



CITY OF BETHLEHEM

BUREAU OF PLANNING AND ZONING

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September 30, 2020

Jeff Berneburg
MDM Surveyors & Engineer, LLC
375 Northgate Drive
Warrendale, PA 15086

RE: (20-002 Site Plan Review) – 20080007 – 505 Wyandotte St and 414-420 Broadway– SITE PLAN REVIEW – Zoned CB, plan dated March 4, 2020.

Dear Mr. Berneburg:

The above-referenced plan has been reviewed by the appropriate City offices. Per Zoning Ordinance Section 1322.02(a)(3), Site Plan Review, the Planning Commission may recommend conditions for approval that should be considered by the Zoning Hearing Board . . . because of the considerable impacts that these land uses may have upon the community. The site plan review process is intended to emphasize layout, traffic and neighborhood compatibility issues, as opposed to engineering details required under any later land development plan process.

The applicant proposes to demolish an existing vacant auto service garage, 3 dwelling units, and two accessory buildings, and combine 4 lots into one 25,507 sf lot to construct an Autozone retail store with off street parking. Since these lots are located in a CB Zoning District, Design Standards found in Section 1311 are applied to this project. Numerous waivers are being requested by the applicant for the proposed Autozone building since the layout at present does not reflect an urban design model. The specific waivers and concerns regarding the building, site layout, neighborhood compatibility, and overall design standards specified in Section 1322.02, Site Plan Review Procedures, and Section 1311, Design Standards in the CB Zone, are listed below.

Waivers from the following mandatory design guidelines listed in Section 1311, are bolded below. Section 1311 is also attached for reference:

- **1311.10(m). One story buildings shall be avoided on blocks where existing structures are 2 stories or higher. Where an applicant finds that a 2 story building is not possible, they are required to construct a building that has the appearance of a 2 story building when viewed from the street (such as using decorative dormers). Such an alternative shall be reviewed and approved by the Planning Bureau if the building is not located in an existing local ordinance historic district.**

The existing neighborhood block context is comprised of two and one half story residential structures oriented in a saw tooth pattern along Broadway. The proposed development significantly interrupts this pattern and does not meet the building form within the block strongly suggested in Section 1311.10 (f) and (g). The proposed building containing faux opaque lower and upper windows violates this provision and needs to be redesigned to meet the approval of the

Planning Bureau. We are in discussions regarding a recommended alternative design utilized on Route 611 providing glass windows and attractive corner features.

- **1311.10(h). Outward street orientation with storefronts, entrances and windows relating to the street, rather than an inward focus away from the street, shall be emphasized in new buildings.**

The proposed prototypical structure is oriented inward to the site and does neither anchor the corner nor activate the street. No glass windows are located on either street frontage.

- **1311.04(b). Surface off-street parking and any garage doors shall be located to the rear or side of principal buildings, as opposed to being newly placed between the front lot line along a street and the front wall of a new principal building.**
- **1311.08(a). No new off-street parking spaces shall be placed between a principal building and the curb line of an arterial street along the front of the lot.**
- **1311.10(h). Street-oriented parking lots and non-pedestrian related uses are not permitted in front yards along arterial and collector streets.**

Revise the surface off-street parking lot to be located to the side or rear of the structure. The structure could be redesigned to include a portion of the building in the triangular area adjacent to Broadway without the loss of parking. The number of parking spaces could be reduced to comply with this requirement. Autozone is considering the relocation of the dumpster enclosure and the reduction of a few parking spaces.

- **1311.05(e). Blank walls without at least one door and one window shall not face an arterial street. Retail stores shall have display windows facing onto a street. Such display windows do not necessarily have to be open to the inside of the store, if there are security issues. The windows should have sufficient visibility from the street for security purposes and be inviting to customers.**

Provide architectural details for the required display windows and doors fronting onto Wyandotte Street and Broadway, since they are arterial streets. There are no doors currently fronting on these two streets and the proposed windows are opaque, which are not inviting to customers and do not achieve the intended result of this subsection. The windows on the elevation drawings are opaque and do not achieve the intended result of this subsection. They do not have “sufficient visibility” and are not “inviting to customers” in any way. Consideration is being given by Autozone to alter the window composition.

