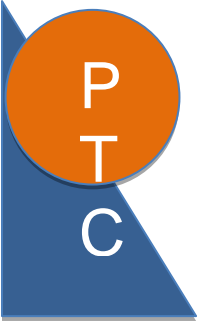


**ZONING DISTRICT OVERLAY REQUEST**

**1838 Center St., PARID: N6 13 1A 0204**

**200 Dewberry Ave., PARID: N6 13 1B 0204**



# PENN TECHNOLOGY CONSULTING, LLC

P.O. Box 66, Fogelsville, PA 18051

Phone: 610-730-9809 [suekandil3@gmail.com](mailto:suekandil3@gmail.com) <http://penntc.com>

Land Development /Site/Civil Engineering

October 08, 2020  
Bethlehem City Council  
10 East Church Street  
Bethlehem, PA 18018

**RE:** Overlay Request  
1838 Center Street & 200 Dewberry Avenue  
PARID: N6 13 1A 0204 & N6 13 1B 0204  
I- Institutional Zoning District  
Total of 7.0001 Acres (304,922.24 SF)

Dear Council Members,

On behalf of the Applicant, Bethlehem Manor Village LLC, the Owner of a tract located at 1838 Center St, we are requesting overlay of two lots, PARID: N6 13 1A 0204 & N6 13 1B 0204, 7.0001 Acres total area, which are located in the I- Institutional Zoning District.

## **Request for overlaying with I-O**

1. The Applicant desires to construct a grocery store; however, it is not permitted to do so under the I- Institutional Zoning District
2. The proposed overlay will benefit the surrounding neighborhoods by convenient access to groceries and other basic needs within walking or biking distance of local residents.

Sincerely,

Sue Kandil, P.E.  
President  
Penn Technology Consulting, LLC  
610-730-9809

PETITION TO THE CITY COUNCIL OF THE CITY OF BETHLEHEM  
FOR AMENDMENT TO THE CITY'S ZONING ORDINANCE

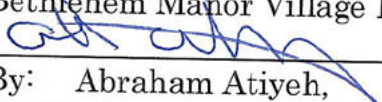
To: BETHLEHEM CITY COUNCIL  
Re: OVERLAY ZONING DISTRICT REQUEST  
1838 CENTER ST& 200 DEWBERRY AVE  
PARID: N6 13 1A 0204 & N6 13 1B 0204  
I- INSTITUTIONAL ZONING DISTRICT  
7.0001 ACRES (304,922.24 SF)

1. Petitioner, Bethlehem Manor Village LLC, is a limited liability company with a business address of 1177 6<sup>th</sup> Street, Whitehall, PA 18052-5212
2. Bethlehem Manor Village & Dewberry Center LLC own two real properties in the City of Bethlehem more particularly described by Deeds recorded at Northampton County Deed Book 2007-1, Page 461323 & Book 2017-1, Page 272159 ("Subject Properties").
3. The Subject Properties are located at 1838 Center St. & 200 Dewberry Ave.
4. The Subject Properties are zoned I- Institutional Zoning District.
5. Bethlehem Manor Village desires to construct a grocery store; however, it is not permitted to do so under the current Zoning District, I- Institutional.
6. Bethlehem Manor Village proposes to overlay the existing two properties with I-O Institutional Overlay Zoning District.
7. The proposed overlay will benefit the surrounding neighborhoods by convenient access to groceries and other basic needs within walking or biking distance of local residents.
8. Attached hereto as Exhibit "A" is the Subject Properties description by metes and bounds.
9. Attached hereto as Exhibit "B" is the current version of the Zoning Map.
10. Attached hereto as Exhibit "C" is the proposed version of the Zoning Map, to show the revisions proposed by Bethlehem Manor Village.
11. Attached hereto as Exhibit "D" is a Site Plan for Lidl Store.

Wherefore, Petitioner respectfully requests that City Council revise the City's Zoning Map by overlaying the Subject Properties with I-O Institutional Overlay Zoning District as indicated on Exhibit "C" attached hereto.

