

Julio Guridy, President
Ray O'Connell, Vice President
Joseph Davis
Jeanette Eichenwald
Daryl Hendricks
Cynthia Y. Mota
Peter Schweyer



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

Facebook: Allentown City Council

COUNCIL MEETINGS
October 15, 2014
COUNCIL CHAMBERS

PUBLIC HEARING – 6:45 PM

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 amend the Riverfront Redevelopment Overlay District C (Use Regulations): (1) to add Wholesale as a use in the overlay provided that the Allentown Planning Commission finds that (a) such use occupies no more than 10 % of the aggregate floor area shown on the Planned Residential Development (PRD) Plan; (b) the type and scale of the wholesale use is compatible with the overall intent and mix of uses proposed for the PRD; and (c) the use's location, proposed access, loading and unloading facilities and exterior are designed such that the proposed use does not substantially detract from the architectural design, functionality and overall design of the remainder of the PRD; (2) to provide for an effective date; and (3) to repeal all Ordinances inconsistent therewith.

City Council will consider the foregoing at a Public Hearing on Wednesday, October 15, 2014 at 6:45 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.

Bill 24 RRO Wholesale Addition

Amending the Zoning Code, Article 1301-1331 of the Codified Ordinances, Section 1314.01., RRO RIVERFRONT REDEVELOPMENT OVERLAY DISTRICT, C. Use Regulations, by adding Wholesale as a use under the Riverfront section under certain conditions.

COUNCIL MEETING – 7:00 PM

1. Invocation: Pastor Felix - New Beginning Church

2. Pledge to the Flag

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: September 3, 2014, October 1, 2014

6. Old Business

7. Communications

8. REPORTS FROM COMMITTEES:

Budget and Finance: Chairperson Schweyer

Public Safety: Chairperson Eichenwald

Community and Economic Development: Chairperson Davis

Parks and Recreation: Chairperson Mota

Public Works: Chairperson O'Connell

Human Resources, Administration and Appointments: Chairperson Hendricks

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson Guridy

OTHER COMMITTEE REPORTS

Controller's Report

Managing Director's Reports

9. APPOINTMENTS:

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

Bill 24 RRO Wholesale Addition

CEDC, Recommended Favorably

Amending the Zoning Code, Article 1301-1331 of the Codified Ordinances, Section 1314.01., RRO RIVERFRONT REDEVELOPMENT OVERLAY DISTRICT, C. Use Regulations, by adding Wholesale as a use under the Riverfront section under certain conditions.

Bill 40 Year Round Street Cleaning

Public Works

Amending Article 539, Street Cleaning, of the codified ordinances, by adding a section that delineates certain districts that will be subject to year round street cleaning. Those areas include the following districts:

#1: Front Street to 10th Street, Chew to Sumner and 4th to Front from Chew to Union Streets, as posted.

#2: 10th to 17th from Martin Luther King Jr. Drive to Sumner Avenue, as posted.

#9: 4th to 12th Streets from Union to Chew Streets, as posted.

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

R46 Encroachment 726 Hall Street

Public Works

Encroachment: Steps at 726 Hall Street

R47 Encroachment**Public Works**

Encroachment: Sign at 707 North 4th Street

12. ORDINANCES FOR INTRODUCTION (To be referred to Committee with public comment prior to referral)**Bill 42 CDBG 39th year budget amendment****Refer to CEDC**

Amending the Consolidated Plan One Year Action Plan for the Thirty-ninth year of the Community Development Block Grant Program (CDBG) which re-programs Twenty-five Thousand (\$25,000) Dollars of unexpended funds. This bill cancels an activity and makes \$25,000 of funds available for the proposed Winter Sheltering program, operated by the Lehigh County Conference of Churches, which recently submitted an application for CDBG program funds.

Bill 43 Lead Grant**Refer to CEDC**

Amending the 2014 General Fund Budget to provide for a supplemental appropriation of \$35,000 as a result of a Commonwealth of PA Department of Health Grant, to the Bureau of Building Standards and Safety to provide for lead paint remediation.

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

None

14. NEW BUSINESS**15. GOOD AND WELFARE****16. ADJOURNED**

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 24-2014

July 16, 2014

AN ORDINANCE

Amending the Zoning Code, Article 1301-1331 of the Codified Ordinances, Section 1314.01., RRO RIVERFRONT REDEVELOPMENT OVERLAY DISTRICT, C. Use Regulations, by adding Wholesale as a use under the Riverfront section under certain conditions.

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

SECTION ONE: That Section 1314.01., RRO RIVERFRONT REDEVELOPMENT OVERLAY DISTRICT, C. Use Regulations, be amended by adding the following:

55. Wholesale, provided that the Planning Commissions finds that:

1) such use (including any accessory warehouse use) occupies no more than 10% of the aggregate floor area shown on the PRD

Plan;

2) the type and scale of the wholesale use is compatible with the overall intent and mix of uses proposed for the PRD;

3) the use's location, proposed access, loading and unloading facilities and exterior are designed such that the proposed use does not substantially detract from the architectural design, functionality and overall design of the remainder of the PRD.

SECTION TWO: That upon approval, the City Clerk is directed to incorporate the above change into Zoning Ordinance Number 14837, as amended.

SECTION THREE: 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

August 13, 2014

The Honorable Julio Guridy
President, City Council
City of Allentown
435 Hamilton Street
Allentown PA 18101

Re: Bill No. 24-2014
Amends the Zoning Code, Article 1314.01.C. by adding
Wholesale to the list of Permitted Uses within the Riverfront
Redevelopment Overlay (RRO) District

Dear Mr. Guridy:

Please be advised that at the monthly meeting of the Allentown City Planning Commission held on Tuesday, August 12, 2014, the Commission reviewed the above-referenced amendment requested by Waterfront Redevelopment Partners, LP. The Commission ratified their previous favorable recommendation.

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

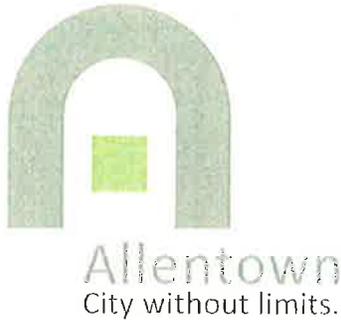
Yours truly,

Michael C. Hefele, AICP
Director of Planning

MCH:jf

xc: Mayor Ed Pawlowski
Francis Dougherty, Managing Director
Sara Hailstone, Director of Community & Economic Development
Michael Hanlon, City Clerk
Waterfront Redevelopment Partners, LP
Joseph Fitzpatrick, Jr., Esquire
Steven Boell, Esquire

n:\pln\plncommon\acpc\zoningamend\2014\Bill24WholesaleUseRRO



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

**MEMORANDUM TO THE ALLENTOWN
CITY PLANNING COMMISSION**

June 10, 2014

RE: Request to amend the Riverfront Redevelopment Overlay Zoning District by adding "Wholesale" use to the list of permitted uses.

The above matter has been referred to the Planning Commission for a preliminary review and recommendation prior to its formal introduction to City Council. The request is made by the representative of the developers of "The Waterfront" development, which has received both conditional Tentative and Phase 1 Final Plan approval from the Commission.

Background and Findings:

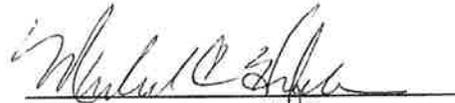
- The proposed inclusion of wholesale uses as a permitted use is subject to two conditions: (i) that no more than 10% of the gross building area may be used for such use, and (ii) that such use is structurally and aesthetically compatible in appearance to the surrounding RRO development.
- In their petition the applicant cites the following reason for the request: "To allow greater flexibility of uses within the RRO in a manner consistent with its stated purpose to 'promote appropriate mixtures of compatible uses that provide for a variety of employment opportunities and housing types, including mixtures of business and residential uses in the same building.' The wholesale use is compatible with and complimentary to other RRO components, including, e.g., structured parking, mechanical systems and structures, etc."
- In order to enhance the development potential of sites along the Lehigh Riverfront, the RRO district currently allows for a broad range of permitted uses including a variety of retail, entertainment, residential, office and service uses.
- Warehousing (a use typically associated with wholesale uses) is currently permitted as an accessory use. It is assumed that any proposed wholesale use would include accessory warehousing.
- Since the RRO district is predicated on following the rules and procedures regarding Planned Residential Developments, both the developer and the Planning Commission possess broad flexibility in the siting and interrelationship of uses within the development. As such, the Planning Commission will have the ability to consider the

- location and impact of this use on the rest of the development and in this instance will need to approve an amended plan.
- The current extent of the RRO district only includes site of The Waterfront PRD however it is designed to be extended to other properties as conditions warrant.

Discussion and Recommendation:

This office is not opposed to the general concept being requested however some modifications to the proposed conditions are suggested:

- The 10% limitation be taken on the gross space to be occupied (i.e. parking lots and parking structures would not be included in the calculation).
- The 10% limitation should include any accessory warehouse space
- The provisions regarding the compatibility in appearance, etc. be expanded to include the siting of the use in relation to the other proposed uses and consideration of the location and impact of loading/unloading requirements of the use on the remainder of the development.

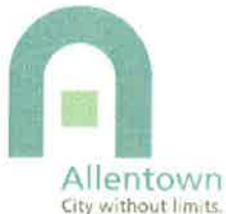


Michael C. Hefele, AICP
Director of Planning

Hanlon, Michael

From: Hefele, Michael
Sent: Wednesday, July 9, 2014 1:04 PM
To: Hanlon, Michael; Whitehead, Tawanna
Cc: 'Steve Boell'; Joe Fitzpatrick (jfitz@flblaw.com); Fritz, Joan; Nemith, Barbara
Subject: Request to Amend the RRO Zoning District Use Regulations
Attachments: RRO WHOLESale ADDITION.doc

Mike and Tawanna, pursuant to your transmittal of the above on May 23, 2014 please be advised that the Planning Commission reviewed this request at their regularly scheduled meetings in June and July and with the cooperation of the applicant revised the final language of the request and recommended same to City Council. The final recommendation is found in the attached draft ordinance. Please review the final form of the ordinance prior to its introduction.



Michael Hefele, AICP
Director
Planning and Zoning
435 Hamilton Street
Allentown, PA 18101
610.437.7611

Michael.HefeleAICP@allentownpa.gov
<http://www.AllentownPA.gov>

Joseph.Davis@allentownpa.gov
435 West Hamilton Street
Allentown, PA 18101
Phone: 610.437.7556
Fax: 610.437.7554
Mobile:



Community & Economic Development, Chair
Public Works
Budget and Finance

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES
August 25, 2014 – 6:00 PM

Attendees: Davis, Hendricks

Bill 24 RRO Wholesale Addition

Amending the Zoning Code, Article 1301-1331 of the Codified Ordinances, Section 1314.01., RRO RIVERFRONT REDEVELOPMENT OVERLAY DISTRICT, C. Use Regulations, by adding Wholesale as a use under the Riverfront section under certain conditions.

Mr. Hefele noted the legislation before them was a result of the Planning Commission modifying the original proposal with the petitioner's approval.

Mr. Davis asked about truck traffic and Mr. Hefele noted the conditions placed on the bill were targeted at that issue.

