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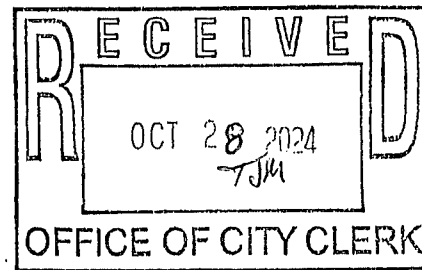
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October 24, 2024

VIA FIRST CLASS MAIL

AND EMAIL: cityclerk@bethlehem-pa.gov;

City Clerk
Offices of City Council
City of Bethlehem
10 East Church Street
Bethlehem, PA 18018

Re: Petition for Amendment to the City of Bethlehem Zoning Ordinance

Dear Sir or Madam:

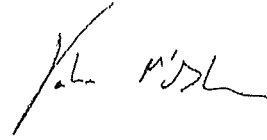
On behalf of petitioner, Pennsylvania Avenue Development, LLC ("Petitioner"), enclosed please find the Petition for Amendment to the Zoning Ordinance of the City of Bethlehem and Petitioner's proposed zoning text amendment ("Petition"). The Petition is submitted in accordance with requirements of Section 1326.01 of the Zoning Ordinance.

A check in the amount of \$200.00 payable to the City of Bethlehem representing the filing fee is also enclosed. Petitioner will issue a check for full payment of the City's costs related to publishing legal notice of this Petition and any hearing thereon, once said costs are known as provided in Section 1326.02(d) of the Zoning Ordinance.

Please confirm receipt of the Petition, timestamp a copy of the Petition, and return to us. Please provide us with notice of the date and time of the hearing on the Petition and of any other meeting at which the Petition will be discussed.

Should you have any questions or require additional information, please contact our office.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J.P. McShea', written over a horizontal line.

John P. McShea

JPM/bah

Enclosures

cc: John A. VanLuvanee, Esquire – via email
David Taylor – via email

**PETITION OF PENNSYLVANIA AVENUE DEVELOPMENT, LLC FOR
AMENDMENT TO THE CITY OF BETHLEHEM ZONING ORDINANCE**

Pennsylvania Avenue Development, LLC ("Petitioner"), by and through its attorneys, Eastburn and Gray, P.C., hereby petitions the Bethlehem City Council for an amendment to the Zoning Ordinance of the City of Bethlehem ("Zoning Ordinance") pursuant to the provisions of Section 1326.02(d) of the Zoning Ordinance and in support thereof its Petition avers as follows:

1. Petitioner is the owner of that certain 3-acre property located at 815 Pennsylvania Avenue in the City of Bethlehem (the "Property").
2. The Property is located within the City of Bethlehem's RS – Single Family Residential Zoning District.
3. The Property is used for a licensed personal care home facility.
4. Petitioner requests that the City Council amend the Zoning Ordinance to address the adaptive reuse of existing industrial uses located within the RS – Single Family Residential Zoning District and the RT – High Density Residential Zoning District.
5. The proposed amendment ("Amendment"), attached hereto as Exhibit "A", is proposed so as to facilitate the conversion of existing health care buildings into different health care uses.
6. The proposed Amendment is in accordance with the spirit and intent of the City of Bethlehem's Comprehensive Plan.
7. The proposed Amendment will not have any adverse effect on the surrounding neighborhood or the community.


8. The proposed Amendment will not result in any adverse environmental impact.

9. The proposed Amendment will not result in the need for any major improvements or extensions of the water or sewer systems or to any aspect of the City's infrastructure.

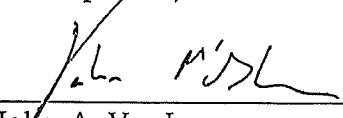
WHEREFORE, Petitioner requests that the City Council forward this Petition and proposed Amendment to the Lehigh Valley Planning Commission and the City of Bethlehem Planning Commission in accordance with Section 1326.02(d) of the Zoning Ordinance and Section 609(e) of the Pennsylvania Municipalities Planning Code for review and comment; and, following review and comment, schedule a public hearing on the proposed Amendment in accordance with Section 1326.03 of the Zoning Ordinance and Section 609(b)(1) of the Pennsylvania Municipalities Planning Code.

Respectfully submitted,

By:


Abraham Atiyeh
Principal of Pennsylvania Avenue
Development, LLC

By:


John A. VanLuvanee
John P. McShea
Attorneys for Petitioner

Sworn to and subscribed
before me this 24th day
of October, 2024


Notary Public

Commonwealth of Pennsylvania - Notary Seal
ELIZABETH A. HANEY, Notary Public
Bucks County
My Commission Expires May 30, 2025
Commission Number 1066212

EXHIBIT A

ORDINANCE NO. _____

An Amendment to the City of Bethlehem Zoning Ordinance to Add Provisions to
Address Adaptive Reuse of Existing Institutional Uses in the RS and RT Zoning
Districts.

Under the procedures and authority of the Pennsylvania Municipalities Planning Code, as amended, the City Council of the City of Bethlehem, Lehigh and Northampton Counties, Pennsylvania hereby adopts the following amendment to the City of Bethlehem Zoning Ordinance Text:

SECTION ONE: Adaptive Reuse Provisions in the RS and RT Zoning Districts.

In Section 1304 regarding allowed land uses, add the following use "Health Care Adaptive Reuse (S. 1322)" under "Institutional/Semi-Public Uses" and insert the letter "P" in the column for the RS and RT districts and the letter "N" in the columns for all other districts.

As a new subsection 1322.03(y.1) in the section regarding additional requirements for specific uses, add the following new text for "Health Care Adaptive Reuse."

"Health Care Adaptive Reuse.

- (1) The Health Care Adaptive Reuse provisions are intended allow certain portions of existing health care buildings to be converted to different health care uses, as provided in this Section.
- (2) This Section shall only apply to a lot that is occupied by an existing lawful Assisted Living Facility or Personal Care Home on a lot of more than one acre within the RS or RT Zoning Districts.
- (3) The total number of resident beds shall not be increased from what currently lawfully exists.
- (4) The height of buildings shall not be increased from what existed at the time of adoption of this amendment. The existing building setbacks that existed at the time of adoption of this amendment shall not be reduced where a setback abuts a lot line of an existing dwelling.
- (5) Portions of an existing building under this Section may be adapted to be used for: a) in-patient and/or out-patient behavior health services and/or b) a State-licensed Drug and Alcohol Treatment Facility that addresses substance abuse disorder.
- (6) The operator shall provide proof of receipt of applicable required licenses from State agencies, prior to occupancy of the facility.
- (7) The numbers of off-street parking spaces shall not be reduced from the number of spaces that currently exists on the property."

SECTION TWO: All Ordinances, Resolutions and/or other Regulations inconsistent with the provisions of this Zoning Amendment are repealed to the extent of their specific inconsistency with this Zoning Ordinance Amendment.

SECTION THREE: The provisions of this Ordinance Amendment are declared to be severable, and if any provision, sentence, clause, section, term, phrase or part of this Ordinance Amendment is for any reason found to be unconstitutional, illegal or invalid, then such unconstitutionality, illegality or invalidity shall not affect or impact any of the remaining provisions, sentences, clauses, sections, terms or parts of this Ordinance Amendment.

SECTION FOUR: This Ordinance Amendment is hereby been enacted by the City Council of the City of Bethlehem on this date of _____, 202__ as an amendment to the City of Bethlehem Zoning Ordinance, and this Amendment shall become effective immediately upon enactment.

President, City of Bethlehem City Council

Attest, City Clerk

Mayor, City of Bethlehem