Petitioner:

Bethlehem Manor Village LLC

  
By: Abraham Atiyeh,  
President

Date: October 8 , 2020

# **Exhibit “A”**

**DEED DESCRIPTION**  
**200 DEWBERRY AVE**  
**PARID: N6 13 1B 0204**

**ALL** that certain tract or parcel of land situate on the south side of Dewberry Avenue, **PARID: N6 13 1B 0204**, recorded in the Northampton County Recorder of Deeds Office in Map Book Volume 2017-1, Page 272159, in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows to wit:

**Beginning** at a point on the southerly right-of-way line of Dewberry Avenue (80.00 feet wide), said point also being on the westerly lot line of Land N/F Lot 2, 2 Acre Subdivision Plan of Memorial Cemetery Lot 2;

thence along the same the following two (2) courses and distances:

- 1) S 2°12'33" W 581.76 feet to a point,
- 2) N 89°02'30" W 151.61 feet to a point on the easterly property line of Land N/F Bethlehem Manor Village, LLC, D.B.V. 2007-1 Page 461323;

thence along the same N 2°12'33" E 565.08 feet to a point on the southerly right-of-way line of Dewberry Avenue (80.00 feet wide);

thence along the same curving to right with a radius of 1,421.26 feet, an included angle of 6°09'58", an arc length of 152.96 feet, a tangent of 76.55 feet and a chord of N 84°41'46" W 152.88 feet to a point, the place of beginning.

Containing: 87,122.38 sq. ft. or 2.0001 acres more or less.

# COUNTY OF NORTHAMPTON

**RECORDER OF DEEDS**  
NORTHAMPTON COUNTY GOVERNMENT CENTER  
669 WASHINGTON STREET  
EASTON, PENNSYLVANIA 18042-7486  
Area Code (610) 559-3077

Ann L. Achatz - Recorder  
Andrea F. Suter - Lead Deputy  
Kathy Nansteel - Deputy



Book - 2007-1 Starting Page - 461323  
\*Total Pages - 6

Instrument Number - 2007059826  
Recorded On 12/31/2007 At 3:46:02 PM

- \* Instrument Type - DEED
- Invoice Number - 571999
- \* Grantor - MELROSE LAND LLC
- \* Grantee - BETHLEHEM MANOR VILLAGE LLC
- User - KAB
- \* Customer - TALLMAN HUDDERS AND SORRENTINO PC

**\* FEES**

STATE TRANSFER TAX	\$14,000.00
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$10.00
RECORDING FEES	\$15.00
AFFORDABLE HOUSING	\$14.02
AFFORDABLE HOUSING -	\$2.48
ADMIN FEE	
COUNTY RECORDS	\$2.00
IMPROVEMENT FEE	
DEEDS RECORDS	\$3.00
IMPROVEMENT FEE	
BETHLEHEM CITY	\$14,000.00
TOTAL PAID	\$28,047.00

**\*RECORDED BY:**

TALLMAN HUDDERS AND SORRENTINO PC  
THE PARAGON CENTRE  
1611 POND RD STE 300  
ALLENTOWN 18104-2256

I hereby CERTIFY that this document is recorded in the  
Recorder's Office Of Northampton County, Pennsylvania



*Ann L. Achatz*

Ann L. Achatz  
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

**Do Not Detach**

THIS PAGE IS NOW THE FIRST PAGE  
OF THIS LEGAL DOCUMENT

Book: 2007-1 Page: 461323



\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

**PREPARED BY:**

Tallman Hudders & Sorrentino, P.C.  
The Paragon Centre, Suite 300  
1611 Pond Road, Allentown, Pennsylvania 18104  
Lehigh County  
Phone: 610-391-1800; Fax: 610-391-1779  
NUMBER OF PAGES:

**RETURN TO:**

Tallman Hudders & Sorrentino, P.C.  
The Paragon Centre, Suite 300  
1611 Pond Road, Allentown, Pennsylvania 18104  
Lehigh County  
Phone: 610-391-1800; Fax: 610-391-1779  
ATTN: Jocelyn C. Hamlin, Paralegal  
PREFERRED RETURN METHOD: PICK-UP  
FILE CODE: Atiyeh-BMV

Tax Parcel: N6-13-1A

---

**SPECIAL WARRANTY DEED**

**THIS INDENTURE**, made the 27<sup>th</sup> day of December, Two Thousand and Seven (2007), and effective as of December 31, 2007.

