

PH I

April 20, 2021

PUBLIC HEARING

**Privately-proposed Zoning Map Amendment
1852 West Market Street
1843 West Broad Street
Bethlehem, PA**



KOLB, VASILIADIS, FLORENZ & RECCHIUTI, LLC

ATTORNEYS AT LAW
60 WEST BROAD STREET, SUITE 303
BETHLEHEM, PENNSYLVANIA 18018-5721

Constantine M. Vasiliadis
Michael D. Recchiuti*

Tel. 610-865-4611
Fax 610-974-8307

Jacob S. Kolb
(1949-2011)
Paul A. Florenz
(1979-2018)

*Admitted in New York

February 24, 2021

Bethlehem City Council
c/o City Clerk
Bethlehem City Hall
10 East Church Street
Bethlehem, PA 18018

Re: Zoning Map Adjustment
1852 W. Market Street/1843 W. Broad Street

Dear Members of Bethlehem City Council:

The undersigned is legal counsel for Tavarez Real Estate Investments, LLC, (hereinafter "Tavarez") the owner of Austin's Auto Service located at 1843 W. Broad Street. Enclosed please find the Petition of Tavarez Real Estate Investment, LLC for a zoning map amendment.

Tavarez is in the process of acquiring a portion of the parcel located at 1852 W. Market Street from the City of Bethlehem. As part of the acquisition, a Minor Subdivision Plan was filed with the City of Bethlehem Planning Bureau for a lot line adjustment to incorporate the portion to be acquired into Tavarez's existing parcel at 1843 W. Broad Street.

A zoning map change is being requested to change the zoning of that portion of 1852 W. Market Street being acquired from CL-Limited Commercial to LI-Light Industrial, the zoning designation of 1843 W. Broad Street, so that the minor subdivision plan/lot line adjustment can be approved.

If you should have any questions regarding this request, please do not hesitate to contact me directly.

Very truly yours,

Michael D. Recchiuti

MDR/bm

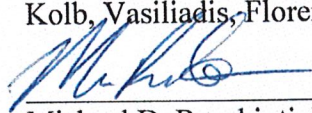
Commercial Limited to LI-Light Industrial to match the zoning of Lot 2 for approval of the subdivision plan.

8. A copy of the Site Plan is attached hereto and marked as Exhibit 2.

WHEREFORE, Petitioner respectfully requests that City Council amend the City's Zoning Map to reflect that change of zoning district from CL-Limited Commercial to LI-Light Industrial for that portion of 1852 W. Market Street, as described in Exhibit 1, being transferred to Petitioner.

Respectfully submitted,

Kolb, Vasiliadis, Florenz & Recchiuti, LLC



Michael D. Recchiuti, Esquire
Counsel for Petitioner
PA I.D. No. 90862
60 W. Broad Street, Suite 303
Bethlehem, PA 18018
Telephone: 610-997-8820
Fax: 610-997-8822
mdr@kvfrlaw.com

Dated: _____

2/24/2021

VALLEY LAND SERVICES, LLC

4383 Hecktown Road, Suite D
Bethlehem, PA 18020
(610) 365-2907 * fax (610) 365-2958
Project # V20-0160

Portion of PID 641778841828-1 To be Rezoned Ward 13 Block 23 G10NE2C-011-016

ALL THAT CERTAIN tract or parcel of land situate south of West Broad Street, North of West Market Street, and east of the intersection of said streets, in Ward 13 of the City of Bethlehem, Lehigh County, Commonwealth of Pennsylvania, as shown on 1843 West Broad Street Lot Line Adjustment Plan by Valley Land Services LLC, and more particularly described as follows to wit:

COMMENCING at an iron pin found at the northeasterly corner of Lands now or formerly of Tavarez Real Estate Investments, LLC (PID 641778944302-1), thence along said lands of Tavarez, South 11 degrees 20 minutes 17 seconds West a distance of 3.00 feet to a rebar with cap set in the southerly right-of-way of West Broad Street (90 feet wide), being the true point and place of **BEGINNING**;

Thence along said lands of Tavarez, South 11 degrees 20 minutes 17 seconds West a distance of 89.05 feet to a rebar with cap found in the northerly right-of-way of West Market Street (52' wide);

Thence along said northerly right-of-way of West Market Street North 51 degrees 05 minutes 54 seconds West a distance of 45.12 feet to a rebar with cap set;

Thence in and through PID 641778841828-1 North 11 degrees 20 minutes 17 seconds East a distance of 68.22 feet to a rebar with cap set in the southerly right-of-way of West Broad Street;

Thence along said southerly right-of-way of West Broad Street, South 78 degrees 35 minutes 43 seconds East a distance of 40.00 feet to the point and place of beginning.

