

ORDINANCE NO. 14681

FILE OF CITY COUNCIL

BILL NO. 123 - 2008

NOVEMBER 19, 2008

AN ORDINANCE

Providing for the vacation of North Mohr Street from Gordon Street to Wayne Street and a portion of Wayne Street from North Mohr Street west to the west property line extension of 412 Gordon Street in the Ninth Ward of the City of Allentown:

SECTION ONE: That North Mohr Street, a ten (10') foot wide street, from the southerly right-of-way line of Gordon Street to the southerly right-of-way line of Wayne Street, in the Ninth Ward of the City of Allentown be and the same is hereby vacated.

SECTION TWO: That Wayne Street, a ten (10') foot wide street, from the westerly right-of-way line of North Mohr Street in a westerly direction to the west property line extension of 412 Gordon Street in the Ninth Ward of the City of Allentown be and the same is hereby vacated.

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

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

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

SECTION SIX: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

| | Yea | Nay |
|-------------------------------|-----|-----|
| Michael Donovan | X | |
| Jeanette Eichenwald | X | |
| Julio A. Guridy | X | |
| David M. Howells, Sr. | X | |
| Tony Phillips | X | |
| Peter G. Schweyer | X | |
| Michael D'Amore, President | X | |
| TOTAL | 7 | 0 |

I hereby certify that the foregoing Ordinance was passed by City Council and signed by His Honor the Mayor on the 5th day of February, 2009.

CITY CLERK



MICHAEL C. HEFELE, AICP
Director of Planning
Bureau of Planning and Zoning
Community and Economic Development
610.437.7611 Fax 610.437-8781
hefele@allentowncity.org

October 22, 2008

The Honorable Michael D'Amore
President, City Council
435 Hamilton Street
Allentown, PA 18101

Re: North Mohr Street from Gordon Street to Wayne Street and a
portion of Wayne Street from North Mohr Street westerly to the
extension of the west property line of 412 Gordon Street

Dear Mr. D'Amore:

Please be advised that at the monthly meeting of the Allentown City Planning Commission held on
Tuesday, October 14, 2008, the above referenced street vacation requested by St. Aloysius Young
Men's Society and Sacred Heart Church was recommended to City Council for APPROVAL.

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

Yours truly,

Michael C. Hefele, AICP
Director of Planning

MCH:jf
Enclosure

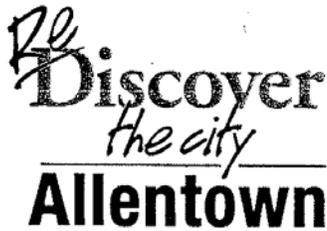
xc: Mayor Ed Pawlowski
Joyce Marin, Community & Economic Development Director
Michael Hanlon, City Clerk
Richard Young, P.E., Public Works Director/City Engineer
Mark Geosits, P.E., Assistant City Engineer
Ronald Penrose, Traffic Control Superintendent
Dennis Bernhard, President, St. Aloysius Young Men's Society
Rev. Msgr. John Grabish, Sacred Heart Church

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City Hall • 435 Hamilton Street • Allentown, PA 18101-1699

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MICHAEL C. HEFELE, AICP
Director of Planning
Bureau of Planning and Zoning
Community and Economic Development
610.437.7611 Fax 610.437.8781
hefele@allentowncity.org

STAFF REPORT TO THE
ALLENTOWN CITY PLANNING COMMISSION

October 14, 2008

SUBJECT: 08-15(V): The proposed vacation of NORTH MOHR STREET from Gordon Street to Wayne Street, and the proposed vacation of a portion of WAYNE STREET from North Mohr Street to the westernmost property line of 412 Gordon Street.

FINDINGS:

The proposed street vacation has been requested by St. Aloysius Young Men's Society in order to improve crime prevention and parking.

The subject portion of North Mohr Street is bounded on the west by 412-418 Gordon Street, owned by St. Aloysius Young Men's Society and improved with a 2-story clubhouse building, and on the east by 410 Gordon Street, owned by the Diocese of Allentown and improved with a 3-story stucco twin dwelling. The subject portion of the Wayne Street right-of-way is bounded on the north by 412-418 Gordon Street, and on the south by 336 North 4th Street, owned by the Diocese of Allentown and containing Sacred Heart Church, and 417-419 Pine Street, owned by Sacred Heart Church and improved with a 3-story dormitory building. If the request for street vacation were granted, ownership of the land within the rights-of-way would revert to the adjoining property owners.