**BETWEEN MELROSE LAND LLC**, a Pennsylvania limited liability company, with an address of c/o StoneMor Operating LLC, 155 Rittenhouse Circle, Bristol, PA 19007, Party of the First Part, hereinafter called the "Grantor"

AND

**BETHLEHEM MANOR VILLAGE, LLC**, a Pennsylvania limited liability company, with an address of 1177 6<sup>th</sup> Street, Whitehall, PA 18052, Party of the Second Part, hereinafter called the "Grantee",

WHEREAS, **MELROSE LAND LLC**, a Pennsylvania limited liability company was formerly known as **MELROSE LAND PARENT LLC**, successor by name change to **MELROSE LAND COMPANY**, a Pennsylvania corporation, pursuant to Certificate of Merger and Amendment filed on July 27, 2004.

**WITNESSETH**, that the said Grantor, for and in consideration of the sum of One Dollar and 00/100 cents (\$1.00) lawful money of the United States of America, unto it well and truly paid by the said Grantee, at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed,

109495.00106/11736727v.3

Book 2007-1 Page 461324



and by these presents does grant, bargain, sell, alien, enfeoff, release, convey and confirm, unto the said Grantee, its successors and assigns forever,

ALL THAT CERTAIN tract or parcel of land situate along the easterly side of Center Street (S.R. 3001), the southerly side of Dewberry Avenue and northerly side of Altwood Avenue in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, and indicated as Lot No. 1 on a plan entitled "Major Subdivision Land of Memorial Cemetery of Bethlehem," as prepared by Keystone Consulting Engineers Inc., dated October 16, 2007, last revised November 20, 2007, recorded in the Northampton County Recorder of Deeds Office as Plan Book No. 2007-5, Page 580, bounded and described as follows to wit:

BEGINNING at a concrete monument found in the southerly right-of-way of Dewberry Avenue (80 feet wide), said point is located at the south east corner of the intersection of Dewberry Avenue and Center Street (S.R. 3011);

Thence along Dewberry Avenue the following two (2) courses and distances:

1. North  $79^{\circ} 27' 36''$  East, 276.34 feet to a concrete monument found;
2. following a curve to the right with a radius of 1421.26 feet, a chord bearing and distance of North  $80^{\circ} 32' 12''$  East, 53.40 feet, and an arc length of 53.40 feet, to an iron pin found;

thence along lands now or formerly of Memorial Cemetery of Bethlehem, from which this parcel is a portion of, the following six (6) courses and distances:

1. South  $02^{\circ} 12' 33''$  West, 565.08 feet to an iron pin found;
2. North  $89^{\circ} 02' 30''$  West, 69.63 feet to a point;
3. following a curve to the left with a radius of 113.00 feet, a chord bearing and distance of South  $46^{\circ} 35' 01''$  West, 158.05 feet, and an arc length of 175.03 feet, to a point;
4. South  $02^{\circ} 12' 33''$  West, 12.83 feet to an iron pin found;
5. North  $89^{\circ} 02' 30''$  West, 115.02 feet to a point;
6. South  $02^{\circ} 12' 33''$  West, 122.54 feet to a point in the northerly right-of-way of Altwood Avenue;

thence along the northerly right-of-way of Altwood Avenue (60 feet wide), the following two (2) courses and distances:

1. North  $89^{\circ} 02' 30''$  West, 37.42 feet to a point,
2. following a curve to the right with a radius of 20.00 feet, a chord bearing and distance of North  $43^{\circ} 24' 58''$  West, 28.59 feet, and an arc length of 31.85 feet, to a concrete monument found in the easterly right-of-way of Center Street (S. R. 3011, said monument being in the northeast corner of the intersection of Altwood Avenue and Center Street, (S.R. 3011);

thence along the easterly right-of-way of Center Street, (S.R. 3001), (80 feet wide), the following two (2) courses and distances:

1. North 02° 12' 33" East, 687.47 feet to a concrete monument found;
2. following a curve to the right with a radius of 40.00 feet, a chord bearing and distance of North 40° 50' 05" East, 49.94 feet, and an arc length of 53.93 feet to a concrete monument being the point and place of beginning.

