

CITY OF BETHLEHEM

Department of Planning and Zoning

Interoffice Memo

TO: Planning Commission Members

FROM: Tracy E. Samuelson, Planning and Zoning Bureau

RE: Modifications Requests at 404 E. 3rd Street

DATE: March 31, 2021

Waivers/modifications are being requested in accordance with Article 1308.01.c of the Zoning Ordinance. This section permits the Planning Commission to allow flexible design standards and to grant modifications to the standards in the Zoning Ordinance for properties located in the Industrial Redevelopment-Residential (IR-R) Zoning District. The IR-R Zone was created to promote the economic revitalization of underutilized properties historically used for older industrial uses. Approvals for waivers/modifications are based on the existing site conditions, the proposed use, hardships, dimensional requirements, or innovations in technology.

The subject proposal is for the construction of a 7 story mixed use retail, commercial and residential building on a 16,754 corner lot in the IR-R Zone containing retail/commercial on the first two floors and 80 dwelling units on the 5 upper floors with a maximum of 100 beds. The modifications requests are as follows:

- **Article 1308.01.d - Insufficient Lot Area per Dwelling Unit.** Construction of 80 residential apartments with insufficient minimum lot area per dwelling unit. Total lot area is 16,754 sf. Minimum lot area required per dwelling unit is 1200 sf, therefore 14 dwelling units are permitted and 80 dwelling units are requested. In other terms, 209 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, or 88 spaces. In other terms, 140 spaces are required for 80 dwelling units at 1.75 spaces per dwelling unit, but only 88 spaces are proposed for the dwelling units, a difference of 52 spaces. In addition to the 88 parking spaces for the apartments, 11 spaces for the first floor retail and 15 spaces for the second floor office area are required. Therefore, 114 spaces are requested for the entire building and 166 spaces are required.
- **Article 1306.01.b – Insufficient Front Yard Setback (E. 3rd St.).** (0' proposed; 1.6' avg. required).
- **Article 1306.01.b – Insufficient Rear Yard Setback (Mechanic Street).** (0' proposed on floors 3-7, 9.3' proposed on floors 1-2; 10' required).
- **Article 1306.01.b – Insufficient Side Yard Setback on a corner lot (Polk Street).** (1' proposed; 10' required).

- **Article 1306.01.b – Insufficient Side Yard Setback (common property line).** (0' proposed; 10' required).
- **Article 1306.01.b – Maximum Percent Impervious Coverage.** (95.2% proposed; 90 required).
- **Article 1318.06.a – Traffic Visibility Across Corners.** (13' and 14' proposed; 15; required).
- **Article 1319.03.a.3 – Minimum Aisle Width for One-Way Traffic.** (11' proposed; 12' required).

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 Bohler Engineering dated March 30, 2021, highlighting the reasons for the waiver/modification requests listed above. We recommend the granting of the waivers for the following reasons:

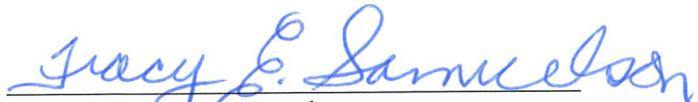
1. The 1.10 parking spaces per dwelling unit proposed instead of the required 1.75 spaces per dwelling unit is reasonable based on a parking survey of other Bethlehem apartment building residents concluding that urban apartments require much less than 1.75 parking spaces per dwelling unit. In addition, the developer will not exceed 100 beds and three quarter of the proposed 80 dwelling units will be composed primarily of studio (25) units and one bedroom (35) units. The first and second floor parking requirements will be met.
2. The insufficient setback and traffic visibility requests either match the adjacent properties along E. 3rd Street or do not create any safety and visibility concerns.
3. Although the proposed density of dwelling units is greater than other recent mixed use projects along E. 3rd St or on the North side, the proposed building is comparable in height with the NCC building across 3rd Street to the north. Any approval is conditioned upon obtaining adequate off street parking.

We recommend approval of the waivers/modifications subject to the following condition:

1. Mechanic Street Development Associates shall secure a lease for the 114 parking spaces at the Polk Street Parking Garage from the Bethlehem Parking Authority prior to land development approval or otherwise provide other locations for 114 off-street parking spaces acceptable to the Planning Bureau.

These waiver/modifications requests will be presented at the April 8, 2021 meeting.

Also attached are the City's traffic comments for consideration during the land development review process.


 Tracy E. Samuelson
 Assistant Director of Planning and Zoning

Cc: G. Solms, Mechanic Street Development Assoc., LP
 Alec Nahas, Bohler Engineering

Traffic Comments (3-31-21)

1. Trip calculations shall be submitted as well as any traffic studies warranted per SALDO Section 1347.14.
2. Pending trip calculations, a review by the City's Traffic Consultant, Peter Terry, may be required.
3. A truck turn plan for garbage, fire, and loading / unloading shall be provided. Indicate how trucks will maneuver into and out of the loading space.
4. Future plans shall show all signage, including signage near the Mechanic St driveway, indicating Mechanic St is one-way west.



