

CITY OF BETHLEHEM

Department of Community and Economic Development

Interoffice Memo

TO: Planning Commission Members

FROM: Darlene L. Heller, Director of Planning and Zoning

RE: Proposal to rezone 11 and 15 W Garrison Street from RT – High Density Residential to CB – Central Business

DATE: August 21, 2019

Attached is a map and rezoning appeal submitted by the property owner to rezone two parcels from RT – High Density Residential to CB - Commercial Business.

Background

This appeal is submitted by a property owner that owns seven other contiguous parcels currently located in the CB – Central Business Zoning District. These additional properties front on North Street and Garrison Street as shown in the rezoning application. The property owner's eventual intent is to develop all nine parcels as one urban development.

Discussion

Both 11 and 15 W Garrison Street are detached dwellings. 11 W Garrison contains 2 units and 15 W Garrison is a single family dwelling. The CB zoning district does not permit one or two-family detached dwellings. They would be nonconforming. As noted in the appeal application, the parcels were rezoned from CB to RT back in 2005.

The 2005 rezoning was originally proposed by the City to reduce the number of nonconforming uses in CB and to limit areas of commercial or mixed use development to the core downtown area and major corridors, such as New Street. The prior rezoning eliminated from the Commercial zoning districts any of the parcels that did not immediately front on a main street, such as New Street, Union Boulevard or North Street.

The current Zoning Ordinance includes some provisions to address the transition between commercial and residential zones. For instance Buffering requirements (1318.23) apply along all commercial district boundary lines abutting a residential district. Rear yard setbacks are increased from 0 to 20 feet along district boundary lines of residential districts. Height is also limited to 75 feet along the rear 60 feet of a commercial lot abutting a residential zone.

The area proposed to be rezoned includes 5,355 square feet or .12 of an acre. Since all of the owner's holdings total .6955 acres, these two parcels consist of only 17% of the overall project.

The parcels are not in an historic district.

The existing stretch of property on New Street between W North Street and W Garrison Street, and currently owned by the same property owner and applicant of this appeal, is a mix of commercial and residential rentals in 2 ½ to 3 story buildings. The block also includes three parcels (713,715,717 New Street) that are vacant due to a recent sink hole and an area that is also vacant due to a small parking lot.

The property owner provided conceptual drawings to describe the nature of the project envisioned for this site if the rezoning proceeds. The project includes a 5-story mixed use building with parking in the rear. It appears that the proposal complies with the general intent and requirements of the CB Zoning District along with the design guidelines. The plan would obviously be reviewed in more detail as it proceeds. A lot consolidation and land development will be required.

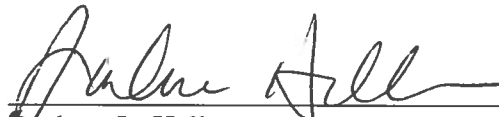
Conclusion

The Planning Bureau supports the rezoning request of 11 and 15 W Garrison Street to CB – Central Business as proposed. The same transitional provisions between the RT and CB zoning districts will apply as they do now. The project proposed by the applicant considers this transition between the new development and the existing homes to the rear with the inclusion of buffers and setbacks. The proposed project will complete the streetscape on New Street in the block between North Street and Garrison Street.

This item is placed on your August 26, 2019 Planning Commission agenda for consideration. The Planning Commission makes a recommendation to City Council for the ultimate Zoning Map revision.

cc: Mayor Donchez
A. Karner
E. Healy
File

DATE: 8-21-19



Darlene L. Heller
Director Planning and Zoning

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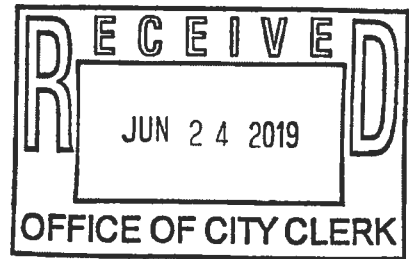


June 19, 2019

City of Bethlehem
10 East Church Street
Room B-212
Bethlehem, Pa 18018

ATTN: Bethlehem City Council
Via Robert Vidoni, Esq. City Clerk

RE: Zoning Map Amendment (Rezoning) for 11 and 15 West Garrison Street
Bethlehem, Northampton County, PA