The subject portion of the North Mohr Street right-of-way is 10 feet wide and is opened and improved with an 8-foot wide cartway and one-foot wide sidewalks on each side. The subject portion of the Wayne Street right-of-way is 10 feet wide and is opened and improved with an 8-foot wide cartway and a one-foot wide sidewalk abutting the building at 412-418 Gordon Street. North Mohr Street does not continue either north of Gordon Street or south of Wayne Street. Wayne Street continues west to North 5th Street but does not continue east of North Mohr Street.

The proposed vacation of this portion of Wayne Street will result in the creation of a dead-end street, which typically is not recommended. The portion of what would be the remaining stub of Wayne Street is bounded by six residential properties to the north, and two residential properties and a Sacred Heart Hospital building to the south. Based on a field visit to the area, it appears that the six properties to the north are all fenced across the back and would not use Wayne Street for vehicular access. Likewise, the two residential properties to the south are heavily overgrown with vegetation across the back and do not appear to use Wayne Street for vehicular access. The Sacred Heart Hospital property



would remain accessible from both Pine Street and North College Street.

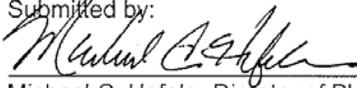
The proposed vacation of North Mohr Street and Wayne Street would in effect eliminate the intersection of two extremely narrow alleys and as such would not affect the general circulation of traffic in the neighborhood.

The Allentown Fire Department did not object to the proposed vacation of these two rights-of-way but noted that if the streets were gated, the Fire Department would need to be granted access in case of a fire.

RECOMMENDATION:

This office recommends approval of the requested street vacation, subject to any conditions of the City Engineering Bureau.

Submitted by:

A handwritten signature in black ink, appearing to read "Michael C. Hefele", written over a horizontal line.

Michael C. Hefele, Director of Planning

Am Hanlon

September 22, 2008

REPORT TO THE CITY CLERK
AND THE
ALLENTOWN CITY PLANNING COMMISSION
REQUEST FOR STREET VACATION

RE: Request for the Vacation of North Mohr Street from Gordon Street to Wayne Street and a portion of Wayne Street from North Mohr Street Westerly to the extension of the West Property Line of 412 Gordon Street.

Requested by:
St. Aloysius Young Men's Society
412 Gordon Street
Allentown Pa, 18102

CONTENTS:

Report and Recommendations
Mailing List and Responses -- Utility Companies and City
Mailing List and Responses -- Property Owners
Location Map -- Portions of City Block Plan No. 53

HISTORY OF THE PORTIONS OF NORTH MOHR STREET AND WAYNE STREET THAT ARE PROPOSED TO BE VACATED:

The portions of North Mohr Street and Wayne Street proposed to be vacated in the 9th Ward were dedicated as a portion of the interior roadway system of the City of Allentown as part of the Subdivision Plan of Northampton Town, surveyed by the order of William Allen, Esq., dated 1762. The plan established the width of the right-of-way as 10 feet. Should the subject street vacations be granted, it appears that the affected rights-of-way would revert to the adjoining property owners. It is the responsibility of the affected adjoining properties to assimilate vacated property into fee simple ownership by deed.

LOCATION AND CONDITION:

The portions of North Mohr Street and Wayne Street proposed to be vacated are 10-foot wide streets in the 9th Ward of the City. They are both paved.

Report to the City Clerk and Allentown City Planning Commission
September 22, 2008
SUBJECT: North Mohr Street & Wayne Street Vacations

POLLS -- CITY OF ALLENTOWN:

Mr. Richard H. Rasch, the City Utility Engineer, has no objection to the subject street vacations provided the City will retain a drainage easement to convey runoff from Wayne Street to Gordon Street.

Ronald D. Penrose of the City's Traffic Engineering Bureau, has no objection to the subject street vacation.

Mr. Robert Scheirer, the Fire Chief, has no objection to the street vacation. But the Fire Chief noted that if the streets get gated, that the Fire Department will need to gain access in case of a fire.

Mr. Michael Hilbert of the City's Communications Bureau, has no objection to the subject street vacation.

Mr. Roger MacLean, the Chief of Police, has not responded.