There were no public comments on the legislation.

The bill was forwarded favorably, 2-0.

Bill 25 - Main Street Reimbursement

Amending the 2014 General Fund Budget to provide for a supplemental appropriation of \$30,000, a reimbursement from the Commonwealth of Pennsylvania for the Main Street Program.

Mr. Lewnes reviewed projects on 7th Street in a PowerPoint Presentation.

The bill was forwarded favorably, 2-0.

Update: Blighted Property Actions

It was noted there is no news on the Keystone Designation, it has not been reviewed by the state.

Ms. Calluori noted there is activity on three blighted properties – the owners are in the 30 day period that allows improvement to the property. An additional property is in the court system through the conservatorship program, a property that went into foreclosure and under bank control. The Department is in the process of dispossessing properties and vacant lots.

CC:

Public Agenda List
Neighborhood Groups

If you have any questions on the legislation, please contact Council Office at 610.437.7556
or email the City Clerk at Michael.Hanlon@allentownpa.gov.

*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.*

ZONING AMENDMENT Planning Minutes:

Amend the Zoning Code, Article 1314.01.C. by adding Wholesale to the list of Permitted Uses within the Riverfront Redevelopment Overlay (RRO) District 14-3(Z) requested by Waterfront Redevelopment Partners, LP (Tabled at June 10, 2014 meeting)

Atty. Joseph Fitzpatrick was present on behalf of the applicant.

Atty. Foucek reviewed from the June meeting there was discussion on the zoning amendment to allow wholesale to be added to the list of permitted uses in the Riverfront Redevelopment Overlay District (RRO).

Atty. Fitzpatrick reiterated the background of his client's request. The underlying zoning district to the RRO is industrial, but the RRO overlay allows almost sixty permitted uses but wholesale is not one of them. In other industrial and business districts throughout the city wholesale is uniformly permitted. Given the mixed array of uses the Waterfront Development partners are considering a wholesale use works very well in their business plan and layout. Specifically his client's willingness to combine any type of wholesale use with parking, mechanicals, chiller plants and those types of uses as the project evolves. Given the developer's investment in the project, they feel this is a fair ask and not any intent on the part of the Waterfront Redevelopment Partners to change the course of where they are going. This change will give his client's economic flexibility. The developers of their own accord, state any use of a wholesale nature will be limited to less than ten percent (10%) of the gross square foot area.

On behalf of his clients, Atty. Fitzpatrick previously requested the words "architectural design" be included in the zoning amendment. At the last meeting it was agreed to send the amendment back to staff to speak with developer's council to try and come up with appropriate language to meet the developer's request. Mr. Hefele and Atty. Steven Boell discussed the wording and Mr. Hefele presented a handout with the revised and agreed upon version of the zoning amendment.

In regards to Mr. Hefele's handout, Atty. Foucek personally believes the word "reasonably" is not necessary to be included in paragraph #2. Atty. Fitzpatrick concurred, and requested the word "substantially" remain in paragraph #3. Atty. Foucek approved.

Mr. Toth questioned Atty. Fitzpatrick on Mr. Hefele's handout, paragraph #1: "occupies no more than 10% of the aggregate floor area shown on the PRD plan." Mr. Toth questioned is that 10% on the approved PRD plan or 10% on an individual plan when it comes back to the Commission? Atty. Fitzpatrick replied it is on the overall PRD plan. Atty. Fitzpatrick stated other factors such as performance measures will prevail. The types of wholesale uses being considered would not detract from the overall development. He has confidence in the developer that they will not do anything to damage the integrity of the overall development.

Mr. Brown shared his opinion on this proposal. If this is permitted by right where does the Commission's authority start and stop in the future when it comes time to review an actual wholesale use. What power does the Commission really have?

Mr. Hefele's responded given the unique nature of this district and the PRD approach that is being followed and the role of the Planning Commission to help shape the development, we felt we had the ability to include some conditions upon which the use would be allowed. It is a used permitted by right subject to these conditions.

Atty. Fitzpatrick made a proposal of modification to the zoning amendment to add architectural design and delete the word "reasonably" from paragraph #2 and inclusion of the word "substantially" in paragraph #3.

Mr. Buchvalt made a motion to recommend the amendment to City Council in the language appearing before the Commission with the deletion of the word "reasonably" from paragraph #2. Mr. Glazer seconded the motion. Mr. Brown opposed. Motion passed.



ALLENTOWN CITY PLANNING COMMISSION
435 HAMILTON STREET
ALLENTOWN, PA 18101-1699
(610) 437-7611

**ALLENTOWN CITY PLANNING COMMISSION
PUBLIC MEETING AUGUST 12, 2014**

MINUTES

MEMBERS PRESENT:

Oldrich Foucek, III, Esquire, Chairman
Anthony Toth, Vice Chairman
Richard Button, Secretary
Mark Buchvalt
Christian Brown
Jeff Glazier

CITY STAFF PRESENT:

Michael Hefele, Planning Director; Craig Messinger, Interim Director of Public Works; Mark Geosits, P.E. Senior Civil Engineer/Assistant City Engineer; David Paulus, Director of Building Standards and Safety; Shannon Calluori, Operations Manager of Community and Economic Development; Barbara Nemith, Zoning Supervisor; Tawanna Whitehead, Deputy City Clerk; Jeanne Marsteller, Recording Secretary

OTHERS PRESENT:

See attached sign in sheet.

MINUTES:

The minutes of July 8, 2014 were approved as written.

LAND DEVELOPMENTS:

Hospital Central Services–Building Addition, 2139 28th Street SW, LMA-2014-00003 Preliminary/Final Plan approval requested by Hospital Central Services COOP Inc. The application proposes the construction of a 20,325 square-foot building expansion to the east of the existing building.

Christopher Williams, P.E. of Barry Isett & Associates and Daniel Marcante, COO of Hospital Central Services were present.

Mr. Williams explained Hospital Central Services is proposing to add a 20,000 square-foot building addition. They will be relocating the existing parking lot in order to make room for the addition.

Mr. Marcante stated HCSC has been in the city and in the same building for 40 years. Last year HCSC evaluated staying or relocating and building a new facility elsewhere. It was decided to stay in the city build a 20,000 square foot addition, install new equipment to increase efficiency, reduce operating costs and be in a better position to compete in the hospital linen rental business. The plan is to slowly shift over into the new facility and expand operations. Currently there are 180 jobs and plans are to add 40 more in three years when the total expansion project is completed.

Mr. Button questioned the blue property line on the satellite photo. There are two properties involved. The property line shows the rear property does not have frontage on a dedicated street.

Mr. Williams answered the changes, building expansion and ground water work will occur on the back piece of property and nothing is changing on the front property. The corporate office and parking lot along 28th street will be staying exactly as they are.

Mr. Hefele stated the two parcels are an existing condition and that will not change.

Mr. Hefele indicated most of the staff comments are technical and recommends conditional preliminary/final approval.

Atty Foucek asked if access is staying the same and will additional parking be added.

Mr. Williams answered the required number of parking spaces required is 98 and there are currently 142 and they are proposing 142 for this project.

Mr. Toth questioned what is exactly being demolished.

Mr. Williams indicated the driveway and the parking lot east of the existing building will be demolished to make room for the proposed building addition and a new parking lot.

Mr. Toth summarized the addition is basically going to butt right against the existing building with the same dimension. No demolition to the building only to the parking lot and a concrete driveway.

Mr. Toth made a motion to approve the preliminary/final plan of HCSC subject to the conditions of the comment letter dated August 12, 2014. Mr. Glazier seconded the motion. Motion passed.

Community Lot Parking Garage, 25 & 43 S. 6th Street and 531 W. Walnut Street, LMA-2014-00004, Sketch Plan approval requested by Allentown Parking Authority. Applicant also requests a waiver from Section 1375.03(A)(5) of the Land Development and Subdivision Ordinance that requires preliminary plans to be submitted four (4) weeks prior to a regular meeting of the Planning Commission. The application proposes the construction of a 7 story parking garage containing 1,000 spaces.

Tony Ganguzza, VP of Professional Services for Boyle Construction Management, Todd Helmer, Vice President of TimHaahs & Associates, Inc. and C. Richard Roseberry, PE, Maser Consulting PA were present.

Mr. Ganguzza representing the Allentown Parking Authority gave a brief introduction to the project. Being proposed is an 1,000 car seven story parking deck at the intersection of 6th and Walnut Streets. After several iterations of the location of the deck, it was decided to push the deck back to the northeast corner of the lot to accommodate a nice pedestrian friendly plaza which will run along the intersection of 6th and Walnut Streets. Access will be from both Walnut and 6th Streets. The set back is about 50-52 feet from the property line to accommodate the plaza area for a possible commercial/residential component to the project in the future. They are requesting a waiver from the Planning Commission for submission of preliminary/final land development plans to be submitted three weeks prior to the next Planning Commission meeting.

Mr. Helmer explained the parking structure's footprint is 278' x 120' tucked into the northeast corner of the site offering an approximately a 50 foot buffer from the garage elevation on 6th Street out to the 12 foot sidewalk on 6th Street and a 50 foot buffer on Walnut Street. The plaza green scape landscape area would wrap Walnut Street and extend along 6th Street. The seven level garage will have approximately 1000 spaces while the current surface lot has 220 spaces. There will be approximately 160 spaces per level. Garage design offers vehicular entrance/exit from Walnut Street into the parking garage and the orientation is going north and south. There will be two way ramps going up to each level and offers two flat bay of parking in a one-way configuration. Benefit from a vehicular stand point is having the entry/exit and a reversible center lane to maximize the through put into the garage and the angled parking and the one way minimizes internal vehicular conflicts as much as possible in the garage.

Pedestrian benefit being offered is two bays of clear sight lines within the garage. This allows pedestrians to see exactly where they are going and do not have to transverse across a ramp.

The garage contains two stair towers. The tower in the northwest corner accommodates two elevators which are required by the entry/exit capacity based on the user's group and a stair. The tower is currently being modified slightly to offer a greater lobby space and offer pedestrians a free flow in and out of the garage. When coming out of the stair/elevator tower you will come out into a plaza area in the northwest corner.

The second tower also contains a switchback stair and is located in the southeast corner with a 300 foot walking distance from the remote point of the garage to the landing making this a secondary point of egress. Entering off Walnut Street, there is access to ground tier parking, which was created to utilize the site topography as the site drops considerably from the north to the south. This accommodates as much parking as possible and minimizes adding any more height. There is approximately 2% of accessible spaces and are congregated around the main elevator tower on each level.

On the north side there is ample space to offer a sidewalk as well as green space. The South

Law Street side of the garage is as tight against the sidewalk for code reasons. The garage is offering natural ventilation and natural lighting so it is considered open per code.

The garage façade architecturally is a non-garage looking element, more of a stack pre-cast wall panel system that can be utilized along 6th Street and Walnut Street. The concept is to provide an architectural intent that is meant to be long lasting as well as potentially a residential wrap against the garage in the future. With the sloped topography along 6th street there will be stacked panels set back with the fifty foot buffer, precast with color variations and sandblast that would give a more articulated base and more appealing to the eye from a pedestrian perspective. Currently it is being contemplating having form liners from the second level to the top, strategically placed that give the resemblance of brick.