Dear Mr. Waldron, President of Council, and Council Members,

Please consider this letter my petition for the rezoning of 11 West Garrison Street and 15 West Garrison Street. These two properties are currently in the RT-High Density Residential District. I request that these properties be changed to the CB-Central Business District. I am the sole owner of these two parcels. Additionally, I own seven adjoining parcels located in the 700 block of North New Street from West North Street to West Garrison Street. In summary:

PROPERTIES CURRENTLY ZONED CB-CENTRAL BUSINESS DISTRICT

- 14 West North Street (P6NE1A-25-18-0204)
- 701 North New Street (P6NE1A-25-17)
- 707-709 North New Street (P6NE1A-25-16)
- 713 North New Street (P6NE1A-25-15-0204)
- 715 North New Street (P6NE1A-25-14B-0204)
- 717 North New Street (P6NE1A-25-14A-0204)
- 719 North New Street (P6NE1A-25-14-0204)

PROPERTIES CURRENTLY ZONED RT-HIGH DENSITY RESIDENTIAL DISTRICT

- 11 West Garrison Street (P6NE1A-25-13-0204)
- 15 West Garrison Street (P6NE1A-25-12-0204)

I've attached a site plan showing the locations and relationship of the individual tracts to each other.

Respectfully,

Dennis R. Connell

On this, the 19th day of June, 2019, before me, the undersigned officer, personally appeared Dennis Raymond Connell, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

Commonwealth of Pennsylvania - Notary Seal
Kamalah Y. Moultrie, Notary Public
Lehigh County
My Commission Expires April 30, 2022
Commission Number 1283337

NOTARY PUBLIC

ARCHITECTURE
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15 July 2019

City of Bethlehem
10 East Church Street
Room B-212
Bethlehem, PA 18018

ATTN: Bethlehem City Council
Via Robert Vidoni, Esq. City Clerk

RE: Zoning Map Amendment (Rezoning for 11 and 15 West Garrison Street)
Bethlehem, Northampton County, PA
Response to Planning Bureau Information Request

Dear Mr. Waldron, President of Council, and Council Members,

The City Clerk, in response to a request by the Planning Bureau, has asked that I provide additional information for consideration of my Zoning Map Amendment request. Specifically: reasoning for the request, concept description and property/site information.

I purchased the first property in this group in 1982 and continued to buy the other properties as they became available. Until 2012, West Garrison Street from North New Street to Main Street was zoned CB-Central Business District. It was changed to RT-High Density Residential District during 2012. 11 West Garrison was added to my holdings in 2008 when it was zoned CB. Currently, 82% of these nine properties is zoned CB. The underlying element of my request is to return 11 West and 15 West Garrison Street to the CB zoning they had prior to 2012.

During the city-wide rezoning in 2012, North New Street was specifically addressed by City Council. Council directed the Planning Department to leave North New as CB due to the desirability for development in keeping with the Central Business District along this entry corridor to center city. The Planning Department determined that the zoning for properties that fronted on North New would remain in the CB district. When the properties under my ownership are merged, the consolidated lot will front on North New and comply with City Council's and the Planning Department's desire of having properties fronting on North New as CB-Central Business District zoning.

Because of the zoning change along West Garrison, I bought 15 West Garrison during 2018 in order to accommodate a 20' buffer yard between the CB and RT zoning districts. The Zoning Ordinance allows for a reduction in the buffer yard width to 8'. However, the concept presented leaves the buffer at 20' to provide the maximum required buffer.

My intent during this decades long series of acquisitions was to acquire enough property for a development suitable for a center city urban location. For comparison, the total combined area of my property is .6955 Acres. Nearby properties: the Boyd Theatre site is .5333 acres, 1 West Broad Street is .5294 acres and the Hyatt Hotel is .7109 acres.

The current uses in this block are residential rental units, business rentals and tenant parking. This mix has been very successful with occupancy typically at 100%. Due to the proximity to restaurants, shopping and the festival sites, this has proven to be a very desirable location. Additionally, since parking is available on-site for tenants, its convenient for having personal transportation for driving to work while being close enough to leisure activities to be walkable. I believe this last aspect is important enough that, although parking is not required in the CB district, it is included in the concept. Based on my long-term experience, the proposed concept follows a similar mix.