POLLS -- UTILITY COMPANIES:

The Pennsylvania Power and Light Company (PPL), has not responded.

Verizon Communications (Verizon) objects to the subject street vacation. Verizon has facilities along Wayne St & North Mohr St.

The UGI Utilities, Inc. (U.G.I.) has no objection to the subject street vacation.

POLLS -- PROPERTY OWNERS:

Sacred Heart Hospital the owner of 421 Pine St, have no objection.

The Diocese of Allentown the owners of 415 Pine St, 410 Gordon St. & 336 N. 4th St. , have no objection.

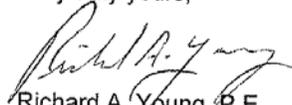
Report to the City Clerk and Allentown City Planning Commission
September 22, 2008
SUBJECT: North Mohr Street & Wayne Street Vacations

RECOMMENDATIONS:

The Bureau of Engineering favorably recommends the subject street vacation, provided the following conditions are met:

1. It is the responsibility of the petitioner to negotiate with all utilities if needed to be relocated.

Very truly yours,



Richard A. Young, P.E.
Public Works Director

Attachments

xc: Michael C. Hefele, Director of Planning
Jerry Snyder, City Solicitor
Michael P. Hanlon, City Clerk
Richard A. Young, P.E., Public Works Director

OWNER VACATION CHECKLIST FOR:

**Vacation of N Mohr St. from Gordon St. to Wayne St. &
Wayne St. from N Mohr St. to the West property line of 412 Gordon St.**

Letters mailed: August 27, 2008

| Owner | Reply Date | No Objection | Object |
|---|------------|--------------|--------|
| Sacred Heart Hospital Owner 421 Pine Street 421 Chew Street Allentown, PA 18102 | 09/10/08 | X | |
| The Diocese of Allentown Owner 410 Gordon 336 n 4th & 415 Pine Streets 336 N. 4th Street Allentown, Pa 18102 | 09/05/08 | X | |

UTILITY VACATION CHECKLIST FOR:

**Vacation of N Mohr St. from Gordon St. to Wayne St. &
Wayne St. from N Morhr St. to the West property line of 412 Gordon St.**

Letters mailed: August 27, 2008

| Utility Company | Reply Date | No Objection | Object |
|---|-----------------|--------------|--------|
| Mr. Brian Moyer(Kristie Rippke) Area Engineering Supervisor PPL Electric Utilities Corp. 827 Hausman Road Allentown, PA 18104 | has not replied | | |
| Mr. Mike Ciamacco Verizon Communications 1800 East Race St. Allentown, Pa 18109 | 09/04/08 | | X |
| Has facilities in both streets. | | | |
| Mr. Taylor Bet UGI Utilities, Inc. 2121 Cityline Road P.O. Box 25148 Bethlehem, PA 18002-5148 | 09/02/08 | X | |
| Mr. Richard Rasch Utility Engineer | 8/29/2008 | X | |
| the City will require a drainage Easements from Wayne St to Gordon St. | | | |
| Mr. Ron Penrose Traffic Technician | 8/29/2008 | X | |
| Mr. Robert Scheirer Fire Chief Noted that if street gets gated the Fire Co. will need access. | 09/03/08 | x | |
| Michael Hilbert Communications | 9/2/2008 | X | |
| Mr. Roger MacLean Chief of Police | has not replied | | |

City of Allentown



Proposed Street Vacation

Proposed Street Vacation

N. MOHR ST. FROM GORDON ST. TO WAYNE ST. AND A PORTION OF WAYNE ST. FROM N. MOHR ST. TO THE EXTENSION OF THE WEST PROPERTY LINE OF 412 GORDON ST