74 W. Broad Street, Suite 500
Bethlehem, PA 18018
610.709.9971

March 30, 2021

City of Bethlehem
10 East Church Street
Bethlehem, PA 18018

Attention: Planning Commission Members

RE: Proposed Mixed-Use Development
404 East Third Street
City of Bethlehem
Northampton County, PA

Dear Members:

On behalf of Mechanic Street Development Associates, LP, Bohler is hereby submitting a waiver/modification request letter for the above referenced project. The requests are as follows:

- **Article 1306.01.b – Minimum Front Yard Setback (East 3rd Street).** Within the IR-R District the minimum front yard setback is required 10 ft. Within the provision provided by 1318.13 where there is an existing building on each of 2 lots adjacent on either side to a lot on which a proposed building is erected, where both such buildings have an alignment nearer than the required front depth...the average of the existing front yard depth shall be the minimum required. As such, the average required front yards on East Third Street is reduced to 1.6 ft. A modification is requested for the East Third Street front yard where 0 ft is provided in lieu of the 1.6 ft reduced average.
- **Article 1306.01.b – Minimum Rear Yard Setback (Mechanic Street).** Within the IR-R District the minimum rear yard setback is required 10 ft. A modification to provide 0 ft. setback along the Mechanic Street rear yard in lieu of the 10 ft is requested.
- **Article 1306.01.b – Minimum Side Yard Setback (Polk Street).** As specified in 1318.07, on a corner lot, the minimum side yard adjacent to a street shall equal the required front yard of the most restrictive district within the same side of the same block and fronting on the side street. Within the adjacent CB district the required front yard is 0 ft, therefore the more restrictive 10 ft within the IR-R is observed as the requirement. A modification is requested for the Polk Street side yard where 1.0 ft is provided in lieu of the 10 ft required.
- **Article 1306.01.b – Minimum Side Yard Setback (Common Property Line).** Within the IR-R District the minimum side yard is required 10 ft. A modification to provide 0 ft along the common property line side yard in lieu of 10 ft is requested.
- **Article 1306.01.b – Maximum Percent Impervious Coverage.** Within the IR-R District a maximum of 90% of the lot may be impervious cover. A modification is requested to permit 95.2% impervious coverage in lieu of the required 90%.
- **Article 1308.01.d – Insufficient Lot Area per Dwelling Unit.** Minimum lot area per dwelling unit is 1,200 square feet, therefore 14 units are permitted based upon the 16,754 square feet of lot area. The development proposes 80 units which would be equivalent to 209 square feet per dwelling unit.

The following developments were approved for less than the 1,200 square feet of lot area per dwelling unit:

- 610 East 3rd Street (*610 Flats*) – Approved 734 square feet/unit
- 510 East 3rd Street (*510 Flats*) – Approved 678 square feet/unit
- 128 West Union Blvd. (*The Bungalow*) – Approved 492 square feet/unit
- 65 East Elizabeth Ave. (*Pinnacle @ 65*) – Approved 418 square feet/unit

- **Article 1318.06.a – Traffic Visibility Across Corners.** In any district no structure shall be maintained between a plane 3 feet above curb level and 10 feet above curb level so as to interfere with traffic visibility across the corner within that part of the required front or side yard which is within a triangle bounded by the street lot line 15 feet from the intersection. The proposed building on the first and second floors will provide approximately a 13' triangle at the intersection of Polk and Mechanic and a 14' triangle at the intersection of East Third and Polk. It should be noted that in the adjacent CB District, the required 15 feet triangle is reduced to 8 feet.
- **Article 1319.01.a.1.ii – Insufficient Off-Street Parking for Multifamily Dwellings.** Minimum 1.75 parking spaces per dwelling unit, therefore 140 spaces are required. The Applicant proposes to acquire a total of 88 spaces for the residential portion of the project which is equivalent to 1.1 spaces per dwelling unit. The Applicant is in close communication with City of Bethlehem Parking Authority. At this time, there are spaces in the upcoming Polk Street Parking Garage available for prelease. Upon final determination of parking requirements for the development, Applicant will execute a lease with the parking authority for the required spaces in the garage.

The following developments were approved for less than the required 1.75 spaces/dwelling unit:

- 610 East 3rd Street (*610 Flats*) – Approved 1.1 spaces/unit
 - 510 East 3rd Street (*510 Flats*) – Approved 1.1 spaces/unit
 - 128 West Union Blvd. (*The Bungalow*) – Approved 1.0 spaces/unit
 - 723 East Goepp Street (*Goepp St. Apartments*) – Approved 1.42 spaces/unit
 - 65 East Elizabeth Ave. (*Pinnacle @ 65*) – Approved 1.25 spaces/unit
 - 1345 Martin Court (*Woodmont Mews*) – Approved 1.45 spaces/unit
- **Article 1319.03.a.3 – Minimum Aisle Width for One-Way Traffic.** The minimum required driveway width is required to be 12 ft. The proposed driveway for loading operations at the rear of the building is a maximum of 11 ft. wide at the intersection with Mechanic Street.

Article 1308.01.c of the Zoning Ordinance allows the Planning Commission to grant modifications for dimensional hardships in the IR-R District if existing site conditions, the proposed use, or the nature of the request warrant relief.

Sincerely,

BOHLER ENGINEERING PA, LLC



Matthew M. Chartrand, P.E.