CONTAINING 3,146 S.F. or 0.0722 AC.

Subject to any notes, easements, or covenants shown on aforesaid plan and any other pertinent facts a title search might disclose.

DRAFT ORDINANCE

DRAFT

BILL NO. ____ - 2021

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING PART 13 OF THE CODIFIED
ORDINANCES OF THE CITY OF BETHLEHEM, PENNSYLVANIA,
AS AMENDED, KNOWN AS THE ZONING ORDINANCE OF THE
CITY OF BETHLEHEM, PENNSYLVANIA, BY AMENDING
THE CITY ZONING MAP.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY ORDAINS
AS FOLLOWS:

That the following amendment be made to Ordinance No. 2012-21, known as the Zoning Ordinance of the City of Bethlehem, Pennsylvania, adopted by City Council on August 7, 2012.

SECTION 1. That the Zoning Ordinance of the City of Bethlehem, Pennsylvania be amended by changing all the “CL – Limited Commercial” District symbols and indications as shown on the City Zoning Map in the area described as follows (and depicted on the 1843 West Broad Street Rezoning Site Plan attached hereto and made a part hereof):

ALL THAT CERTAIN tract or parcel of land situate south of West Broad Street, North of West Market Street, and east of the intersection of said streets, in Ward 13 of the City of Bethlehem, Lehigh County, Commonwealth of Pennsylvania, as shown on 1843 West Broad Street Lot Line Adjustment Plan by Valley Land Services LLC, and more particularly described as follows to wit:

COMMENCING at an iron pin found at the northeasterly corner of Lands now or formerly of Tavarez Real Estate Investments, LLC (PID 641778944302-1), thence along said lands of Tavarez, South 11 degrees 20 minutes 17 seconds West a distance of 3.00 feet to a rebar with cap set in the southerly right-of-way of West Broad Street (90 feet wide), being the true point and place of BEGINNING;

Thence along said lands of Tavarez, South 11 degrees 20 minutes 17 seconds West a distance of 89.05 feet to a rebar with cap found in the northerly right-of-way of West Market Street (52' wide);

Thence along said northerly right-of-way of West Market Street North 51 degrees 05 minutes 54 seconds West a distance of 45.12 feet to a rebar with cap set;

Thence in and through PID 641778841828-1 North 11 degrees 20 minutes 17 seconds East a distance of 68.22 feet to a rebar with cap set in the southerly right-of-way of West Broad Street;

DRAFT

Thence along said southerly right-of-way of West Broad Street, South 78 degrees 35 minutes 43 seconds East a distance of 40.00 feet to the point and place of beginning.

CONTAINING 3,146 S.F. or 0.0722 AC.

THE ABOVE-DESCRIBED PREMISES being part of the lot known as 1852 West Market Street (PIN #641778841828 1) and Deed dated May 15, 1922 recorded in Deed Book Volume 371, Page 490 in the Office of the Recorder of Deeds of Lehigh County, said portion being the subject of a minor subdivision being concurrently approved by the City of Bethlehem Planning and Zoning Office.

PLUS any area outside the boundaries aforescribed which is found in any street, alley, waterway, or railroad right-of-way up through the centerline of such street, alley, waterway or railroad right-of-way.

to those of an "LI – Light Industrial" District.

SECTION 2. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Sponsored by _____

PASSED finally in Council on the _____ day of _____, 2021.