To maximize security measures in the stair/elevator tower the intent is to have glass backs and the lobby very visible and transparent. Both towers will have similar architecture and glazing applications. The landscaping is to be determined. Plans are to provide enough buffers and mature growth due to the plaza being such a large area,

Atty. Foucek commented that City Center has demolished the building on the corner of South Law Street & Hamilton Street and designed a pleasant way for employees in the Colonial site building, the courthouse and others to access this lot. Not suggesting another set of stairs, the increase in pedestrian traffic from that direction needs to be considered.

Mr. Helmer answered with the possibility of a residential component in the future, two locations are needed in the garage to potentially house mechanical ventilation and those areas would be in the northeast and the southwest corner. The intent is for pedestrians to congregate toward the main elevator tower and plans are to provide a very nice well defined, well-lit path on the south side of Type Street to accommodate the increased pedestrian traffic going to and from the northwest tower. If the residential wrap ever comes into play, the garage would then be considered closed and mechanical ventilation would then be needed.

Atty. Foucek questioned the setback relief as without the possibility of residential, he would not be in favor of setting it back. The setback in this location will not attract people to the area to sit and enjoy the area. Looking forward to the potential of a residential component otherwise the setback would be a waste of space.

Mr. Button questioned why after the many years of talking about the development in Allentown, parking was never an issue. Why do we need to build another 1000 space parking garage at this time and quickly?

Mr. Ganguzza replied this is being driven by the arena, businesses and the Colonial site building. There are already 220 existing spaces that are being utilizing that will have to be relocated to existing decks or lots during the construction.

Mr. Toth questioned how would the commercial and residential impact the NPDS permit and achieve the requirements?

Mr. Helmer replied in the future they would need to implement a green roof, water quality features or other options that would comply with these requirements.

Mr. Toth asked for an explanation as to the pedestrian security measures on the outside of the structure that will be implemented along South Law Street.

Mr. Helmer explained the sidewalks are 8 feet wide along South Law Street. South Law Street slopes up and the garage will slope along with it. There will be a precast wall and the intent is to include an aesthetic fence on the ground tier of the garage. The entry/exit and lobby will be designed that during off peak hours they will be closed and make provisions along each wall of the building to utilize cctv's and façade lighting.

Atty Foucek added exterior lighting from an architectural perspective on the south and west elevations, whether in the plans or not, is important to have down lighting onto South Law Street on the east elevation. Limited street lighting and with no residents living along the street, people would be more receptive if the area is kept lit overnight.

Mr. Toth asked about the scheduling of the construction.

Mr. Ganguzza stated plans are to have city approval and conditions resolved by end of September, NPDS by end of November; bids and secure contract services end of November; award by the Allentown Parking Authority by the end of November and break ground early December.

No interested parties were present.

Mr. Buchvalt made a motion to grant the waiver from Section 1375.03(A)(5) of the Land Development and Subdivision Ordinance to allow the parties to submit their preliminary plans less than four (4) weeks prior to a regular meeting of the Planning Commission. Second by Mr. Button. Motion passed.

Mr. Buchvalt made a motion that the plan design meets the requirement of Traditional Neighborhood Development Overlay District by the plaza serving a suitable function and being of appropriate design and therefore eliminating the setback requirements of that district. Second by Mr. Glazier. Motion passed.

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

ZONING AMENDMENT:

Bill 24-2014 Amend the Zoning Code, Article 1314.01.C. by adding Wholesale to the list of Permitted Uses within the Riverfront Redevelopment Overlay (RRO) District 14-3(Z) requested by Waterfront Redevelopment Partners, LP (This matter was previously reviewed by the Planning Commission at which time the Commission revised the final language of the request. The City Council has now referred the formal amendment to the Planning Commission for review.)

Mr. Hefele explained the ordinance has been discussed at two prior meetings and modified from the applicant's original request that has now been formally introduced to council and sent to the City Planning Commission and the Lehigh Valley Planning Commission for review and comment. Ordinance as it stands represents exactly the recommendation that came out of the last meeting on this matter.

Motion made by Mr. Toth to recommend the approval of the amendment to the Zoning ordinance Section 1314.01(55). Second by Mr. Button. Mr. Brown opposed. Motion passed.

NEW BUSINESS:

Resolutions #2014-1 thru #2014-3 Request to determine whether the following vacant properties are blighted pursuant to the provisions of the Urban Redevelopment Blighted Property Acquisition Act

395 W. Gordon Street

336 N. 12th Street

635 Park Street

Mr. David Paulus, Director of Building Safety and Standards requested the Planning Commission to determine the listed properties as blighted under the Urban Redevelopment Blighted Property Act. Mr. Paulus indicated that the properties on the list meet at least one of the twelve criteria of blight specified in Section 1712.1 of the Pennsylvania Urban Redevelopment Law. (see attached)

Mr. Hefele gave a brief overview of the process and what the role of the Commission is today.

Mr. Paulus gave a synopsis of each property:

395 W. Gordon Street, currently owned Mr. Curtis Haynes, 662 Oakwood Ave., State College, is an absentee and nonresponsive owner. Currently meets 8 of the 12 criteria specifically numbers 1,2,4,6,8,9,11,12.

336 N. 12th Street is currently owned by an unresponsive absentee property owner living in Piscataway, NJ. Meets 8 of the 23 criteria specifically numbers 1,2,4,5,6,8,9,12.

635 Park Street owned by a nonresponsive absentee landlord from Sunnyside, NY. Currently meets 7 of the 12 criteria specifically numbers 1,2,3,5,8,9,12. Was originally declared blighted by the Commission in 2010.

Atty Foucek asked if we declared this property blighted before why is it back.

Mr. Hefele answered if no action was taken on the property within a year or two the designation is considered stale and goes back through the process.

There were no interested parties present.

Mr. Toth made a motion to approve resolutions 2014-1; 2014-2; 2014-3 with respect to properties located at 395 W. Gordon St., 336 N. 12th St. and 635 Park St. respectively. Second by Mr. Glazier. Motion passed.

There being no further business, the meeting adjourned at 1:30 p.m.

Respectfully submitted,

Jeanne Marsteller, Recording Secretary



ALLENTOWN CITY PLANNING COMMISSION
435 HAMILTON STREET
ALLENTOWN, PA 18101-1699
(610) 437-7611

ALLENTOWN CITY PLANNING COMMISSION

PUBLIC MEETING July 8, 2014

MINUTES

MEMBERS PRESENT:

Oldrich Foucek, III, Esquire, Chairman
Anthony Toth, Vice Chairman
Richard Button, Secretary
Mark Buchvalt
Christian Brown
Frank Facchiano
Jeff Glazier

CITY STAFF PRESENT:

Michael Hefele, Planning Director; Barbara Nemith, Zoning Supervisor; Tawanna Whitehead, Deputy City Clerk; Jeanne Marsteller, Recording Secretary

OTHERS PRESENT:

See attached sign in sheet.

MINUTES:

The minutes of February 14, 2014, March 11, 2014, April 15, 2014, May 13, 2014 and June 10, 2014 were approved as written.

ZONING AMENDMENT:

Amend the Zoning Code, Article 1314.01.C. by adding Wholesale to the list of Permitted Uses within the Riverfront Redevelopment Overlay (RRO) District 14-3(Z) requested by Waterfront Redevelopment Partners, LP (Tabled at June 10, 2014 meeting)

Atty. Joseph Fitzpatrick was present on behalf of the applicant.

Atty. Foucek reviewed from the June meeting there was discussion on the zoning amendment to allow wholesale to be added to the list of permitted uses in the Riverfront Redevelopment Overlay District (RRO).

Atty. Fitzpatrick reiterated the background of his client's request. The underlying zoning district to the RRO is industrial, but the RRO overlay allows almost sixty permitted uses but wholesale is not one of them. In other industrial and business districts throughout the city wholesale is uniformly permitted. Given the mixed array of uses the Waterfront Development partners are considering a wholesale use works very well in their business plan and layout. Specifically his client's willingness to combine any type of wholesale use with parking, mechanicals, chiller plants and those types of uses as the project evolves. Given the developer's investment in the project, they feel this is a fair ask and not any intent on the part of the Waterfront Redevelopment Partners to change the course of where they are going. This change will give his client's economic flexibility. The developers of their own accord, state any use of a wholesale nature will be limited to less than ten percent (10%) of the gross square foot area.

On behalf of his clients, Atty. Fitzpatrick previously requested the words "architectural design" be included in the zoning amendment. At the last meeting it was agreed to send the amendment back to staff to speak with developer's council to try and come up with appropriate language to meet the developer's request. Mr. Hefele and Atty. Steven Boell discussed the wording and Mr. Hefele presented a handout with the revised and agreed upon version of the zoning amendment.

In regards to Mr. Hefele's handout, Atty. Foucek personally believes the word "reasonably" is not necessary to be included in paragraph #2. Atty. Fitzpatrick concurred, and requested the word "substantially" remain in paragraph #3. Atty. Foucek approved.

Mr. Toth questioned Atty. Fitzpatrick on Mr. Hefele's handout, paragraph #1: "occupies no more than 10% of the aggregate floor area shown on the PRD plan." Mr. Toth questioned is that 10% on the approved PRD plan or 10% on an individual plan when it comes back to the Commission? Atty. Fitzpatrick replied it is on the overall PRD plan. Atty. Fitzpatrick stated other factors such as performance measures will prevail. The types of wholesale uses being considered would not detract from the overall development. He has confidence in the developer that they will not do anything to damage the integrity of the overall development.

Mr. Brown shared his opinion on this proposal. If this is permitted by right where does the Commission's authority start and stop in the future when it comes time to review an actual wholesale use. What power does the Commission really have?

Mr. Hefele's responded given the unique nature of this district and the PRD approach that is being followed and the role of the Planning Commission to help shape the development, we felt we had the ability to include some conditions upon which the use would be allowed. It is a

used permitted by right subject to these conditions.

Atty. Fitzpatrick made a proposal of modification to the zoning amendment to add architectural design and delete the word "reasonably" from paragraph #2 and inclusion of the word "substantially" in paragraph #3.

Mr. Buchvalt made a motion to recommend the amendment to City Council in the language appearing before the Commission with the deletion of the word "reasonably" from paragraph #2. Mr. Glazer seconded the motion. Mr. Brown opposed. Motion passed.

HAMILTON STREET OVERLAY DISTRICT REVIEW:

645 Hamilton Street – Design review of digital/video advertising sign, (11.83' x 14.58'), attached to building at corner of 7th & Hamilton Sts., requested by Two City Center OP LP

Atty. Foucek recused himself. Mr. Toth assumed the chair.

Mr. Toth stated the Planning Commission has an advisory role as to what is appropriate and not appropriate in regards to this application and the findings will be presented to the Zoning Supervisor.

Atty. Victor Cavacini represented the applicant, Two City Center OP LP.

