W TURNER ST
ALLENTOWN PA 18102-4117

HOLLIE MARY Y
503 W TURNER ST
ALLENTOWN PA 18102-4117

448 W TURNER STREET LLC
PO BOX 628
FARMINGDALE NJ 07727-0628

ORAN DOMINGO & ANAISA GALVEZ
511 1/2 W TURNER ST
ALLENTOWN PA 18102-4117

LLOYD GEORGE H
507 W TURNER ST
ALLENTOWN PA 18102-4117

VALDEZ JACQUELYN & ELVIS ORTIZ
452 W TURNER ST
ALLENTOWN PA 18102-3439

SACRED HEART HOUSING LP
1551 WHISPERING WOODS
ALLENTOWN PA 18106-9166

SH REALTY CORPORATION
421 W CHEW ST
ALLENTOWN PA 18102-3490

SH REALTY
421 W CHEW ST
ALLENTOWN PA 18102-3490

SACRED HEART HOSPITAL
421 W CHEW ST
ALLENTOWN PA 18102-3490

BEVERLY SWEENEY
4C'S NEIGH ASSOC OF JORDAN HTS
510 W GORDON ST
ALLENTOWN PA 18102

THE MORNING CALL
MEDIA GROUP

Order ID: 3312392

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Run Date(s): Monday, June 01, 2015, Tuesday, June 09, 2015

Color Spec. B/W

Preview

THE MORNING CALL
MEDIA GROUP

Order ID: 3312392

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Page 2 of 2

GROSS PRICE * : **$578.20**

* Agency Commission not included

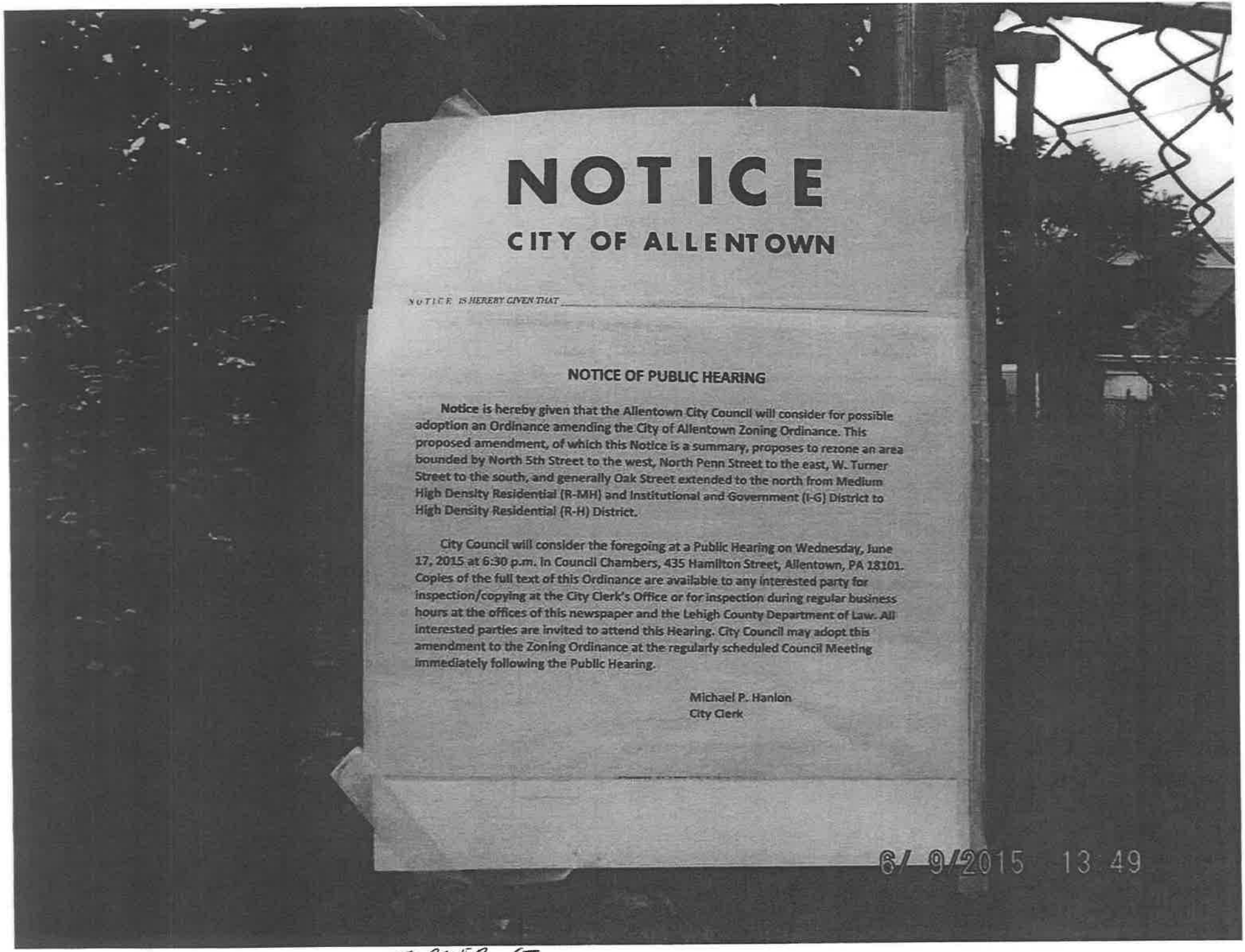
PACKAGE NAME: Legal/Public Notices

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Allentown City Council will consider for possible adoption an Ordinance amending the City of Allentown Zoning Ordinance. This proposed amendment, of which this Notice is a summary, proposes to rezone an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and generally Oak Street extended to the north from Medium High Density Residential (R-MH) and Institutional and Government (I-G) District to High Density Residential (R-H) District.

City Council will consider the foregoing at a Public Hearing on Wednesday, June 17, 2015 at 6:30 p.m. in Council Chambers, 435 Hamilton Street, Allentown, PA 18101. Copies of the full text of this Ordinance are available to any interested party for inspection/ copying at the City Clerk's Office or for inspection during regular business hours at the offices of this newspaper and the Lehigh County Department of Law. All interested parties are invited to attend this Hearing. City Council may adopt this amendment to the Zoning Ordinance at the regularly scheduled Council Meeting immediately following the Public Hearing.

Michael P. Hanlon
City Clerk
#3312392 — 6/1, 6/9/2015


NOTICE
CITY OF ALLENTOWN
NOTICE IS HEREBY GIVEN THAT
NOTICE OF PUBLIC HEARING
Notice is hereby given that the Allentown City Council will consider for possible adoption an Ordinance amending the City of Allentown Zoning Ordinance. This proposed amendment, of which this Notice is a summary, proposes to rezone an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and generally Oak Street extended to the north from Medium High Density Residential (R-MH) and Institutional and Government (I-G) District to High Density Residential (R-H) District.
City Council will consider the foregoing at a Public Hearing on Wednesday, June 17, 2015 at 6:30 p.m. in Council Chambers, 435 Hamilton Street, Allentown, PA 18101. Copies of the full text of this Ordinance are available to any interested party for inspection/copying at the City Clerk's Office or for inspection during regular business hours at the offices of this newspaper and the Lehigh County Department of Law. All interested parties are invited to attend this Hearing. City Council may adopt this amendment to the Zoning Ordinance at the regularly scheduled Council Meeting immediately following the Public Hearing.
Michael P. Hanlon
City Clerk
6/ 9/2015 13 49

TURNER ST.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 30 - 2015

AN ORDINANCE

Providing for the vacation of a portion of North Levan Street from the centerline of Turner Street to the centerline of Russell Street and a portion of Russell Street from the centerline of North Levan Street to the centerline of North Penn Street located in the Ninth Ward of the City of Allentown:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION 1. That North Levan Street, a variable width street, from the centerline of Turner Street to the centerline of Russell Street in the Ninth Ward of the City of Allentown be and the same is hereby vacated.

SECTION 2. That Russell Street, a variable width street, from the centerline of North Levan Street to the centerline of North Penn Street in the Ninth Ward of the City of Allentown be and the same is hereby vacated.

SECTION 3. That this ordinance shall not become effective until such time as a deed of easement for any existing utilities has been filed in the Lehigh County Office of the Recorder of Deeds which Easement shall be within the limits of the right-of-way lines of the proposed vacated streets or as required by the affected utilities, if any.

SECTION 4. That if said easement is not recorded within one year from the effective date of this Ordinance, then this Ordinance shall become null and void.

SECTION 5. Subject to the provisions set forth in Ordinance No. 12245, passed April 6, 1977.

SECTION 6. That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

Allentown
City without limits.

Michael C. Hefele, AICP
Director of Planning
Bureau of Planning & Zoning
435 Hamilton Street
Allentown, PA 18101-1699
Office 610-437-7611
Fax 610-437-8781
Michael.Hefele@allentownpa.gov

STAFF REPORT TO THE
ALLENTOWN CITY PLANNING COMMISSION

May 12, 2015

SUBJECT: 15-1(V) Portion of North Levan Street from the centerline of Turner Street to the centerline of Russell Street and a portion of Russell Street from the centerline of North Levan Street to North Penn Street

FINDINGS:

Both North Levan Street and Russell Street are opened and improved, however only serve as secondary access to adjoining properties.

The vacation has been requested by Sacred Heart Housing, LP with the intention of consolidating all of the surrounding properties with the vacated streets rights-of-way and redevelop the site for senior housing.

The subject streets do not serve or provide for any traffic circulation throughout the neighborhood other than the previously mentioned secondary access.

RECOMMENDATION:

Based on the above findings, it is recommended that the subject streets be vacated as requested subject to the consolidation of all adjoining parcels with the vacated streets rights-of-way.

Submitted by:

Michael C. Hefele, AICP
Director of Planning

STREET VACATION:

North Levan Street from Turner Street to North Penn Street 15-1(V) requested by Sacred Heart Housing LP

Mr. Buchvalt of T & M Associates represented the applicant.

Mr. Hefele gave a brief background. This site has been seen previously; one for rezoning of the site at Fifth & Turner Streets and the other a proposal for senior housing. Today the request is for street vacations that are necessary to allow the owner to consolidate all the properties into a development site. There are two streets involved, one is North Levan Street which runs north from Turner Street and Russell Street which dog legs off of Levan and runs out into Penn Street. The streets are open and provide secondary access to the adjoining properties, but become totally unnecessary should the Sacred Heart development proceed. Both Engineering Staff and I have recommended it for approval on the condition that the properties are consolidated into one development site.

Elvis Ortiz of 452 W. Turner Street and Miguel Guzman of 450 W. Turner Street addressed the Commission. Their concerns are for the parking at 5th and Turner and maintaining parking along Turner Street. Will parking be taken away during construction and will parking be provide for the Senior Housing. Mr. Buchvalt explained as part of the project there will be a parking lot for the residents. There will be a component that will have medical offices and that parking will be shared with Sacred Heart hospital. The project will return to the Planning Commission for the land development for the actual project, but the application for today is to vacate the street.

