

CITY OF BETHLEHEM

Department of Planning and Zoning

Interoffice Memo

TO: Planning Commission Members

FROM: Tracy E. Samuelson, Planning and Zoning Bureau

RE: Waiver/Modifications Requests for Insufficient Lot Area and Insufficient Off-Street Parking and Loading at 610 E. 3rd Street

DATE: February 10, 2020

Enclosed is a waiver/modification request letter for 610 Flats from Nave Newell, dated February 5, 2020. Waivers/modifications are being requested in accordance with Article 1308.01.c of the Zoning Ordinance for insufficient off street parking, insufficient lot area, and insufficient off street loading for Building B. The requests are as follows:

- Construction of a 5 story mixed use building (Building B) known as 610 Flats, containing 20,998 sf of gross first floor retail with 74 residential apartments on floors 2 through 5 above. With the inclusion of existing Building A (510 Flats), containing 24,077 sf of gross first floor retail and a total of 95 existing residential apartments, they jointly contain 169 residential apartments and 45,075 sf of gross first floor area on lots A and B of Greenway Commons.
- **Article 1308.01.d - Insufficient Lot Area per Dwelling Unit.** Construction of 169 residential apartments with insufficient minimum lot area per dwelling unit on Lots A and B. Total sf of both parcels is 124,190 sf. Minimum lot area per dwelling unit is 1200 sf, therefore 103 dwelling units are permitted and 169 dwelling units are requested. In other terms, 734 sf of lot area per dwelling unit is requested instead of 1200 sf.
- **Article 1319.01.a.1.ii – Insufficient Off Street Parking for Multifamily Dwellings.** Required off street parking spaces per dwelling unit is 1.75 spaces. Proposed off street parking spaces in this proposal is 1.10 spaces per dwelling unit. In other terms, 296 spaces are required for 169 apartments and 186 off street residential spaces are proposed, a difference of 110 spaces.
- **Article 1319.01.a.18 and 31 – Indoor Retail Businesses and Restaurant Parking.** When the Greenway Commons plan was originally approved in 2014, the first floor commercial tenants were not known. Therefore the parking formula was based on indoor retail businesses (4 parking spaces per 1,000 sf of gross floor area). Buildings A and B needed 181 off street parking spaces based on overall gross sq ft of 45,075 sf of combined floor area. Building A is fully occupied and/or leased with mainly restaurant uses and one retail use. Building A's updated required parking is 95 spaces. Building B's proposed parking requirement is 64 spaces (3 retail tenants and one proposed restaurant). **The current combined parking requirement for Building A and B's first floor nonresidential uses are 159 spaces, as more fully described in the attached letter**

from Nave Newell. No off street parking spaces are proposed for these uses. Instead, 60 new on-street metered spaces are proposed. (See attached exhibit)

- **Article 1319.04.a – Off Street Loading for Building B.** One off street space is required. One 9' by 35' on-street loading space in front on 610 Flats is proposed.

Article 1308.01.c of the Zoning Ordinance allows modifications to the Zoning Ordinance regulations to be granted by the Planning Commission for such things as dimensional requirements in the IR-R Zoning District if existing site conditions, the nature of the proposed use, hardships, or innovations in technology warrant a waiver.

Attached is a letter from Peron Development dated January 8, 2020, highlighting the reasons for the waiver/modifications requests. We recommend the granting of the insufficient lot area, insufficient off street parking, and lack of one off street loading space waiver requests for the following reasons and with the following conditions:

1. Because of the success of the 95 luxury apartments in 510 Flats and overwhelming demand for additional apartments, Peron Development wishes to revise its approved land development plan for Building B (610 Flats) from a 4 story building containing 1st floor retail and 3 upper stories of offices to a 5 story building containing 1st floor retail and 4 upper stories containing 74 luxury apartments. These 169 apartments will utilize 65 spaces at 510 Flats, 51 spaces at 610 Flats, 47 spaces at the proposed parking lot at Evans and Buchanan Streets, and 23 contracted spaces in the proposed Polk Street Parking Garage (see attached drawing to Peron Development letter). The total proposed spaces are 186, therefore 1.10 spaces per dwelling unit are proposed instead of the required 1.75 spaces per dwelling unit. Peron Development has the ability to provide additional parking by securing more leased spaces in the Polk Street Parking Garage, once it opens, or in the NCC Southside parking lot fronting on E. 3rd Street, which Peron Development owns. If residents park in the neighborhoods to the south, additional deck parking may be a future option for the developer. Peron's letter also includes a parking survey of other Bethlehem apartment building residents concluding that urban apartments require much less than 1.75 parking spaces per dwelling unit.
2. The majority of the uses in both first floor retail areas are restaurants. Floor plans will be provided indicating mainly restaurants and a few retail uses occupy these areas. A significant portion of the first floors in Building A and B are amenity spaces for the residents, including meeting areas, fitness center, dog washing room, mail/package pick up area, and leasing offices while mechanical and electrical rooms occupy other portions of the 1st floors. These floor plans will be provided at the Commission meeting. The updated off street parking requirement for the first floors of both buildings is 159 spaces and one loading space. The applicant proposes to update the on street parking on E. 3rd Street by maintaining 9 on street metered spaces and providing 51 new on street metered spaces and one 9' by 35' loading space. Included with the metered spaces will be line striping changes on E. 3rd Street, as indicated in the City review letter dated February 7, 2020. Since restaurants will be open in the evening, apartment dwellers and restaurant patrons will be competing for the same spaces. Therefore 159 restaurant/retail spaces are required and 60 public metered spaces are requested. An additional letter from the Executive Director of the Bethlehem Parking Authority is attached. It states that additional parking spaces will be available for transient retail/restaurant patrons in the parking garage.

Since many parking spaces are also available behind the NMIH building and the proposed parking garage, we recommend approval of all waivers with the following conditions:

1. The Evans Street Parking lot must be leased to Building B apartment residents with proof of leasing submitted to the Planning Bureau.
2. If significant neighborhood parking complaints are received after full occupancy of Building B, Peron Development shall secure additional spaces at the Polk Street Parking Garage or otherwise provide other opportunities for off-street parking.
3. Bethlehem Parking Authority must approve the on-street loading space in front of 610 Flats.

These waiver/modifications requests will be presented at the February 13, 2020 meeting.



Tracy E. Samuelson
Assistant Director of Planning and Zoning

Cc: Rob de Beer, Peron Development
Paul Ledyard, Nave Newell
T. Wells

Enclosures



January 23, 2020
January 29, 2020 (Revised)
February 5, 2020 (Revised)

Darlene L. Heller, AICP
Director, Planning & Zoning Department
City of Bethlehem
10 East Church Street
Bethlehem, PA 18018

**Reference: Greenway Commons - Waiver Requests
City of Bethlehem, Northampton County, PA
Nave Newell No. 2013-076.01**

Dear Ms. Heller:

On the behalf of our client, Peron Development, LLC, attached herein please find 5 copies of the Zoning Plan for Greenway Commons, Project Narrative and \$250.00 review fee.

As you may be aware, the Building B has been revised. With respect to Building B (Six10 Flats), the applicant is now proposing 20,998 SF of gross first floor retail with 74 residential apartments on floors two thru five above. Including Building A (Five10 Flats), a total of 169 residential apartments and 45,075 SF of gross first floor area are now proposed on Lots A and B of Greenway Commons.