- **1311.06(e). Commercial buildings shall have their main pedestrian entrance facing a street or a pedestrian walkway/plaza.**

No doors are shown on Wyandotte or Broadway, as required. Modify the structure to locate the main pedestrian entrance toward either Wyandotte Street or Broadway. It is facing the parking lot. The walkway to the building extending from Broadway to the entrance door does not constitute “facing” a pedestrian walkway, as stipulated above. Consideration should be given to relocating the entrance door to the Broadway façade.

- **1311.05(f). Tractor-trailer truck loading docks and service areas shall not be visible from any street frontage.**

Modify the plan to relocate the loading area away from Wyandotte Street and/or provide screening along Sheets Street sufficient to block the view of trucks.

- **1311.08(b). No new vehicle driveway shall enter or exit onto an arterial street, unless the applicant proves that no feasible alternative exists, such as use of alleys or a side street.**

Currently, no driveway exists along the Broadway frontage. A proposed driveway onto Broadway is recommended, but restrictions regarding design, and turning movements into and out of the site must be reviewed and approved by the Traffic Superintendent and the City's Traffic Consultant.

- **1311.08(c). Parking areas shall be well-screened from the street by landscaping in accordance with Section 1318.23, Buffer Yards.**

Any parking area viewable from Broadway or Wyandotte Streets must be screened by landscaping in accordance with the buffer yard requirements in Section 1318.23. This includes dense evergreen trees and shrubs. Alternative screening may be considered by City staff in accordance with Section 1318.23.a.1.

Suggested Design Guidelines encouraging an urban model compatible with the surrounding area are as follows:

- **1311.05(i). New construction should have rooflines that are similar to adjacent older buildings. Flat roofs should be avoided, except when a decorative cornice or parapet is used. Where a pitched roof is not practical, then a roof should at least appear to have angles and a pitch when viewed from the street.**

Modify the structure to have a roofline that is similar to adjacent older buildings, for example gable roofs with dormers or pitched roofs. Flat roofs should be avoided, unless a decorative cornice or parapet wall is incorporated into the design.

- **1311.06(a). New or replaced sidewalks in front of an arterial street should include use of decorative brick, concrete pavers, patterned concrete, and/or sidewalk accents containing this material.**

Provide architectural details for sidewalk sections along Wyandotte Street and Broadway.

Other recommendations in accordance with Section 1322, Site Plan Review:

- The Traffic Superintendent recommends no left turns when entering or exiting Shields Street. Currently, Shields Street is one way east (no entrance permitted onto Wyandotte Street). The City is the only entity permitted to request that PennDOT allow a change in the traffic pattern permitting two way traffic, as requested by the applicant.
- The truck turn plans continue to show the tractor trailer trucks entering the lot crossing private property and invading the curb and sidewalk area. Additionally, trucks exiting the lot from Broadway exit through the main entrance and cross over both the curbing and the "pork chop" island. For these reasons, we require that the developer allow only box trucks to enter and exit this site if this cannot be prevented.

Variances from the Zoning Hearing Board are being requested for the following deficiencies:

- **1311.04(a) and 1306.05. Build to Lines for Front Building Setback. Section 1311.04(c) stipulates Build To Line standards establishing required front setbacks along certain streets to maintain consistency with existing building on that block. Section 1306.05 stipulates that in the CB district, where more than 70 percent of the lots on the same side of the block are already developed with principal buildings, and the block includes more than 3 lots, and where the Zoning Officer determines that a minimum of 60 percent of the lots on the same side of the block have a front yard building setback that is consistent or that varies by no more than 5 feet from the average existing front yard setback along such block, then if a new principal building is proposed, the front building wall**

of such new building shall have a front yard building setback that is not more than 5 feet larger and not less than 5 feet smaller than such average front yard setback.

Modify the plan to more closely conform to the established front yard setbacks along Broadway to maintain consistency with existing buildings on Broadway. Section 1306.05 requires a front setback varying not more than 5 feet from the average front yard setback on the block. A Zoning Variance will be required if unable to comply.