Atty. Foucek confirmed that neither section of Levan Street and Russell Street does not serve any garages or parking. Mr. Hefele concurred none that would not be involved in the project.

Mr. Damien Brown responded in regards to the neighbor's questions. Parking will not be impacted but actually improved once the project is done. During construction is up in the air but the developer will work to minimize the impact.

Mr. Ortiz commented the sidewalk is wider on the Sacred Heart Hospital side and his side of the street is not as wide. Mr. Buchvalt confirmed they will not be changing the width of the sidewalk or the curb lines as those are City right of ways.

Mr. Glazier made a MOTION to recommend to City Council the portion of these streets, N. Levan and Russell be vacated. Mr. Christian Brown seconded the motion. Mr. Buchvalt abstained. Motion passed.

Mr. Buchvalt returned.

REZONING:

Amends the Zoning Map by rezoning 715, 715.5 and 717 North Railroad Street from Medium High Density Residential (R-MH) to Limited Business/Residential (B-1/R) requested by Joseph Elias, and 707, 709 and 711 North Railroad Street from Medium High Density Residential (R-MH) to Limited Business/Residential (B-1/R) requested by the Allentown Parking Authority 15-2(Z)

Gus Elias, Steve Pany, of Pany & Associates and Tamara Dolan represented the applicants.

May 5th, 2015

REPORT TO THE CITY CLERK

AND THE

ALLENTOWN CITY PLANNING COMMISSION

REQUEST FOR STREET VACATION

RE: Request for the Vacation of a portion of North Levan Street from the centerline of Turner Street to the centerline of Russell Street and a portion of Russell Street from the centerline of North Levan Street to North Penn Street.

Requested by:
Sacred Heart Housing, LP
Owners of 443-447 Turner St.,
212 North Penn St., 208-214 N Levan St.,
205 & 209 N. 5th St.

Prepared by Brian L. Borzak, PLS, Chief Surveyor/Designer
City of Allentown Department of Public Works

CONTENTS:

Report and Recommendations
Location Map -- Portion of City Block Plan No. C-53

HISTORY OF THE PORTIONS OF THE STREETS PROPOSED TO BE VACATED:

The subject streets proposed to be vacated are in the 9th Ward. The portion of North Levan Street to be vacated is indicated as part of the interior roadway system of the City of Allentown on the C.A. Aschbach Map of Allentown, dated 1870. The portion of Russell Street to be vacated was opened by use and by Deed Book 1473 Page 961. If the subject street vacations are granted, it appears that the affected right-of-way would revert to the adjoining owners. It is the responsibility of the affected adjoining properties to assimilate vacated property into fee simple ownership by deed.

LOCATION AND CONDITION:

The subject streets are located between North 5th Street and North Penn Street. The subject streets are improved and open.

Report to the
City Clerk and Allentown City Planning Commission
May 5th, 2015
SUBJECT: Levan Street Vacation Request

POLLS CITY OF ALLENTOWN:

Joel Fitzgerald, Chief of Police has no objection to the street vacation

Lee Laubach Jr., Fire Chief has no objection to the street vacation.

Michael Hilbert, Communications has no objection to the street vacation.

Richard Rasch, Utility Engineer has no objection to the street vacation. But noted the developer will need to remove an old Sanitary sewer lateral on Russell Street that does not serve any homes.

Nelson Varughese, Traffic Control Superintendent has no objection to the street vacation.

POLLS UTILITIES:

Verizon Communications has not replied.

PPL Electric Utilities has not replied.

Ryan Wetherhold, Engineer UGI Utilities, Inc. has no objection to the street vacation.

Frank Liest, Chief Capital Works Officer Lehigh County Authority has no objection to the street vacation.

POLL ADJOINING OWNER:

Daniel Farrell, Executive Director of the Allentown Housing Authority (the owners of 449 Turner Street) has no objection to the street vacation.

Report to the
City Clerk and Allentown City Planning Commission
May 5th, 2015
SUBJECT: Levan Street Vacation Request

RECOMMENDATIONS:

The Bureau of Engineering favorably recommends the subject street vacation.

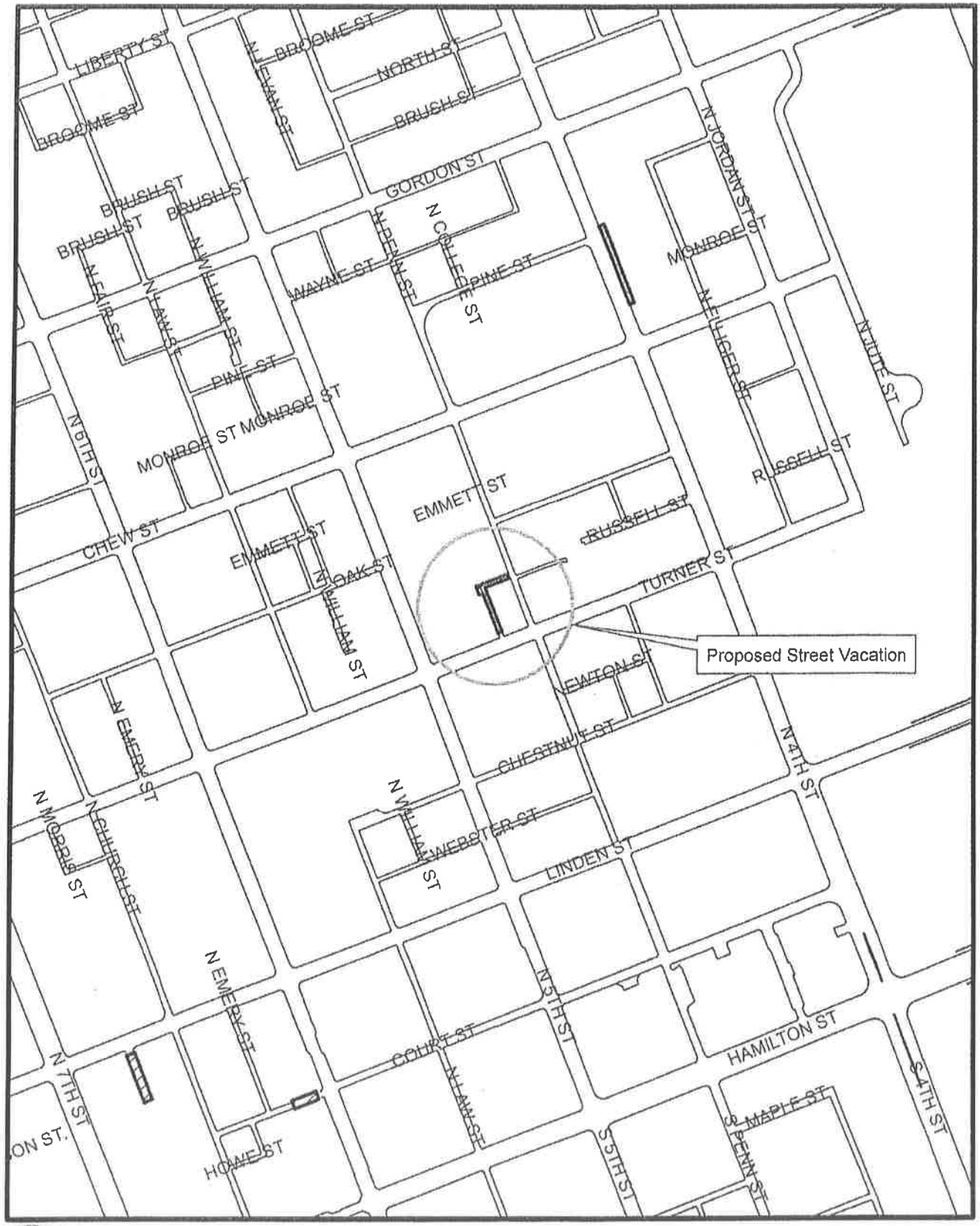
Very truly yours,

Craig Messinger
Public Works Director

Attachments

xc: Michael C. Hefele, Director of Planning
Susan Wild, City Solicitor
Michael P. Hanlon, City Clerk
Craig Messinger, Public Works Director

CITY OF ALLENTOWN

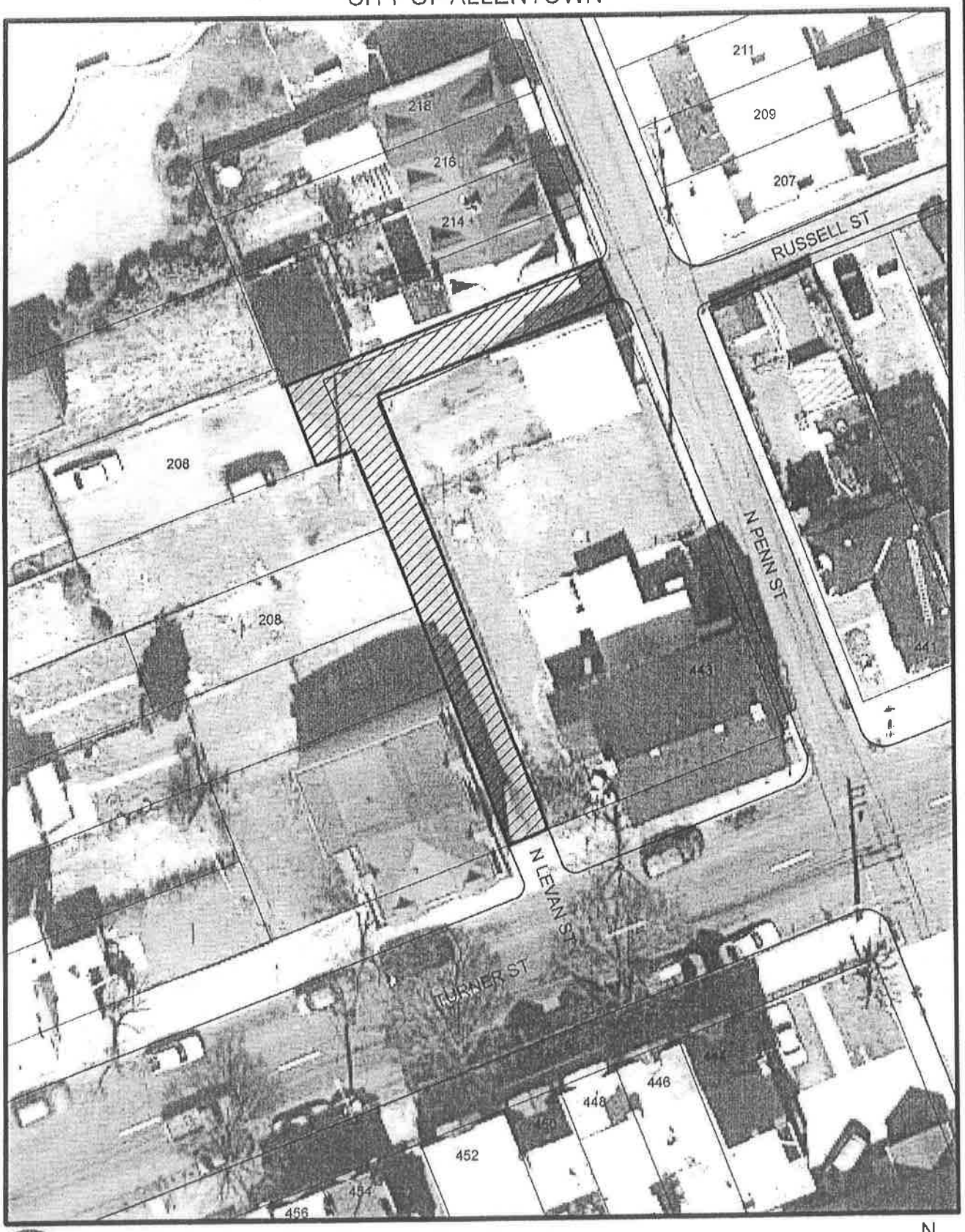


Proposed Street Vacation:
N. Levan St. @ Turner St. to Russell St. &
Russell St. @ N. Levan St. to N. Penn St.