President of Council

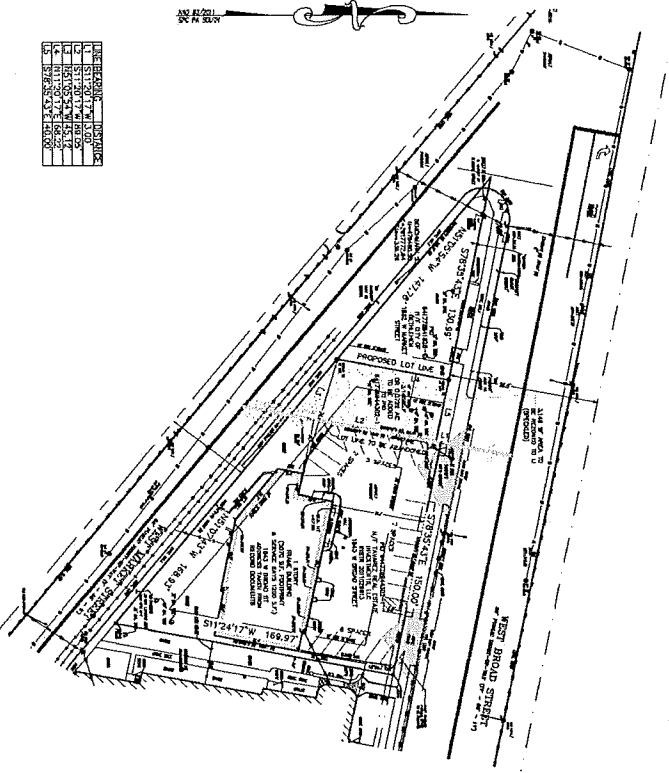
ATTEST:

City Clerk

This Ordinance approved this _____ day of _____, 2021.

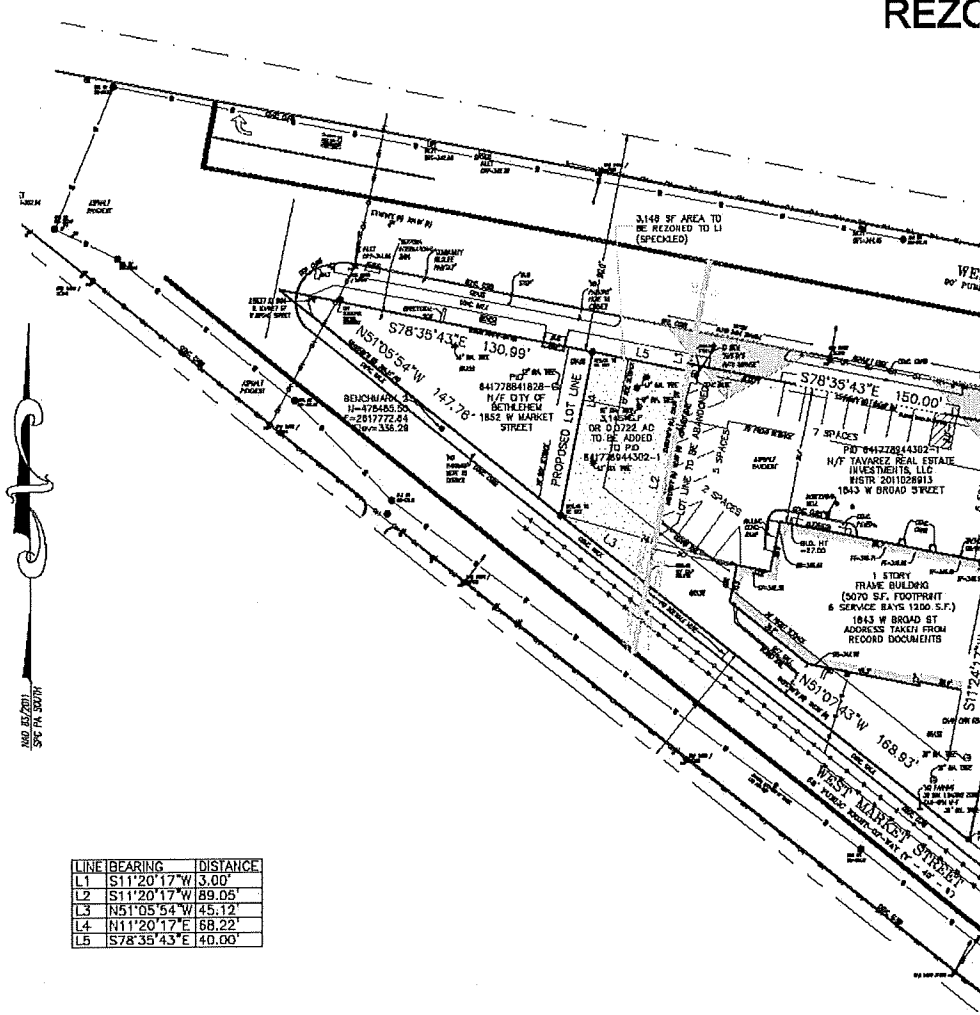
Mayor

1843 WEST BROAD STREET REZONING SITE PLAN



NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAN	10/15/08
2	REVISIONS	11/10/08
3	REVISIONS	12/15/08
4	REVISIONS	01/15/09
5	REVISIONS	02/15/09
6	REVISIONS	03/15/09
7	REVISIONS	04/15/09
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314	REVISIONS	11/15/

