



240 E. BROAD ST
SITE ADDRESS: 250 E. BROAD STREET

ORIGINAL APPLICATION

Office Use Only:

DATE SUBMITTED: 02.24.2021

HEARING DATE: 04.14.2021

PLACARD: 04.05.2021

FEE: \$ 500⁼⁼

ZONING CLASSIFICATION: CL

240 = 120' x 230' OR 27,600 SF
LOT SIZE: 250 = 90' x 230' OR 20,700 SF
COMBINED = 210' x 230' OR 48,300 SF

APPLICATION FOR APPEAL TO THE CITY OF BETHLEHEM ZONING HEARING BOARD,
10 E. CHURCH STREET, BETHLEHEM, PA 18018

1. Return one (1) original and seven (7) copies of this application and all supporting documentation to the Zoning Officer, along with the filing fee. Include site plans and/or floor plans as necessary.
2. The application is due by 4PM the 4th Wednesday of the month. The hearing will be held the 4th Wednesday of the next month.
3. If you are submitting MORE THAN 10 exhibits at the hearing, you MUST place them in an indexed binder and submit at one time.

Appeal/Application to the City of Bethlehem Zoning Hearing Board is hereby made by the undersigned for: (check applicable item(s):

- Appeal of the determination of the Zoning Officer
- Appeal from an Enforcement Notice dated _____
- Variance from the City of Bethlehem Zoning Ordinance
- Special Exception permitted under the City Zoning Ordinance
- Other: _____

SECTION 1

APPLICANT:	
Name	<u>250 E Broad LLC</u>
Address	<u>60 W. Broad Street Suite 201</u>
	<u>Bethlehem PA 18018</u>
Phone:	<u>[REDACTED]</u>
Email:	<u>[REDACTED]</u>
OWNER (if different from Applicant): Note. If Applicant is NOT the owner, attach written	

authorization from the owner of the property when this application is filed.

Name _____

Address N/A

Phone: _____

Email: _____

ATTORNEY (if applicable):

Name Seth Tipton - Florio Pennaci Steinhardt Capelli Tipton Taylor

Address 60 W. Broad Street Suite 201
Bethlehem, PA 18018

Phone: [REDACTED]

Email: [REDACTED]

SECTION 2. INFORMATION REGARDING THE REAL ESTATE

1. Attach a site plan, drawn to scale, of the real estate. Include existing and proposed natural and man-made features.
2. Attach photographs.
3. If the real estate is presently under Agreement of Sale, attach a copy of the Agreement.
4. If the real estate is presently leased, attached a copy of the present lease.
5. If this real estate has been the object of a prior zoning hearing, attach a copy of the Decision.

SECTION 3.

THE RELIEF SOUGHT:

If the Applicant seeks a dimensional variance for any setback, lot coverage, distance between certain uses, etc., please state the following:

Section of Code	Dimension Required by Code	Dimension Proposed by Applicant	Variance Sought
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

see Attached Summary letter

If the Applicant seeks a use or other variance, please state the **specific section(s)** of the Zoning Ordinance applicable and describe the variance sought.

If the Applicant seeks a Special Exception, please state the **specific section (s)** of Zoning Ordinance applicable: _____

If the Applicant seeks an appeal from an interpretation of the Zoning Officer, state the remedy sought in accordance with Sec. 1325.11 (b):

NARRATIVE

SEE ATTACHED SUMMARY LETTER

A brief statement reflecting why zoning relief is sought and should be granted must be submitted.

CERTIFICATION

I hereby certify that the information contained in and attached to this application is true and correct to the best of my knowledge and belief.

I also certify that I understand that any and all federal, state or local rules and regulations, licenses and approvals shall be obtained if the appeal is granted.

[Handwritten Signature]

Applicant's Signature

2/21/21

Date

N/A *SAME* ↑

Property owner's Signature

Date

Received by

Date

NOTICE: If the Decision of the Zoning Hearing Board is appealed, the appellant is responsible for the cost of the transcript.



