

TOWNSHIP OF SOUTH WHITEHALL
LEHIGH COUNTY, PENNSYLVANIA
PLANNING COMMISSION

REGULAR SESSION

MINUTES

FEBRUARY 17, 2022

The Regular Session of the South Whitehall Township Planning Commission was held on the above date in the Township Municipal Building located at 4444 Walbert Avenue, Allentown, Lehigh County, Pennsylvania.

Members in attendance:

William H. MacNair, Chairman
Brian Hite, Vice-Chairman
Alan Tope, Secretary
Diane E. Kelly
Mark Leuthe
David Wilson

Staff members in attendance:

Gregg Adams, Planner
Laura Harrier, Zoning Officer
David Manhardt, Director of Community Development
Anthony Tallarida, Assistant Township Engineer
Jennifer Alderfer, Assistant Township Solicitor

AGENDA ITEM #1 – CALL TO ORDER

Chairman MacNair called the meeting to order at 7:35 p.m. He announced that all meetings are electronically monitored.

AGENDA ITEM #2 – PLEDGE OF ALLEGIANCE/ROLL CALL/MEETING RULES

Chairman MacNair led the assembled in the Pledge of Allegiance.

Mr. Adams called the roll and read the meeting rules.

AGENDA ITEM #3 – APPROVAL OF MINUTES

Chairman MacNair announced that the minutes of the January 20, 2022, meeting were distributed prior to this evening's meeting for review and comment. Chairman MacNair asked the members if they had any changes to the minutes. Hearing none, Chairman MacNair called for a motion to approve the minutes as submitted. Mr. Tope made a motion to that effect. Mrs. Kelly seconded the motion and it passed unanimously.

AGENDA ITEM #4 – COMPREHENSIVE PLAN UPDATE SUMMARY

Director Manhardt reviewed the February 8, 2022, workshop. He stated that staff is reviewing the results and will submit the synthesized results at the next workshop. He stated that Resource Protection is the next Element to be reviewed, to be followed by Community Utilities.

AGENDA ITEM #5 – SUBDIVISION REVIEW

**A. AllAboutTacos, LLC
Major Plan 2022-102
Request For Preliminary/Final Plan Review**

Chairman MacNair polled the audience for interested parties other than the developer regarding the application to further develop the property located at 3750 Hamilton Boulevard. There was no response.

At the request of Chairman MacNair, Mr. Adams read the Community Development Department's recommendation into the record. The Department recommended that the Planning Commission take the plan under advisement to afford the developer time to address the reviewing agencies' comments, contingent upon the applicant granting the Township a waiver from the timeframe in which to act upon the plan.

Attorney Joseph Piperato and Engineer Matt Longenberger of Bohler Engineering accompanied Mr. Don Petridis to present the plan and answer questions. Attorney William Malkames accompanied Mrs. Lucille Pena, the property owner.

Engineer Longenberger reviewed the plan, noting the existing building, patio and parking lot. He stated that Mr. Petridis intends to lease the property, renovate the building and build a 2,300 square foot addition to enclose the patio. He stated that some changes to the parking area are proposed, including additional parking islands, changes to the parking area on the east side of the building, and some grading to achieve a full-depth pavement. He stated that the changes would result in an overall reduction of impervious surface on the site. He noted that there are also minor stormwater upgrades proposed.

Attorney Piperato noted that the addition caused the project to be classified as a land development. He stated that there is a reduction in parking relative to the seating count and requested a waiver of the frontage improvements requirement.

Mr. Wilson stated that he is glad someone is looking at the property and that vacant properties are not favorable to the Township. He inquired as to whether the applicant has considered scaling back the project to avoid the land development requirements.

Mr. Petridis stated that he is proposing between two and three million dollars in improvements and feels that the inclusion of the outdoor seating experience is important to the restaurant.

Attorney Piperato stated that restaurants now want more space and that patrons view a more open dining area more favorably.

Mr. Leuthe inquired as to whether there were any issues beyond the frontage improvements.

Attorney Piperato stated that, other than the frontage improvements, the project meets the Township's requirements.

Engineer Longenberger stated that he didn't see any other issues. He noted that frontage improvements would trigger HOP issues.

Mr. Wilson inquired as to whether the driveway was properly permitted with PennDOT.

Engineer Longenberger stated that he did not know but could coordinate with PennDOT.

Mr. Hite stated his preference to defer the frontage improvements.

Attorney Piperato stated that the applicant and property owner are concerned with the possible future expense related to a deferral.

Mr. Hite noted that there are grading issues with regard to a sidewalk that meets Township standards.

Mr. Adams opined that the Hamilton Boulevard Streetscape Plan shows the sidewalk to be outside of the right-of-way.

Engineer Longenberger noted that the Streetscape Plan also indicated a rain garden along the frontage of the property.

Mr. Hite noted that the Streetscape plan is conceptual only and that little or no engineering was put into it.

Mr. Leuthe inquired as to whether the property owner and applicant would be open to deferring the improvements to the next land development on the property. He stated that it appears that indefinitely deferring the improvements would result in the loss of the restaurant.

