

# 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 multiple parcels fronting on Blake, Linford and Decatur Streets**

**DATE:** August 21, 2019

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Attached is a map and rezoning appeal submitted by the property owners to rezone four separate parcels (or portions of parcels) from RS – Single Family Residential to RG – Medium Density Residential.

### **Background**

This appeal is submitted by four separate, abutting property owners. The appeal includes rezoning only a portion of three of the properties. The City does not typically approve split zoning parcels so, if the rezoning is to be considered, each of these 3 parcels will need to be subdivided.

### **Discussion**

The immediately surrounding area includes a mix of zoning districts. The RG zoning district exists on the north side of Blake Street. The RS zoning district exists to the immediate east, west and south of these parcels. The RT (High Density Residential) zone exists on the south side of Decatur Street.

The combined land area of all of the parcels proposed to be rezoned is 2.51 acres. This lot size accommodates 13 single family detached residential units as currently zoned in RS. The requested RG zoning allows singles, twins, townhomes and multi-family dwellings. The maximum number of by-right multi-family residential units that would be permitted is 27. In addition, a maximum building height in RG for multi-family dwellings is 5 stories or 60 feet as opposed to 2 ½ stories and 35 feet permitted in the current RS zone. Currently, the conceptual drawing accompanying the rezoning application shows a single home, twins and townhomes totaling 23 units.

The north side of Blake Street contains the Spring Garden Townhouse Apartments, a complex of rental townhomes. The vast majority of homes to the east, south and west of the area to be rezoned are comprised of single family detached homes.

Earlier in 2019 the center property, owned by Blake Street Properties LLC, received several variances from the Zoning Hearing Board to allow three sets of twins on 6 subdivided lots. The subdivision and land development proposal for this property is tentatively scheduled for the August Planning Commission meeting for review.

Blake Street is open from Henderson Street for a length of approximately 470 feet. The remaining approximate 300 feet is unopened and was never developed.

Linford Street is to the east of the properties to be rezoned. Although it includes a 30 foot right of way width, it currently only serves as an alley or secondary street allowing access to garages to the rear of existing single family detached homes. The cartway area is 20 feet wide.

It appears that significant infrastructure upgrades are necessary to both Blake and Linford Streets if the eastern portion of the area to be rezoned is developed.

It also appears that significant extensions to sewer and water infrastructure will be necessary to serve the area to be rezoned. Water and sewer lines need to be extended for development of the properties as shown.

### **Conclusion**

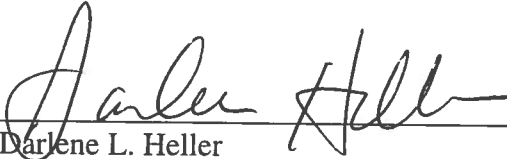
The Planning Bureau could recommend the approval of the Blake Street properties only following the submission and review of more detailed information regarding the future use, development and access to the parcels. Rezoning does make sense because of the variety of zoning districts already in close proximity to these parcels. However, any future development of the parcels should be in conformity to the surrounding area and supporting infrastructure should be in place to accommodate the new development.

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

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cc: Mayor Donchez  
A. Karner  
E. Healy  
File