1843 WE REZC



LINE	BEARING	DISTANCE
L1	S11°20'17\"W	3.00'
L2	S11°20'17\"W	89.05'
L3	N51°05'54\"W	45.12'
L4	N11°20'17\"E	68.22'
L5	S78°35'43\"E	40.00'

UTILITY NOTES

ONE CALL TICKET NUMBER 20202331790 CALL DATE 08/20/20
 UTILITIES SHOWN ARE BASED ON LIMITED DATA. THERE IS NO GUARANTEE AS TO THEIR LOCATION OR SIZE. PLEASE CONTACT RESPECTIVE UTILITY COMPANIES PRIOR TO CONSTRUCTION. POSSIBLE CONTACTS IN THIS AREA ARE:

PPL ELECTRIC UTILITIES
 ADDRESS: 827 HAUSMAN ROAD, ALLENTOWN, PA 18104-9392
 PHONE: 1-600-342-5775

BETHLEHEM DEPARTMENT OF WATER AND SEWER
 ADDRESS: 10 E. CHURCH STREET BETHLEHEM, PA 18018
 PHONE: NON-EMERGENCY 610-865-7207, EMERGENCY 610-865-7077

SERVICE ELECTRIC CABLE TV & COMMUNICATIONS
 ADDRESS: 2250 AVE. A, BETHLEHEM, PA 18017
 PHONE: NON-EMERGENCY 610-965-9100, EMERGENCY 670-825-8508

RCH TELECOM SERVICES, LLC
 ADDRESS: PRESIDENT PLAZA, 198 VAN BUREN STREET, SUITE 300, HERNDON, VA 20170
 PHONE: NON-EMERGENCY 608-734-3700, EMERGENCY 1-800-748-4726

USG ENERGY SERVICE
 ADDRESS: P.O. BOX 13009, READING, PA 19612-3099
 PHONE: NON-EMERGENCY 1-800-276-2722, EMERGENCY (800)-276-2722

VERIZON
 ADDRESS: ONE VERIZON WAY, BASKING RIDGE, NEW JERSEY 07920, US
 PHONE: NON-EMERGENCY 1.866.406.9290

ZONING 1832 W BROAD PID 641776841826-1

ZONING CLASSIFICATION: CL "LIMITED COMMERCIAL DISTRICT"

MIN. LOT AREA: 2,000 S.F.
 EXISTING LOT AREA = 7,813 S.F. OR 0.1748 AC
 PROPOSED LOT AREA = 4,468 S.F. OR 0.1026

MIN. LOT WIDTH: 20 FT
 EXISTING LOT WIDTH = 170.99
 PROPOSED LOT WIDTH = 130.99

MIN. FRONT YARD SETBACK = 0 FEET
 N/A NO STRUCTURE

MIN. REAR YARD SETBACK = 10 FEET
 N/A NO STRUCTURE

MIN. SIDE YARD SETBACK = 4 FEET
 N/A NO STRUCTURE

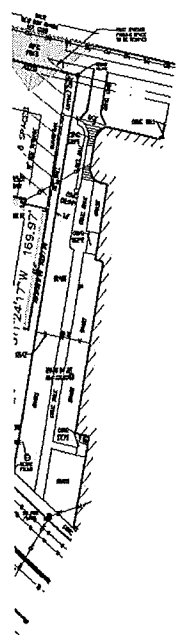
PARKING: 0 SPACES REQUIRED, 0 PROVIDED.

MAXIMUM BUILDING COVERAGE: 60%
 N/A NO STRUCTURE

MAXIMUM IMPERVIOUS COVERAGE = 80% IMPERVIOUS COVERAGE
 EXISTING IMPERVIOUS COVERAGE: 1%
 PROPOSED IMPERVIOUS COVERAGE: 2%

MAX HEIGHT = 8 STORES OR 80 FEET WHICHEVER IS MORE RESTRICTIVE

WEST BROAD STREET REZONING SITE PLAN



ZONING 1843 W BROAD PID 641778944302-1

ZONING CLASSIFICATION: LIGHT INDUSTRIAL

MIN. LOT AREA: 10,000 S.F.
EXISTING LOT AREA = 10,042 S.F. OR 0.4509 A.C.
PROPOSED LOT AREA = 22,787 S.F. OR 0.5231 A.C.