GENERAL

1. This item will be placed on the October 8, 2020 Planning Commission agenda for review. The applicant and all representatives shall inform the Planning Bureau if they will be present virtually or in person. Submit all plans electronically in the order you wish them to be displayed at the meeting.
2. This sketch plan lacks much of the information necessary for a thorough land development evaluation and has been reviewed only for general conformance to City of Bethlehem standards to the extent permitted by the limited detail provided. Additional comments will be provided when a more detailed plan is submitted for review.
3. The City's general comments for future submissions of the plan and the applicant's waiver requests from design standards memo are attached.

Sincerely,



Tracy E. Samuelson
Assistant Director of Planning and Zoning

Cc: M. Dorner
A. Rohrbach
T. Wells
D. Shaffer
G. Cryder
B. Rountree
Atty. Debra A. Shulski

Enclosures

General review comments for future Autozone submissions are as follows:

ENGINEERING

1. Sanitary Sewer flows will be reduced from existing levels, therefore no tapping fee will be required.
2. A fee of \$196.60 will be required to be paid for the increase in impervious coverage.
3. An Erosion and Sediment Control Plan is required.
4. Details of all proposed ADA ramps are required.
5. Ward and Block information shall be shown. The property is located in Ward 2 Block 7.
6. The proposed address for the new structure is 440 Broadway. This shall be updated on future plan submissions and the City will notify the USPS, Northampton County, and City offices.
7. Right of Way information shall be shown for all streets. The ROW breakdown for each street is as follows.
 - a. Broadway (east of Wyandotte) - 70' ROW – 12'-46'-12'
 - b. Broadway (west of Wyandotte) – 50' ROW – 10'-30'-10'
 - c. Wyandotte St – 60' ROW – 10'-40'-10'
 - d. Sheet St – 15' ROW – 1'-13'-1'
8. The following notes will be required on the Land Development Plans:
 - a. Accurate as-built plans shall be kept up to date during the construction process. At the completion of the project record drawings shall be developed from the as-built plans and submitted to the City Engineer's Office. All final drawings shall show North American Datum (NAD) 1983 State Plane Coordinates in feet (Pennsylvania South, FIPS Zone 3702) and the digital file shall be in State Plane Feet Coordinates as applicable. The hard copy of the record drawings shall be in the form of a Mylar copy. The engineer of record shall certify (i.e. P.E. stamped and signed) that the record drawings comply substantially with the approved plan and that they conform to industry standards. All digital files shall reside on PC compatible CD Rom containing the digital representation of the final plan as presented on the twenty-four (24) inch by thirty-six (36) inch sheets. The digital map shall be AutoCAD compatible. All layers included in the digital maps shall be the standardized layers prepared and utilized by the City of Bethlehem to ensure compatibility with the City's existing CAD standards and as described in Appendix A of the City's Subdivision and Land Development Ordinance.
 - b. In order to maintain continuity between plan revisions, any changes to a previous plan submission shall be flagged with a triangle. Any changes not flagged may be considered not approved. Flagged changes shall be referenced to the appropriate revision date in the revision block.
 - c. Prior to any work within the Right-of-Way, permits must be obtained from City Engineering Office.
9. This sketch plan lacks much of the information necessary for a thorough engineering evaluation and has been reviewed only for general conformance to City of Bethlehem standards to the extent permitted by the limited detail provided. Additional comments will be provided when a more detailed plan is submitted for review.

Public Works – Traffic

1. Further detailed review of the signage will be reviewed once a full Land Development Plan is submitted.
2. The signal permit plan shall be updated and approved by PennDOT for the driveway onto Broadway. Although this will not require an HOP, the driveway is still within the signal permits' boundaries and shall be shown.
3. The City will request that the developer reinstall the thermoplastic pavement markings at the signalized intersection.

Public Works – Forestry

1. All street trees under overhead powerlines should come from the Group 1 approved street tree list.
2. Eleven (11) street trees are required, I only count 6 street trees in the City ROW. 1349.08 (d)
3. Plan notes that 5 trees 8" or greater are to be removed, where will these trees be replaced?
4. Additional trees can be placed in landscape islands in parking lot.