0 175 350 700 Feet

1 inch = 500 feet

City of Allentown



Proposed Street Vacation

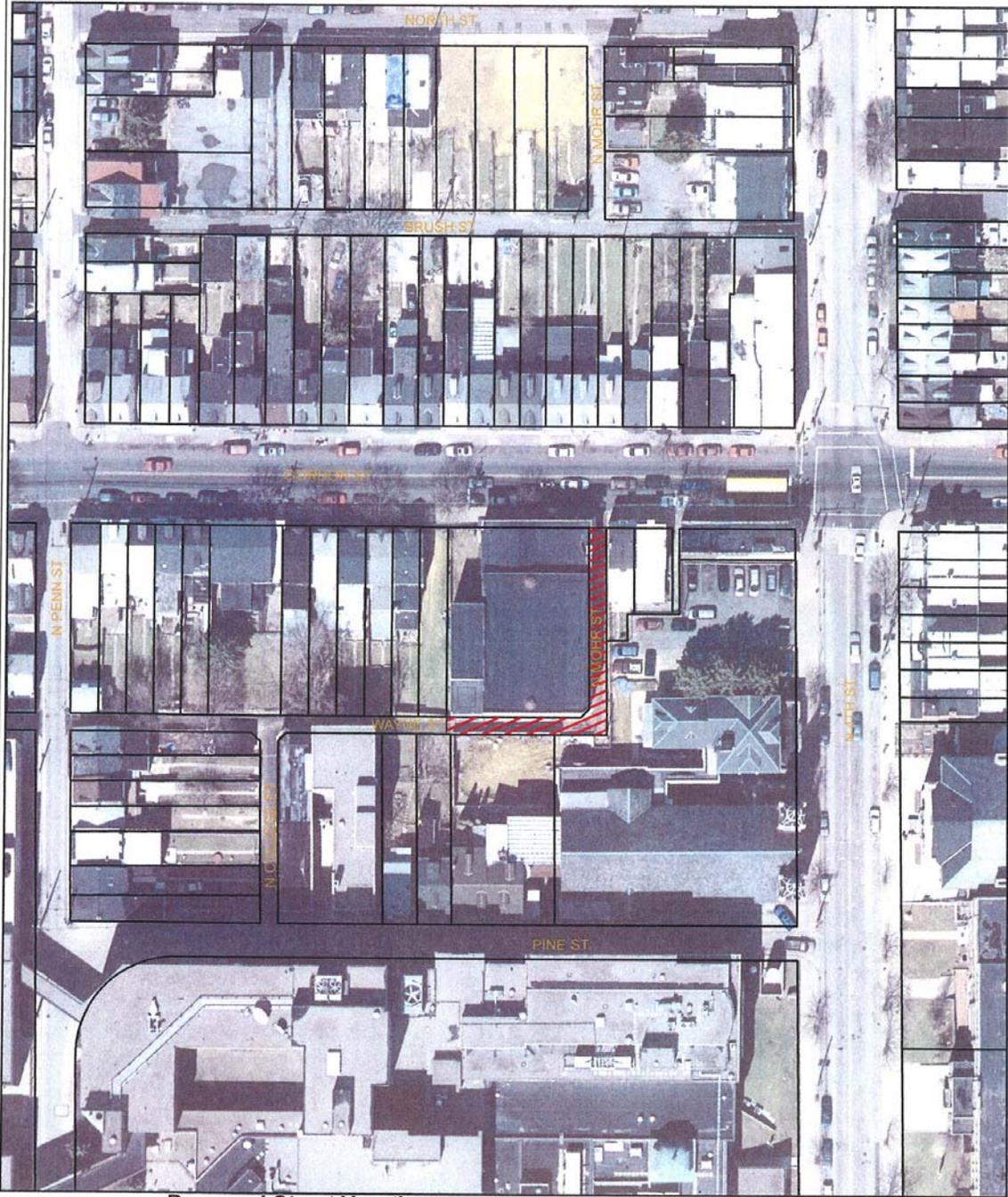
N. MOHR ST. FROM GORDON ST. TO WAYNE ST. AND A PORTION OF WAYNE ST. FROM N. MOHR ST. TO THE EXTENSION OF THE WEST PROPERTY LINE OF 412 GORDON ST



0 25 50 100 Feet

1 inch = 75 feet

City of Allentown



Proposed Street Vacation

N. MOHR ST. FROM GORDON ST. TO WAYNE ST. AND A PORTION OF WAYNE ST. FROM N. MOHR ST. TO THE EXTENSION OF THE WEST PROPERTY LINE OF 412 GORDON ST



0 25 50 100 Feet
1 inch = 75 feet



LEHIGH VALLEY PLANNING COMMISSION

961 MARCON BOULEVARD, SUITE 310, ALLENTOWN, PENNSYLVANIA 18109
610-264-4544 FAX 610-264-2616
TOLL FREE 888-627-8808

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Chair

STEVEN L. GLICKMAN
Vice Chair

ARTHUR F. BARWICK
Treasurer

MICHAEL N. KAISER
Executive Director

September 2, 2008

Mr. Michael Hanlon, City Clerk
City of Allentown
435 Hamilton Street, Room 510
Allentown, Pennsylvania 18101-1699

Dear Mr. Hanlon:

The Lehigh Valley Planning Commission has reviewed the following proposed street vacation:

**Alley south of 412-416 West Gordon Street, Wayne Street, and east of same address
Mohr Street from Wayne Street to west of the property line of St. Aloysius' building
Mohr Street from Wayne Street, north to Gordon Street**

The LVPC offers no comment on this proposal because it has no regional significance and does not conflict with any transportation improvement plans.