CONTAINING 5.0000 acres more or less.

**TOGETHER** with all and singular the lot, improvements, ways, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor, in law, equity or otherwise, howsoever, in and to the same and every part thereof.

**UNDER AND SUBJECT**, to all reservations, restrictions, covenants, conditions, easements, rights of way and other matters of record.

**TO HAVE AND TO HOLD** the said lot, improvements, hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns, FOREVER,

**AND** the said Grantor, for itself, its members, officers, successors and assigns, does by these presents covenant, promise and agree to and with the said Grantee, its members, successors and assigns, by these presents that it, the said Grantor, its members, officers, successors and assigns, all and singular the hereditaments and premises herein above described and granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantee, its members, successors and assigns, and against all and every person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it or any of them,

**SHALL AND WILL SPECIALLY WARRANT AND FOREVER DEFEND.**

*Actual Consideration: \$1,400,000.00*

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed as of the \_\_\_ day of December, 2007, effective as of December 31, 2007.

ATTEST:

MELROSE LAND LLC,  
a Pennsylvania limited liability company

[Signature]

By: [Signature]  
Name: Michael Stache  
Title: Pres.

COMMONWEALTH OF PENNSYLVANIA )

: ss.:

COUNTY OF BUCKS )

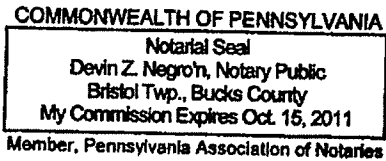
On this, the 27<sup>th</sup> of December, 2007, before me, the undersigned officer, personally appeared Michael Stache, who acknowledged himself/herself to be an authorized officer of **Melrose Land LLC**, a Pennsylvania limited liability company, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the limited liability company by himself/herself as such authorized officer.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

MY COMMISSION EXPIRES:

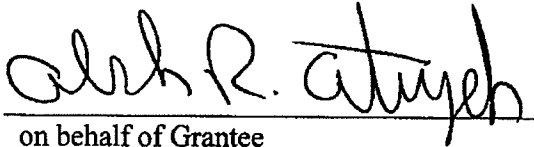
\_\_\_\_\_

[Signature]  
Notary Public

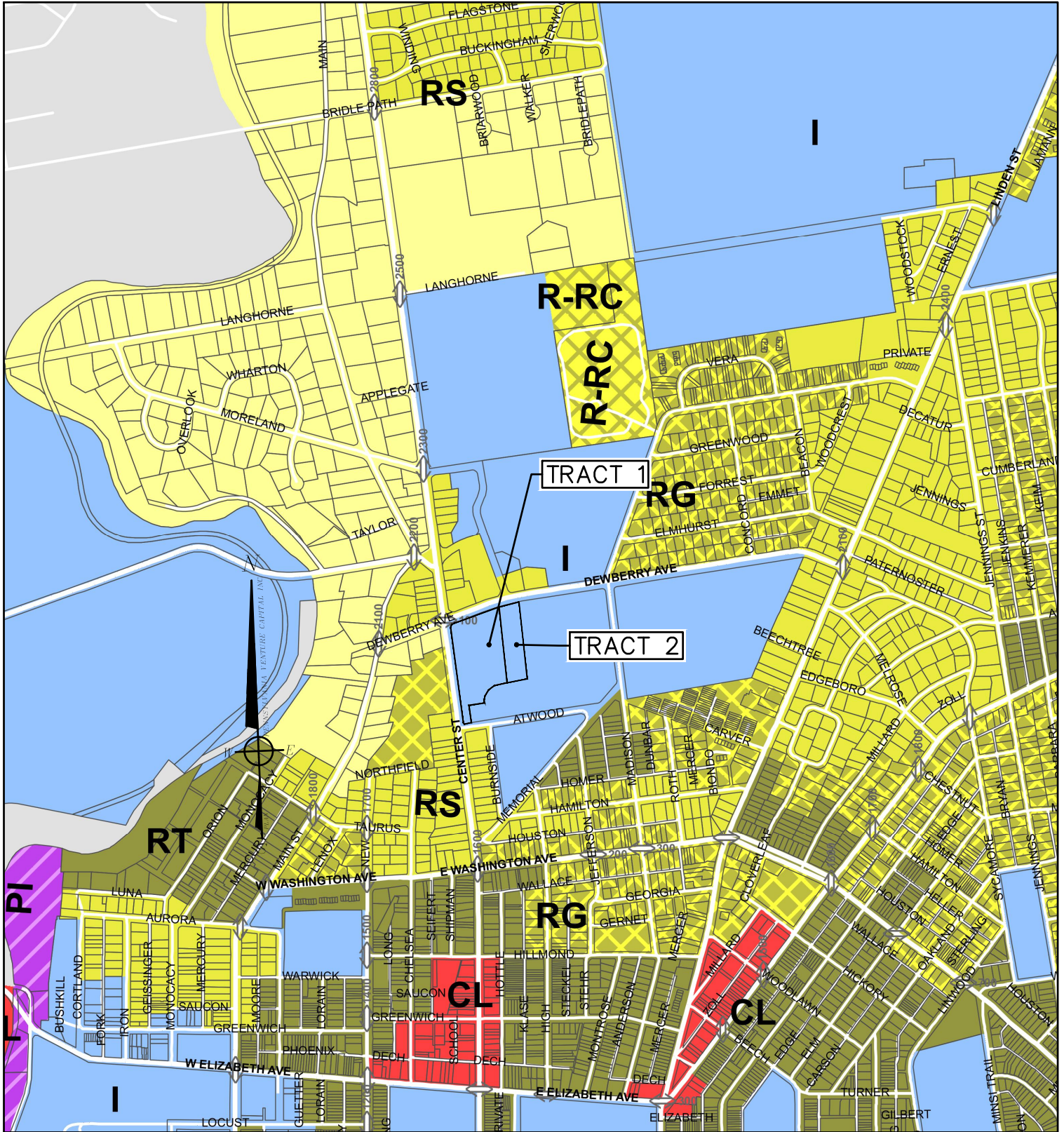


I HEREBY CERTIFY that the precise address of the Grantee herein is:

1177 6TH ST  
WHITEHALL, PA 18052-5212

  
on behalf of Grantee

# **Exhibit “B”**



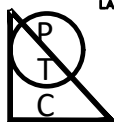
**EXISTING ZONING EXHIBIT**  
**1838 CENTER ST (TRACT 1) & 200 DEWBERRY AVE (TRACT 2)**  
**I- INSTITUTIONAL ZONING DISTRICT**

REVISION:

PROJECT: 1838 CENTER STREET & 200 DEWBERRY AVE, BETHLEHEM, PA 18017

CITY OF BETHLEHEM  
 NORTHAMPTON COUNTY  
 PENNSYLVANIA

PENN TECHNOLOGY CONSULTING, LLC  
 LAND DEVELOPMENT / SITE/CIVIL ENGINEERING  
 P.O. BOX 66, FOGELSVILLE, PA 18051  
 PHONE: 610-730-9809  
 E-MAIL: SUEKANDIL3@GMAIL.COM  
 WEBSITE: HTTP://PENNTC.COM