Public Works – Lighting

1. The existing acorn street light on Broadway west of the entrance/exit onto Broadway needs to be moved 6 feet to the west to prevent trucks and cars from turning too sharp into the entrance and hitting the pole with their trailing tires.
2. Submit a site lighting plan to ensure compliance with city Zoning Ordinance.

ARTICLE 1311
DESIGN STANDARDS IN THE CL, CB, RT AND OMU DISTRICTS.
(Amended 12/16/15, Ord. 2015-39)

1311.01 Purposes.

- (a) Encourage appropriate redevelopment and reuse of underutilized sites.
 - (b) Promote a mix of appropriate light business and residential uses in the same building.
 - (c) Expand use of the public transit system and pedestrian and bicycle circulation.
 - (d) Create opportunities to live, shop and work in the same area.
 - (e) Improve the appearance of the City's commercial corridors.
 - (f) Attract new customers and new sources of employment and tax revenue.
 - (g) Encourage principals of Smart Growth to promote compact mixed-use development.
- (Amended 12/16/15, Ord. 2015-39)

1311.02 Applicability.

- (a) Where a provision of this Section directly regulates the same matter as another section of this Ordinance or another City Ordinance, the more restrictive requirement shall apply.
- (b) Provisions using the word "shall" are mandatory. Provisions using the word "should" are strongly recommended, and may be the basis of a condition upon a special exception or variance approval.
- (c) Provisions of Section 1311.05 and 1311.06 shall not apply to the RT District.

1311.03 Modifications. Upon receipt of a written request, the Planning and Zoning Bureau and City Planning Commission shall consider modifications to the standards of this Article 1311 based on the existing site conditions, the proposed use, hardships, or innovations in technology in accordance with the terms of Article 1325.06(b) of this Ordinance.

1311.04 Building and Site Layouts and Setbacks.

- (a) See Section 1306.05, Build-To Line for Front Building Setback, which establishes required front setbacks along certain streets to maintain consistency with existing buildings on that block.
- (b) Surface off-street parking and any garage doors shall be located to the rear or side of principal buildings, as opposed to being newly placed between the front lot line along a street and the front wall of a new principal building. In the OMU District, garage doors shall be located to the rear or side of principal non-residential and mixed-use buildings. This provision shall not limit rearrangement of spaces within existing parking areas. If such lot is adjacent to two or more streets, this restriction shall only apply to the one street that is the most heavily traveled by vehicles. (Amended 12/16/15, Ord. 2015-39)
- (c) See City sidewalks requirements and City street tree requirements in separate ordinances. An average of at least one street tree shall be planted for each 30 feet of street length, unless existing trees will be preserved to serve the same purpose. The spacing of such trees may vary to provide for driveways, sight distance and other features, provided the average separation of trees is met.

- (d) For a use involving a new principal commercial building, a site plan shall be submitted to the City showing locations for garbage storage, truck loading areas and parking areas, if applicable. Such locations shall be subject to approval by the City to minimize conflicts with sidewalks and dwellings.

(Amended 12/16/15, Ord. 2015-39)