MIN. LOT WIDTH: 30 FT
EXISTING LOT WIDTH = 180 FT
PROPOSED LOT WIDTH = 180.02 FT

MIN. FRONT YARD SETBACK = 20 FEET
EXISTING FRONT YARD SETBACK = 56.4' FROM W. BROAD ST.; 15.5' FROM WEST MARKET ST.
PROPOSED FRONT YARD SETBACK = 56.4' FROM W. BROAD ST.; 15.5' FROM WEST MARKET ST.

MIN. REAR YARD SETBACK = 15 FEET
N/A

MIN. SIDE YARD SETBACK = 15 FEET
EXISTING SIDE YARD SETBACK = 3.9 FT ON EAST SIDE; 34.3 ON WEST SIDE
PROPOSED SIDE YARD SETBACK = 3.9 FT ON EAST SIDE; 74.9 ON WEST SIDE

PARKING: FOUR SPACES PER EACH SERVICE BAY AND ONE SPACE PER EMPLOYEE
4 SERVICE BAYS X 4 SPACES PER BAY = 16 SPACES
11 EMPLOYEES X 1 SPACE PER EMPLOYEE = 11 SPACES
TOTAL 27 SPACES REQUIRED
20 PROVIDED

* EXISTING NON-COMFORMITY

MAXIMUM BUILDING COVERAGE: 65%
EXISTING BUILDING COVERAGE: 28%
PROPOSED BUILDING COVERAGE: 22%

MAXIMUM IMPERVIOUS COVERAGE = 80% IMPERVIOUS COVERAGE
EXISTING IMPERVIOUS COVERAGE = 7%
PROPOSED IMPERVIOUS COVERAGE = 70% *

* INCLUDES PROPOSED PERVIOUS PAVEMENT AND PROPOSED ASPHALT PAVEMENT

MAX BLD. HEIGHT: 30 FEET
EXISTING BLD HT = 27 FT

SITE DATA

TRACT AREA:
EXISTING LOT AREAS:
1843 W BROAD = 10,042 S.F. OR 0.4509 A.C.
1852 W MARKET = 7,613 S.F. OR 0.1748 A.C.
PROPOSED LOT AREAS:
1843 W BROAD = 22,787 S.F. OR 0.5231 A.C.
1852 W MARKET = 4,488 S.F. OR 0.1023 A.C.

EXISTING USE: 1843 W BROAD = AUTO REPAIR GARAGE
1852 W MARKET = PARK

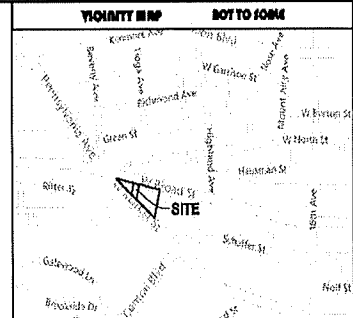
PROPOSED USE: 1843 W BROAD = AUTO REPAIR GARAGE
1852 W MARKET = PARK

EXISTING WATER SUPPLY SERVICE: CITY OF BETHLEHEM
EXISTING SANITARY SEWER SERVICE: CITY OF BETHLEHEM

CITY WARD, BLOCK, LOT:
WARD 13 BLOCK 23, LOT 1 AND 2A
CITY OF BETHLEHEM, LEHIGH COUNTY, PENNSYLVANIA

EXISTING ADDRESS:
641778944302 = 1843 WEST BROAD STREET, BETHLEHEM, PA
641778944302 = 1852 W MARKET ST, BETHLEHEM, PA

PROPOSED ADDRESS: SAME AS EXISTING ADDRESSES.