SCALE:
1" = 300'

N

CITY OF ALLENTOWN

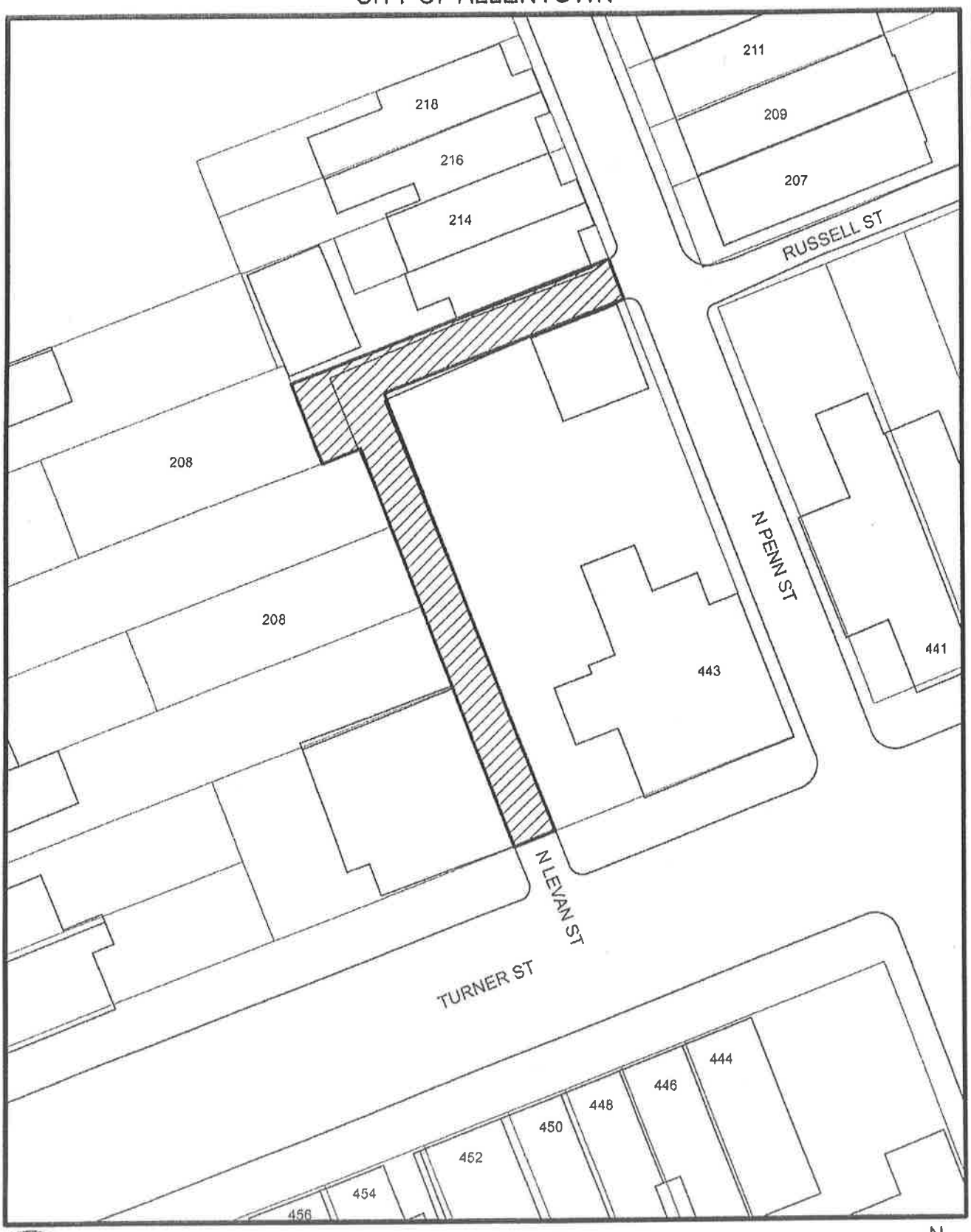


Proposed Street Vacation:
N. Levan St. @ Turner St. to Russell St. &
Russell St. @ N. Levan St. to N. Penn St.

SCALE:
1" = 30'

N

CITY OF ALLENTOWN



Proposed Street Vacation:
N. Levan St. @ Turner St. to Russell St. &
Russell St. @ N. Levan St. to N. Penn St.

SCALE:
1" = 30'

N

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 29 - 2015

May 6, 2015

AN ORDINANCE

Amending Article 397.01, Police Fees, and Article 397.02, Police Academy Fees, by increasing fees for accident reports, false alarms, criminal history checks, and police training fees; and establishing a fee for video requests for civil services to better reflect the costs associated for providing the particular services.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

Amending Article 397.01, of the **Police Department** by updating fees for service provided.

SECTION ONE: That City Council authorizes the following schedule of fees for services provided.

397.01 Police Fees

397.01 Fees

Service Provided	**Fees**
Accident Report	~~$15~~ $25
Incident Report	15
Fingerprinting City Residents	20
Fingerprinting All Others	25
Taxicab License	40
False Alarm	~~75~~ $100
(Ord. 14167; §1 4/8/04)	
Photographs (8" x 10")	10
Criminal History Checks	~~15~~ $20
Video Request for Civil Cases	$115 for first disc, $20 for additional disc.

397.02 Police Academy Fees (14778 § 1 2/9/10)

Three Hour Training Session	$ ~~14.85~~ $15 per Officer
Classroom Fee	$ ~~50.00~~ $100 per day
Range Fee	~~$100.00~~ $150 per day

SECTION TWO: That this Ordinance will take effect ten (10) days after final passage.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

  The Police Department

- **Summary and Facts of the Bill**

  This bill will raise select fees for various services provided by the Allentown Police Department. The affected fees include providing copies of accident reports, police response to false alarms, and conducting criminal history checks. The fees are required due to increases in costs associated with providing said services.

  The bill will also add a new fee for video requests in civil cases. When a video request is received and processed by the Allentown Police Department, there is a cost associated with its production. It is estimated to take approximately 2.5 people hours to prepare the video for proper release, as well as the cost associated with storage and the DVD media.

  Finally, the bill will address increases for services provided at the Allentown Police Academy to other municipalities and police departments. In 2009 the Municipal Police Officer's Education and Training Commission (MPOETC) announced it would no longer fund Mandatory in-service training classes due to State budget cuts. The Commission had authorized individual Police Academies and colleges to charge $14.85; however, the Commission subsequently increased that fee to $15.00 per Officer for each required three-hour training session. Four sessions are required ($60 total) for each Officer to retain certification. This bill is designed to allow us to charge Municipalities and Officers that fee for providing the instruction. We would also like to be able to raise that fee if MPOETC increases the allowable amount that can be charged. Lastly, we would like to increase the fees for both the range fees and classroom fees at the Police Academy. Fees would be charged to outside agencies who use the facilities when they are available. The new proposed range fee would be $150.00 and the proposed classroom fee would be $100.00. We would also like to be able to waive those fees to agencies who provide us with an in-kind service.

- **Purpose – Please include the following in your explanation:**
  - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
  - **What are the Benefits of doing this/Down-side of doing this**
  - **How does this Bill related to the City's Vision/Mission/Priorities**

  This bill is designed to allow the Police Department to recover fees that the State had provided in the past, and reflects a mandatory increase on their part. It is also going to allow Police to increase revenue by adjusting the fees for services provided by both the Allentown Police Department and the Allentown Police Academy.

- **Financial Impact – Please include the following in your explanation:**
  - **Cost (Initial and ongoing)**
  - **Benefits (initial and ongoing**

  This bill will increase both department and academy revenue projections.

- **Funding Sources – Please include the following in your explanation:**
    - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

  N/A

- **Priority status/Deadlines, if any**

  As soon as possible so that increased fees can be charged appropriately.

- **Why should Council unanimously support this bill?**

  Establishes fair fees for utilizing city resources.

ADMINISTRATION

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 31 - 2015

June 3, 2015

AN ORDINANCE

Amending the 2015 General Fund Budget to provide for a supplemental appropriation of $14,284.70 from a PEMA grant, Pennsylvania Emergency Management Agency, to the Fire Department to provide for SCBA equipment

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That City Council authorizes an increase to the unappropriated balance of the 2015 General Fund in the amount of $14,284.70 reflecting receipt of monies from a PEMA, Pennsylvania Emergency Management Agency grant to purchase SCBA (self-contained breathing apparatus) equipment.

SECTION TWO: That City Council authorizes a supplemental appropriation from the unappropriated balance of the General Fund to the Fire Department contract services program as follows:

000-05-0803-0002-72 (Equipment)	14,284.70

SECTION THREE: That this Ordinance will take effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

What Department or bureau is Bill originating from? Where did the initiative for the bill originate?

Allentown Fire Department

- **Summary and Facts of the Bill**

  The Allentown Fire Department was awarded a PEMA grant to purchase SCBA Self-Contained Breathing Apparatus Equipment.

- **Purpose – Please include the following in your explanation:**
  - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
  - **What are the Benefits of doing this/Down-side of doing this**
  - **How does this Bill related to the City's Vision/Mission/Priorities**

  The Bill will provide funding for the purchase of SCBA equipment. This funding will bring the Allentown Fire Department in compliance with 2013 standards for PPE equipment.

  The benefit of this new equipment is enormous to the life safety of the members of the Allentown Fire Department and better response to the City's needs.