With respect to these proposed revisions, the applicant is seeking the following waivers from the City ordinance requirements:

- 1) Section 1308.01(d)1: Residential Uses in the IR-R District. The applicant respectfully requests a residential lot area of 734 SF per dwelling unit in lieu of the 1,200 square feet lot area otherwise required.
- 2) Section 1319.01(a)(1)(ii): Multi-family Off-Street Parking: Permit off-street parking at a rate of 1.10 spaces per dwelling unit, or 186 off-street residential parking spaces, when a parking rate of 1.75 spaces per dwelling unit, or 296 parking spaces, is otherwise required.
- 3) Section 1319.01(a)18 and 31: Indoor Retail Businesses and Restaurant Parking: Permit 60 on-street metered parking spaces for 45,075 SF of combined gross floor area consisting of a combination of indoor retail businesses, restaurants and common area where 181 off-street parking spaces are otherwise required.

a. Building A: Gross Floor Area & Parking Schedule

Building A: 24,077 SF GFA X 4sp/1000 SF Required 97 Spaces

b. Proposed Building A Parking - Waiver Request: Net-leasable Floor Area 14,478 SF

- i. Starbucks: 2,014 SF*, 30 seats, 3 employees** 10 Spaces
- ii. El Jefe: 1,784 SF*, 42 seats, 5 employees** 14 Spaces
- iii. Mr. Lee's: 3,737 SF*, 106 seats, 10 employees** 32 Spaces
- iv. Wine & Bottle Shop: 878 SF* 4 Spaces
- v. Proposed Restaurant, 6,065 SF*, 120 seats, 10 employees** 35 Spaces

Proposed Building A Parking - 95 Spaces



Darlene L. Heller, AICP
Nave Newell No. 2013-076.01
February 5, 2020
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c. Building B: Gross Floor Area & Parking Schedule

Building B: 20,998 SF GFA X 4sp/1000 SF Required 84 Spaces

d. Proposed Building B Parking - Waiver Request: Net-leasable Floor Area 12,069 SF

- i. Tenant A (Proposed Restaurant): 3,389 SF*, 96 seats, 6 employees** 27 Spaces
- ii. Tenant B (Retail): 3,285 SF* 14 Spaces
- iii. Tenant C (Retail): 3,285 SF* 14 Spaces
- iv. Tenant D (Retail): 2,110 SF* 9 Spaces

Proposed Building B Parking - 64 Spaces

e. Total Proposed Building A and B Indoor Retail & Restaurant Parking 159 Spaces

- * Net-Leasable Area
- ** Restaurant employees at largest shift

4) Section 1319.04(a): Off-Street Loading: Permit one (1) 9' x 35' on-street loading space for Building B when one (1) off-street loading area is required.

Respectfully submitted,

Paul E. Lepard, Jr, RLA, PP

PEL/jjh

cc (via email): R. de Beer | Peron Development, LLC

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PERON DEVELOPMENT

January 8, 2020

Darlene Heller
Director of Planning
City of Bethlehem
10 East Church Street
Bethlehem, PA 18018
RE: Six10 Flats

Please allow this letter to accompany the attached application for the redevelopment of the lot located at 600 E. Third Street, Bethlehem, PA 18018 (PIN P6 SE 1B 720204). This property was the subject of a multiple lot development proposed and approved in 2015, for the development of a mixed-use building featuring street level retail and 63,000 SF of Class A Office space on the upper floors. With this submission, we are proposing changing the use on the upper floors from office space to residential units, specifically eliminating the 63,000 SF of office space, and in its place, constructing 74 luxury apartments.

By way of background, Bethworks Renovations LLC was the owner of both parcels in 2015. Bethwork's affiliate, Bethworks Greenway A LP recently completed the construction of the first mixed-used structure, Five10 Flats, a mix of 95 luxury apartments and 14,500 SF of street-level retail. With the success of the first building, the extraordinary demand for residential units in Five10 Flats, and the continued desire to redevelop the former blighted properties of Bethlehem Steel, we now propose this change from office to residential.

In furtherance of this request, we are submitting a land use application and request an appearance in front of the City of Bethlehem Planning Commission, to seek any and all relief necessary to construct a five-story, mixed-use building featuring approximately 12,100 SF of street-level retail and 4 floors comprised of 74 luxury rental units.