I have provided a site plan, floor plans and a front elevation of the concept to describe in detail the nature and extent of what I envision as a possibility for this location. I initiated the submittal to Planning to obtain a clear understanding of how the property can be developed. The review rightfully treated the two West Garrison Street properties as being zoned RT. By changing 11 West and 15 West Garrison back to CB, review comments caused by the split zoning will no longer apply and I can move forward with defining how to proceed.

Respectfully submitted,

A handwritten signature in black ink that reads 'Dennis R. Connell, AIA'.

Dennis R. Connell, AIA

attachments

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29 July 2019

City of Bethlehem
10 East Church Street
Room B-212
Bethlehem, PA 18018

ATTN: Bethlehem City Council
Via Robert Vidoni, Esq. City Clerk

VIA: EMAIL & HARD COPY

RE: Zoning Map Amendment (Rezoning for 11 and 15 West Garrison Street)
Bethlehem, Northampton County, PA
Response to Planning Bureau Information Request

Dear Mr. Waldron, President of Council, and Council Members,

I would like to correct information relative to the time line that I included in my July 15, 2019 letter.

In that previous letter, I stated that West Garrison Street from North New Street to Main Street was rezoned from CB-Central Business to RT-High Density Residential in 2012. The correct date for this zoning change was April, 2005.

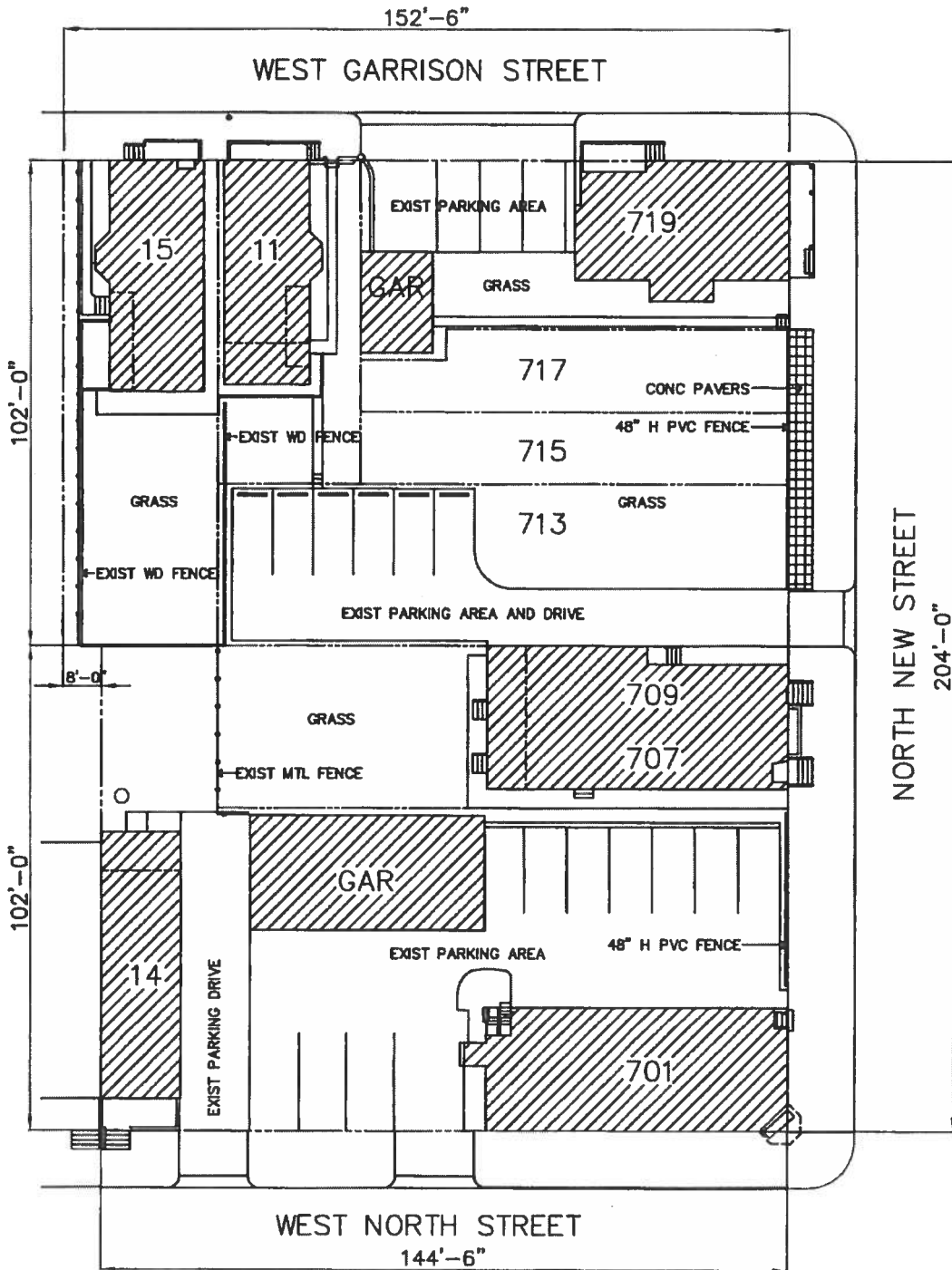
I discovered this error while researching my North New Street property files. In 2005, I wrote two letters to the City requesting that the zoning of 11 West Garrison Street and 15 West Garrison Street not be changed from CB to RT.