Atty. Cavacini and his client, J.B. Reilly, Managing Partner of Two City Center, explained the proposal to install a digital curved advertising sign on the southwest corner, above the first floor, of the building known as 645 Hamilton Street, which will be visible from both Hamilton St. and 7th St. The proposed size of the sign is 14' 7" x 11' 9" and the proposed nature of the sign will be both on-premise and off-premise. Certain elements of the sign will be directed to the occupants of Two City Center, which is an on-premise sign. There will also be advertising directed to uses and services that are provided to other than Two City Center and considered as an off-premise sign by zoning standards. On-premise use is estimated to be around 25%. The permanent feature at the top of the sign, approximately 1' by 12', will be used by on-premise National Penn Bank. The rest of the sign will be a digital sign and all provisions of the zoning ordinance relating to a digital sign will be observed, including the timing of the advertising message changing every 10 seconds.

Atty. Cavacini presented a copy of the deed dated August 29, 2012 when Two City Center acquired the property. A photograph of the previous building was exhibited showing a digital sign, approximately 15' x 20', which is larger than the sign that is being proposed. Zoning approval was obtained at a hearing on July 30, 2007 permitting the off-premise sign on the previous building. The sign was still in place when Two City Center acquired the land. Their intent was to demolish the building, rebuild the building and reestablish the digital sign on the new building. It wasn't feasible to reclaim the existing sign due to demolition activity and it is a zoning right recognized by Two City Center to replace the sign.

Mr. Button questioned why this sign was not a part of the initial sign plan that was previously reviewed and approved.

Atty. Cavacini stated the sign was a part of the original application plan submitted to the Zoning Officer. It was portrayed as a sign that was being proposed, but was told that it would be better that it not be a part of the original submission.

Atty. Cavacini referenced the Zoning Ordinance Section 1319.03 subsection J, which states "An existing lawful non-conforming sign may be changed in message or sign face or changed, moved or be replaced provided that no new or increase non-conformity is created." With this provision, a non-conforming sign can be replaced which he believes applies to this situation. The proposal of motion graphics is being withdrawn from the initial application. What is being proposed is the video graphic set forth in subsection R.

Mr. Toth expressed his concern that marquee and blinking lights are major distractions to vehicular traffic. Atty. Cavacini reiterated the motion video component of this application has been withdrawn. What is being proposed is in compliance with all of the standards in the ordinance dealing with digital signs which contains a feature that the sign not change more frequently than 10 seconds.

Concern was then expressed on the constant movement of the ticker and whether it will cause a distraction to drivers.

Mr. Reilly expressed the developer is trying to reestablish downtown Allentown as the financial center of the Lehigh Valley. The building is fully occupied with financial people and the developer is trying to create a general environment and have the kind of amenities and signage that is consistent with a vibrant urban environment. The ticker could be removed, but feels that would be a big mistake and go against what they are trying to establish. Stock quotes and news are the basic information that will be seen on the ticker.

Mr. Facciano said he would like to see video and motion signs and believes what they are trying to create is what he would like to see at 7th and Hamilton, possibly a couple more of these signs instead of just this one.

Mr. Buchvalt expressed his concern about the future of Hamilton St. with the possibility of every building having flashing signs that would create a cluttered look. He feels at this particular intersection that you have one sign, but how do you do that with the arena having their sign. Do you have just one location for signage like Time Square or allow all buildings to place their own sign?

The applicant reaffirmed they would not be here if there was not already a sign on this building.

Re-addressing Mr. Button's question, Jane Heft, Design Director of Two City Center, who was involved in the original application for signs provided additional testimony. Originally there was a whole sign plan that stayed within the eight hundred square foot signage limit for the whole building. It was their intention to get the whole package of signage approved as one. It was sent to Zoning for advice of how to pursue and it was suggested this sign be removed at that time as it was considered to be an off- premise sign and would likely slow the application process.

Mr. Reilly stated National Penn moved into Two City Center in March and had a grand opening in April. Two City Center wanted to get National Penn's signs physically up and illuminated for

their grand opening. The sign was pulled from the original application as to not complicate the matter as being an off-premises digital sign so they were able to obtain a signed permit quickly.

Mr. Buchvalt questioned if it matters to anyone if the sign is National Penn or something else? If the ordinance is changed, it could open the doors for other buildings. But it would be on a case to case basis, and they would have to go through an appeal.

Mr. Reilly stated you can expect very tasteful and professionally done advertisements and agreed to use the digital sign for public service announcements and community announcements. The sign will belong to Two City Center but they will be working with a vendor and be managing the content of the advertisement with restrictions and controls.

Mr. Buttons commented about seeing gorgeous plans from City Center and wonderful things they are doing that vastly improved the downtown, but thinking of a Time Square environment down there is something he cannot envision.

Mr. Reilly doesn't envision a Time Square environment but an environment that has a certain level of vibrancy and the proposed sign is very modest in size. When you envision Time Square you think about massive signs that are hundreds of feet tall with streaming video. This sign is one hundred and fifty square feet with no video and with having a substantial investment not only in this building but other buildings around the area the last thing they want to do is to cheapen the environment. What is being proposed is modest and appropriate in terms of the scale with signage quality.

Mr. Toth stated he is not ready to make an opinion in regards to this matter given the fact that Mr. Hefele indicated there is going to be a Downtown Development plan forming in regards to this and how are we going to move forward in the future.

Mr. Glazier mentioned other buildings at 7th and Hamilton Sts could also obtain digital signs like these are Wells Fargo and the building on the southeast corner. Under the ordinance, these buildings do have the potential to apply for an on-premise digital sign as they have the same attributes as Two City Center.

Mr. Toth asked if the applicant could modify their application and come into compliance with #3 paragraph 2 under Background on Mr. Hefele's memorandum in regards to the sign is slighter larger than what would normally be permitted.

The permitted size for an on-premise digital sign is up to three hundred square feet of signage per street frontage. Ms. Nemith has determined that the signage on 7th Street is twenty-six square feet above the permitted three hundred square foot total due to other signage on 7th Street.

Atty. Cavacini states the ordinance allows signage that is permitted on the 7th Street side to be used on the Hamilton St side. Their calculations are well within the total percentage of on-premise signage.

Mr. Hefele stated you cannot shift the allowance from one street side to the other, it must maintain the three hundred square feet of signage per street frontage.

After further discussion the applicant has agreed to comply with the reduction of the twenty-six square feet.

Mr. Toth questioned Mr. Hefele on what is the argument that is negative about the off-premise advertising on this particular board? Mr. Hefele answered that the guidelines defer to the regulations that are found in the Zoning ordinance which in the case of the B-2 district are rather specific and does not allow off-premise advertising.

Mr. Facchiano commented the ordinance pre-dates digital billboards.

Mr. Hefele continued, if off-premise advertising is allowed then it becomes an incentive for property owners to add them to the side of their building for financial gain. If signage remains on-premise then it is limited. Billboards as a whole were never allowed in the downtown.

Mr. Toth reviewed the three items from Mr. Hefele's memorandum, paragraph 2 under Background. The applicant stated it will not be a digital marquee and will meet the 10 second requirement; the size will come in compliance with the existing zoning ordinance. The only issue is the off-premise advertising sign. A digital sign of this nature is permitted in the downtown. Based on Atty. Cavacini's argument, the permission of off-premise advertising will be taken before the Zoning board.

Frank Facchiano made a motion that indicates the sign's conformance to the Hamilton Street Design Guidelines with the understanding the applicant will reduce the amount of accumulative square footage to come into conformance with the requirements of the ordinance. Mr. Button seconded the motion. Atty. Foucek and Mr. Brown abstained. Motion passed.

STAFF REPORT:

Mr. Hefele introduced Jeanne Marsteller, the new Recording Secretary to the Planning Commission.

Frank Facchiano will be moving out of Allentown and resigning from the Planning Commission. If anyone has any potential candidate, please contact Mr. Hefele.

There being no further business, the meeting adjourned at 1:53 pm.

Respectfully submitted,

Jeanne Marsteller, Recording Secretary



Lehigh Valley Planning Commission

KENT H. HERMAN, ESQ.
Chair

LIESEL DREISBACH
Vice Chair

STEPHEN REPASCH
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

August 4, 2014

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

**Re: Zoning Ordinance Amendment
Adding "Wholesale" as a use in the Riverfront Redevelopment Overlay District
City of Allentown
Lehigh County**

Dear Mr. Hanlon:

The Lehigh Valley Planning Commission reviewed the proposed zoning amendment at its July 31, 2014 meeting. The amendment is a matter of local concern. The Planning Commission offers no comments.

Please send a copy of the amendment should City Council choose to adopt it.

Sincerely,

David P. Berryman
Chief Planner

MICHAEL P. HANLON



CITY CLERK

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

July 21, 2014

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

Dave Berryman
Lehigh Valley Planning Commission
961 Marcon Boulevard
Suite 310
Allentown, PA 18103-9397

Gentlemen:

Attached, please find Bill 24 - 2014 which Allentown City Council introduced on July 16, 2014 that would amend the Zoning Code, Article 1301-1331 of the Codified Ordinances, Section 1314.01., RRO Riverfront Redevelopment Overlay District, C. Use Regulations, by adding Wholesale as a use under the Riverfront section under certain conditions.

The legislation 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,

A handwritten signature in black ink that reads "Michael P. Hanlon".

Michael P. Hanlon
City Clerk

cc: Council
Mayor Ed Pawlowski
Fran Dougherty, Managing Director
Sara Hailstone, Director, Community and Economic Development
Michael Hefele, Director, Planning
Oldrich Foucek, Chairman of the Planning Commission
Jerry Snyder, Solicitor
Steven T. Boell, Esq., Fitzpatrick Lentz & Bubba, P.C.
Allentown Public Library
Lehigh County Law Department

MICHAEL P. HANLON



CITY CLERK

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

May 23, 2014

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

Dear Mr. Hefele:

The attached petition was received from the Waterfront Redevelopment Partners, LP to amend the zoning code, Article 1314, Overlay District Requirements, Section 1314.01 Riverfront Redevelopment Overlay District, C. Use Regulations, by adding a permitted use:

Wholesale. Provided (i) that no more than 10% of the aggregate gross building area on the recorded PRD Plan may be used for such use, and (ii) such use is structurally and aesthetically compatible in appearance to the surrounding RRO development.

This petition is hereby referred to the Planning Commission for their initial review.

Please submit your review to this office.