Specifically, we are seeking the following relief from the Planning Commission

1. The 2015 approved plan consolidated several lots in common ownership to determine a total density for the development area. At that time, it was approved for 110 residential units. The current plan proposes 74 new units. These 74 new units coupled with the 95 completed residential units total 169 units. We are seeking relief to allow 59 additional residential units.
2. The current proposal of 74 residential units, coupled with the 95 completed residential units totals 169 units on the two parcels of property that comprise Five10 Flats and Six10 Flats. Section 1308.01(d) of the City's zoning ordinance allows a minimum average

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density of 1,200 SF of lot area per dwelling unit. The total square footage of both parcels is 124,190 SF and at 1,200 SF per dwelling unit, 103 units would be permitted by right under the zoning ordinance. This proposal is seeking relief to allow a total of 169 units, or 66 more and reduce the minimum lot area per dwelling unit to 734.8 SF.

3. The current proposal is seeking relief from the requirement of providing an off-street loading space. Rather, we are proposing to add on-street metered parking in front of the building and the applicant will install marking to permit a 35-foot-long, loading/unloading zone in front of the building. This request is appropriate, given the nature of truck deliveries. At Five10, we provided a 35-foot loading/unloading zone in the rear parking lot per the ordinance. We have three eateries, and one soon to open, in the 500 block and the loading space in the rear of the building has never been used. In fact, as has similarly been proposed here, we installed a loading zone on Third street in front of the retail and that is used daily by the food service tenants with no disruption to parking or vehicular traffic.
4. We are seeking relief from parking as follows;
 - a. Residential
 - i. The 169 residential units would require, per the City's zoning ordinance, 1.75 spaces unit, or 296 spaces.
 - ii. We are providing, on the Five10 Flats lot, the Six10 Flats lot and the lot across the greenway at the corner of Pierce and Evans (615 Evans Street, PIN: P6 SE 2A 430204) a total of 163 off-street parking spaces. Further, we have secured a commitment from the Bethlehem Parking Authority an additional 23 contract parking spaces in the Polk Street Garage. In total, we have 186 off street parking spaces for the 169 units, or a ratio of 1.10 spaces/unit.
 - iii. Therefore, we are seeking relief to provide 1.10 spaces/unit for the residential units. As you can see from the attached parking summary, we would be able to accommodate the required off-street parking requirement with surface parking on the lot at the corner of Third and Fillmore and on the Lot between the SGO and NCC, however, we feel it is not in the best interest of the Polk Street Garage to have competing, free parking available to retail shoppers. Further, and as discussed with Planning staff, we do not want to restrict the potential for future Third Street corridor development by imposing upon those lots the requirement they remain as surface parking to satisfy a parking demand which could be met elsewhere.



PERON DEVELOPMENT

iv. The reduction in residential parking is supported by the following information gathered in anticipation of this proposal. We surveyed existing one- and two-bedroom residential projects to determine the actual parking needs for apartments in urban areas of downtown Bethlehem. As you can see from below, urban developments require far fewer spaces than what is prescribed in the Zoning Ordinance.

1. Five10 Flats – 95 units, 104 vehicles = 1.10 spaces/unit
2. Chelsea Commons – 30 units, 29 vehicles = .97 spaces/unit
3. Bungalow – 23 units, 23 vehicles = 1.00 spaces/unit
4. Pinnacle 65 – 48 units, 55 vehicles = 1.15 spaces/unit

v. Lastly, as a “failsafe”, in the event there is more residential parking demand than spaces provided, there is opportunity for additional residential parking in the Polk Street Garage. Residential parkers dovetail nicely with office parkers as they occupy the Garage at different times of the day and allow for spaces to be “double sold”.

b. Retail

i. The zoning ordinance has a general retail parking requirement of four spaces per 1,000 SF. Although the building footprints are larger, much of the ground floor space of these buildings are utilized for tenant services, such as fitness center, lounge area, storage etc, or used for building mechanical systems, electrical rooms and water meter rooms. The net leasable square footage of the two buildings is approximately 26,600 SF. This would create a need of about 106 off street parking spaces. Or, if we were to apply the parking standard calculating the retail parking need for the food service uses based upon seats, we would need approximately 120 spaces. In either scenario, we are seeking relief to not provide these off-street parking spaces, but rather to encourage and direct retail parkers to use either the Polk Street Garage or to use metered on-street parking that we will be installing. The Executive Director of the Parking Authority supports our concept of not providing off-street retail parking, but pushing retail parkers to the Polk Street Garage.