DATE: 8-21-19

  
\_\_\_\_\_  
Darlene L. Heller  
Director Planning and Zoning

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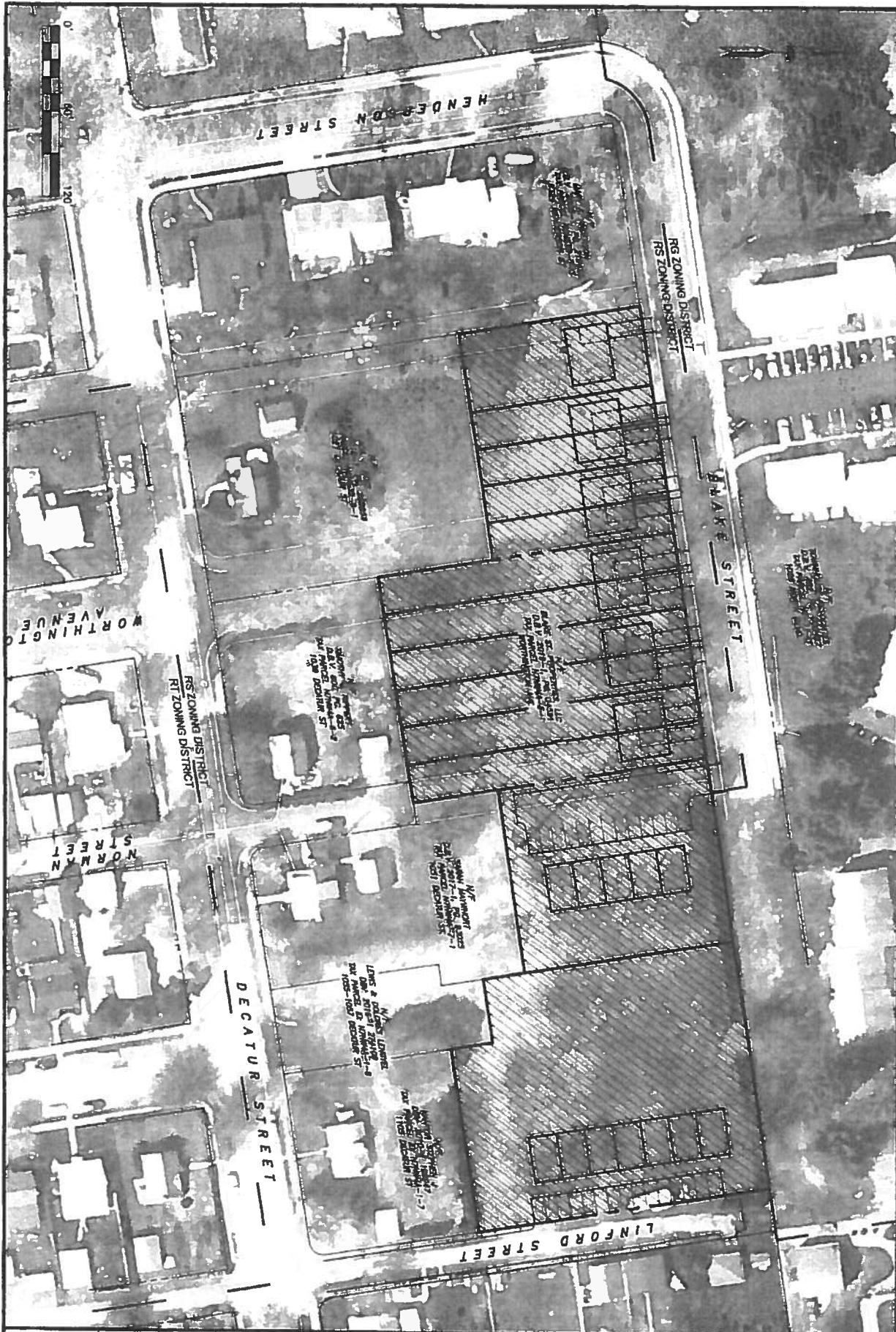
From: James J. Holzinger, Esquire  
To: City Council  
Re: Blake Street Properties Rezoning Petition  
Date: July 31, 2019

This memorandum supplements the Joint Petition ... for an Amendment ... to the City Zoning Map filed on behalf of four landowners. One such owner, Blake Street Properties, LLC has received certain variances from the Zoning Hearing Board to develop six (6) semi-detached dwelling units (twin homes) to front on Blake Street. A subdivision and land development plan is to be filed for approval by the Planning Commission.

The other owners referenced in the Petition, namely Dolores F. and Lewis F. Lengyl, Ada Ruiz and Sarah Maywhert intend to file plans to subdivide the area of their properties requested to be rezoned so that each such zoned area is separate from their main parcel (the area not to be rezoned). It is believed, and therefore averred, that each such subdivided vacant parcel would meet the dimensional standards of the requested zoning change to RG.

Attached is a concept plan for the portions of the four (4) properties for which a rezoning is requested. It reflects the twin homes on the Blake Street Properties parcel (for which Zoning Board approval has been granted), and shows an overall plan of single family detached, single family semi-attached, single family attached and multi-family dwellings for the other three parcels requested to be rezoned.

As set forth in the Petition, the Petitioner believes that this rezoning will facilitate reasonable development of the parcels and act as transitional housing between the multi-family dwellings to the north and the single family homes to the south and west. Petitioner acknowledges that in addition to a rezoning of the properties, subdivision and land development approvals will need to be pursued in the usual manner. Petitioner further believes that the rezoning avenue is a better approach than each Petitioner subdividing their parcels and thereafter, individually seeking variance(s) from the strict application of the requirements the RS Zoning District to facilitate the development shown on the attached concept plan.