Very truly yours,

Michael P. Hanlon
City Clerk

cc: Council
Mayor Ed Pawlowski
Sara Hailstone, Director, Community and Economic Development
Oldrich Foucek, Chairman of the Planning Commission
Brian Borzak, Engineering
Steven T. Boell, Esq., Fitzpatrick Lentz & Bubba, P.C.
Jerry Snyder, Solicitor



FITZPATRICK LENTZ & BUBBA
ATTORNEYS AT LAW

FITZPATRICK LENTZ & BUBBA, P.C. · 4001 SCHOOLHOUSE LANE · PO BOX 219 · CENTER VALLEY, PA 18034-0219
STABLER CORPORATE CENTER · PHONE: 610-797-9000 · FAX: 610-797-6663 · WWW.FLBLAW.COM

Edward J. Lentz
Joseph A. Fitzpatrick, Jr.
Joseph A. Bubba
Timothy D. Charlesworth
Douglas J. Smillie*
Emil W. Kantra II
Joseph S. D'Amico, Jr.*
Michael R. Nesfeder
Catherine E. N. Durso
Jane P. Long
Erich J. Schock
J. Bryan Tuk*
James A. Bartholomew
Jacob M. Sitman*
Barbara Zicherman†
Edward Hoffman, Jr. *
Anthony S. Rachuba, IV*
Maraleen D. Shields
Steven T. Boell
Joshua A. Gildea
Marie K. McConnell*
Thomas J. Schlegel*
Collin J. Keefe†
Gretchen L. Geisser†
Mallory J. Sweeney*

E-mail: sboell@flblaw.com
Direct Dial: 610-797-9000 ext 330

James G. Kellar
1927-2002
John R. Mondschein
Special Counsel
Family and
Matrimonial Law
Douglas Panzer*
Of Counsel
Intellectual Property Law
Albertina D. Lombardi*
Kathleen M. Mills
Of Counsel

May 22, 2014

HAND DELIVERED

City Clerk
City Hall
435 Hamilton Street, Room 510
Allentown, PA 18101

Re: Waterfront Redevelopment Partners, LP

Dear Clerk:

Enclosed, in duplicate, is the Rezoning Request Petition on behalf of our client, Waterfront Redevelopment Partners, LP. Also enclosed is our check in the amount of \$500.00 representing the administration and advertising costs.

Should you have any questions, please feel free to contact me.

Very truly yours,

Steven T. Boell

† Also admitted in New York
* Also admitted in New Jersey

Enclosure

cc: Waterfront Redevelopment Partners, LP

ZONING AMENDMENT REQUEST PETITION

City Council
City Hall
Allentown, PA 18101

Date _____

TELEPHONE: (610) 437-7539

FAX: (610) 437-7554

EMAIL: Mike Hanlon
Tawanna L. Whitehead

hanlon@allentownpa.gov

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:

To Amend Zoning Ordinance §1314.01.C (pertaining to RRO Riverfront Redevelopment Overlay District) as follows

C. Use Regulations. Within the RRO District, land and/or structures may be used for any of the following permitted by right uses listed below, provided approval is first granted as a PRD.

55 Wholesale. Provided (i) that no more than 10% of the aggregate gross building area on the recorded PRD Plan may be used for such use, and (ii) such use is structurally and aesthetically compatible in appearance to the surrounding RRO development.

The reason for this rezoning is: To allow greater flexibility of uses within the RRO in a manner consistent with its stated purpose to “[p]romote appropriate mixtures of compatible uses that provide for a variety of employment opportunities and housing types, including mixtures of business and residential uses in the same building.” The wholesale use is compatible with and complimentary to other RRO components, including, e.g., structured parking, mechanical systems and structures, etc.

NAME

ADDRESS



Steven T. Boell, Esquire – Attorney for Petitioner

Fitzpatrick Lentz & Bubba, P.C.

4001 Schoolhouse Lane, P.O. Box 219

Center Valley, PA 18034-0219

(610) 797-9000 Ext. 330

NOTE: Send or deliver this petition, along with \$500 to cover administration and advertising costs, to:

**City Clerk
City Hall
Room 510
435 Hamilton Street
Allentown, PA 18101
TELEPHONE: (610) 437-7539
FAX: (610) 437-7554
EMAIL: Mike Hanlon
Tawanna L. Whitehead**

**hanlon@allentownpa.gov
whiteheadt@allentownpa.gov**



FITZPATRICK LENTZ & BUBBA
ATTORNEYS AT LAW

FITZPATRICK LENTZ & BUBBA, P.C. · 4001 SCHOOLHOUSE LANE · PO BOX 219 · CENTER VALLEY, PA 18034-0219

STABLER CORPORATE CENTER · PHONE: 610.797.9000 · FAX: 610.797.6663 · www.flblaw.com

- Edward J. Lentz
- Joseph A. Fitzpatrick, Jr.
- Joseph A. Bubba
- Timothy D. Charlesworth
- Douglas J. Smillie*
- Emil W. Kantra II
- Joseph S. D'Amico, Jr.*
- Michael R. Nesfeder
- Catherine E. N. Durso
- Jane P. Long
- Erich J. Schock
- J. Bryan Tuk*
- James A. Bartholomew
- Jacob M. Sitman*
- Edward Hoffman, Jr.*
- Steven T. Boell
- Barbara S. Zicherman†
- Anthony S. Rachuba, IV*
- Maraleen D. Shields*
- Joshua A. Gildea
- Marie K. McConnell*
- Thomas J. Schlegel†
- John P. Rice
- Colin J. Keefe†
- Gretchen L. Geisser*
- Mallory J. Swannay*

sboell@flblaw.com

September 9, 2014

- James G. Kellar
1927-2002
- John R. Mondschein
Special Counsel
Family and
Matrimonial Law
- Douglas Panzer*
Of Counsel
Intellectual Property Law
- Albertina D. Lombardi*
Kathleen M. Mills
Of Counsel

VIA FACSIMILE ONLY

Michael P. Hanlon
City Clerk
City of Allentown
435 West Hamilton Street
Allentown, PA 18102

**Re: RRO – Zoning Amendment Amendment – City Council
Hearing**

Dear Mike:

My client would like to request that the City Council Hearing on the above-referenced Zoning Amendment be rescheduled to the following City Council Agenda. Would you please advise as to what, if any, actions are required to achieve such a rescheduling, it would be greatly appreciated.

Very truly yours,

Steven T. Boell

STB:nmr

* Also admitted in New Jersey
† Also admitted in New York



COUNTY OF LEHIGH
Department of Law

Matthew R. Sorrentino
County Solicitor

August 1, 2014

City of Allentown
Attn: Michael P. Hanlon
435 West Hamilton Street
Allentown, PA 18101

Re: Filing of Municipal Ordinance
Check No.: cash
Ordinance No.: 24-2014

Dear Mr. Hanlon:

Enclosed is a receipt for the filing fee for the ordinance you sent to this office to be filed.

If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer L. Detweiler".

Jennifer L. Detweiler
Paralegal
Department of Law

/jld
enclosure

Lehigh County Government Center
17 S. Seventh Street
Allentown, Pennsylvania 18101-2400
Phone: 610-782-3180
Fax: 610-871-2796

THE MORNING CALL

MEDIA GROUP

Order ID: 2712345

Printed: 9/24/2014 10:09:02 AM

Page 1 of 2

GROSS PRICE * : \$819.88

* Agency Commission not included

PACKAGE NAME: Legal/Public Notices

Product(s): The Morning Call, Affidavit, PublicNoticePA.com, classified.mcall.com_Legal

AdSize(s): 1 Column,

Run Date(s): Monday, September 29, 2014, Tuesday, October 07, 2014

Color Spec. B/W

Preview

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 amend the Riverfront Redevelopment Overlay District C (Use Regulations): (1) to add Wholesale as a use in the overlay provided that the Allentown Planning Commission finds that (a) such use occupies no more than 10 % of the aggregate floor area shown on the Planned Residential Development (PRD) Plan; (b) the type and scale of the wholesale use is compatible with the overall intent and mix of uses proposed for the PRD; and (c) the use's location, proposed access, loading and unloading facilities and exterior are designed such that the proposed use does not substantially detract from the architectural design, functionality and overall design of the remainder of the PRD; (2) to provide for an effective date; and (3) to repeal all Ordinances

THE MORNING CALL

MEDIA GROUP

Order ID: 2712345

Printed: 9/24/2014 10:09:02 AM

Page 2 of 2

GROSS PRICE * : \$819.88

* Agency Commission not included

PACKAGE NAME: Legal/Public
Notices

inconsistent therewith.

City Council will consider the foregoing at a Public Hearing on Wednesday, October 15, 2014 at 6:45 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

#2712345 — 9/29/2014 & 10/7/2014

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 40 - 2014

October 1, 2014

AN ORDINANCE

Amending Article 539, Street Cleaning, by adding a section that delineates certain districts that will be subject to year round street cleaning.

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

SECTION ONE: That Article 539.05, Year Round Street Cleaning be amended to read as follows:

539.05 Year Round Street Cleaning

539.05 YEAR ROUND-STREET CLEANING

Street Cleaning will continue in the designated posted areas during the months of December through February. Those areas shall include the following districts:

#1: Front Street to 10th Street, Chew to Sumner and 4th to Front from Chew to Union Streets.

#2: 10th to 17th from Martin Luther King Jr. Drive to Sumner Avenue, as posted.

#9: 4th to 12th Streets from Union to Chew Streets, as posted.

Both Districts #1 and #2 will be suspended during a winter event and will be reinstated on a Monday once the curb line is clear of snow piles, as posted.

(14437 §1 11/7/06, 14656 §1 11/21/08)

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?**

Bureau of Streets, Department of Public Works.

- **Summary and Facts of the Bill**

Update the Codified Ordinance on Street Cleaning to include districts which have year round street cleaning.

- **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**

Currently, year round street cleaning takes place in District #1and #9. Not only will both of these be included in the updated ordinance but we would add District #2 which currently runs from March 1 to November 30th. This will allow the City to address quality of life issues. Street cleaning will be suspended in these districts during a winter event and will be reinstated on a Monday once the curb line is clear of snow piles.

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

There is no financial impact on the budget as operating costs are already incorporated into the budget. Funds will come from The PA Liquid Fuels, General Fund and Solid Waste Budgets.

- **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.**

A transfer of funds will not be necessary.

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

Would like to have ordinance approved in October so that signs in District 2 can be updated before November 1st.

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

Implementing this program will help address quality of life issues and will reduce the amount of solids and sentiments entering our watercourses.

CITY OF ALLENTOWN

No. 46

RESOLUTION

R - 2014

Introduced by the Administration on

Encroachment: Steps at 726 S Hall Street

Resolved by the Council of the City of Allentown, That

WHEREAS, Article 903.02, of the Codified Ordinances of the City of Allentown, relating to Permanent Obstructions, specifies the criterion and the conditions under which permissible encroachments such as steps, porches, planters, fences, building projections, and service structures shall be permitted in the public-right-of-way; and

WHEREAS, permissible encroachments may not exceed 1/3 of the sidewalk area measured from the property line and may not reduce the width of the abutting sidewalk to less than five feet; and

WHEREAS, such encroachments shall not impede or endanger the free flow of pedestrian or vehicular traffic; adversely affect the passage of light or air to adjoining properties; adversely affect in any other manner the health, safety or welfare of adjoining property owners or the public in general; or represent a significant variance from the number or size of encroachments existing in the immediate block area; and

WHEREAS, Permanent obstructions not permitted under the above criterion or approved by the Bureau of Building and Standards, may be permitted upon the approval of Council in the form of a resolution; and

WHEREAS, Carolyn Kaercher, the property owner, is requesting an encroachment to install steps in the public right-of-way at 726 South Hall Street, which was denied by the Administration as it encroaches more than one third (1/3) into the right-of-way; and

WHEREAS, Allentown City Council finds that the proposed encroachment will not substantially impact the public-right-or-way.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown approves said encroachment and directs the Mayor to enter into an agreement on behalf of the City allowing the encroachment.

WHEREAS, the Property Owner Carolyn Kaercher is granting permission to install permanent steps at 726 South Hall Street in the public right-of-way, which was denied by the Administration as it encroached more than one third (1/3) into the right-of-way; and

WHEREAS, Council finds the proposed encroachment will not substantially affect the public's use of said right-of-way.