ii. You can see from the attached plan; this proposal includes us installing 51 new on street meter spaces and one on-street loading spaces. These coupled with the nine on-street spaces we recently installed during the Five10 Flats construction would total 61 new, on-street meter spaces to



PERON DEVELOPMENT

provide parking opportunities for retail shoppers and supplement the Polk Street Garage.

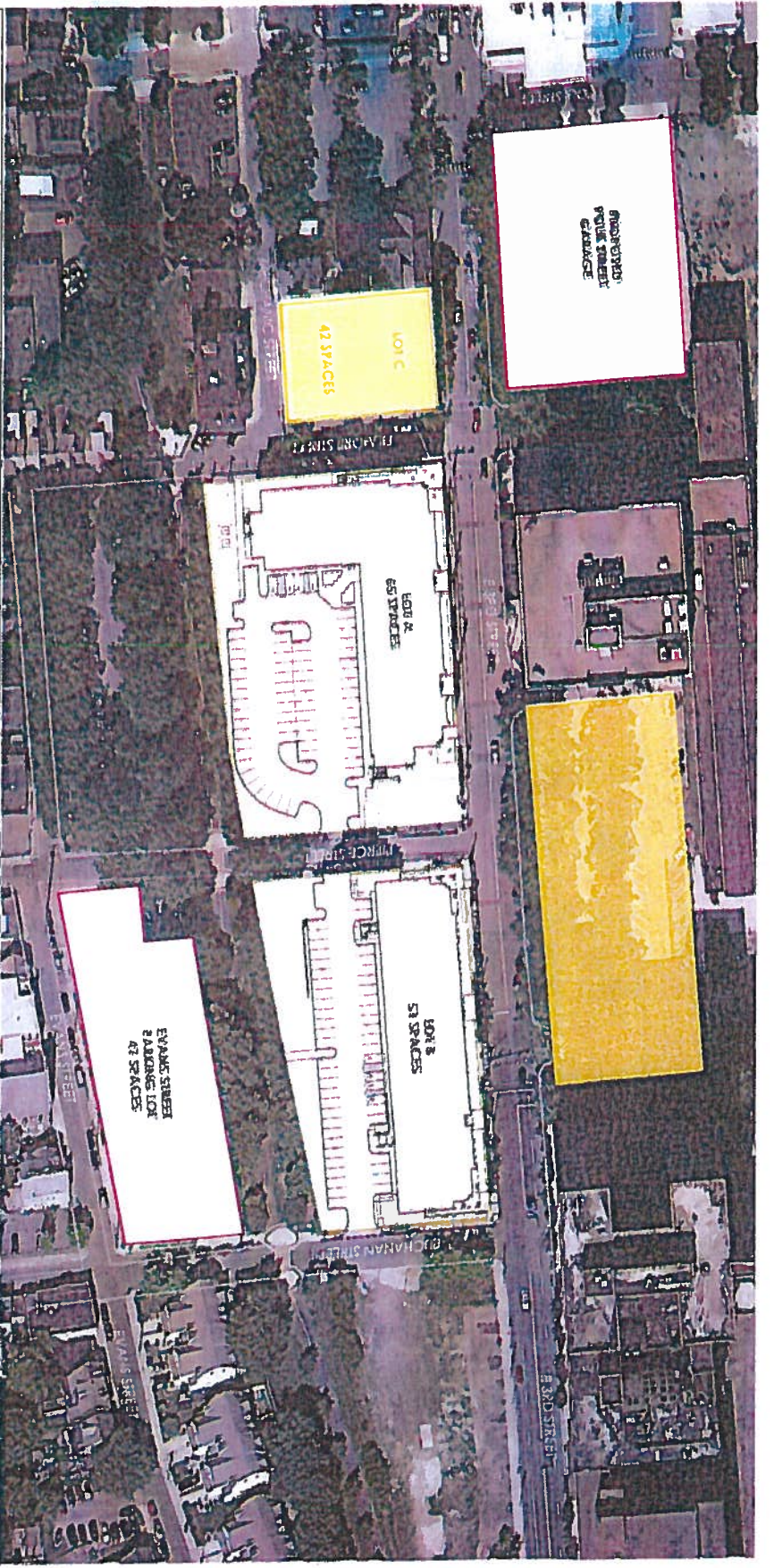
The proposed building would be of the same height, scale, and complimentary aesthetic of the recently completed 510 Flats. The density variance being sought is appropriate for the IR-R zone, as this type of mixed use promotes the revitalization and infill of underutilized properties that historically were used for older industrial uses by combining complimentary commercial uses in the same building as apartments.