  This Bill relates to the City's vision and mission to provide a safe City for all who live, work and visit the City of Allentown. It has always been the City of Allentown's priority, as well as every elected official to provide safe and efficient Public Safety services to ensure a safe environment.

- **Financial Impact – Please include the following in your explanation:**
  - **Cost (Initial and ongoing)**
  - **Benefits (initial and ongoing)**

  80% grant funded and 20% city shared budgeted expense.

  The SCBA equipment will comply with the NFPA standards currently in place.

- **Funding Sources – Please include the following in your explanation:**
  - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

  Appropriate $14,284.70 to the general fund and placed into Fire Budget account #000-05-0803-0002-68.

PEMA grant awarded to the fire department in the amount of $14, 284.70 to purchase SCBA equipment.

- **Priority status/Deadlines, if any**

  Need to replace old equipment as soon as possible. It is a high priority for Allentown Fire Department to provide safe and efficient Public Safety services with the most up to date equipment that will comply with NFPA standards.

- **Why should Council unanimously support this bill?**

  The request should not present a problem to City Council, since the grant has been approved and awarded.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 32 - 2015

June 3, 2015

AN ORDINANCE

Amending the 2015 Capital Project Fund Budget to provide for a transfer of Twenty Three Thousand Eight Hundred and Fifty ($23,850) from Capital Project 1698 (Ice Skating Rink) to Capital Project 2202 (WPA Structures) for design services and construction documents necessary to rebuild a failing section of WPA stone masonry retaining wall along the Lehigh Parkway.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That City Council authorizes a transfer within the Capital Project Fund in the amount of Twenty Three Thousand Eight Hundred and Fifty ($23,850)

SECTION TWO: That City Council authorizes a transfer from within the Capital Project Fund in the following manner:

FROM ACCOUNT

001-08-1698-1412-46	$23,850.00
Parks and Recreation	
Ice Skating Rink	

TO ACCOUNT

001-08-2202-1412	$23,850.00
Parks and Recreation	
WPA Structures	

SECTION THREE: That this Ordinance will take effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- What Department or bureau is Bill originating from? Where did the initiative for the bill originate?

Bill Origination: Parks and Recreation

- Summary and Facts of the Bill:

The proposed Ordinance transfers funds from the capital project Skating Rink To WPA Stuctures.

- Purpose
  - What does the Bill do – what are the specific goals/tasks the bill seeks to accomplish?

The Bill seeks to transfer funds that will enable the City to complete design and construction documents for the reconstruction of an 85' section of an approximately 13" high WPA stone retaining wall on the Lehigh Parkway.

  - What are the Benefits of doing this/Down-side of doing this.

The benefits of doing this is that it will enable the repair of a significant section of a WPA retaining wall that is failing. Should this repair not be completed the wall will fail resulting in the need to close Lehigh Parkway as well as a very popular trail that runs along the banks of the Little Lehigh Creek at the foot If the wall.

  - How does this Bill related to the City's Vision/Mission/Priorities

The mission of the Allentown Department of Parks & Recreation is to enhance the quality of life in the City by providing and maintain quality parks, trails and greenspaces and by offering enriching recreational activities and facilities for people of all ages and abilities. The Bill directly relates to this as it concerns maintaining safe, quality facilities.

- Financial Impact
  - Cost (Initial and ongoing):

The cost for the preparation of design and construction documents is $23,850. The estimated cost to rebuild the wall is $520,000.

  - Benefits (initial and ongoing):

The benefits are that rebuilding the wall will maintain the stability and safety of the Lehigh Parkway and the trail below it and it will save a significant and historic WPA structure.

- Funding Sources

Capital funds will be transferred between established capital projects.

- Priority status/Deadlines, if any:

As soon as possible.

- Why should Council unanimously support this bill?

As stated previously, *this work needs to be completed, otherwise the wall will fail resulting in the closure of Lehigh Parkway and the trail below the wall.*

ADMINISTRATION

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 33 - 2015

JUNE 17, 2015

AN ORDINANCE

Amending the 2015 Grant Fund Budget to provide for a supplemental appropriation of $404,667 as a result of an Environmental Protection Agency Grant, for the Community Department to provide for Brownfields funds for a remediation Allentown Metalwork project.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That City Council authorizes an increase to the unappropriated balance of the 2015 Grant Fund in the amount of $404,667 reflecting receipt of monies from EPA, Brownfields grant for remediation of Allentown Metalworks.

SECTION TWO: That City Council authorizes a supplemental appropriation from the unappropriated balance of the Grant Fund to the Community Department contract services program as follows:

005-09-5901-0004-48 (Grant, Non-City Services) $404,667.00

SECTION THREE: That by an affirmative vote of six Councilpersons the 14 day period between introduction and final passage is hereby eliminated.

SECTION FOUR: That this Ordinance will take effect ten (10) days after final passage.

SECTION FIVE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

  Department of Community and Economic Development

- **Summary and Facts of the Bill**

  An additional project has been identified, therefore available EPA brownfields funds have been identified for the clean up of Allentown Metal Works. The City will receive pass through EPA dollars in the amount of $404,667 to complete environmental clean-up activities.

- **Purpose – Please include the following in your explanation:**
  - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
  - **What are the Benefits of doing this/Down-side of doing this**
  - **How does this Bill related to the City's Vision/Mission/Priorities**

  Provide funding to remediate the Allentown Metal Works building, which will ultimately provide the city with much needed manufacturing space.

- **Financial Impact – Please include the following in your explanation:**
  - **Cost (Initial and ongoing)**
  - **Benefits (initial and ongoing)**

  n/a - pass through grant.
  Upon full clean up and build-out of Building G (conservative), Allentown Metal Works can create up to 75 jobs (direct/indirect) and annual payroll of $3.8 million (per Camoin Study dated 2014).

- **Funding Sources – Please include the following in your explanation:**
  - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

  U.S. Environmental Protection Agency; Brownfield Revolving Loan Fund (BF 98397501)

- **Priority status/Deadlines, if any**

  None.

- **Why should Council unanimously support this bill?**

  Pass through grant to support clean up work being conducted on Allentown Metal Works per our agreement with the EPA

ADMINISTRATION

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 34 - 2015

JUNE 17, 2015

AN ORDINANCE

Amending the Zoning Map by rezoning 715, 715 ½ and 717 North Railroad Street from Medium High Density Residential (R-MH) to Limited Business/Residential (B-1/R) and 707, 709 and 711 North Railroad Street from Medium High Density Residential (R-MH) to Limited Business/Residential (B-1/R).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the area on the Zoning Map of the City of Allentown, depicted on Exhibit "A" attached hereto, be rezoned from Medium High Density Residential (R-MH) to Limited Business/Residential (B-1/R) District.

SECTION TWO: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

SECTION THREE: That this Ordinance will take effect ten (10) days after final passage.

Allentown
City without limits.

Michael C. Hefele, AICP
Director of Planning
Bureau of Planning & Zoning
435 Hamilton Street
Allentown, PA 18101-1699
Office 610-437-7611
Fax 610-437-8781
Michael.Hefele@allentownpa.gov

May 26, 2015

The Honorable Ray O'Connell
President, City Council
City of Allentown
435 Hamilton Street
Allentown, PA 18101

Re: Amends the Zoning Map by rezoning 715, 715½ and 717 North Railroad Street from Medium High Density Residential (R-MH) to Limited Business/Residential (B-1/R) and 707, 709 and 711 North Railroad Street from Medium High Density Residential (R-MH) to Limited Business/Residential (B-1/R)

Dear Mr. O'Connell:

Please be advised that at the monthly meeting of the Allentown City Planning Commission held on Tuesday, May 12, 2015, the Commission reviewed the above-referenced amendment to the City's Zoning Map requested by Joseph Elias and the Allentown Parking Authority. The Commission voted to RECOMMEND APPROVAL of this amendment to City Council.

If you have any questions concerning this action, please contact me.

Yours truly,

Michael C. Hefele, AICP
Director of Planning

MCH:jf
Enclosure
xc: Mayor Ed Pawlowski
Francis Dougherty, Managing Director
Sara Hailstone, Director of Community & Economic Development
Michael Hanlon, City Clerk
Joseph Elias
Tamara Dolan, Executive Director, Allentown Parking Authority
Stephen Pany, P.E.

n:\pln\plncommon\acpc\rezoning\2015\EliasRezoning\ACPCApproval Recommendation

Rezoning from RMH to B1R

Legend

Tax Parcel

Area to be Rezoned from RMH to B1R

N

1 inch = 50 feet

0 25 50 100 Feet

Allentown
City without limits.

Michael C. Hefele, AICP
Director of Planning
Bureau of Planning & Zoning
435 Hamilton Street
Allentown, PA 18101-1699
Office 610-437-7611
Fax 610-437-8781
Michael.Hefele@allentownpa.gov

STAFF REPORT TO THE ALLENTOWN CITY PLANNING COMMISSION

May 8, 2015

SUBJECT: 15-2(Z) Request to rezone the following tracts of land from Medium High Density Residential (R-MH) to Limited Business/Residential (B-1/R): 715, 715.5 and 717 N. Railroad Street and 707, 709 and 711 N. Railroad Street (**Note**: the actual limits of the proposed rezoning are shown on the attached map).

BACKGROUND:

This request to rezone an area located in the 700 block of N. Railroad Street has been made in two separate petitions. The first has been made by Joseph Elias, owner of 715, 715.5 and 717 N. Railroad Street in order to "modernize retail store and warehouse at 101 W. Tilghman Street." The other petition has been received from the Allentown Parking Authority, owner of 707, 709 and 711 N. Railroad Street "to square the B-1/R zone area in the southerly third of the block."

Based on a meeting with the petitioner and a prior Zoning Hearing Board appeal, Mr. Elias, owner of Elias Market located at Front and Tilghman Streets, is seeking to expand his retail store by providing additional warehouse space on the area to be rezoned.

EXISTING LAND USE AND ZONING:

The area requested to be rezoned consists of three residential properties and a neighborhood parking lot. The area is bounded on the north and west by residential uses and on the south and east by the Elias Market and a similar neighborhood scale retail use. The current zoning is commensurate with the existing land uses.

FINDINGS:

When deliberating the merits of a proposed rezoning one should focus on the list of potential outcomes rather than the immediate intention(s) of the petitioner. It is important to put the request in context. While the rezoning petition does not include any details, based on a previous zoning appeal the petitioner is interested in using the areas to be rezoned to expand an existing warehouse that is attached to the retail store from 2,700 sq. ft. to 5,000 sq. ft. The addition of the warehouse would allow him to expand the retail portion of the food market. The three residential properties would be demolished to make room for the warehouse.

The zoning appeal was ultimately denied by the Zoning Hearing Board as in the opinion of the Board, the applicant failed to demonstrate a legal hardship that is required of a variance request. The applicant has thus chosen to seek the legislative remedy of rezoning.

