

# CITY OF BETHLEHEM

## Department of Planning and Zoning

### Interoffice Memo

**TO:** Planning Commission Members

**FROM:** Tracy E. Samuelson, Planning and Zoning Bureau

**RE:** Waiver Requests for Article 1311, Design Guidelines, in the CB Zone Autozone, 505 Wyandotte Street and 414-420 Broadway

**DATE:** January 8, 2021

The proposed Autozone will require action by the Planning Commission on five (5) mandatory design guidelines listed in Section 1311 of the Zoning Ordinance. The main purposes found in Article 1311.01 of instituting design guidelines along key corridors of the CB Zone like 5 Points is to improve the appearance of the City's commercial corridors during redevelopment, to encourage appropriate reuse of underutilized sites like this one, to expand the use of pedestrian and bicycle circulation, and to encourage principals of Smart Growth and compact mixed use development. Since this property is located in the Western Gateway of South Bethlehem and is at one of the busiest intersections of the city, the desire for an appropriate use in conformity with the Design Guidelines is of utmost importance. The five (5) waivers are as follows:

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

Our response to the five waivers are described in my attached letter to the applicant dated December 23, 2020. They relate to the redesign of the building as a two story structure, the lack of true display windows facing the street, and the visibility of tractor trailer loading docks.

Also attached is a traffic memo from Tiffany Wells regarding concerns about tractor trailer use at and within the site and her opposition to making Sheets Street two way at the southern edge of the project. Currently, Sheets St is only one way east.

The attached letter from Mayor Donchez dated October 26, 2020 includes his concerns about the use of tractor trailer trucks as opposed to box trucks, the resultant lack of pedestrian safety around this intersection, and the concern with this use blending in with the surrounding neighborhood. For these reasons, he does not support an Autozone at this location.

Article 1311.03 of the Zoning Ordinance, Modifications, allows modifications to be granted by the Planning Commission based on existing site conditions, the nature of the proposed use, hardships, etc.

For the reasons noted above, the Planning Bureau does not support the waiver of these Design Requirements.

These waiver requests will be presented at the January 14, 2021 meeting.



Tracy E. Samuelson,  
Assistant Director of Planning and Zoning

Enclosures

Cc: D. Heller  
M. Dorner  
T. Wells  
C. Peiffer  
Atty. Shulski  
J. Berneburg



# CITY OF BETHLEHEM

BUREAU OF PLANNING AND ZONING

10 East Church Street, Bethlehem, Pennsylvania 18018-6025

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December 23, 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 October 23, 2020 and colored elevation drawings dated December 2, 2020

Dear Mr. Berneburg:

We reviewed the above referenced revised plan. It was revised in order to reduce the waiver requests in the September 30, 2020 review letter from the Planning Bureau by redesigning elements of the original plan.

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. The responses follow each guideline. Section 1311 is also attached for reference:**

- 1. 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 revised development plan 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 on Broadway and no upper windows or dormers violates this provision and needs to be redesigned to meet the approval of the Planning Bureau.

2. **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 Broadway façade was revised to provide the main entrance. We suggest moving the main entrance northerly to the corner, still fronting Broadway, but limiting the distance for handicapped individuals to travel to enter the store.

3. **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. The proposed windows are either opaque or Evergreen (tinted) Glass, neither of which constitute display windows nor achieve the intended result of this subsection. They do not have “sufficient visibility” and are not “inviting to customers” in any way. While we recognize that Broadway has windows, they do not create interaction between the public space (sidewalk) and the retail space, by either permitting visibility from the sidewalk into the store or visibility of products. We believe the applicant can comply and we do not recommend the granting of a waiver at this key intersection in the City.

4. **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. The applicant shall provide a landscape plan with elevations indicating the level of shielding possible. It may be possible to extend the building façade at the south end of Wyandotte to shield the loading area from the Wyandotte St frontage. The truck turning diagram indicates buffering of the loading area is not possible since the development utilizes the entire southern portion of the lot as a truck entry area. A waiver for tractor trailer buffering from the street must be requested. Despite the uniqueness of the shape of the site, we believe that screening of a loading area is possible with a deviation from the prototypical footprint of the proposed building.

5. **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. Since it has been shown at the October Planning Commission meeting that the tractor trailer trucks cannot enter or exit on Broadway without crossing over into the property’s opposing entrance/exit lane and pork chop divider, and since the latest proposed truck turning plan shows half of the easterly parking spaces invaded by the tractor trailer movements, the use of tractor trailer trucks shall be further discussed. A feasible alternative is the sole use of box trucks instead of tractor trailer trucks on this site.

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

6. **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. Autozone is proposing a flat roof with a modernistic parapet, which does not fully meet the guideline to have a roofline similar to adjacent older buildings. We suggest some fortification of the parapet wall and the inclusion of some pitched or angular elements to add interest and continuity of design on the block.

7. **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. The applicant agrees to comply.