NO.	DATE	BY	REVISION
1	01/18/11	KE	ISSUED FOR PERMITTING
2	01/18/11	KE	ISSUED FOR PERMITTING
3	01/18/11	KE	ISSUED FOR PERMITTING
4	01/18/11	KE	ISSUED FOR PERMITTING
5	01/18/11	KE	ISSUED FOR PERMITTING
6	01/18/11	KE	ISSUED FOR PERMITTING
7	01/18/11	KE	ISSUED FOR PERMITTING
8	01/18/11	KE	ISSUED FOR PERMITTING
9	01/18/11	KE	ISSUED FOR PERMITTING
10	01/18/11	KE	ISSUED FOR PERMITTING

**ZONING APPEAL EXHIBIT**  
**CONCEPTUAL MULTI-LOT SUBDIVISION**  
**& RE-ZONING PLAN**  
 AT LINCOLN PARK  
 BETHLEHEM CITY  
 NORTHAMPTON COUNTY, PENNSYLVANIA



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DESIGNED BY	KJH
DRAWN BY	KJH
CHECKED BY	KJH
DATE	MAY 24 2019
SCALE	1"=60'
KCE JOB NO	CB 18-117
SHEET	C1 OF 1

REVISIONS	
BY	DATE
KJH	07/01/2019

**ZONING APPEAL EXHIBIT**

**CONCEPTUAL MULTI-LOT SUBDIVISION & RE-ZONING PLAN**

AT LINCOLN PARK

BETHLEHEM CITY

NORTHAMPTON COUNTY, PENNSYLVANIA



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JOINT PETITION TO THE CITY COUNCIL OF THE CITY OF BETHLEHEM  
FOR AN AMENDMENT TO THE CITY ZONING ORDINANCE  
BY REVISION TO THE CITY ZONING MAP

AND NOW, come the Petitioners, Dolores F. Lengyel and Lewis F. Lengyel, by and through their attorney, Joseph J. Piperato, III, Esquire; and Ada J. Ruiz, Sarah Maywhort and Blake Street Properties, LLC, by and through their attorney, James J. Holzinger, Esquire, who jointly petition City Council for the revision of the City's Zoning Map, in the manner set forth below.

1. Petitioners, Dolores F. Lengyel and Lewis F. Lengyel, are the legal owners of 1055-1057 Decatur Street (the "Lengyel Property").

2. Petitioner, Ada Ruiz, is the legal owner of 1021 Decatur Street (the "Ruiz Property").

3. Petitioner, Sarah Maywhort, is the legal owner of 1051 Decatur Street (the "Maywhort Property").

4. Petitioner, Blake Street Properties, LLC, is the legal owner of a property fronting on Blake Street, between the paper street extensions previously known as Washington and Norman Streets (the "Blake LLC Property").

5. The Blake LLC Property fronts on Blake Street, east of Henderson Street, between the Ruiz Property and the Maywhort Property.

6. The rear portion of the Ruiz Property fronts on Blake Street and abuts the Blake LLC Property to the west.

7. The rear portion of the Maywhort Property fronts partially on Blake, and abuts the Blake LLC Property to the east.

8. The "front portion" of the Lengyel Property fronts on Decatur Street, with the "rear portion" enjoying frontage on Linford Street, with the rear portion also abutting the Maywhort Property to the east.

9. By separate application, Ruiz, Maywhort and Lengyel intend to submit subdivision plans to subdivide their respective lots into two parcels each, one vacant lot on each tract to be created to the rear of the developed portion of the existing lots (please see attached Plan).

10. All of the Petitioners' properties are currently zoned RS.

11. The property on the northern side of Blake Street consists of 11.24 acres, is zoned RG, and has on it a townhouse style multi-family dwelling development known as Spring Garden Townhouses.

12. In conjunction with the subdivision of their respective properties, the Petitioners Ruiz, Maywhort and Lengyel request that the northernmost vacant lot to be created on each of their properties be rezoned from RS to RG, with the Petitioner, Blake Street Properties, LLC joining in this request to rezone all of its lot from RS to RG.