The warehouse would front on N. Railroad Street (a 20' wide street), but be accessed from the eastern end of the property via N. Front and/or W. Tilghman Streets.

The effect of the rezoning on the zoning map would be to square off the B-1/R district, resulting however, in the penetration of the residential district with a commercial zoning district. The expanded commercial district would abut residential properties to the north, and be directly across N. Railroad Street from residential uses as well.

The existing retail business operated by Mr. Elias is extremely popular. Casual observations of the operation show a parking lot that is often full with tight maneuvering space for vehicles and trucks.

The current R-MH zoning permits most residential uses other than boarding homes and mobile home parks. Institutional uses such as schools, nursing homes, places of worship and child care centers are permitted by special exception. Other than art galleries, commercial or industrial uses are not permitted. Residential uses are permitted at relatively high densities of up to 24 units/acre, however, those densities are usually limited by the maximum permitted height of 38 feet and the ability to provide required parking.

The purpose of the B-1/R district is "to provide for mixed use areas adjacent to residential districts in which business uses are permitted on a limited basis or as are normally required for the convenient household and business needs of nearby neighborhoods." The B-1/R district permits residential uses similar to the R-MH district while introducing a relatively narrow mix of commercial and other non-residential uses. Permitted commercial uses include business services, check cashing, exercise clubs, financial institutions, funeral homes, massage establishments, newspaper publishing and printing, business offices; retail establishments and similar uses. Retail and similar uses are limited to 8,000 sq. ft. of floor area. Other non-residential uses include day care centers, schools, museums, nursing home and personal care facilities, places of worship and the like.

The City's Comprehensive Plan provides guidance on how to assess zoning/land use changes. Land Use Policy 1.1 provides the following criteria by which to review such applications:

- The use must be compatible with adjacent land uses
- The use much be accommodated by existing or potential infrastructure capacity
- The use must be in accordance with the environmental policies of the plan
- The use must address the housing, economic development, employment and City fiscal objectives outlined in the plan

RECOMMENDATION:

The requested rezoning presents a difficult decision. On the one hand is the need of a popular existing business to expand, while on the other the expansion infringes upon an old established residential block. While this office is not insensitive to the expansion needs of the existing business, from a pure land use perspective the current proposal provides that opportunity in a less than desirable manner. In the instant case the rezoning would create a use not conducive to the remaining residential character of the area while opening the door to additional commercial uses on a narrow residential street should the current anticipated use of the property ever be abandoned. This office would encourage the applicant to continue to look for other opportunities within the area to satisfy his expansion needs.

Should the rezoning be approved, this office would further encourage the applicant to design a structure that is in keeping with the scale and architecture of the remainder of the block.

Michael C. Hefele

Michael C. Hefele, AICP
Director of Planning

CITY OF ALLENTOWN

R-28 **RESOLUTION** R 28 – 2015

Introduced by City Council on June 17, 2015

A RESOLUTION OF CITY OF ALLENTOWN, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF RESTAURANT LIQUOR LICENSE NO. R – 1524 INTO CITY OF ALLENTOWN FROM CATASAUQUA BOROUGH

Resolved by the Council of the City of Allentown, That

WHEREAS, Act 141 of 2000 ("the Act") authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code if, as in the City of Allentown, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Act requires the applicant to obtain from the receiving municipality a resolution approving the inter-municipal transfer of the liquor license prior to an applicant's submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, the Liquor Code stipulates that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting individuals residing within the municipality to make comments and recommendations regarding applicant's intent to transfer a liquor license into the receiving municipality; and

WHEREAS, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a liquor license into the municipality.

NOW, THEREFORE, BE IT RESOLVED, that Weis Markets, Inc. has requested the approval of the Allentown City Council for the proposed transfer of Pennsylvania restaurant liquor license no. R-1524 (currently licensed to LouAnn Restaurant Group, LLC, in safekeeping with the PLCB, for previous licensed premises at 129-131 Howertown Road, Catasauqua, PA 18302) by Weis Markets, Inc. to restaurant facilities within the City of Allentown to be located at 365 South Cedar Crest Boulevard, Allentown, PA 18103 with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board.

BE IT FURTHER RESOLVED, that the City of Allentown City Council has held a properly advertised public hearing pursuant to the notice provisions of Section 102 of the Liquor Code to receive comments on the proposed liquor license transfer.

BE IT FURTHER RESOLVED, that the City of Allentown approves, by adoption of this Resolution, the proposed intermunicipal transfer of restaurant liquor license no. R-1524 into the City of Allentown by Weis Markets, Inc.

BE IT FURTHER RESOLVED, that transfers, designations and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board.

Duly adopted this ____ day of _____, 2015, by the City Council of the City of Allentown, Lehigh County, Pennsylvania, in lawful session duly assembled.

Flaherty&O'Hara
PROFESSIONAL CORPORATION

LAW OFFICES
610 Smithfield Street
Suite 300
Pittsburgh, PA 15222

412-456-2001
FAX: 412-456-2019
www.flaherty-ohara.com

Robert J. O'Hara, III, Esquire
Direct Dial: 412-456-2005
E-mail Address: rj@flaherty-ohara.com

Toll Free: 1-866-4BEVLAW
File No. 25052.066

May 19, 2015

Via Federal Express

Michael Hanlon
City Clerk
City Hall, Room 510
435 Hamilton St.
Allentown, PA 18101

Re: Weis Markets, Inc. – Request for a Municipal Hearing on the Intermunicipal Transfer of a Restaurant Liquor License into the City of Allentown

Dear Mr. Hanlon:

I represent and am writing on behalf of Weis Markets, Inc. ("Weis") to request a resolution from the City of Allentown approving the inter-municipal transfer of a Pennsylvania "R" or "restaurant" liquor license from outside the municipality into the City of Allentown. Weis will be operating a restaurant inside its grocery store at 365 South Cedar Crest Boulevard, Allentown, PA 18103 in the City of Allentown in which it intends to sell beer, referred to in the Liquor Code as malt and/or brewed beverages. Weis plans to sell beer from the restaurant for consumption on premises in the restaurant and "to go" and may, at some future date, sell wine for consumption on the restaurant premises.

In order to sell beer, and possibly wine in the future, in its restaurant in the City of Allentown in accordance with its business plan, Weis must secure a restaurant liquor license. No City of Allentown restaurant liquor license is available for purchase. As a result, Weis has entered into an agreement to purchase a liquor license currently located outside of the City of Allentown and plans to move the license into the City of Allentown, with the approval of the township, and subsequently the Pennsylvania Liquor Control Board ("PLCB"), pursuant to the intermunicipal transfer provisions of the Liquor Code (47 P.S. 461). The license under agreement is currently located in Catasauqua, Lehigh County (liquor license no. R-1524).

Weis hereby formally requests that, pursuant to 47 P.S. 461, the City of Allentown issue a resolution approving the transfer by Weis of a restaurant liquor license from outside the municipality to within the municipality.

Pursuant to 47 P.S. 461, the City of Allentown must hold a hearing for the purpose of allowing the residents of the municipality to voice their opinions on the proposed intermunicipal transfer by Weis. The municipality, under 47 P.S. 461, must, after a hearing, approve or deny the requested transfer, by way of a resolution or ordinance, within 45 days of this request.

To date, the PLCB has approved liquor licenses at thirty-six (36) Weis locations. Twenty-nine (29) of the locations currently sell beer both for consumption on premises in the restaurant and "to go." The others are being held in safekeeping with the PLCB pending completion of the licensed premises.

For your convenience and reference, I have enclosed a form resolution which numerous other municipalities have used in responding to requests for intermunicipal transfers. The Pennsylvania Liquor Control Board requires that a resolution approving an inter-municipal transfer must include the following: (1) the name of the applicant (here, Weis Markets, Inc.); (2) the address to which the license is being transferred (here, 365 South Cedar Crest Boulevard, Allentown, PA 18103); (3) the liquor license number (here, R-1524); (4) a statement that a public hearing was held on the requested resolution; (5) a statement that proper notice of the hearing was published and (6) the name of the current licensee and address (here, 129-131 Howertown Road, Catasaqua, PA 18302).

Weis Markets, Inc. will reimburse the city for all costs related to the municipal hearing.

Effective July 1, 2006, the Liquor Code (47 P.S. Section 102) was amended to require that notice of the public hearing must be published once each week for two successive weeks in a newspaper of general circulation in the municipality. Further, such notices must state the time and place of the hearing and the matter to be considered at the hearing. Amended Section 102 also provides that the first publication shall not be more than 30 days before the date of the hearing and the second publication shall not be less than seven (7) days before the date of the hearing.

At the time of the hearing, we will present complete information on the operations of Weis' proposed restaurant and answer any questions that you, the board of supervisors, solicitor or residents might have. Initially, by way of background, I am providing the following information. Weis has 164 grocery stores and restaurants in Pennsylvania and neighboring states. This Weis restaurant in the City of Allentown

will be a family-friendly restaurant which will have a separate entrance, but also have interior connections or openings to the grocery store. The restaurant will be located in a distinct, tastefully decorated and well accommodated area removed from the grocery store. Initially, Weis' restaurant will sell only beer and other malt and brewed beverages and offer high-quality meals for consumption on and off the premises. Potentially, at some future date, the restaurant may sell wine for consumption on the restaurant premises.

The City of Allentown Weis restaurant will have a seating capacity of at least thirty (30). A restaurant within Weis will offer another dining alternative in the City of Allentown, regardless of whether patrons will also be shopping at Weis' store. Weis is very sensitive to its role in the communities it serves and is very involved in those communities. A Weis store and restaurant typically employs 300 full and part-time people and generates significant tax revenues for the local economy. The City of Allentown's approval of an inter-municipal transfer of a restaurant liquor license for Weis' restaurant will permit the operation of a restaurant in the City of Allentown that will be a positive attribute to the township.

In the event that you require further information or documentation, please contact me or my paralegal Diane DeNardo directly.

Please call me or my paralegal Diane DeNardo as soon as possible when a hearing date is scheduled in order that I can be sure my client and I are available to attend.

Best regards,

Robert J. O'Hara, III

ROBERT J. O'HARA, III
RJO:dcd

Enclosure: City of Allentown Liquor Transfer Request Petition
Check in the amount of $400.00
Draft Municipal Resolution

cc: Jack O'Hara, Esq., Weis Markets, Inc. *(via e-mail)*

LIQUOR TRANSFER REQUEST PETITION

Date May 19, 2015

City Council
City Hall
Allentown, PA 18101
(610) 437-7539 Telephone
(610) 437-7554 Fax
EMAIL: Mike Hanlon hanlon@allentownpa.gov
Tawanna L. Whitehead whiteheadt@allentownpa.gov

Members of City Council:

We, the undersigned and interested parties, hereby request your honorable body to approve the transfer of said liquor license within the boundaries of the City.