OWNER 641778841828-1

OWNER: CITY OF BETHLEHEM
NAME: CITY OF BETHLEHEM
ADDRESS: 10 EAST CHURCH STREET
BETHLEHEM, PA 18018
EMAIL: BETHLEHEM@SERVICES.CCI.ORG@BETHLEHEM-PA.GOV
PHONE: 610-865-7000

OWNER/ DEVELOPER 641778944302-1

OWNER: TAVAREZ REAL ESTATE INVESTMENTS LLC
NAME: TAVAREZ REAL ESTATE INVESTMENTS LLC
ADDRESS: 184 LLAC DRIVE
ALLIANTOWN, PA 18044
EMAIL: TAVAREZ@REALTOR.COM
PHONE: 610-866-5440

SOURCE OF TITLE

PARCEL ID 641778944302-1
RPT# 2011020119
LEHIGH COUNTY PENNSYLVANIA
SEPTEMBER 8, 2011

PARCEL ID 641778841828-1
DEED BOOK 271790E-001
LEHIGH COUNTY PENNSYLVANIA
MAY 16, 2022

SITE DATA

- THE INTENT OF THIS PLAN IS TO ADJUST THE LOT LINE BETWEEN PID 641778944302-1 (WARD 13 BLOCK 23 LOT 1) AND PID 641778841828-1 (WARD 13 BLOCK 23 LOT 2A) IN THE CITY OF BETHLEHEM, LEHIGH COUNTY, PA.
3,145 S.F. OR 0.0722 ACRES WILL BE SUBTRACTED FROM PID 641778841828-1 1852 W BROAD (WARD 13 BLOCK 24 LOT 33) AND BE ADDED TO 641778944302 1843 W BROAD (WARD 13 BLOCK 24 LOT 34)
- NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED KNOWN TO THIS SURVEYOR, OR OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- THE EXISTENCE OF UNDERGROUND STORAGE TANKS, F.A.P., WAS NOT KNOWN AT THE TIME OF THIS SURVEY.
- THIS PLAN IS VALID ONLY WHEN SIGNED IN COLORED INK AND EMBOSSED WITH A RAISED IMPRESSION SEAL AND WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARD OF ACCURACY OF THE STATE IN WHICH THE PROJECT IS LOCATED.
- THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
- COPYRIGHT © 2020, VALLEY LAND SERVICES, LLC. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING, OR BY ANY OTHER MEANS, OR STORED, PROCESSED, OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF THE SURVEYOR. COPIES OF THIS PLAN WITHOUT A RAISED IMPRESSION SEAL ARE NOT VALID.
- PARKING PROVIDED -
-REGULAR = 20 SPACES
-HANDICAP = 0 SPACES
TOTAL SPACES PROVIDED = 20
- ALL PARKING SPACES SHOWN ARE EXISTING.

FLOOD NOTE

BY GRAPHICAL REPRESENTATION ONLY THIS PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X UNSHADED AS SHOWN ON FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 420718 0306 E WHICH HAS AN EFFECTIVE DATE OF JULY 16 2004 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. FIELD SURVEYING WAS NOT PERFORMED TO DETERMINE THIS ZONE. AN ELEVATION CERTIFICATE MAY BE OBTAINED TO VERIFY THIS DETERMINATION OR APPLY FOR AN ADVISORY FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY. DATE OF FIRM = MAY 08

TYPE OF SURVEY: 1843 W. BROAD STREET - REZONING

VALLEY LAND SERVICES, LLC
4383 HECKTOWN ROAD
BETHLEHEM, PA 18020
Phone (610) 385-2907
Fax (610) 385-2950

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED IN THE FIELD UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE, BELIEF AND INFORMATION, THAT THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY ADOPTED ACCURACY STANDARDS. THAT THE PROPERTY LINES AND RELATIONS OF BOUNDARIES AND OTHER STRUCTURES TO THE PROPERTY LINES AND THE LAND LOCATED HEREON IS CORRECT, AND THAT THERE ARE NO ENCUMBRANCES OF BOUNDARIES OR EVIDENCES OF THE SAME WHICH WOULD AFFECT THE SAME.

THE OFFICERS SHOWN ARE NOT TO BE HELD FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDRESS, ETC.

NOT VALID UNLESS SIGNED

GREGORY O. NOLL DATE

SITE ADDRESS: 1843 W BROAD ST & CITY OF BETHLEHEM LEHIGH COUNTY, PA.

CLIENT: TAVAREZ REAL ESTATE

JOB NO. V20-0160 DRAWN BY: F2D/HVD APPROVED BY: GON

DATE: OCTOBER 5, 2020

NO.	DATE	DESCRIPTION
1	24-21	REVISION AS PER COMMENT LETTER



SHEET 1 OF 1
1