Upon the closing of Bethlehem Steel, the City forefathers were wise to empower the Planning Commission to administer and oversee the redevelopment of the former steel land, creating the IR and IR-R districts to be the City's most flexible. It was in this vein, we are proposing the enclosed development, which seeks to maximize density, and in doing so, we will be afforded the opportunity to develop a new building in dimension, scale and density that is appropriate with those that surround it, re-purpose a blighted and vacant lot in the heart of the South Bethlehem redevelopment area and put back into productive use a significant ratable.

We look forward to an appearance in front of the City Planning Commission.

Very truly yours

Rob de Beer



RESIDENTIAL PARKING REQUIREMENT 1.75 Spaces/Unit = 296 SPACES

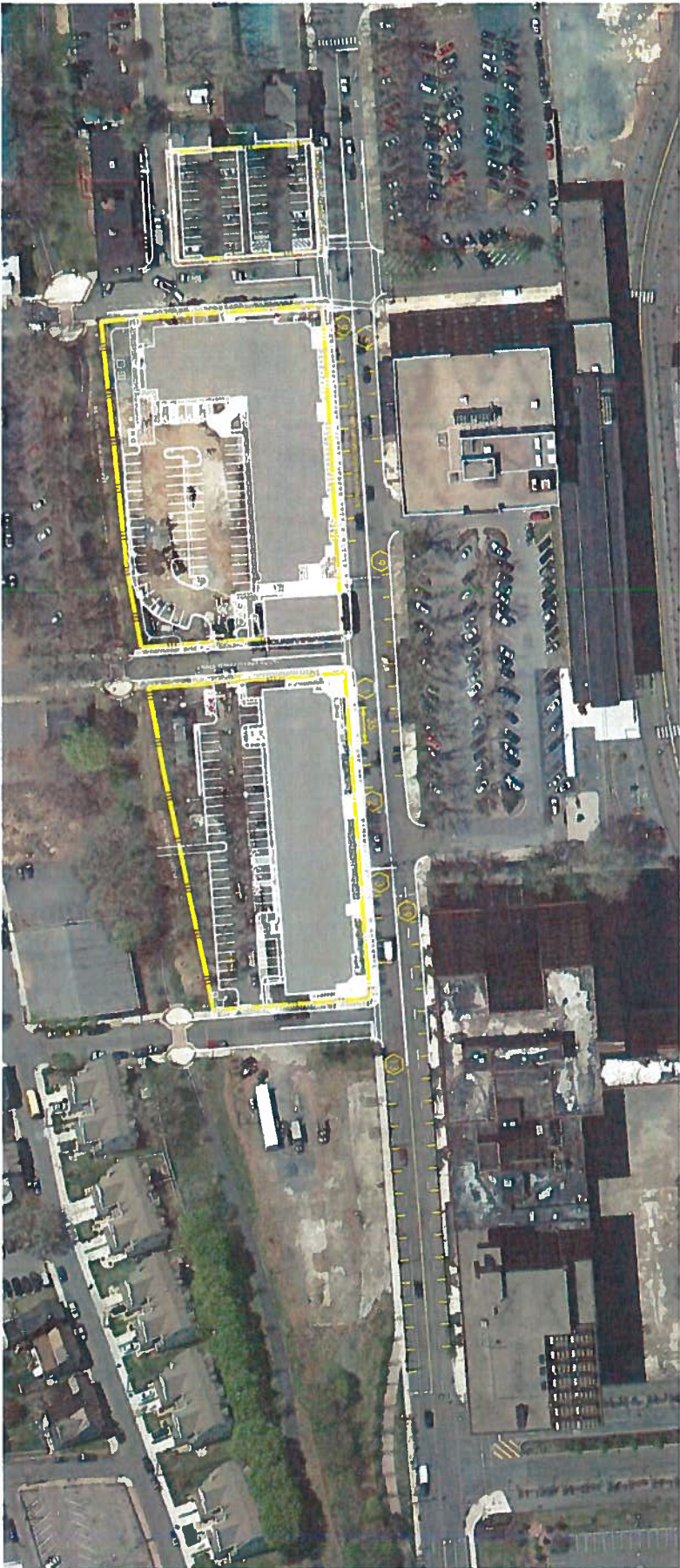
LOT A -	FIVE10 Flats	95 Units	65 Parking Spaces
LOT B -	SIX10 Flats	74 Units	51 Parking Spaces
Evans St -	Planned Parking		47 Parking Spaces
Polk St Deck -	Parking Garage		23 Parking Spaces (Contracted)
TOTAL -		169 Units	186 Parking Spaces 1.10 Spaces/Unit