WHEREAS, all approvals made include, Building Inspections, Zoning and Traffic Engineering; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown, approves said encroachment and directs the Mayor to enter into an agreement on behalf of the City allowing the encroachment.

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

Initiated from an encroachment application for permanent steps to be installed at 726 S Hall Street.

- **Summary and Facts of the Bill**

The steps will encroach into public right of way more than 1/3 requiring council approval.

- **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 property owner needs these steps installed as she is physically disabled.

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

No cost to the City.

- **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**

High priority

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

These steps will allow homeowner easier access to property.



Lisa A. Cocca
Administrative Supervisor
Department of Public Works
Bureau of Engineering
641 South Tenth Street
Allentown, PA 18103
610.437.7576
Fax 610.437.7614
coccal@allentowncity.org

September 12, 2014

Carolyn Kaercher
726 South Hall Street
Allentown PA 18103

**RE: 726 South Hall Street- Permanent Encroachment steps in the public
right-of-way**

Dear Applicant:

Enclosed please find a copy of the original Encroachment application (a copy has been sent to City Council) regarding your request for the permanent encroachment pertaining to the steps in the public right-of-way.

Please note the request was denied by the department(s) listed on the routing sheet on the back of the application. However, your application was submitted to City Council to reconsider the decision.

If you have any questions please do not hesitate to call me at 610-437-7596.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lisa A. Cocca'.

Lisa A. Cocca

Enclosure

cc: City Council

Bridgeworks ■ 641 South 10th Street ■ Allentown, PA 18103-3173



ENCROACHMENT APPLICATION

ORDINANCE #13066

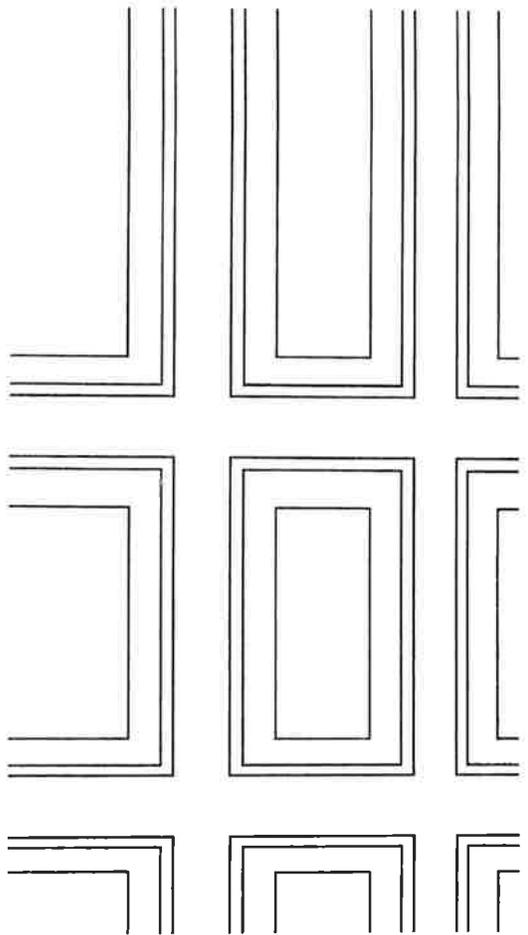
PERMANENT TEMPORARY APPLICATION DATE 9/8/14 PERMIT NO. DATE ISSUED FEE PAID

INFORMATION TO BE FAXED TO THE ENGINEERING DEPARTMENT FAX (610) 437-7614 PLEASE PRINT OR TYPE CLEARLY WITH BLUE OR BLACK INK

ADDRESS OF ENCROACHMENT: 726 So Hill St Allentown PA 18103 TIME PERIOD APPLIED FOR: PERMANENT TYPE OF ENCROACHMENT: STEPS IF DUMPSTER OR SCAFFOLDING: NAME OF SUPPLIER: ADDRESS: NAME OF PROPERTY OWNER: CAELYN KAECHEER PHONE: 610 435-6382 ADDRESS: 726 So Hill St Allentown PA 18103 NAME OF APPLICANT: SEN KAECHEER PHONE: 610 435-6382 ADDRESS: 726 So Hill St Allentown PA 18103 APPLICANT'S SIGNATURE: [Signature] Date: 9/8/14

ALL APPLICATION TO BE ACCOMPANIED BY A MEASURE SKETCH BELOW

See Attached.



ROUTING SHEET

BUREAU OR DIVISION	DATE REC'D.	DATE REVIEW COMPLETED	DATE APPROVED	*DATE REJECTED
M/DH HARB	9/11/14	9/11/14	M/DH - Not Approved District	
ENG	9/8/14	9/8/14		9/8/14 *
INSP	9-11-14	9-11-14	9-11-14	
TRAFFIC	9-18-14	9-22-14	9-22-14	
OTHER	9-11-14	9-11-14	9-11-14 201114 sjs/A	

UPON COMPLETION OF REVIEW BY THOSE BUREAUS/DIVISION/AGENCIES CHECKED ABOVE, RETURN THE APPLICATION TO THE DIRECTOR OF CODE ENFORCEMENT (BUILDING STANDARDS AND SAFETY - INSPECTION DIVISION). IF REJECTED MANAGER OF BUREAU/DIVISION/AGENCY IS TO ATTACH MEMO EXPLAINING REASONS.

IF REJECTED OR NOT PERMITTED IN ACCORDANCE WITH THE ORDINANCE, FORWARD TO CITY CLERK FOR ACTION BY CITY COUNCIL.

APPROVED _____ REJECTED _____

DIRECTOR, COMMUNITY DEVELOPMENT OR DESIGNEE _____ DATE _____

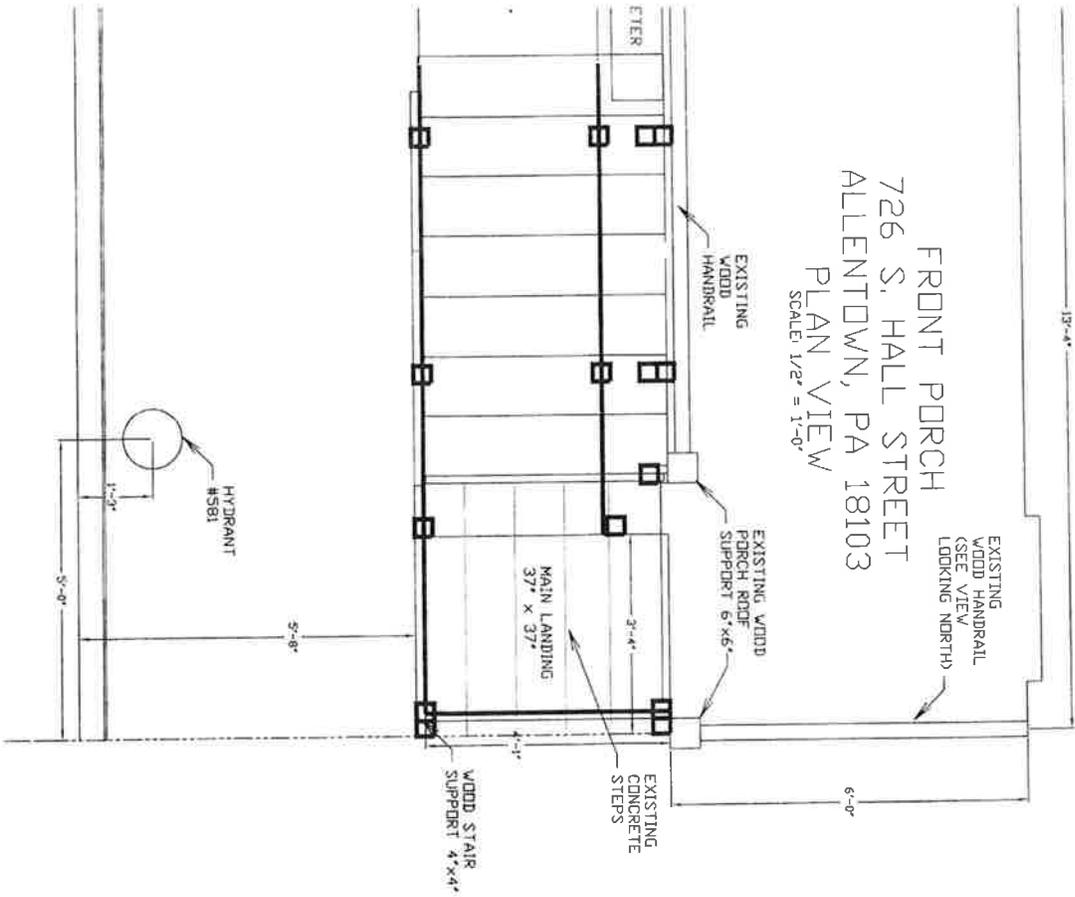
* NEED Council Approval - More than 1/3 Table Restrict or why.
 * Plans Permitted Required - SA