1311.05 Design Requirements.

- (a) A new principal non-residential, multi-family, or mixed use building shall not have a front facade comprised of more than 33 percent vinyl or aluminum siding.
- (b) New parking lot lights installed by a developer shall have a maximum total height of 20 feet and use a decorative design approved by the City. Light fixtures on private property are encouraged to use designs that are similar to any decorative fixtures used on the adjacent street.
- (c) A new principal building of over 150 feet in length along a street shall include variations in rooflines, overhangs, architectural details, setbacks, colors or facade materials or use canopies, porches and awnings.
- (d) A new principal building of over 150 feet should have the appearance of smaller connected buildings. Article 1311.05(d) does not apply to the OMU District. (Amended 12/16/15, Ord. 2015-39)
- (e) Blank walls without at least one door and one window shall not face an arterial street. Retail stores shall have display windows facing onto a street. Such display windows do not necessarily have to be open to the inside of the store, if there are security issues. The windows should have sufficient visibility from the street for security purposes and be inviting to customers. In the OMU District, landscape screening and decorative plantings or architectural elements of such walls may replace the requirement of the placement of windows and doors. Such landscaping shall be approved by the City Forester. (Amended 12/16/15, Ord. 2015-39)
- (f) Tractor-trailer truck loading docks and service areas shall not be visible from any street frontage. In the OMU District, tractor-trailer truck loading docks and service areas shall be well screened from any street frontage by landscaping or ornamental fencing of at least 4' in height when planted, and be of such species and spacing that can be expected to produce, within 3 years, a complete visual screen of at least 6' in height. (Amended 12/16/15, Ord. 2015-39)
- (g) Chain-link exposed metal fencing shall not be placed along any street frontage. Picket or ornamental fences are encouraged. Highway-style metal guide rails shall not be used if visible from a street or public right-of-way.
- (h) The applicant for a new principal building, except for single family detached or semi-detached dwellings, shall submit a set of preliminary architectural sketch or elevation plans of the front facade and a description of proposed front facade materials to the City. Such materials may be offered to the City Planning Commission or other boards for review and comment, as appropriate.
- (i) New construction should have rooflines that are similar to adjacent older buildings. Flat roofs should be avoided, except when a decorative cornice or parapet is used. Where a pitched roof is not practical, then the roof should at least appear to have angles and a pitch when viewed from the street.

(Amended 12/16/15, Ord. 2015-39)

1311.06 Sidewalks and Pedestrian Access.

- (a) New or replaced sidewalks in front of an arterial street should include use of decorative brick, concrete pavers, patterned concrete or similar material that has the appearance of decorative masonry. Such materials may be used as accents, with the majority of the sidewalk being regular concrete. See guidelines from Public Works Department. (Amended 12/16/15, Ord. 2015-39)
- (b) Pedestrian crosswalks should be provided along arterial street corridors using materials and colors that visually distinguish the crosswalk from the street surface and that include some texture. The use of pavers, patterned concrete or stamped textured asphalt is encouraged.
- (c) Pedestrian traffic should be separated from major vehicle routes. Developments should be designed in such a way as to be inviting for pedestrian traffic and to provide convenient walking routes from public transit stops.
- (d) See bike racks provisions in Article 1319 – Parking, 1319.02(n).
- (e) Commercial buildings shall have their main pedestrian entrance facing a street or a pedestrian walkway/plaza.
- (f) City-approved tree grates or similar measures may be used in sidewalk areas, with attention to providing sufficient planting area to sustain the root area of large size shade trees. The City may approve outdoor seating that intrudes into the sidewalk, provided a 5 foot continuous pedestrian and wheelchair accessible pathway is provided within the sidewalk width. See Article 721, Streets and Sidewalks
- (g) Any encroachment into the public right-of-way requires an Encroachment Permit from the City Department of Public Works.

1311.07 Signs

- (a) Various signs on a property should be coordinated. Internally illuminated signs of box-type construction should be avoided. Signs should not cover architectural details. Awnings that extend at a straight angle from a building are encouraged to provide continuity along a block front and weather protection. The front panel of an awning may be used for a sign provided the sign image is integrated with the awning and the awning has the appearance of a fabric-type material. Any encroachment into the public right-of-way requires an Encroachment Permit from the City Department of Public Works.

1311.08 Parking and Driveways.

- (a) No new off-street parking spaces shall be placed between a principal building and the curb line of an arterial street along the front of the lot. Existing parking spaces may be re-arranged, provided they do not result in an increase in off-street parking spaces in such location. In the OMU District, parking spaces placed between a principal commercial building and the curb line of an arterial street along the front of the lot shall be limited to one (1) driving aisle and one (1) row of parking spaces. (Amended 12/16/15, Ord. 2015-39)
- (b) No new vehicle driveway shall enter or exit onto an arterial street, unless the applicant proves that no feasible alternative exists, such as use of alleys or a side street.
- (c) Parking areas shall be well-screened from the street by landscaping. See Section 1318.23.