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

8. The Traffic Superintendent recommends no exiting from Shields Street onto Wyandotte. Currently, Shields Street is currently one way east (no vehicle 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 Traffic Superintendent's attached December 23, 2020 memo explaining the City's reasoning regarding keeping Shields Street one way east is attached.
9. 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 parking spaces. For these reasons, we require that the developer allow only box trucks to enter and exit this site if this cannot be prevented.

**GENERAL**

1. This item will be placed on the January 14, 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 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

Enclosure

**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.

CITY OF BETHLEHEM

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DEPARTMENT OF PUBLIC WORKS  
INTEROFFICE MEMORANDUM

**TO:** Tracy Samuelson, Assistant Director of Planning and Zoning  
**FROM:** Tiffany Wells, Traffic Superintendent  
**RE:** Broadway and Wyandotte Street Proposed Autozone  
**DATE:** December 23, 2020

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This correspondence is in response to a review of the proposed Site Plan for an Autozone at the intersection of Broadway and Wyandotte Street.

Although an Autozone will not generate high trip counts due to the nature of the store, the City is not in favor about allowing a tractor trailer to access this site. Just last week, I personally witnessed a tractor trailer at the 5-points intersection make an illegal turn and take down our overhead signage and pedestrian signal (this is not the first time that's happened here). This area is simply just not meant for tractor trailers and neither is the proposed site. Any way the truck enters or exits the site, it will need to cross travel lanes, go through parking spots, and run over the median to make the turns. And this is contingent upon a good driver.


Secondly, the City is not in agreement with turning Sheets St to 2-way at the development. This intersection already causes issues with southbound left turns in, and the City is in the process of restricting left turns from Wyandotte with PennDOT. Although the developer agreed to sign Sheets St as right turn only going out, our experience is that very few motorists abide by or even look at signage. We expect that motorists will attempt to turn left from Sheets St onto Wyandotte Street and this is extremely unsafe. Additionally, if the street is 2-way for the AutoZone, the abutting commercial building would also be able to use Sheets St to exit onto Wyandotte, putting even more vehicles out onto Wyandotte Street.

Bottom line, we feel an already potentially unsafe intersection on a Principal Arterial Street does not need to have traffic added to it.

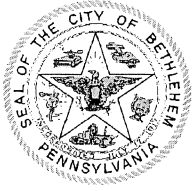
If there are any questions do not hesitate to call me.

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cc: M. Alkhal  
File/xc

By:   
\_\_\_\_\_

Title: Traffic Superintendent



# CITY OF BETHLEHEM

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MAYOR'S OFFICE

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Robert J. Donchez  
Mayor

October 26, 2020

Robert Melosky, Chair  
Bethlehem City Planning Commission  
10 E Church Street  
Bethlehem PA 18018

RE: AutoZone  
505 Wyandotte & 414-420 Broadway  
Site Plan Review

Chairman Melosky,

I am writing this letter to express my basic concerns about the AutoZone proposed at the above-referenced site. Although an AutoZone retail use could provide a needed service to the south side of Bethlehem, this site at the 5-Points intersection is not an appropriate location for several reasons. The 5-Points intersection is the Western Gateway entrance to the south side core downtown area and the intersection is arguably the most challenging intersection in Bethlehem for both vehicular traffic and pedestrian safety.

An appropriate use at this site would be one which limits traffic impacts. At this point, the developer continues to insist that tractor trailer trucks will be required at the site. Tractor trailers have a much greater traffic impact than box trucks or smaller vehicles. In addition the tractor trailers are still interfering with sidewalk area and the island required to assist in controlling traffic. The developer also continues to request that Shields Street be changed to a 2-way street, which the City cannot support.

Pedestrian safety has also been an ongoing challenge in and around this intersection because of the configuration of the streets and because of the volumes of traffic. The Traffic Bureau continues to implement pedestrian safety improvements in this area, but the challenges continue. Turning movements and truck traffic are extremely important considerations as this project is reviewed.

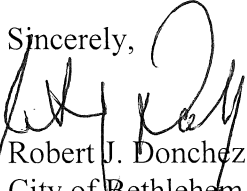
The site is also located at the Western Gateway of south Bethlehem in the CB (Central Business) zoning district. Both the CB and CL zoning districts include design guidelines to ensure that new infill development mirrors the surrounding neighborhood properties. Design guideline provisions include the location, orientation and height of the building, location of parking and loading zones and the relationship of the use to the street frontage. Each of these items warrant detailed consideration if the project moves forward at this site.



The city and the community have worked hard to guide development to locations where it is most appropriate. An auto-oriented use such as an AutoZone may clearly be more appropriate at a different location in south Bethlehem. Although I can support this use at a more appropriate location I do not feel comfortable at this time supporting a project like this at the 5-points intersection.

I urge you and the Commission to ensure that all traffic and design guideline requirements are met if this project should move forward at this location.

Sincerely,



Robert J. Donchez, Mayor  
City of Bethlehem

CC: Jeff Berneburg, MDM Surveyors & Engineers, LLC  
Attorney Debra A. Shulski