Additionally, the city-wide rezoning effort that I stated as 2012 actually occurred in 2010. In 2010, there was a proposal to rezone West North Street and North New Street from North Street to Union Blvd. from CB-Central Business to CL-Limited Commercial. I prepared a report that I submitted to Planning and City Council explaining why I thought West North Street and North New Street should remain in the CB zoning district. City Council agreed that the CB zoning remain unchanged for these parcels.

Respectfully submitted,

A handwritten signature in black ink that reads 'Dennis R. Connell, AIA.' The signature is written in a cursive, flowing style.

Dennis R. Connell, AIA



EXISTING SITE CONFIGURATION



June 19, 2019

**Area of Rezoning Request
(High Density Residential to Central Business District)
City of Bethlehem
Ward 9, Block 1A
Northampton County**

ALL THAT CERTAIN tract or parcel of land situate on the southerly side of West Garrison Street, between Main and North New Streets, in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, as shown on a plan prepared by Kenneth R. Hahn R.S. Drawing No. 81-151, dated July 22, 1981, known as 11 West Garrison street, bounded and described as follows:

BEGINNING at a point on the southerly right-of-way line of West Garrison Street, (50 feet wide), said point being located 90 feet westerly of the west side of North New Street;

THENCE extending along the westerly property line of land now or late George Heller, South 5 degrees 00 minutes West, 68.00 feet to a point;

THENCE extending along the northerly property line of land now or late Edward Menner, North 85 degrees 00 minutes West, 30.00 feet to a point;

THENCE extending along the easterly property line of land now or late W.J. Shennan, North 5 degrees 00 minutes East, 68.00 feet to a point on the southerly right-of-way line of West Garrison Street;

THENCE extending along the southerly right-of-way line of West Garrison Street, South 85 degrees 00 minutes East, 30.00 feet to the place of BEGINNING.

CONTAINING 2,040 square feet.

Subject to any pertinent facts that a title search might disclose.

June 19, 2019

**Area of Rezoning Request
(High Density Residential to Central Business District)
City of Bethlehem
Ward 9, Block 1A
Northampton County**

ALL THAT CERTAIN tract or parcel of land situate on the southerly side of West Garrison Street, between Main and North New Streets, in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, known as 15 West Garrison Street, bounded and described as follows:

BEGINNING at a point on the southerly right-of-way line of West Garrison Street, (50 feet wide), said point being located 120 feet westerly of the west side of North New Street;

THENCE extending along the westerly property line of land now or late Nelson Keat and wife, South 5 degrees 00 minutes West, 102.00 feet to a point;

THENCE extending along the northerly property line of Lot 17 West North Street, North 85 degrees 00 minutes West, 32.50 feet to a point;

THENCE extending along the easterly property line of land now or late Mary E. Wilbur and Catherine J. Heller, North 5 degrees 00 minutes East, 102.00 feet to a point on the southerly right-of-way line of West Garrison Street;

THENCE extending along the southerly right-of-way line of West Garrison Street, South 85 degrees 00 minutes East, 32.50 feet to the place of BEGINNING.

CONTAINING 3,315 square feet.

Subject to any pertinent facts that a title search might disclose.