

**2023 ANNUAL REPORT
PLANNING AND ZONING BUREAU
January 2024**

The following describes the activities of the Planning and Zoning Bureau in 2023.

Planning Commission

The Planning Commission held ten (10) meetings to review:

- a. Nine (9) major land development plans
- b. Four (4) combined major land development and subdivisions plans
- c. Five (5) sketch plans
- d. One (1) site plan review
- e. One (1) text amendment to the Zoning Ordinance
- f. One (1) map amendment to the Zoning Map
- g. Three (3) curb and sidewalk deferral requests
- h. Four (4) blighted properties reviews
- i. Overall Master Plan Review-Office Mixed Use (OMU) District
- j. Act 537 Special Study Review
- k. Non-Utility Capital Improvement Program Review
- l. Subdivision and Land Development Ordinance Review

Residential Apartment Unit construction decreased by a little over 42% in 2023 (194 units in 2022 versus 82 units in 2023); however, 2023 reviews do neither reflect the proposed 317 dwellings, commonly known as Hanover Street Apartments, nor the 1,085 dwellings, commonly known as Martin Tower/Tower Place.

The most significant of the Land Development reviews include:

1. **2897 Easton Avenue** - The applicant proposes to construct two (2) multi-family apartment buildings with a total of 54 units and associated parking on a 2.7-acre lot.
2. **218-226 West Union Boulevard** - The applicant proposes to demolish all existing structures and construct a 4-story mixed use building with 1,605 +/- SF of Commercial space, tenant lobby and amenities and parking on the ground floor and 39 one- and two-bedroom dwelling units (apartments) on the upper floors; a total of 57 off-street parking spaces, loading and other site appurtenances on a 0.8952-acre lot.
3. **25 West 3rd Street** - The Applicant proposes to demolish all existing structures and construct a five story, 73,485 SF structure and a one story 5,370 SF structure to house ArtsQuest, a Cultural Arts Center. Site features will also include a lawn area, 75-car surface parking lot, loading and other site appurtenances on a 1.53-acre (66,750 SF) lot.
4. **3769 Commerce Center Boulevard** - The applicant proposes to construct an 81,840 SF Addition to an existing 508,821 SF warehouse/manufacturing building and construct a 35-car parking lot at the southeast corner of the building on a 26.70-acre lot (Majestic Bethlehem Center/Bethlehem Commerce Center, LLC, Lot #5).
5. **1610 Spillman Drive** - The applicant proposes to construct a four-story, 98-room Hotel (Tru by Hilton), with 93 off-street parking spaces on a 1.65-acre (71,874 SF) parcel.

Zoning Hearing Board

The Zoning Hearing Board had another extremely busy year. The Board held 15 meetings in 2023 and heard 56 appeals. Significant Zoning Hearing Board appeals include:

1. 2235 W. Broad Street
2300 Hanover Avenue
2220 W. Florence Street
2211 W. Broad Street

Appeal of BAHX, LLC. to construct multiple apartment buildings where a dimensional variance is required for building length 180' required, 290' proposed. Additionally, a Variance is required to allow parking on the street level of the building along West Broad Street. Parking use is proposed in lieu of the required commercial use on the front street level. Based upon the foregoing, by 5-0 vote the Board grants Applicant's request for favorable interpretation and denies Applicant's request for a variance from the 180' building length requirement of §1322.03(II)(4).

The applicant, BAHX, appealed the Zoning Hearing Board's denial of their variance request. A motion to quash was submitted on behalf of the City as well as the Applicant, however, BAHX did not respond within 20 days, which, under Lehigh County's local rules, allows for the judge to consider the motion unopposed. Thus, such appeal was quashed. The only pending appeal is the one filed on behalf of the City of Bethlehem challenging the Zoning Hearing Board's interpretation regarding the first-floor commercial use issue.

2. 251 East Church Street

Appeal of Valerie Peters to seek a favorable Interpretation of a Cease-and-Desist Order to operate a Bed and Breakfast Inn/Airbnb within a Two-Family Detached Dwelling. By a foregoing vote, the Zoning Hearing Board denied their request 5-0. The Zoning Enforcement Notice was upheld. Such denial has been appealed by the Applicant and is currently pending in Court.

3. 2040 Avenue C

Appeal of Lehigh Valley Academy Regional Charter School to install commercial signage which requires dimensional relief for a maximum 677 square feet of signage required, 1,212.25 square feet proposed and 4 commercial signs maximum, 6 commercial signs proposed (5 wall mounted signs and 1 free-standing sign). Applicant also proposed a fence maximum 4 feet in height required, 6 feet in height proposed. By a foregoing vote, the Zoning Hearing Board approved their requests 5-0.

4. 910-930 Fire Lane

Appeal of Robert Justin Huratiak on behalf of HH Saucon Square, LLC to add an additional five (5) residential units to an existing 28 Unit Apartment Complex which consists of two (2) buildings which requires a Special Exception. Based upon the foregoing, by a vote of 5-0, the Board voted to approve the special exception to allow the construction of the five (5) additional units subject to its being constructed as shown in the materials submitted to the Board.