Google

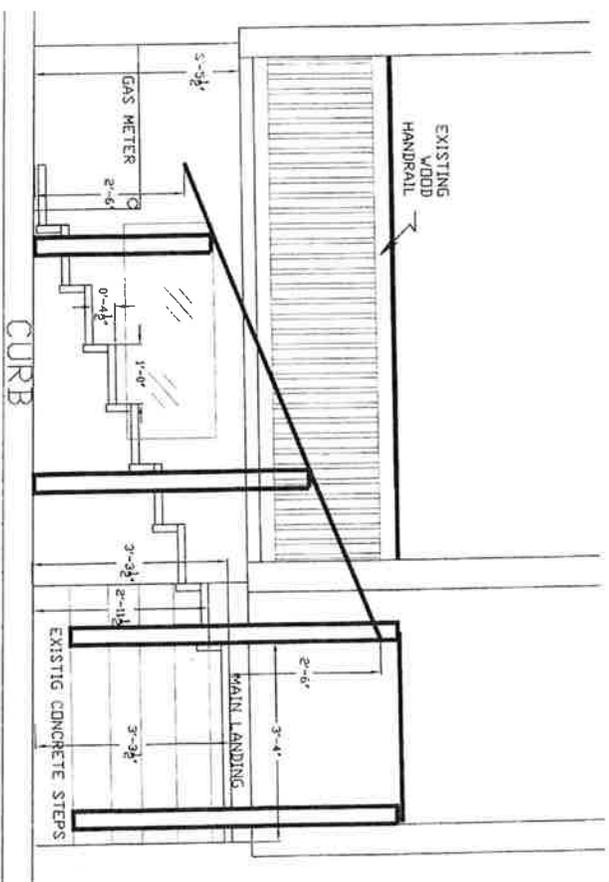
Address: 727 S Hall St



© 2014 Google



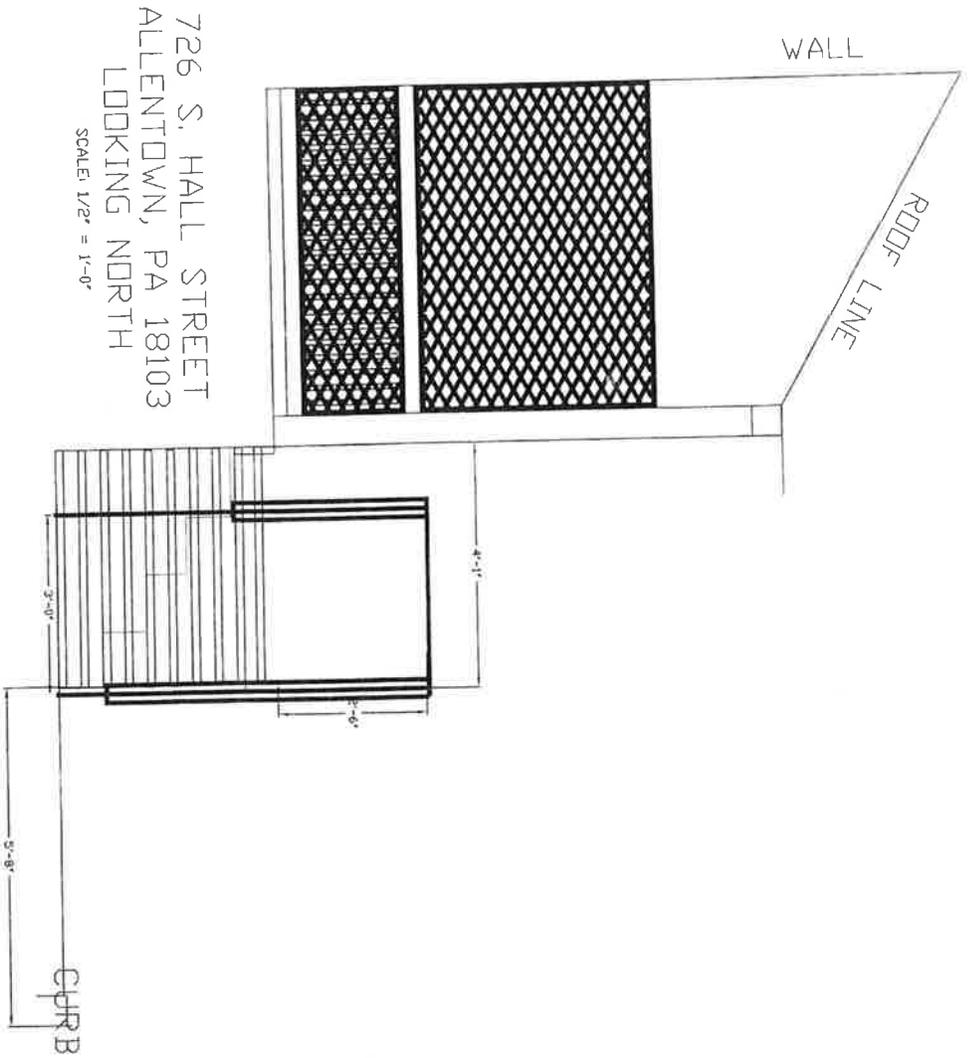
FRONT PORCH
 726 S. HALL STREET
 ALLENTOWN, PA 18103
 PLAN VIEW
 SCALE: 1/2" = 1'-0"



726 S. HALL STREET
 ALLENTOWN, PA 18103
 LOOKING WEST
 SCALE: 1/2" = 1'-0"

CIDRATA

DRAWN	RAR	DATE	9-03-14	SCALE	NOTED	B
CHECKED	RAR	DATE	9-03-14	MST. REGENT	PLTN.	
JOB NAME	C. KAERCHER					
JOB TITLE	726 HALL STREET					
LOCATION	ALLENTOWN, PA					
DRAWING TITLE	726_HALL_STREET					
PLAN	ELEVATION					



726 S. HALL STREET
 ALLENTOWN, PA 18103
 LOOKING NORTH
 SCALE: 1/2" = 1'-0"

SUBMITTAL

DRAWN RAR	DATE 9-03-14	SCALE NOTED	REVISION B
CHECKED RAR	DATE 9-03-14	MOST RECENT PLDT. 9-03-14	
JOB NAME: C. KAERCHER			
JOB TITLE: 726_HALL STREET			
LOCATION: ALLENTOWN_PA			
DRAWING TITLE: 726_HALL STREET			
PLAN ELEVATION DETAILS			
KOB JOB #	CTAIDC	DRAWING #	REVISION 4

CITY OF ALLENTOWN

No. 47

RESOLUTION

R - 2014

Introduced by the Administration on

Encroachment: Sign at 707 North 4th Street

Resolved by the Council of the City of Allentown, That

WHEREAS, Article 903.02, of the Codified Ordinances of the City of Allentown, relating to Permanent Obstructions, specifies the criterion and the conditions under which permissible encroachments such as steps, porches, planters, fences, building projections, and service structures shall be permitted in the public-right-of-way; and

WHEREAS, permissible encroachments may not exceed 1/3 of the sidewalk area measured from the property line and may not reduce the width of the abutting sidewalk to less than five feet; and

WHEREAS, such encroachments shall not impede or endanger the free flow of pedestrian or vehicular traffic; adversely affect the passage of light or air to adjoining properties; adversely affect in any other manner the health, safety or welfare of adjoining property owners or the public in general; or represent a significant variance from the number or size of encroachments existing in the immediate block area; and

WHEREAS, permanent obstructions not permitted under the above criterion or approved by the Bureau of Building and Standards, may be permitted upon the expressed approval of Council in the form of a resolution; and

WHEREAS, Allentown Heights Association, the property owner as listed on the attached application, is requesting an encroachment to install a sign in the public right-of-way at 707 North 4th Street, which was denied by the Administration as it encroaches more than one third (1/3) into the right-of-way; and

WHEREAS, Allentown City Council finds that the proposed encroachment will not substantially impact the public-right-or-way.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown approves said encroachment and directs the Mayor to enter into an agreement on behalf of the City allowing the encroachment.

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

Initiated from an encroachment application for an exterior sign on 707 North 4th Street for the Cigar Factory requiring a permanent encroachment.

- **Summary and Facts of the Bill**

The width of the sign will be in public right of way will encroach more than 1/3 of the public right-of-way the height clearance is more than adequate (180").

- **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 sign will be on the exterior of the building for visual location of Cigar Factory.

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

No cost to the City.

- **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**

High priority

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

It has been approved by the various departments of the city.



Allentown
City without limits.

Lisa A. Cocca
Administrative Supervisor
Department of Public Works
Bureau of Engineering
641 South Tenth Street
Allentown PA 18103
610.437.7576
Fax 610.437.7614
coccal@allentowncity.org

September 10, 2014

Allentown Heights Assoc. LLC
369 East 62nd Street
New York NY 10065-7755

RE: 707 North 4th Street- Permanent Encroachment sign in the public right-of-way

Dear Applicant:

Enclosed please find a copy of the original Encroachment application (a copy has been sent to City Council) regarding your request for the permanent encroachment pertaining to the Cigar Factory exterior sign in the public right-of-way.

Please note the request was denied by the department(s) listed on the routing sheet on the back of the application. However, your application was submitted to City Council to reconsider the decision.

If you have any questions please do not hesitate to call me at 610-437-7596.

Very truly yours,


Lisa A. Cocca

Enclosure

cc: City Council ✓

Bridgeworks ■ 641 South 10th Street ■ Allentown, PA 18103-3173

An Equal Opportunity Employer ■ Hearing Impaired - TTY 610 437 7551 ■ Printed on Recycled Paper

www.allentownpa.gov • An Equal Opportunity Employer • Hearing Impaired - TTY 610 437 7551 • Printed on Recycled Paper



Permanent
ENCROACHMENT APPLICATION

ORDINANCE #13066

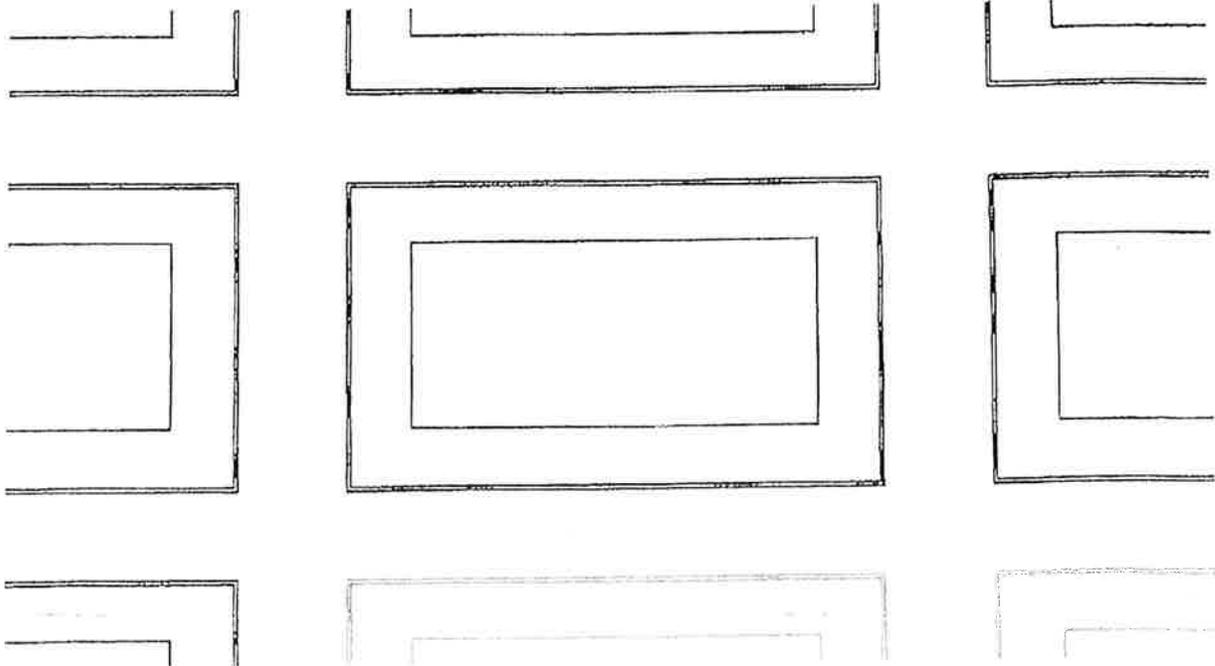
PERMANENT X
TEMPORARY _____
APPLICATION DATE 9/2/14

PERMIT NO. _____
DATE ISSUED _____
FEE PAID _____

INFORMATION BEING FAXED TO THE PARKING AUTHORITY FAX (610) 437-7614
PLEASE PRINT OR TYPE CLEARLY WITH BLUE OR BLACK INK

ADDRESS OF ENCROACHMENT: 707 North 4th Street, Allentown, PA
TIME PERIOD APPLIED FOR: Before end of year 2014
TYPE OF ENCROACHMENT: Public Right of Way - Permanent Sign
IF DUMPSTER OR SCAFFOLDING: NO *See Attached*
NAME OF SUPPLIER: Stoner Graphics, Inc. PHONE: 717-469-9916
ADDRESS 163 S. Meadow Ln., Hummelstown, PA 17036
NAME OF PROPERTY OWNER: Allentown Heights Assoc. PHONE 212-317-1423
ADDRESS 369 East 62nd Street, New York, NY 10065-7755
NAME OF APPLICANT: Allentown Heights Assoc, LLC PHONE 212-317-1423
ADDRESS 369 East 62nd Street, New York, NY 10065-7755
APPLICANT'S SIGNATURE [Signature]

ALL APPLICATION TO BE ACCOMPANIED BY A MEASURE SKETCH BELOW



ROUTING SHEET

BUREAU OR DIVISION	DATE REC'D.	DATE REVIEW COMPLETED	DATE APPROVED	*DATE REJECTED
MDH HARB	9/4/14	9/4/14	N/A - Not in Historic District	
ENG	9/3/14	9/3/14	9/3/14 *	
INSP	9-5-14	9-5-14	9-5-14 *	
TRAFFIC	9-10-14	9-10-14	9-10-14	
EXTRA	9-3-14	9-3-14	9-3-14	

UPON COMPLETION OF REVIEW BY THOSE BUREAUS/DIVISION/AGENCIES CHECKED ABOVE, RETURN THE APPLICATION TO THE DIRECTOR OF CODE ENFORCEMENT (BUILDING STANDARDS AND SAFETY - INSPECTION DIVISION). IF REJECTED MANAGER OF BUREAU/DIVISION/AGENCY IS TO ATTACH MEMO EXPLAINING REASON/S.

