

**CITY PLANNING COMMISSION
MINUTES OF MEETING
April 8, 2021 – 5:00 P.M.
TOWN HALL AND VIRTUAL MEETING**

Participants: Commission Members – Mr. Malozi, Mr. Barker, Mr. Burgos, Mr. Melosky, and Ms. Cohen. City staff included Darlene Heller and Tracy Samuelson of the Planning and Zoning Bureau, Matthew Dorner and Amy Rohrbach of the Engineering Bureau, Tiffany Wells of the Traffic Bureau, and Attorney Edmund Healy as Solicitor to the Commission. Attending in person were Atty. Dennis Benner, Darrin Heckman, Eng., Atty. Seth Tipton, John Callahan, Mark Buchvalt, Eng., Lou Pektor, Gabe Solms, Alec Nahas and Matt Chartrand – Bohler Engineering. Attending virtually were Jeff Parks, Chris Perrucci, Architect, Toby Massey and Elliot Nolter, Co-op Reps, Dave Urffer and Scott Burroughs, JKRP Architects, Jeff Ward, Dana Grubb and Kim Carrell-Smith.

Mr. Melosky explained the new rules of a hybrid meeting as both live and virtual.

1. APPROVAL OF MINUTES – March 11, 2021.

Mr. Melosky made a motion to approve the minutes of the March 11, 2021 Planning Commission meeting. The motion was seconded by Mr. Barker and passed with a 5-0 vote.

2. SITE PLAN REVIEWS

- A. **143 W. BROAD STREET** – The applicant proposes to consolidate their property with land owned by the Redevelopment Authority and vacated Schafer Street (a paper street) into one parcel containing 2.3221 acres. The existing structures on the parcel are to be razed and a 50 unit apartment complex with a covered parking garage containing 68 parking spaces is proposed.

Mr. Dennis Benner, applicant and Mr. Darrin Heckman, engineer, reviewed the site plans. Mr. Heckman explained the project is a 50 unit apartment building with 5 stories livable space and a basement that is not livable. Mr. Malozi asked if it was possible to reduce the size of building. Mr. Heckman replied that it would be difficult to bring the building down – that would require more earth disturbance. Mr. Malozi then asked if their engineers had taken a look at the required height variance. Mr. Heckman stated he would review it. Mr. Malozi inquired about the color of the building. Mr. Benner stated that a modified elevation will be done. The façade and materials of the building are being redesigned. Ms. Cohen questioned the height on the left side of building being 7 stories tall and was concerned about the additional feet.

Mr. Melosky asked Ms. Heller about the letter regarding the World Heritage Commission. Ms. Heller explained she did not have any specifics at the moment. HARB will have a close review on this item. Mr. Melosky wanted to be clear that this wouldn't be a factor of this project going through. Ms. Heller explained that the City is seeking a World Heritage designation for the Colonial Industrial Quarter and related historic sites. This project is located within a proposed buffer zone for the World Heritage site. At this point, the City does not have specific guidelines for review within the World Heritage area or a buffer zone. This will be a consideration as the project moves forward.

Mr. Jeff Ward, WFMZ, asked if Planning and Zoning could address issues such as the World Heritage. Ms. Heller noted that the City will be looking into criteria for review of projects that may be located within a buffer zone of the World Heritage area.

Mr. Melosky clarified that the Planning Commission is not providing any recommendations today. Mr. Healy stated that the applicant was clear, that at this time there are no comments and no recommendations needed.

Mr. Barker asked what was meant when the project was being presented and the comment was made that the applicant is reconsidering the use of the existing building. Mr. Benner stated that the current building design and layout is being reviewed and many options are in consideration. He asked that the Planning Commission take no action this evening. They will come back in the future with some revisions to the design of the building.

- B. **250 E. BROAD STREET** – The applicant proposes to demolish the existing structure and construct a 4-story mixed used building with a first floor grocery store and 42 dwelling units.

Attorney Seth Tipton reviewed the site plan. He then introduced Mr. Toby Massey and Mr. Elliot Nolter who represent the Co-op project. The Bethlehem Food Co-op will occupy the first floor of this project. Mr. Nolter spoke about the benefits of having a Co-op in the community. Mr. Massey elaborated on the benefits of food co-ops in a community.

Mr. Buchvalt reviewed the engineering component of the plan. Mr. Callahan stated that it is a very tight site and that it would be hard to conform to the required zoning regulations.

Mr. Buchvalt stated that they will have a loading space but it won't comply with ordinance. They will install a fence and add a masonry wall along Broad St. Mr. Malozi asked for the height of the wall and Mr. Buchvalt stated it would be 3 ft. Mr. Malozi then asked to see the renderings and Mr. Callahan displayed the plans.