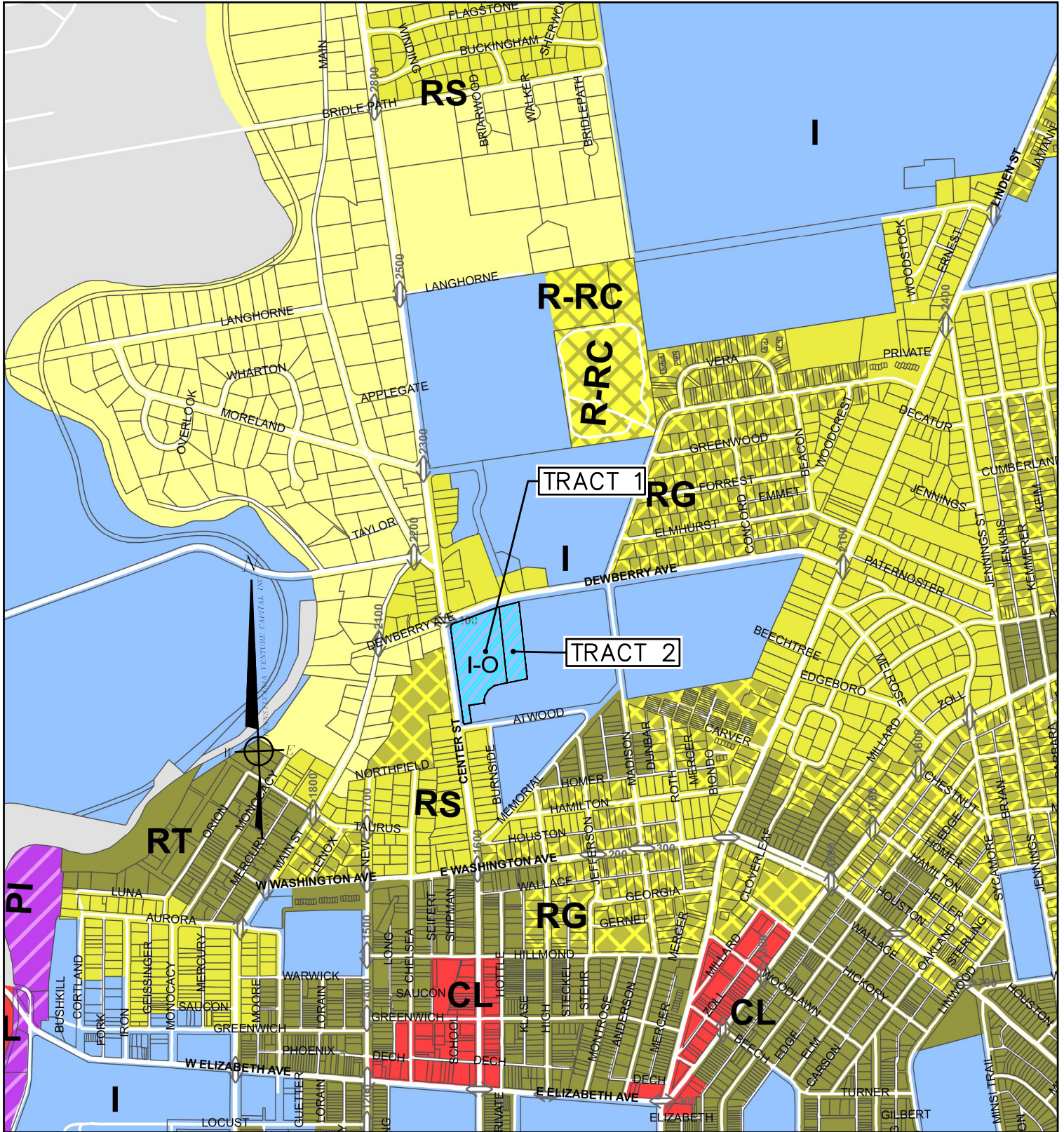


**PENNSYLVANIA**  
 VENTURE CAPITAL INC.

823 3rd Street, Whitehall, PA. 18052 (610)403-3400

SHEET NUMBER:	DATE:	SCALE:	DESIGNER:
1 OF 1	10/06/20	1"=1000'	SK

# **Exhibit “C”**



**PROPOSED ZONING EXHIBIT**  
**1838 CENTER ST (TRACT 1) & 200 DEWBERRY AVE (TRACT 2)**  
**I-O INSTITUTIONAL OVERLAY**

REVISION:

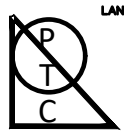
PROJECT: 1838 CENTER STREET & 200 DEWBERRY AVE, BETHLEHEM, PA 18017

