

CITY OF BETHLEHEM

Department of Community and Economic Development

Interoffice Memo

TO: Adam Waldron, City Council President

FROM: Darlene L. Heller, Director of Planning and Zoning

RE: Zoning Text Amendment – Related to the OMU (Office Mixed Use) zoning district at the Martin Tower site 1170 8th Avenue

DATE: March 12, 2021

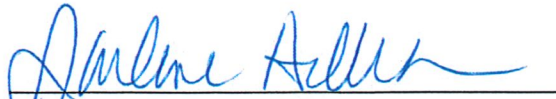
At their March 11, 2021 meeting the Planning Commission voted unanimously to recommend that City Council support the proposed Zoning Ordinance text amendments proposed at the Martin Tower site at 1170 8th Avenue. A copy of the Planning Bureau memo to the Planning Commission dated March 5, 2021 is attached.

A public hearing has been scheduled for Tuesday, April 20, 2021.

Feel free to contact our office if you need additional information.

Attachments

CC: City Council Members J. Spirk Mayor Donchez A. Karner
T. Samuelson C. Peiffer W. Leeson
Lewis Ronca



Darlene L. Heller, AICP
Director of Planning and Zoning

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TO: Planning Commission members

FROM: Darlene L. Heller, Director of Planning and Zoning

RE: Proposed Zoning Text Amendments related to the OMU (Office Mixed Use) zoning district at the Martin Tower site

Attached are Zoning Ordinance text amendments submitted by the property owner to address specific provisions of the current zoning for the OMU (Office Mixed Use) zoning district at the Martin Tower site. The proposal requests three separate revisions to the text:

- 1311.08(a) "In the OMU District, parking spaces placed between a principal commercial building and the curb line of an arterial street along the front of the lot shall be limited to (1) driving aisle and one (1) row of parking spaces." The applicant requests that there shall be no limit to the amount of parking between the front lot line and the building in the OMU district.
- 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." The applicant requests that this provision shall not apply in the OMU district.
- 1314.02(b)(5) requires a 30 foot rear yard setback. The applicant proposes a 20 foot rear yard setback.

The OMU zoning district was created in December 2015 at the Martin Tower site at Eighth and Eaton Avenues. As a part of that proposal, there were also modifications made to Article 1311, "Design Standards in the CL, CB, RT and OMU Zoning Districts". The amendments created an entirely new district for that property. The parcel is approximately 52 acres.

In March 2019 a Master Plan was submitted for the site prior to demolition of Martin Tower. The Planning Commission reviewed the Plan and provided comments at that time. The current nonresidential uses shown in this zoning appeal are generally in keeping with the Master Plan submitted in 2019.

The following are comments from the Planning Bureau related to the three sections of the Zoning Ordinance as they are listed in the appeal:

1311.08 Parking and Driveways (a) parking in front of principal buildings – (Item 7 of the Petition and Exhibit A and A-1) The current limitation of one drive aisle and one row of parking spaces between a principal building and an arterial street was included in the 2015 OMU zoning amendments to limit the amount of macadam in front of a development. In fact, in CB, CL and RT zoning districts, NO parking spaces are permitted between a principal building and an arterial street. Parking is required to be placed to the rear of buildings. The one row and one drive aisle exception was created in OMU to match the existing layout of parking immediately to the west across Eighth Avenue where one drive aisle and one row of parking already exists in that recent development. There are commercial buildings on 8th Avenue north of Eaton Avenue that have additional parking in front of the buildings, but most of them were constructed prior to development of Zoning Design Guidelines in 2012. In situations where the Zoning Ordinance has not required limited parking in front of principal buildings, the City has still tried to encourage and advocate for limited parking in front of buildings. The Planning Bureau prefers that the

parking and macadam area in front of principal buildings remain limited. The bulk of parking should be to the rear or the interior of the lot.

1311.08 Parking and Driveways (b) entering and exiting onto an arterial street – (Item 8 of the Petition and Exhibits B and B-1) This section prohibits any new vehicle driveway to enter or exit onto an arterial street. Both 8th Avenue and Eaton Avenue are arterial streets. This provision essentially prohibits any new vehicle access to the site. However, when the commercial development on the west side of 8th avenue was constructed, a new access point with a traffic signal was created. At the time, it was anticipated that the any new access point that would be created would logically be located where it would utilize this traffic signal at the east side of 8th Avenue. The proposed new driveway is in keeping with the anticipated layout at the existing traffic signal. Therefore, the Planning Bureau has no objection to this proposed amendment.

1314.02(b)(5) Rear Yard Setback – (Item 9 of the Petition and Exhibits C and C-1) The OMU district currently requires a 30 foot rear yard setback for non-residential buildings. The proposed text amendment reduces the setback to 20 feet. The OMU district is designed to allow for dense development. In addition, any rear yards would be interior to the overall project since front yards would be associated with the arterial streets. Therefore, the Planning Bureau has no objection to this proposed amendment.


Recommendation

The Planning Bureau supports the proposed text amendments related to access to arterial streets 1311.08(b) and reduction of the rear yard setback 1314. The Planning Bureau does not support the exemption from the requirement to limit the amount of parking between the front lot line and a principal building, especially since the proposed text amendment completely exempts the requirement and provides no upper limit.

We have placed this amendment on your March 11, 2021 agenda for consideration. We can provide more detailed information at that time.

CC: T. Samuelson
A. Karner
Mayor Donchez
C. Peiffer
E. Healy
Lewis Ronca

DATE: 3-5-21



Darlene L. Heller
Director Planning and Zoning