13. The Petitioners aver that the extension of the RG Zoning District (A) is not spot zoning (it being a southward continuation of the existing RG zone already existing to the north), (B) would facilitate a more comprehensive development of the parcels (a "piecemeal" development being limited by the existence of the paper streets, and in the case of the Maywhort Property, a lack of full street frontage), and (C) would lend itself to better coordinated public improvements.

14. The Petitioners aver that the proposed request will also act to facilitate transitional housing between the multi-family dwellings to the north and the single family homes to the south.

WHEREFORE, Petitioners pray that City Council revise the City's Zoning Map by rezoning from RS to RG portions of the Ruiz Property, Maywhort Property and Lengyel Property, and all of the Blake LLC Property.

Date: July 2, 2015

*[Handwritten scribble]*

\_\_\_\_\_  
Ada Ruiz

*[Signature]*  
\_\_\_\_\_  
Sara Maywhort

*[Signature]*  
\_\_\_\_\_  
Dolores F. Lengyel

*[Signature]*  
\_\_\_\_\_  
Lewis F. Lengyel

BLAKE STREET PROPERTIES, LLC

By: *[Signature]* LLC

\_\_\_\_\_  
Authorized Member  
*[Signature]* - LLC





CB-18-137

July 31, 2019

**MULTI-LOT METES AND BOUNDS DESCRIPTION  
FOR  
OVERALL AREA TO BE REZONED  
CITY OF BETHLEHEM, NORTHAMPTON COUNTY  
BLAKE ST. PROPERTIES, LLC**

**ALL THAT CERTAIN** tract or parcel of land situate along the southerly side of Blake Street, the westerly side of Linford Street, and north of Decatur Street in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows to wit:

**BEGINNING** at a point in the southerly right-of-way line of Blake Street (50 feet wide) being the northwesterly corner of lands now or formerly of Ada J. Ruiz;

Thence following said lands now or formerly of Ada J. Ruiz, North 81 degrees 22 minutes 11 seconds East, 160.00 feet to a point being a common corner of lands now or formerly of Blake St. Properties, LLC;

Thence following said lands of Blake St. Properties, LLC, North 81 degrees 22 minutes 11 seconds East, 160.00 feet to a point being a common corner of lands now or formerly of Sarah Maywhort;

Thence following said lands of Sarah Maywhort, North 81 degrees 22 minutes 11 seconds East, 130.00 feet to a point being a common corner of lands now or formerly of Lewis J. & Dolores F. Lengyel;

Thence following said lands of Lewis J. & Dolores F. Lengyel, North 81 degrees 22 minutes 11 seconds East, 175.00 feet to a point in the westerly line of Linford Street;

Thence following the westerly line of Linford Street, South 09 degrees 01 minutes 49 seconds East, 208.69 feet to a point;

Thence following said lands of Lewis J. & Dolores F. Lengyel, South 80 degrees 58 minutes 09 seconds West, 130.00 feet to a point;

Thence in and through said lands of Lewis J. & Dolores F. Lengyel, the following three (3) courses and distances:

1. North 09 degrees 01 minutes 49 seconds West, 30.00 feet to a point;
2. South 80 degrees 58 minutes 11 seconds West, 45.00 feet to a point;
3. North 09 degrees 01 minutes 49 seconds West, 29.91 feet to a point;

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Thence in and through aforementioned lands of Sarah Maywhort, South 81 degrees 22 minutes 21 seconds West, 130.00 feet to a point;

Thence following aforementioned lands of Blake St. Properties, LLC, South 09 degrees 01 minutes 49 seconds East, 60.82 feet to a point;

Thence in and through said lands of Blake St. Properties, LLC, South 80 degrees 58 minutes 11 seconds West, 160.00 feet to a point;

Thence following aforementioned lands of Ada J. Ruiz, North 09 degrees 01 minutes 49 seconds West, 81.93 feet to a point;

Thence in and through said lands of Ada J. Ruiz, South 81 degrees 22 minutes 11 seconds West, 160.00 feet to a point;

Thence following said lands of Ada J. Ruiz, North 09 degrees 01 minutes 49 seconds West, 130.00 feet to the point and place of beginning.

**CONTAINING:** 109,397.41 Square Feet of land more or less.

**SUBJECT** to any pertinent facts a title search might disclose.