STEINHARDT
CAPPELLI
TIPTON &
TAYLOR LLC

60 West Broad St., Suite 201
Bethlehem, PA 18018

o 610.691.7900
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Seth R. Tipton, Esquire
Partner
610.691.7900
stipton@floriolaw.com

March 23, 2021

Via Hand Delivery
City of Bethlehem
ATTN: Craig Peiffer, Zoning Officer
10 East Church Street
Bethlehem PA 18018

Re: 240-250 East Broad Street, City of Bethlehem (PIN: P6NE1C174, P6NE1C175)
Zoning Variance Request

Dear Mr. Peiffer,

I serve as counsel for 250 E. Broad LLC and PD Property Holdings LLC (collectively, the “Applicant”), which are the owners of the above-referenced property (the “Property”). The Applicants have entered into a new lease to a single user for the proposed, new first-floor commercial space. The redevelopment of this underutilized property will create a new, four-story, 42-unit luxury apartment building. The street-level retail space will be anchored by an exciting food experience that will be a welcome addition to the neighborhood. In order to begin this redevelopment, the Applicants are proposing new construction that requires the following dimensional variances:

1. Article 1306.01(a)(4): The minimum lot area per unit in this zone is 1,200 square feet per unit. The Applicants propose to reduce this to 1,150 square feet per unit for a total of 42 units.
2. Article 1322.03(II)(5)(ii): The Applicant proposes to waive the physical separation requirement for 40 or more spaces. Applicant proposes approximately 84 contiguous stalls to maximize off-street, surface parking for the project.
3. Article 1306.01(a)(4)(f), 1322.03(II)(7)(ii): The Applicant is required to have a 20-foot side yard, but proposes five feet consistent with urban or semi-urban infill projects.
4. Article 1319.04, 1319.05(A)(1): This section requires one 11’x35’ loading space. A loading area is proposed as set forth on the enclosed plan is smaller than 11’x35’.
5. Article 1311.08(c), (e), 1318.23: The Applicants propose eliminating the required landscape screening along Broad Street to maximize off-street, surface parking. Applicant will provide new masonry wall without the additional plantings.

6. Article 1322.03(II)(5)(i): This section prohibits parking spaces that are closer than 15 feet to the proposed building. In an effort to maximize off-street, surface parking, Applicant proposes including a portion of the access drive and spaces as set forth on the plan within 15 feet of the building.
7. Article 1318.23: The Applicant proposes to eliminate the required buffer yards along rear and side lot lines to accommodate the Project dimensions.
8. Article 1318.23(i)(2): The Applicant proposes to reduce the eight-foot required buffer yard on the western lot side to four feet.
9. Article 1318.23(l): The Applicant proposes to reduce the required eight-foot buffer strip along the public right of way to 2.5 feet on the northern side of the property to accommodate the design and size of the Project.
10. Article 1306.01(b)(2), 1311.08(a): The Applicant proposes parking that extends slightly beyond the face of the building, instead of completely setback in accordance with the zoning ordinance. Applicant intends to construct a masonry wall for screening.
11. Article 1319.03(h): The Applicant proposes a waiver of the requirement of screening on the rear property line (across from Walnut Street) due to a lack of room on the property.
12. Special Exception, Article 1319.02(b)(6): The Applicant seeks a special exception for reduction in the total number of parking spaces. The total parking required under the ordinance for the residential portion of the Project is 74 and 29 for the retail portion of the Project, for a total of 103 spaces. The Applicant proposes providing 78 spaces as a minimum, a 25% reduction in the parking requirements based upon a shared parking arrangement as set forth in the zoning ordinance.

We would ask that you kindly add this application to your next upcoming agenda, where we can provide a description of these variances and the reasons justifying the Zoning Hearing Board granting the relief. Please let me know if you need anything further. Thank you.

Very truly yours,

Florio Perrucci Steinhardt Cappelli Tipton & Taylor LLC

/s/ Seth R. Tipton

Seth R. Tipton