Weis Markets, Inc.

Applicant's Name

R-1524

Applicants LCB Number

LouAnn Restaurant Group, LLC 129-131 Howertown Rd., Catasauqua, PA 18032
c/o Craig Neely, Esq. (610) 928-1188

Current Business name, Address and Telephone Number where license proposed to be transferred is located.

Weis Markets, Inc. 365 S. Cedar Crest Blvd., Allentown, PA 18103 c/o (412) 456-2005

Current Business name, address, telephone number where the liquor license is proposed to be located within the City of Allentown.

Description of type of operation where proposed license is to be transferred to:

Weis Markets, Inc. will be operating a PLCB licensed restaurant inside of its remodeled grocery store. The restaurant will be family-friendly and will have a separate entrance from the grocery store, but also an interior connection or opening to the grocery store. Please see attached letter for more details. Also, information on the proposed restaurant's operations and floor plan will be presented at the public hearing by an attorney from Flaherty & O'Hara, PC and a representative from Weis Markets, Inc.

NAME	ADDRESS	TELEPHONE
Robert J. O'Hara, III, Esq. Attorney for Applicant	Flaherty & O'Hara, PC 610 Smithfield St., Suite 300 Pittsburgh, PA 15222	(412) 456-2005

NOTE: Send or deliver this petition, along with $400, to cover advertising, public hearing and public notification costs, to: Remittance/Check payable to the "City of Allentown"

City Clerk
City Hall
Room 510
435 Hamilton Street
Allentown, PA 18101
(610) 437-7539 Telephone
(610) 437-7554 Fax
EMAIL: Mike Hanlon hanlon@allentownpa.gov
Tawanna L. Whitehead whiteheadt@allentownpa.gov

MICHAEL P. HANLON

hanlon@allentowncity.org
435 West Hamilton Street
Allentown, PA 18101
Phone: 610.437-7539
Fax: 610.437-7554

CITY CLERK

May 20, 2015

Francis Dougherty
Managing Director
City Hall, Allentown, PA 18101

Susan Ellis Wild
City Solicitor
City Hall, Allentown, PA 18101

Gary Strathearn
Director - Finance
City Hall, Allentown, PA 18101

David Paulus
Director – Building Standards and Safety
City Hall, Allentown, PA 18101

Michael Hefele
Director of Planning
City Hall, Allentown, PA 18101

Joel Fitzgerald, Sr.
Chief of Police
City Hall, Allentown, PA 18101

Lee T. Laubach, Jr.
Fire Chief/EMC
City Hall, Allentown, PA 18101

Vicky Kistler
Director, Health Bureau
City Hall, Allentown, PA 18101

Mayor Ed Pawlowski
City Hall, Allentown, PA 18101

Hello All:

The attached liquor transfer request petition was received from Flaherty & O'Hara on behalf of Weis Markets, Inc. to transfer a liquor license at the following location:

Weis Markets, Inc.
365 S. Cedar Crest Boulevard
Allentown, PA 18103

This petition is hereby referred to the Finance, Building Standards and Safety, Zoning, Police, Fire, Health, Solicitor, and the Mayor's office for review and recommendations. Please provide comments in regards to whether the proposed property to which transfer is being made to and the requestor is up to date on all bills, code compliance and whether the office has any general objections to said transfer.

Please submit your report to this office no later than May 26, 2015.

Very truly yours,

Michael P. Hanlon
City Clerk

Cc: City Council

Council meetings are held on the first and third Wednesday of each month beginning at 7:00 pm in Council Chambers.
For copies of the agenda or meeting announcements, please visit our website at www.allentownpa.gov.

THE MORNING CALL
MEDIA GROUP

Order ID: 3315654

Printed: 5/26/2015 11:37:20 AM

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* Agency Commission not included

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AdSize(s): 1 Column,

Run Date(s): Monday, June 01, 2015, Tuesday, June 09, 2015

Color Spec. B/W

Preview

PUBLIC HEARING NOTICE
INTERMUNICIPAL LIQUOR
LICENSE TRANSFER REQUEST

Allentown City Council will conduct a Public Hearing on Wednesday, June 17, 2015 at 6:00 PM in Council Chambers, 435 Hamilton Street, Allentown, PA 18101. The purpose of the Public Hearing is to take public testimony on the request for the Intermunicipal Transfer of Liquor License Number R-1524, LouAnn Restaurant Group, LLC, from 129 - 131 Howertown, Road, Catasauqua, PA 18032 to 365 S. Cedar Crest Boulevard, Allentown, PA 18103 (Weis Markets, Inc.). The transfer applicant is Weis Markets, Inc. There will be a resolution on the council meeting that follows the public hearing that will allow City Council to approve or disapprove the transfer.

MIKE HANLON
CITY CLERK
#3315654 — 06/01, 06/9/2015

Hanlon, Michael

From: Whitehead, Tawanna
Sent: Thursday, May 28, 2015 10:01 AM
To: Hanlon, Michael
Subject: FW: Legal Ad: Intermunicipal Liquor License Transfer Request Weis Markets, Inc. 365 S. Cedar Crest Boulevard (Customer Account #CU00300240)
Attachments: 3315654.pdf

Allentown
City without limits.

Tawanna L. Whitehead
Deputy City Clerk
City Clerk's Office
435 Hamilton Street
Allentown, PA 18101
610.437.7556

Tawanna.Whitehead@allentownpa.gov
http://www.AllentownPA.gov

From: Brennan, Timothy [mailto:tbrennan@Tribpub.com]
Sent: Tuesday, May 26, 2015 12:39 PM
To: Whitehead, Tawanna
Subject: RE: Legal Ad: Intermunicipal Liquor License Transfer Request Weis Markets, Inc. 365 S. Cedar Crest Boulevard (Customer Account #CU00300240)

Good morning,

Attached is a proof for your notice (3315654) which is set to run in the Morning Call on Monday June 1st and Tuesday June 9th. All changes or cancellations must be made by Thursday before 3pm or the ad will run as is. Please let me know if you have any questions.

Thank you,

Tim Brennan
Legal Advertising Representative
Baltimore Sun, 410-539-7700 • *Chicago Tribune*, 312-222-2222 • *Daily Press*, 757-247-4700
Hartford Courant, 860-525-2525 • *Los Angeles Times*, 800-234-4444 • *Morning Call*, 800-669-5757
Orlando Sentinel, 407-420-5160 • *Sun Sentinel*, 800-250-2000

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A Tribune Publishing Company

Communication may be reviewed for quality & training purposes.
Great Customer Service is our top priority.

From: Whitehead, Tawanna [mailto:Tawanna.Whitehead@allentownpa.gov]
Sent: Friday, May 22, 2015 7:27 AM
To: zzTPC.MC.LegalAds
Cc: Wiles, Dale; Hanlon, Michael
Subject: Legal Ad: Intermunicipal Liquor License Transfer Request Weis Markets, Inc. 365 S. Cedar Crest Boulevard (Customer Account #CU00300240)

Please confirm that you have received this. PLEASE SEND A PROOF OF PUBLICATION WITH THIS AD. THANK YOU.

PUBLIC HEARING NOTICE
INTERMUNICIPAL LIQUOR LICENSE TRANSFER REQUEST

Allentown City Council will conduct a Public Hearing on Wednesday, June 17, 2015 at 6:00 PM in Council Chambers, 435 Hamilton Street, Allentown, PA 18101. The purpose of the Public Hearing is to take public testimony on the request for the Intermunicipal Transfer of Liquor License Number R-1524, LouAnn Restaurant Group, LLC, from 129 - 131 Howertown, Road, Catasauqua, PA 18032 to 365 S. Cedar Crest Boulevard, Allentown, PA 18103 (Weis Markets, Inc.). The transfer applicant is Weis Markets, Inc. There will be a resolution on the council meeting that follows the public hearing that will allow City Council to approve or disapprove the transfer.

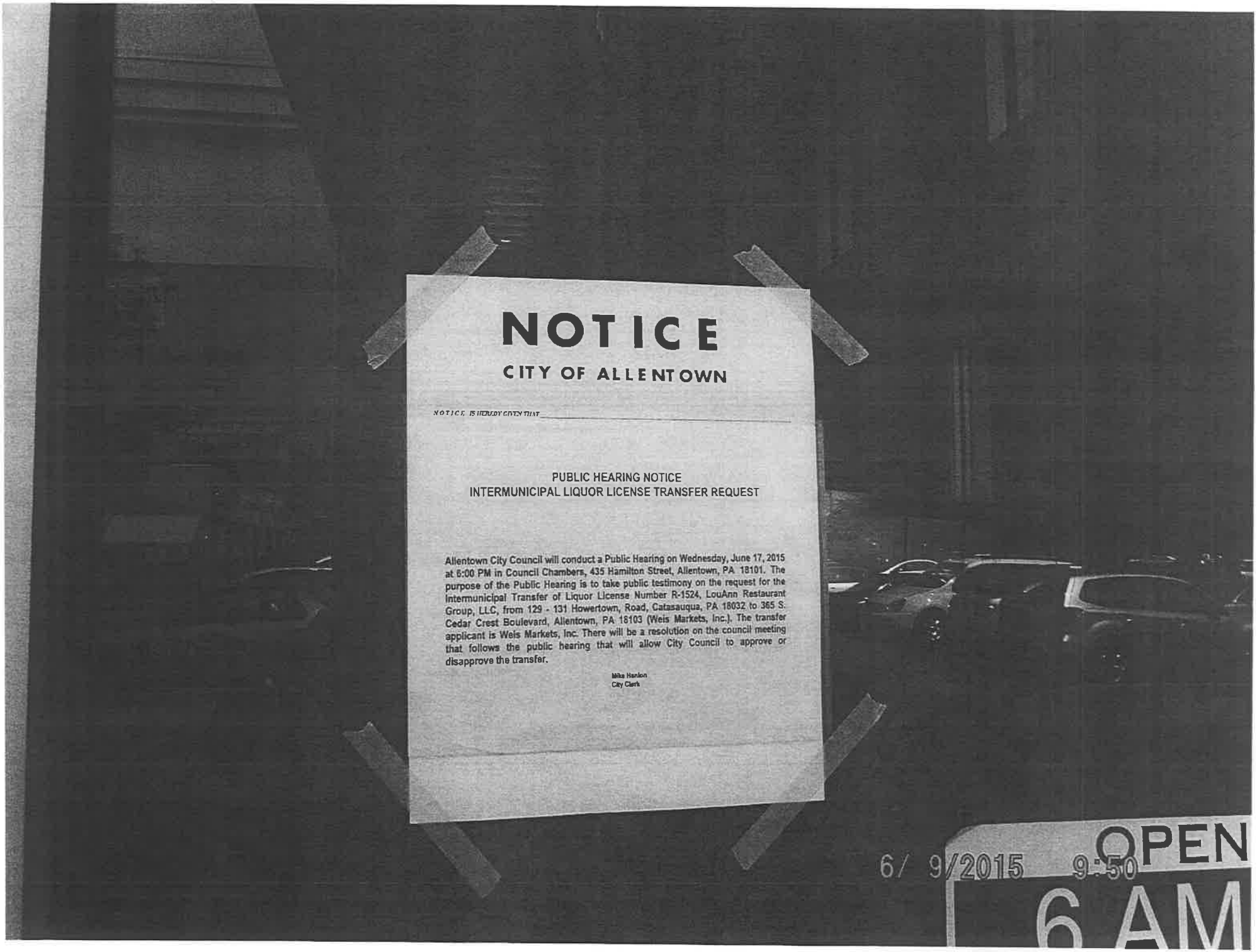
Mike Hanlon
City Clerk

THE MORNING CALL
LEGAL AD
June 1 and 9, 2015

Allentown
City without limits.