Seeking a variance to reduce the required parking to 1.10 Spaces/Unit

RETAIL PARKING REQUIREMENT 4 Spaces/1,000SF = 100 SPACES or 120 SPACES if using Restaurant Zoning criteria

Proposing that all Retail Parking use Pay Meters on Street (see attached) or Polk Street Garage

The lots shaded in yellow are owned by a related entity of the developer and total about 125 off street parking spaces. Should there be a need for additional parking, these lots could be used to satisfy a parking demand. It is the intent however, to direct retail parkers to the on street pay meters or to Polk Street Garage. If added to satisfy residential parking, there would be a total of 311 off street parking spaces for the 169 units or a ratio of 1.84 Spaces/Unit.



- PARKING SUMMARY**
- 51 ON-STREET METERED PARKING SPACES (22' x 9')
 - 1 LOADING SPACE (35' x 9')
 - 9 EXISTING ON-STREET METERED PARKING SPACES-FIVE 10 FLATS

SCALE : 1"= 100'

SIX10 FLATS-PROPOSED ON-STREET METERED PARKING

CITY OF BETHLEHEM, NORTHAMPTON COUNTY, PA
DECEMBER, 2019

900 WEST VALLEY ROAD, SUITE 1100, WAYNE, PA 19087 • 610.265.8323 • fax: 610.265.4299 • www.navenewell.com

PROJECT # 2013-076



BETHLEHEM PARKING AUTHORITY

85 W. North Street • Bethlehem, PA 18018 • (610) 865-7123 • Fax (610) 865-7124 • Info@bethpark.org

“Dear Rob,

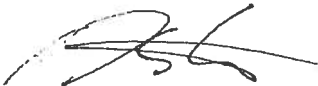
Thank you for sharing information on your project on the South side and your interest in securing parking spaces in the PSG.

I understand that you are looking to secure parking spaces to be held in a contract with you as landlord and then you will allocate those parking spaces to your tenants as needed. The parking authority is able to confirm that we can commit to providing you 23 spaces in the PSG pursuant to an executed parking space lease with the BPA.

Further, in review of your plans, the BPA believes that not providing off street parking for your retail users will push more transient parkers to the PSG. Additionally, the installation of new on street metered parking along 3rd street will also be positive for the BPA.

Please let us know if you need any further communication from the BPA and we look forward to entering into an agreement with you for the 23 contract spaces. “

Thank You,



Kevin Livingston
Executive Director
Bethlehem Parking Authority
85 W. North Street
Bethlehem, PA 18018