- (d) See Section 1319.02(b) which allows some flexibility in parking requirements. Shared parking among property owners and businesses is encouraged where adequate parking spaces exist for shared usage. See Section 1319.02(g) regarding landscaping between parking lots and streets. (Amended 12/16/15, Ord. 2015-39)
- (e) Parking areas should be well-screened from arterial and collector streets by landscaping of at least 4 feet in height. Any wall or fence shall be on the inside of a row of shrubs or trees unless otherwise approved by the City. Where rear parking is not possible, then parking shall be provided to the side of a building. Where a driveway needs to enter from the front to access a garage, the garage shall be setback further from the street than the house, and the driveway should be as narrow as practical through the front yard. Article 1311.08(e) does not apply to the OMU District. (Amended 12/16/15, Ord. 2015-39)

1311.09 Alleys and Side Access.

- (a) When a new principal building is proposed, if a rear or side alley exists adjacent to the lot or an existing alley can feasibly be extended, it shall be used as access for any new vehicle garage, driveway or parking spaces, except a corner lot may have a garage, driveway or parking accessing a street that is not along the front lot line. This subsection shall not apply if an alternative point of vehicle access is specifically required by the Pennsylvania Department of Transportation or the City Planning Commission.

1311.10 Additional Requirements.

- (a) Architectural designs shall be used to minimize the visual impact of non-residential garage doors when they front upon a street, when such locations are allowed. (Amended 12/16/15, Ord. 2015-39)
- (b) If approved by the City, the applicant shall have the option of offering a building as a "Live Work Unit" in the CL, CB and IR-R districts under Section 1322.03(z).
- (c) No outdoor bulk storage shall be permitted in the front yard and shall only be permitted in the side or rear yard if it is screened from view of streets by landscaping and/or buildings.
- (d) Individual buildings and pedestrian entrances and parking areas shall be laid out to promote pedestrian access among different uses.
- (e) Every effort should be made to preserve and reuse older buildings and to rehabilitate historic features. Modern additions and features should be placed towards the rear of the property. Article 1311.10(e) does not apply to the OMU District. (Amended 12/16/15, Ord. 2015-39)
- (f) Where existing adjacent older buildings have a certain horizontal or vertical pattern, that orientation or pattern should be continued in new construction. Where existing older buildings have a certain spacing of windows and doors, similar spacing (and similar sizes of windows and doors) should be continued. Article 1311.10(f) does not apply to the OMU District. (Amended 12/16/15, Ord. 2015-39)
- (g) Overly modernistic or bland buildings devoid of details should be avoided when adjacent buildings have architectural details.

- (h) Uninterrupted continuity of pedestrian-related uses are encouraged along arterial and collector streets, particularly in areas of present activity. Outward street orientation with storefronts, entrances and windows relating to the street, rather than an inward focus away from the street, shall be emphasized in new buildings. Street-oriented parking lots and non-pedestrian-related uses are not permitted in front yards along arterial and collector streets.
- (i) Existing older porches should be maintained and new porches should be considered on the front of new buildings.
- (j) Commercial HVAC systems shall be screened from view from the front of a lot using walls, fencing, roof elements or landscaping. Noise or odor producing ventilation equipment should be placed as far away from dwellings as is feasible.
- (k) New exterior fire escapes should not be constructed on the front facade of a building, if an alternative location exists.
- (l) Solid or mostly solid security gates or roll-down metal window covers shall not be permitted. Security doors or window covers that are mostly transparent may be used, and should be installed from the inside, within the window or door frames, or on the outside with a coil box that is concealed by architectural features or an awning.
- (m) Buildings should be constructed to a height compatible with existing surrounding buildings. One story buildings shall be avoided on blocks where existing structures are 2 stories or higher. Where an applicant finds that a 2 story building is not possible, they are required to construct a building that has the appearance of a 2 story building when viewed from the street (such as using decorative dormers). Such alternative shall be reviewed and approved by the Planning Bureau if the building is not located in an existing local ordinance historic district.