Tawanna L. Whitehead
Deputy City Clerk
City Clerk's Office
435 Hamilton Street
Allentown, PA 18101
610.437.7556

Tawanna.Whitehead@allentownpa.gov
http://www.AllentownPA.gov


NOTICE
CITY OF ALLENTOWN
NOTICE IS HEREBY GIVEN THAT
PUBLIC HEARING NOTICE
INTERMUNICIPAL LIQUOR LICENSE TRANSFER REQUEST
Allentown City Council will conduct a Public Hearing on Wednesday, June 17, 2015 at 6:00 PM in Council Chambers, 435 Hamilton Street, Allentown, PA 18101. The purpose of the Public Hearing is to take public testimony on the request for the intermunicipal Transfer of Liquor License Number R-1524, LouAnn Restaurant Group, LLC, from 129 - 131 Howertown, Road, Catasauqua, PA 18032 to 365 S. Cedar Crest Boulevard, Allentown, PA 18103 (Weis Markets, Inc.). The transfer applicant is Weis Markets, Inc. There will be a resolution on the council meeting that follows the public hearing that will allow City Council to approve or disapprove the transfer.
Mike Hanlon
City Clerk
6/ 9/2015 9:50
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6 AM

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CITY OF ALLENTOWN

No. R-29 **RESOLUTION** **R 29 - 2015**

Introduced by the Administration on June 17, 2015

Authorizes Submission of an Application to the Pennsyvlania Department of Transportation for a Grant of One Million ($1,000,000) Dollars from the Multimodal Fund for Center City Pedestrian Lighting

---

Resolved by the Council of the City of Allentown, That

BE IT RESOLVED, that the City of Allentown, Lehigh County hereby requests a Multimodal Transportation Fund grant of $1,000,000 from the Pennsylvania Department of Transportation to be used for Center City Pedestrian Lighting.

BE IT FURTHER RESOLVED, that the Applicant does hereby designate Ed Pawlowski, Mayor, and Francis X. Dougherty, Managing Director, as the official(s) to execute all documents and agreements between the City of Allentown and the Pennsylvania Department of Transportation to facilitate and assist in obtaining the requested grant.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown, hereby authorizes the City of Allentown to submit the application for One Million ($1,000,000) Dollars in Multi Modal Funding to the Pennsylvania Department of Transportation.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Community and Economic Development

- **Summary and Facts of the Bill**

Grant application to be submitted to PA Department of Transportation for Center City Pedestrian Lighting Project to be funded by the PA Multimodal Fund.

- **Purpose – Please include the following in your explanation:**

What does the Bill do – what are the specific goals/tasks the bill seek to accomplish
What are the Benefits of doing this/Down-side of doing this?
How does this Bill related to the City's Vision/Mission/Priorities

The bill formally requests the grant from the PA Multimodal Fund, authorizes the Mayor to execute all documents, and identifies the amount of the grant of a 1,000,000 request. The City cannot apply without this resolution. The Pedestrian Lighting Project is a key element in the draft Center City Initiative Strategy.

- **Financial Impact – Please include the following in your explanation:**

Cost (Initial and ongoing)
Benefits (initial and ongoing)

The cost of the project is approximately $1,650,000.
The remaining funds will come from committed CDBG funds.
The benefit will be improved lighting for residents and visitors in the center city area and to improve pedestrian mobility.

- **Funding Sources – Please include the following in your explanation:**

If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.

The Source of funds will be the PA Multimodal Fund

- **Priority status/Deadlines, if any**

We request approval as soon as possible in order to submit the grant by required date of July 30th.

- **Why should Council unanimously support this bill?**

This project will improve the quality of life for Center City residents and will improve the overall environment for visitors and businesses in this area.

- **Body/Text of the Bill**

CITY OF ALLENTOWN

No. R-30 **RESOLUTION** **R - 2015**

Introduced by the Administration on June 17, 2015

Authorizes Submission of an Application to the Pennsyvlania Department of Transportation for a Grant of One Million Four Hundred Thousand ($1,400,000) Dollars from the Multimodal Fund for American Parkway from Union Street to Airport Road

---

BE IT RESOLVED, that the City of Allentown, Lehigh County hereby requests a Multimodal Transportation Fund grant of $1,400,000 from the Pennsylvania Department of Transportation to be used for the installation of new LED Street light with monitoring system along American Parkway from Union Street to Airport Road project.

BE IT FURTHER RESOLVED, that the Applicant does hereby designate Ed Pawlowski, Mayor, and Francis X. Dougherty, Managing Director, as the official(s) to execute all documents and agreements between the City of Allentown and the Pennsylvania Department of Transportation to facilitate and assist in obtaining the requested grant.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown, hereby authorizes the City of Allentown to submit the application for One Million Four Hundred Thousand, ($1,400,000) Dollars in Multi Modal Funding to the Pennsylvania Department of Transportation.

City of Allentown, Lehigh County

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Department of Public Works

- **Summary and Facts of the Bill**

Grant application to be submitted to PA Department of Transportation for the new LED Street light with monitoring system along American Parkway from Union Street to Airport Road project to be funded by the PA Multimodal Fund.

- **Purpose – Please include the following in your explanation:**

What does the Bill do – what are the specific goals/tasks the bill seek to accomplish
What are the Benefits of doing this/Down-side of doing this
How does this Bill related to the City's Vision/Mission/Priorities

The bill formally requests the grant from the PA Multimodal Fund, authorizes the Mayor to execute all documents, and identifies the amount of the grant of a $1,400,000 request. The City cannot apply without this resolution.

- **Financial Impact – Please include the following in your explanation:**
- **Cost (Initial and ongoing)**
- **Benefits (initial and ongoing)**

The cost of the project is approximately $2,000,000 for Design, construction, inspection and materials.

The remaining funds will come from City Capital Funds.

The American Parkway Project will be completed in 2015. It is anticipated that there is substantial increase in vehicular and pedestrian usage. There is no street light illumination on this stretch of the roadway other than that the new American Parkway Bridge lights. This lighting project is vital for the safety of motorists and pedestrian.

Funding Sources – Please include the following in your explanation:

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

The Source of funds will be the PA Multimodal Fund

- **Priority status/Deadlines, if any**

We request approval at the June 17th meeting in order to submit the grant by required date of June 30th.

- **Why should Council unanimously support this bill?**

This project will improve the safety of the motorist and pedestrians such as residents as well as visitors. Also, increase the quality of life for Center City residents and businesses in this area.

- **Body/Text of the Bill**

CITY OF ALLENTOWN

R-31 **RESOLUTION** R 31 – 2015

Introduced by the Administration on June 17, 2015

Certificates of Appropriateness for work in the Historic Districts

Resolved by the Council of the City of Allentown, That

WHEREAS, Certificates of Appropriateness are required under the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania No. 167, June 13, 1961 (P.L. 282) and City of Allentown Ordinance No. 12314; and

WHEREAS, the following owners and/or applicants propose exterior alterations of the listed properties as indicated on the attached Case Reports:

340-1/2 N. 9th Street
Habitat for Humanity

348 N. 9th Street
Timothy & Amy Driscoll

WHEREAS, on June 1, 2015, the Allentown Historical Architectural Review Board recommended approval of the above applications or offered modifications, which were subsequently accepted by the property owners, to City Council; and

WHEREAS, after reviewing the above-mentioned HARB Case Reports, it is the opinion of City Council that the proposed work is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Allentown that Certificates of Appropriateness are hereby granted for the above referenced work.

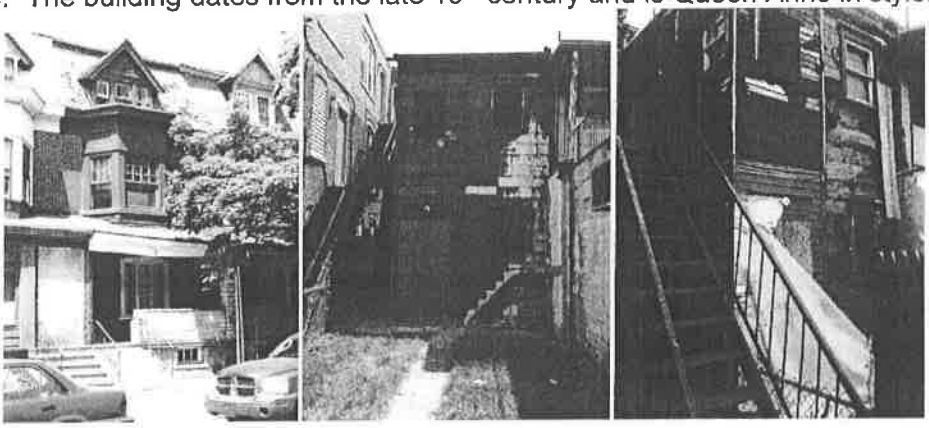
CITY OF ALLENTOWN
Historical Architectural Review Board
FINAL REVIEW SHEET
June 1, 2015

Case # HDC-2015-00015 - Proposal to alter the floor plan and elevation to align with the foundation.

Property located at: 340 ½ N. 9th Street
Old Business Agenda #1
Historic District: Old Allentown
Case #HDC-2015-00015
Meeting date: June 1, 2015

Property Owner: Habitat for Humanity - Casey Gatchel
Address: 245 N. Graham Street, Allentown, PA 18109
Applicant: same
Applicant's Address: same

Building description, period, style, defining features: This structure is a 3-story brick masonry, attached dwelling with a mansard roof with scalloped slate shingles, a rear ell with a low sloped roof, full front porch, second floor oriel window with divided lights, and a gabled dormer with triple double hung windows. The building dates from the late 19th century and is Queen Anne in style.