Thank you for forwarding the proposal for review. Please feel free to contact me if you have any questions.

Sincerely,

Michael S. Donchez
Senior Transportation Planner

MSD:kms

CITY OF ALLENTOWN

*MICHAEL P. HANLON
CITY CLERK*

June 27, 2008

Richard Young
Director of Public Works
City Hall, Allentown, PA 18101

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

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

Gentlemen:

The attached street vacation petition was received from Karen Beck-Pooley, Executive Director of the Allentown Redevelopment Authority, to vacate the following streets:

North Boyer Street from Edison Street to Linden Street

This petition is hereby referred to the City Engineer, the Planning Commission and the Lehigh Valley Planning Commission for review and recommendations.

Please submit your report to this office.

Very truly yours,



Michael P. Hanlon
City Clerk

xc: Mayor Ed Pawlowski
Karen Beck-Pooley, Director, Community Development
Oldrich Foucek, Chairman of the Planning Commission

STREET VACATION PETITION

Date 6/18/08

City Council
City Hall
278 Hamilton Street
Allentown, PA 18101

Gentlemen:

We, the undersigned and interested parties herein, request your honorable body to vacate

~~North 7th Street~~ North 7th Street PA 2017 Executive Director, Race Auth

to Boyer Street

from Edison St to Linden St

without utility encumbrances

Reason: (See Vacant lot or Street signs details)

To aid in the reuse of 716-718 Linden Street
as a parking lot

| NAME | ADDRESS |
|-----------------------------------|--|
| <u>Barbara Esposito Di Yubany</u> | <u>(42-44 N 7th) 829 Rockland St</u> <u>Allentown, PA 18107</u> |
| <u>James (Kris) Comrie</u> | <u>(38 N 7th) 920 Washington St</u> <u>Allentown, PA 18102</u> |
| <u>ACUDA</u> | <u>(22 N 7th) 341 Hamilton St, Allentown, PA 18101</u> |
| <u>ReDevelopment Authority</u> | <u>(716-718 Linden) 435 Hamilton St, Ste 330</u> <u>Allentown, PA 18101</u> |

NOTE: Send or deliver this petition to: City Clerk's Office
City Hall
278 Hamilton Street
Allentown, PA 18101

A \$500 fee is required to cover the administrative costs.

*Strike unapplicable words

STREET VACATION PETITION

Date 6/18/08

City Council
City Hall
435 Hamilton Street
Allentown, PA 18101

Gentlemen:

We, the undersigned and interested parties hereby request your honorable body to vacate

~~N. Boyer Street~~ Karen Beck Pooley, Executive Director, Redev. Auth.

N. Boyer Street

from Edison St. to Linden St.

~~with~~ without* utility easements.

Reason for Vacation of Street (give details)

To aid in the reuse of 716-718 Linden Street.
as a parking lot.

| <u>NAME</u> | <u>ADDRESS</u> |
|---|--|
| <u>Marian Estevez = DJ Yobany</u> | <u>(42-44 N. 7th) 829 Rochland St. Bethlehem, PA 18017</u> |
| <u>Elmo = Grisell Gonzalez</u> | <u>(38 N. 7th) 929 Washington St. Allentown, PA 18102</u> |
| <u>ACIDA (22 N. 7th)</u> | <u>541 Hamilton St, Allentown, PA 18101</u> |
| <u>Redevelopment Authority (716-718 Linden)</u> | <u>435 Hamilton St., Ste 330 Allentown, PA 18101</u> |

NOTE: Send or deliver this petition to: City Clerk's Office
City Hall
435 Hamilton Street
Allentown, PA 18101

A \$500.00 fee is required to cover the administrative costs.

*Strike inapplicable word.