There was no additional public comment.

Mr. Melosky suggested that the Commission make a separate motion and vote for each requested waiver separately.

Mr. Malozi recommended approval of section 1311.08(a) as proposed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

Mr. Malozi recommended approval of section 1311.08(b) as proposed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

Mr. Malozi recommended approval of section 1311.08(c) as proposed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

- C. **404 E. 3RD STREET** – The applicant proposes the construction of a 7 story mixed-use building with 1st and 2nd floor retail and 80 dwelling units above on a 16,754 sf lot.

Mr. Pektor introduced the site plan. He explained they have owned this property since 2003. Mr. Solms explained the benefit of high quality rental units, condominiums and retail commercial space at this location. Mr. Chartrand noted that the first and second floors will be retail stores or restaurants on E. 3rd Street. The rear access is from Mechanic Street and will be the central access for residents.

Mr. Urffer of JKRP Architects explained the goal is to maximize the space. The apartments are a U-shape. There would be a 10 ft. setback on Polk St. and 3rd St. Part of that will be outdoor seating.

Mr. Solms stated they will secure 114 spaces, 88 total spaces for residential (1.1 spaces per unit) and 26 spaces for retail/commercial. They will acquire a lease agreement from the Parking Authority. If they cannot acquire a lease from the Parking Authority, they will require that residents provide proof that they are parking elsewhere or proof they do not own a vehicle.

Mr. Melosky asked Mr. Pektor whether there has been any conversations with Lehigh University regarding parking. Mr. Pektor stated these were not. Mr. Melosky explained that he just wanted to make sure that there was parking for the students. Mr. Malozi asked if the goal is to lease the 114 spots from Polk Street Garage. Mr. Pektor explained he would like to lease all 114 spots from Polk Street Garage but that is not confirmed yet.

Ms. Cohen asked about the building's setbacks. The first and second floors require setbacks. Her concern is if the Planning Commission approves a 0 foot setback that they can take the whole building to 0 feet. Ms. Cohen also asked why they couldn't go to the 10 foot setback if they're willing to do a 9.4 foot setback. Mr. Chartrand agreed that they would do that for Mechanic and 3rd Streets setbacks but would not be able to do it for the Polk Street setback. Ms. Cohen recommended to meet the 10 foot setback if it's less than a 1 foot waiver.

Mr. Burgos asked what type of vehicles would be coming through the rear access to the building because of the 11ft. driveway width. Mr. Chartrand explained that 11ft. is safe for trucks (trash) to get in and out of the space because it is off of an alley and they will be driving slowly.

Dana Grubb, 2420 Henderson St., mentioned that he met with the folks from Southside and he felt the project was a real plus and his reaction was favorable. He likes the setbacks on the bottom two floors.

Kim Carrell-Smith, 833 Carlton Avenue, feels it blends with the historic district and provides a good niche for high end units. She wants to persuade the project folks for a less generic architectural design. She wanted to clarify that the Southside is a safe place because when the project was being presented it was noted that there was a perception of lack of safety in South Side.

Mr. Melosky read the recommended waivers. Mr. Malozi stated that the waivers are for floors 3 and higher and also Polk Street.

Mr. Melosky suggested that the Commission make a separate motion and vote for each waiver separately.

Mr. Malozi recommended approval of section 1306.01.b, Insufficient Front Yard, for floors 3 and higher as agreed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

Mr. Malozi recommended approval of section 1306.01.b, Insufficient Rear Yard, for floors 3 and higher as agreed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

Mr. Malozi recommended approval of section 1306.01.b, Insufficient Side Yard, on a corner lot as proposed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

Mr. Malozi recommended approval of section 1306.01.b, Insufficient Side Yard, (common property line) as proposed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

Mr. Malozi recommended approval of section 1306.01.b, Maximum Percent Impervious Coverage, as proposed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

Mr. Malozi recommended approval of section 1308.01.d, Insufficient Lot Area per Dwelling Unit, as proposed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

Mr. Malozi recommended approval of section 1318.06.a, Traffic Visibility Across Corners, as proposed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

Mr. Malozi recommended approval of section 1319.01.a.1.ii, Insufficient Off Street Parking for Multifamily Dwellings, as long as Mechanic St. Parking Garage or Polk Street Parking Garage should be leased for parking spots or another provide another source as agreed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

Mr. Malozi recommended approval of section 1319.03.a.03, Minimum Aisle Width for One-Way Traffic, as proposed. Mr. Melosky seconded the motion. The Commission approved the zoning waiver by a 5 to 0 vote.

The meeting adjourned at 8:36 p.m.

ATTEST:



Darlene Heller, Commission Secretary