IF REJECTED OR NOT PERMITTED IN ACCORDANCE WITH THE ORDINANCE, FORWARD TO CITY CLERK FOR ACTION BY CITY COUNCIL.

____ APPROVED

____ REJECTED

____ DIRECTOR, COMMUNITY DEVELOPMENT OR DESIGNEE

____ DATE

* NEED CITY COUNCIL APPROVAL - MORE THAN 1/3 OF R.O.W.

* - Plans Need 3RD PARTY REVIEW

Project No. 088
 Date: 08/26/14
 Client: Heights Real Estate
 Project: CIGAR FACTORY ARTISTS' STUDIOS
 Location: ALLENTOWN, PA
 Sign Type: Vertical Sign
 Sign Size: 10' x 4' x 12' (H x W x D)
 Sign Material: Aluminum
 Sign Color: Black and White
 Sign Text: CIGAR FACTORY ARTISTS' STUDIOS
 Sign Location: Exterior
 Sign Orientation: Vertical
 Sign Height: 10' (to top of sign)
 Sign Width: 4' (to side of sign)
 Sign Depth: 12' (to back of sign)
 Sign Weight: 150 lbs.
 Sign Cost: \$1,500.00
 Sign Lead Time: 4-6 weeks
 Sign Installation: 1-2 days



33



The sign is to be installed on the exterior of the building at the corner of the intersection of 1st Street and 2nd Street in Allentown, PA. The sign is to be made of aluminum and is to be painted black and white. The sign is to be illuminated with LED lights. The sign is to be installed by a professional sign installer. The sign is to be installed by the end of the month. The sign is to be installed by the end of the month. The sign is to be installed by the end of the month.



James H. Hunter
 Licensed Professional Engineer
 License No. 12121
 State of Pennsylvania
 8/26/14



STONER GRAPHIX
 1000 N. 10TH STREET
 ALLENTOWN, PA 18106
 (610) 261-1111
 www.stonergraphix.com

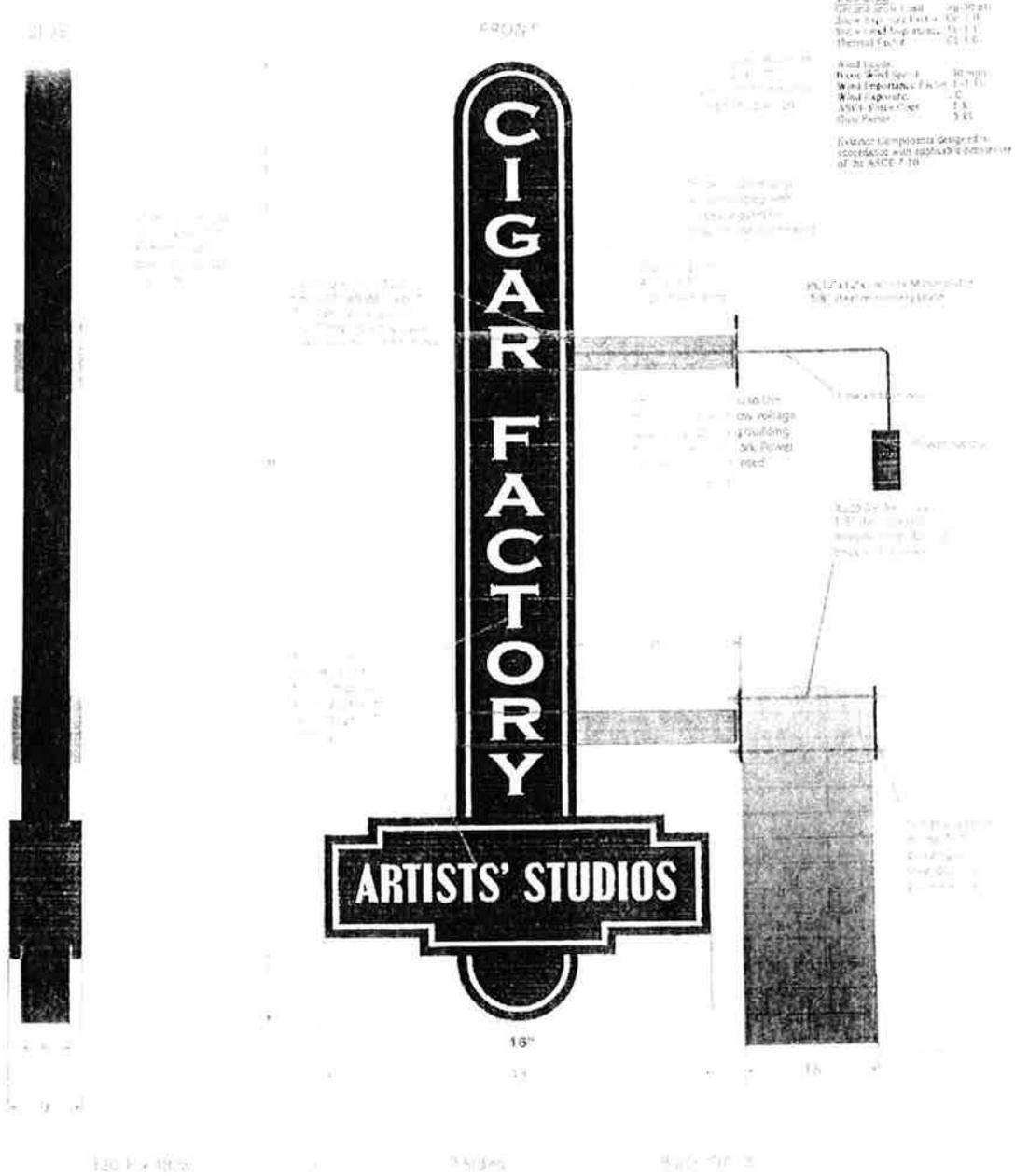
LOCATION ALLENTOWN PA

Heights Real Estate

Cigar Factory Exterior Sign (page 1 of 2)

8/26/14 Pg 1 of 2
Township 4815

The specifications and conditions of these drawings are subject to change without notice and are hereby accepted by the contractor to do the work.



LOCATION ALLENTOWN PA
 Heights Real Estate
 Cigar Factory Exterior Sign



Murdoch Engineering
 Murdock Blvd. Cl
 Lehigh 610 2773
 1973-519-9215
 8/30/14
 Iepe Murdoch, P.E.
 License No. 11802420

8/28/14 Pg 2 of 2
 Engineer Drawing.4815

The specifications and conditions as described are satisfactory and are hereby accepted.
 You are authorized to do the work

Signature

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 42 - 2014

OCTOBER 15, 2014

AN ORDINANCE

Amending the Consolidated Plan One Year Action Plan for the Thirty-ninth year of the Community Development Block Grant Program (CDBG) which re-programs Twenty-five Thousand (\$25,000) Dollars of unexpended funds.

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

SECTION ONE: Federal Regulations require the City of Allentown to amend a Consolidated Plan One Year Action Plan whenever it decides not to carry out an activity, to add an activity, or to substantially change an activity. This legislation provides for the re-programming of unexpended funds from the Thirty-Ninth year of the CDBG program.

SECTION TWO: That the Mayor is authorized to reprogram the amounts in the accounts listed below.

700-01-7905-0108 Fair Housing	\$25,000
TOTAL.....	\$25,000

SECTION THREE: That the amount of Twenty-five thousand (\$25,000) CDBG Dollars be re-programmed to the following account and activity:

700-01-7903-0115-Lehigh County Conference of Churches- Winter Sheltering	\$25,000
--	----------

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?**

The bill originates in the Department of Community and Economic Development

- **Summary and Facts of the Bill**

This bill allows funds for the cancellation of a Community Development Block Grant funded 39th year fair housing project, since funds for this activity were found in a previous year. This cancellation makes \$25,000 of funds available for the proposed Winter Sheltering program, operated by the Lehigh County Conference of Churches, which recently submitted an application for CDBG program funds.

- **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 allows funds to be made available for a recently developed program which will assist homeless persons who do not seek shelter in the City's other homeless shelters (The Salvation Army, the Sixth Street Shelter and the Allentown Rescue Mission) find a warm place to sleep during the winter months of November 1, 2014 to April 30, 2015.

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

There are no adverse effects on the City's General fund budget nor does this program adversely effect other CDBG funded programs which have already been awarded funds.

- **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 Community Development Block Grant Program is the source of funds for this ordinance.

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

The activity being proposed for the use of these funds is scheduled to begin November 1, 2014.

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

This bills will allow the City to become a funding partner for the Winter Sheltering Program being proposed for the Alliance Hall gymnasium and being operating by the Lehigh County Conference of Churches.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 43 - 2014

October 15, 2014

AN ORDINANCE

Amending the 2014 General Fund Budget to provide for a supplemental appropriation of \$35,000 as a result of a Commonwealth of PA Department of Health Grant, to the Bureau of Building Standards and Safety, to provide for lead paint remediation.

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 2014 General Fund in the amount of \$35,000 reflecting receipt of monies from a PA Department of Health grant to contract services for lead paint remediation.

SECTION TWO: That City Council authorizes a supplemental appropriation from the unappropriated balance of the General Fund to the Bureau of Building Standards and Safety other Services and Charges as follows:

000-09-0903-0003-50 (Other Services and Charges)	\$35,000
--	----------

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?

CE&D / Building Standards and Safety

- Summary and Facts of the Bill

The City will receive \$35,000.00 in additional funds from the Commonwealth of Pa's Department Health for the Healthy Homes Lead Paint Remediation Grant.

- 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

Provides for the City to accept the additional \$35,000.00 in Lead paint remediation Funds, so that an additional three projects can be completed.

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

Additional expenses will be covered

- 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.

Commonwealth of Pennsylvania Health Homes Grant.

- Priority status/Deadlines, if any
None.

- Why should Council unanimously support this bill?

To provide for the acceptance of the additional funds to be used for Lead paint remediation in three additional units that have been identified by our Health Bureau as having children with elevated lead blood levels.