Proposed alterations: It is proposed to alter the floor plan and elevation to align with the foundation. Upon further investigation the rear elevation is not completely supported by a foundation. The area at the rear is only a slab on grade.

Background: HARB case #HDC-2015-00004, heard on March 2, 2015
Approved Alterations:

1. The wood fascia and box gutters will be repaired and repainted.
2. The Mansard roof will be replaced with asphalt scallop shingles, CertainTeed Carriagehouse in a slate gray color.
3. The existing front windows will be replaced with aluminum clad wood windows. The front first floor will have a 5 light awning over single light fixed sash. The second floor center bay window will have 12 over 1 muntin pattern.
4. The rear windows will be replaced with Jeld-wen or Anderson Silverline or similar vinyl replacement windows. The windows must fit the size of the existing openings.
5. The dormer will be repaired and repainted in-kind.
6. The brick façade on the first floor front will be repaired and painted to match upper brick. (Preservation Briefs #1 and #2)
7. The front porch roof will be rebuilt with the following materials and details.
    a. 1x6 beaded board roof sheathing and exposed rafters.
    b. Perma Post Colonial 6" heavy duty turned wood or composite railings
    c. Straight balusters, #5, with upper horizontals
    d. EPDM roof with "Tinners Red" sealer.
    e. The roof slope of the porch will match the adjacent roof and the box gutter will be reconstructed.

8. The existing front door will be refurbished.
9. The front concrete steps will be replaced with new concrete steps with bull nose treads. The existing handrails will be reused.
10. The existing parging on the foundation wall will be repaired.
11. New Hardie-Plank Lap siding or Wolverine Restoration smooth vinyl siding will be installed on rear of the building.
12. The rear/side brick will patch pointed using an appropriate soft, lime-based mortar. (Preservation Brief #2)

Violations: n/a

Guideline Citation: SIS 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. **SIS 6.** Deteriorated features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. **Allentown Guidelines for Historic Districts:** Chapter 5. Guidelines for Existing Buildings and Structures, 1. Repairs, Replacement and Alternate Materials; 2. Historic Masonry 3. Roofing 4. Walls, Siding and Trim 5. Windows 6. Doors 7. Porches and Stoops
Evaluation, effect on historic district, recommendations: The rear most section of the rear ell was likely an open porch at one time which may explain why there is not a full depth foundation under the enclosure. If the applicant is understood correctly, it is proposed to remove the frame addition at the rear back to the brick section of the rear ell. It is not clear what this wall consists of, but it might be brick with appropriate window and door openings since the enclosed frame section was probably an open porch.
More details are needed to fully understand the work proposed.
Discussion: The applicant explained the proposed revision to the plans in more detail. The section of the rear that would be removed was just half of the rear frame section. A joint in the siding and sheathing materials delineated the part to be removed. The materials of the rear wall after the removal of the former porch area are wood frame and sheathing. The applicant explained that the previously approved door with window above would be relocated to the new rear wall. All specifications would be same for the window, door, and siding. The stoop would be concrete. The consensus of the HARB was that this was an appropriate revision.

The applicant asked if the HARB would also consider a modification to the front, first floor window previously approved to be an operable hopper window over a fixed window. He explained that the window opening was 66" wide and 60" tall, and he was having trouble finding a window that would be 66" wide. A pair of double hung windows was requested. The Historic Consultant said a pair of double hung windows might be historically appropriate, but that some investigation of the window types on the neighboring houses should be undertaken. The HARB agreed that they could not act on the request without some time to visit the site and have an appropriate evaluation completed by the Historic Consultant.
Motion: The HARB upon motion by Mr. Brobst and seconded by Mr. Huber adopted the proposal that City Council issue a Certificate of Appropriateness for the proposed work described herein:
1. The proposal to alter the floor plan and elevation to align with the foundation at 340 ½ N. 9th Street was presented by Michael Brett.
2. Approximately one half of the rear frame addition which was historically a porch may be removed as proposed.
3. The previously approved door with window above will be relocated to the new rear wall.
4. The window, door, and siding specifications will be the same as previously approved.
5. There will be a concrete stoop in the area of the removed addition.
6. The request to reconsider the first floor front window will be formally submitted for next month's meeting.
7. The proposal to recommend a COA was unanimously approved. (7-0; motion carried; *Berner, Brobst, Fillman, Huber, Jackson, Roberts, Sell)*

CITY OF ALLENTOWN
Historical Architectural Review Board
FINAL REVIEW SHEET
June 1, 2015

Case # HDC-2015-00013 - Proposal to amend current COA to install picture window with operating awning window above as one unit in each current window location in lieu of casement window with transom above as approved.

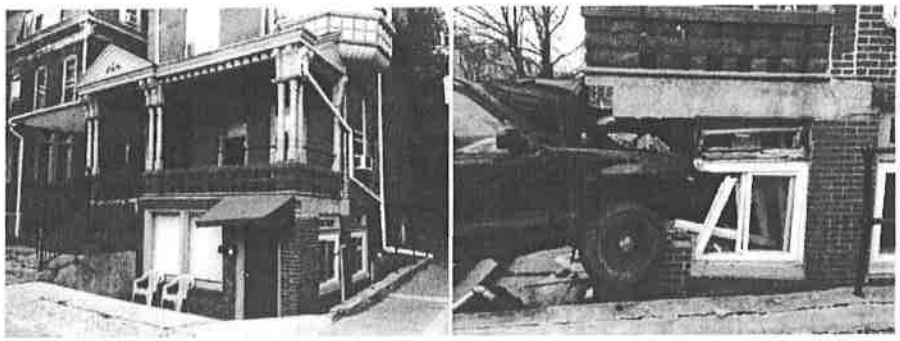
Property located at: 348 N 9th Street
Old Business Agenda #2
Historic District: Old Allentown
Case #HDC-2015-00013
Meeting date: June 1, 2015

Property Owner: Timothy & Amy Driscoll
Address: 5115 Meadowview Dr, Macungie PA 18062
Applicant: same
Applicant's Address: same

Building description, period, style, defining features: This 3-story brick single home is a Queen Anne porch house with Eastlake influences, ca. 1895. It is very ornate and displays a variety of features. The mansard roof is slate and to the left of the roof is a dormer with a pedimented roof, bracketed eaves, a finial atop the peak, and an arched window. There is an octagonal turret on the right corner of the house and full front porch with unique double and triple posts. The front porch is concrete with coursed ashlar stone railings.

The basement level was converted to commercial use. There is an outside entrance to the basement at the northeast, with picture windows on the east. There are casement windows at the north, along the Linden St. façade; these windows have transoms above that may have been original to the former basement design.

A truck crashed into the corner of the porch and destroyed the brick corner and door and damaged the north and east windows.



Proposed alterations: It is proposed to amend current COA to install picture window with operating awning window above as one unit in each current window location in lieu of casement window with transom above as approved.

Background: HARB Case # 2011-39 Heard on June 27, 2011
Approved Alterations: 1. Removal of all railing systems on main steps and on steps to first floor apartment. 2. Installation of square stock wrought iron railing on both sides of the main entrance steps. 3. Installation of a wrought iron square stock railing system on the north elevation that will start at the existing railing system and proceed to the front of the steps to the lower apartment and then transition down the steps. 4. Allow the existing vertical metal pipe railing on the porch to remain.
HARB Case #1984-62 – Heard on September 19, 1984 Vote: 6-0-1
Certificate of Appropriateness was issued to replace front porch columns to match original; install 4" smooth vinyl siding to replace old corroded aluminum siding on rear; and install three replacement operable windows for currently inoperable windows on former 1st floor storefront.
HARB Case #1987-28 -- TABLED 6/29/87
Proposed: Applicant wishes to install air conditioner in basement front window of property to control humidity problem. May require alteration of window or glass. Further details to be provided at meeting.
Violations: 6/6/13 - Removed side basement apartment windows and replaced with slider windows also replaced rear 2nd floor porch railing. (AKA – 408 N 8th St & 409 N Refwal St)

7/29/12 - Removed 3rd floor arched window. (AKA – 408 N 8th St & 409 N Refewal St)
Guideline Citation: SIS 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. **SIS 6.** Deteriorated features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials**. Allentown Guidelines for Historic Districts:** Chapter 5. Guidelines for Existing Buildings and Structures, 1. Repairs, Replacement and Alternate Materials 5. Windows
Evaluation, effect on historic district, recommendations:
Motion from May 5, 2015: The HARB upon motion by Mr. Huber and seconded by Mr. Berner adopted the proposal that City Council issue a Certificate of Appropriateness for the proposed work described herein:

1. The proposal to replace two windows and reconstruct the masonry wall at 348 N 9th Street was represented by Tim Driscoll.
2. Aluminum clad casement windows with integral transom will be installed on the east and north facades. This is consistent with the open COA dating from a 2012 violation that required the replacement of the vinyl sliding windows installed without approval with aluminum clad wood casement windows.
3. The masonry wall wills be totally reconstructed with brick matching the existing as closely as possible and with the same window and door openings. The mortar and mortar joints will match the existing.
4. The old railings will be replaced with new wrought/cast iron that matches the existing.
5. All the existing railings will be painted.
6. The upper section of the railings will be used for as a model for the replacements.
7. The proposal to recommend a COA was unanimously approved. (6-0; motion carried; Berner, Brobst, Fillman, Huber, Jackson, Sell)

The proposed change of window style is historically appropriate since a picture window relates more to the original windows of the house rather and will not swing out into sidewalk areas as a casement style window would.
Discussion: The applicant clarified his request to be just for the front two windows and that there was no sidewalk directly adjacent to the house. The window that the applicant proposed to use was an aluminum clad wood window by Trimline. The size of the window in 41" x 58", and the color of the cladding was proposed to be "Earthtone" and not white.
Motion: The HARB upon motion by Mr. Huber and seconded by Mr. Berner adopted the proposal that City Council issue a Certificate of Appropriateness for the proposed work described herein:

1. The proposal to amend current COA to install picture windows with operating awning window above as one unit in each current window location in lieu of casement window with transom above as previously approved was presented by Tim Driscoll.
2. Fixed windows will be installed on the front instead of casement windows.
3. The windows will be Trimline Aluminum clad wood windows 41" x 58" in Earthtone color.
4. The proposal to recommend a COA was unanimously approved. *(7-0; motion carried; Berner, Brobst, Fillman, Huber, Jackson, Roberts, Sell)*

CITY OF ALLENTOWN

No. 32 ***RESOLUTION*** ***R 32- 2015***

Cancels the July 1, 2015 Council Meeting

Resolved by the Council of the City of Allentown, That

WHEREAS, Council may, by resolution, cancel a meeting due to lack of business; and

WHEREAS, no business has been forwarded to Council for the July 1st meeting.

NOW, THEREFORE, BE IT RESOLVED, that Allentown Council hereby cancels the July 1st Council meeting.