CITY OF BETHLEHEM  
 NORTHAMPTON COUNTY  
 PENNSYLVANIA

PENN TECHNOLOGY CONSULTING, LLC  
 LAND DEVELOPMENT / SITE/CIVIL ENGINEERING  
 P.O. BOX 66, FOGELSVILLE, PA 18051  
 PHONE: 610-730-9809  
 E-MAIL: SUEKANDIL3@GMAIL.COM  
 WEBSITE: HTTP://PENNTC.COM

**PENNSYLVANIA**  
 VENTURE CAPITAL INC.  
 823 3rd Street, Whitehall, PA. 18052 (610)403-3400

SHEET NUMBER:	DATE:	SCALE:	DESIGNER:
1 OF 1	10/06/20	1"=1000'	SK





# **Exhibit “D”**



**GENERAL NOTES**

- THE FOLLOWING BASE INFORMATION IS PER THE FOLLOWING:
  - A. AERIAL IMAGERY
  - B. PENNSYLVANIA SPATIAL DATA ACCESS (PASDA)
  - C. THE CITY OF BETHLEHEM ZONING MAP
- THE CONCEPT REPRESENTED HEREIN IDENTIFIES A DESIGN CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY OWNER COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, AND STATE APPROVALS ARE NOT WARRANTED AND CAN ONLY BE PURSUED AFTER FURTHER EXAMINATION AND VERIFICATION OF LOCAL, COUNTY, AND STATE ZONING AND LAND DEVELOPMENT REQUIREMENTS.
- THE CONCEPTUAL PLAN IS PREPARED FOR CONCEPTUAL REPRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A ZONING AND/OR CONSTRUCTION DOCUMENTS.



PROJECT NAME: LIDL: CITY OF BETHLEHEM  
 PROJECT ADDRESS: 1838 CENTER STREET, CITY OF BETHLEHEM, PA 18017  
 PROJECT PHASE: TESTFIT B0

STORE TYPE: T18

REQUIREMENTS	STANDARDS	EXIST.	PROP.	COMPLIES
ON-SITE PARKING	4 SPACE PER 1000 SF OF GFA (125 REQ'D)	0 SPACES	137 SPACES	Y
PARKING SETBACK	15' FROM PROPERTY LINES	N/A	15'	Y
MAX. BUILDING COVERAGE	65%	TBD	14.34%	Y
MAX. IMPERVIOUS COVERAGE	80%	TBD	75.65%	Y
MIN. LOT AREA	2 ACRES	4.97 ACRES	2.96 ACRES	Y
USE (BY RIGHT)	INSTITUTIONAL	INSTITUTIONAL	GROCERY STORE	N (VARIANCE REQ.)

REVISIONS:	DATE	COMMENT	BY

CRITICAL ZONING REQUIREMENTS	COMPLIES	
PARKING SLOPES	3% MAX	Y
ENTRANCE SLOPES	5% MAX	Y
STANDARD PARKING SIZE	9' X 18'	Y
ACCESSIBLE PARKING SIZE	8' X 18'	Y
DRIVE AISLE WIDTH	24'	Y
ENTRANCE WIDTH	24'	Y

SITE AREA CALCULATIONS	COMPLIES	
TOTAL SITE AREA	± 4.97 AC (216,564 SF)	Y
UNDEVELOPABLE AREA (BUILDING AND PARKING SETBACKS)	± 0.91 AC (39,444 SF)	Y
DEVELOPABLE SITE AREA	± 4.06 AC (177,120 SF)	Y

PROJECT NAME: LIDL: CITY OF BETHLEHEM  
 PROJECT ADDRESS: 1838 CENTER STREET, CITY OF BETHLEHEM, PA 18017  
 PROJECT PHASE: TESTFIT B0

DATE: 2020.04.30  
 SCALE: 1" = 80'

PROJECT #: PP203098  
 CHECKED BY: KM

SHEET #: 1 OF 1

**BOHLER**  
 SITE CIVIL AND CONSULTING ENGINEERING  
 LAND SURVEYING  
 PROGRAM MANAGEMENT  
 LANDSCAPE ARCHITECTURE  
 SUSTAINABLE DESIGN  
 PERMITTING SERVICES  
 TRANSPORTATION SERVICES