Mr. Petridis and Mrs. Pena stated that deferral to the next land development would be acceptable.

Mrs. Kelly inquired as to the zoning comments

Ms. Harrier stated that the land development application triggers a new zoning review and that the property is now being reviewed toward compliance with current zoning regulations. She stated that the applicant always has the option of going to the Zoning Hearing Board to seek a more favorable resolution. She noted that the

restaurant is an existing lawful nonconformity and that the Zoning Hearing Board may have a different interpretation of the Zoning ordinance.

Attorney Malkames stated that Mrs. Pena's husband opened the Ambassador Restaurant, which then became Mango's and then the Carmel Café. He stated that Mr. Petridis is the best restaurateur that she could find for her building.

Mr. Petridis stated that he is proposing a "polished casual" restaurant with Shelby-level cuisine. He stated that the eastern portion of the restaurant will be a sit-down restaurant with the patio addition and the western portion will be a quick-serve area.

Attorney Piperato stated that Mr. Petridis is anticipating increased pick-up traffic for the restaurant as well.

Mr. Hite inquired as to whether Mr. Petridis has a liquor license for the property.

Mr. Petridis stated that he is seeking one.

Mr. Kelly inquired as to whether there is to be designated parking for the take-out traffic.

Mr. Petridis stated that he has added two "take-out" spaces at the Shelby and is considering the same here.

Chairman MacNair inquired as to whether there were any public comments. There was no response.

Mr. Tope inquired as to what would be included in the developer's anticipated one-half to three-quarters of a million dollars on frontage improvements.

Engineer Longenberger stated that all of the amenities shown on the Streetscape Improvement Plan, the grading and the moving of the existing stormwater detention facility.

Mr. Tallarida inquired as to whether it would be possible to locate the sidewalk on private property and eliminate the PennDOT-related costs.

Attorney Piperato stated that the sidewalk may attract people to cross Hamilton Boulevard to use it.

Mr. Hite pointed out that pedestrians are crossing Hamilton Boulevard to visit Ice Cream World and that there is a crosswalk at Lincoln Avenue.

Mr. Leuthe noted that sidewalk will invite pedestrian/vehicular conflicts at the driveway. He suggested encouraging pedestrian traffic along the Dorney Park side of Hamilton Boulevard where there are fewer driveway entrances. He stated that he would like to see a waiver of the frontage improvements on this project, due to the minimal improvements proposed on the lot, with the condition that the next land development proposed by this applicant would be subject to the frontage improvements required by SALDO.

Mrs. Kelly inquired as to a similar waiver could be granted in the future if the applicant comes in with a similar minimal improvement for a property that seems to be already deficient in parking.

Mr. Leuthe stated that any future improvements would be required to undergo another land development review and perhaps the applicant could secure the additional parking in one of many possible ways.

Mr. Adams noted that Dorneyville Shopping Center's last land development application was over twenty years ago, demonstrating the potential length of time between improvements.

Mrs. Kelly inquired as to the ADA pedestrian area within the travel lane at the front of the building.

Engineer Longenberger stated that it is an existing condition and there was no proposal to change it.

Mr. Adams inquired as to whether there were any issues with changing it.

Engineer Longenberger stated that he could look into it.

Mr. Hite pointed out that improved ADA accessibility would really improve the experience for the disable and elderly.

Chairman MacNair made a motion to support a waiver the required frontage requirements for the project.

Mr. Leuthe seconded, and the motion failed 3-3.

Attorney Piperato thanked the Planning Commission for their time.

AGENDA ITEM #6 – TRANSPORTATION INFRASTRUCTURE UPDATE

Mr. Tallarida reported that there is not much going on this time of year.

Mr. Hite noted that the Infrastructure Bill will provide many opportunities for funding, but they must be figured out first.

AGENDA ITEM #7 – PLANNING COMMISSION ANNUAL REPORT

Mr Adams noted that there was one small change made to the Report noting that, at their August meeting, the Planning Commission accepted the Recommendations of the Working Groups.

Mr. Hite made a motion to recommend presentation of the Report to the Board of Commissioners as amended.

Mrs. Kelly seconded, and the motion passed unanimously, 6-0.

AGENDA ITEM #8 – COMPREHENSIVE PLAN UPDATE

Director Manhardt stated that the next meeting is scheduled for Tuesday March 8 at 7 p.m.

Chairman MacNair inquired as to when the best time to involve PennDOT and the LVPC in the Comprehensive Plan process.

Director Manhardt stated that PennDOT typically does not involve itself in Comprehensive Plan process. He stated that the Comprehensive Plan is a Township document which identifies goals and strategies. He stated the Comprehensive Plan will likely recommend involving PennDOT in certain projects.

AGENDA ITEM #9 – COURTESY OF THE FLOOR

None.

AGENDA ITEM #10– ADJOURNMENT

Chairman MacNair requested a motion to adjourn at 20:45 p.m. Mrs. Kelly made the motion. Mr. Wilson seconded the motion and it passed unanimously.

ADOPTED THIS DATE: March 17, 2022

ATTEST:

Secretary

Chairman