5. 1742 Elliott Avenue
1746-48 Elliott Avenue
1800 Elliott Avenue

Appeal of R & D Homes, LLC. to construct eight (8) multi-family dwelling units, which requires dimensional variances for minimum lot area in Steep Slopes 10 acres required, .67 acres proposed, maximum impervious coverage of 5% in Steep Slopes, 46% proposed, and maximum tree removal of 25% within Steep Slopes, 79% proposed. Prior approval was granted on August 1, 2022 for eight dwelling units, 3,000 SF of lot area per dwelling, and a Variance to reduce the

minimum separation between access drives and dwellings from 15' to 0'. Based on the foregoing, the Board determined that Applicant met Applicant's burden or legal standards under the applicable law to establish Applicant's right to the 3 variances sought by Applicant, and the Board voted as follows:

1. The Board voted unanimously (5 members voting in favor and 0 opposed) to grant Applicant a Variance to Section 1316.01(c) of the Zoning Ordinance that otherwise requires that the Subject Property have a minimum lot size of 10 acres and a maximum impervious coverage of 5% due to the existence of steep slopes exceeding 15% situate upon the Subject Property. The variances granted shall enable the Subject Property to be developed with a minimum lot area of 0.67 acres (a variance of 9.33 acres) and a maximum impervious coverage of 46% percent (a variance of 41%) under and subject to the following express conditions of relief:
 - i. Applicant shall acquire legal title to the unopened portions of Craig Avenue, Moll Street, and Elliott Avenue abutting the Subject Property and extending to the center line of said unopened streets shall be added to the Subject Property to ensure that the total lot area of the Subject Property is 29,250 square feet in a manner consistent with the testimony and evidence presented in this Appeal, and that the development of the Subject Property shall occur in a manner consistent with the Revised Plan, and;
 - ii. To extent there are existing utility, water and sewer infrastructure situate within the unopened portions of Craig Avenue, Moll Street, and Elliott Avenue abutting the Subject Property, Applicant shall take all necessary steps and grant all easements, rights of way or other agreements as may be required, requested or recommended by the City of Bethlehem in connection with the Subdivision and Land Development (SALDO) approval process conducted in connection with Applicant's development of the Subject Property, inclusive of any future easements or requests by the City of Bethlehem, and;
 - iii. Any retaining walls situated upon the Subject Property shall be constructed and maintained in strict conformance with all applicable provisions of the Zoning Ordinance, applicable municipal ordinance, or other applicable law.
2. The Board voted unanimously (5 members voting in favor and 0 opposed) to grant Applicant a Variance to Section 1316.01(h) of the Zoning Ordinance that otherwise requires that on areas with a slope of 25 percent or greater, a maximum of 25 percent of the tree canopy shall be cut or removed, within any 3-year period. The variance was granted so that Applicant may remove up to a maximum of 79% of the existing tree canopy on portion of the Subject Property featuring 25% or greater slopes (a variance of 54%). This variance was granted under and subject to the following conditions:
 - i. Applicant shall acquire legal title to the unopened portions of Craig Avenue, Moll Street, and Elliott Avenue abutting the Subject Property and extending to the center line of said unopened streets shall be added to the Subject Property to ensure that the total lot area of the Subject Property is 29,250 square feet in a manner consistent with the testimony and evidence presented in this Appeal, and that the development of the Subject Property shall occur in a manner consistent with the Revised Plan, and;
 - ii. To extent there are existing utility, water and sewer infrastructure situate within the unopened portions of Craig Avenue, Moll Street, and Elliott Avenue abutting

the Subject Property, Applicant shall take all necessary steps and grant all easements, rights of way or other agreements as may be required, requested or recommended by the City of Bethlehem in connection with the Subdivision and Land Development (SALDO) approval process conducted in connection with Applicant's development of the Subject Property, inclusive of any future easements or requests by the City of Bethlehem, and;

- iii. Any retaining walls situated upon the Subject Property shall be constructed and maintained in strict conformance with all applicable provisions of the Zoning Ordinance, applicable municipal ordinance, or other applicable law.

6. 3010 Avenue B

Appeal of Subrata Sen on behalf of Spray-Tek, Inc., for Variances to construct a 26-car parking lot within the minimum front yard setbacks, 25' required from the curb line, 24.2' proposed, 20' required from the front lot line, 16.4' proposed. Based upon the foregoing, by a vote of 3-0, the Board granted the requested zoning relief.

7. 250 East Broad Street

Appeal of Andrew Coombs, Boyle Construction on behalf of 250 E Broad, LLC/PD Property Holding, to install a projecting sign that requires Dimensional Variances to exceed the maximum height, 25' permitted, 38'-0" proposed and to exceed the maximum projection, 3'-6" permitted, 3'-8" proposed. Based upon the foregoing vote 3-0, the Zoning Hearing Board approved the dimensional variance to install a projecting sign 38'-0" in height and to project 3'-8" from the façade as proposed.

8. 600-614 East Third Street c/k/a 610 E 3rd St

Appeal of Andrew Coombs, Boyle Construction on behalf of Bethworks Renovations, LLC/Bethworks Greenway B, LP, to install a projecting sign that requires Dimensional Variances to exceed the maximum height, 25' permitted, 48'-0" proposed and to exceed the maximum projection, 3'-6" permitted, 4'-0" proposed. Based upon the foregoing, by a vote of 3-0, the Board granted the requested zoning relief to install a projecting sign 48'-0" in height and to project 4'-0" from the façade, as proposed.

9. 546 Bradley Street

Appeal of Manny Makhoul on behalf of State Holding Company, to construct a single-family detached dwelling, which requires Variances to orient the structure to front on an alley and to reduce the minimum required off-street parking, two spaces required, one space proposed, and a Dimensional Variance to reduce the minimum tract size, 4,000 SF required, 2,341 SF existing. The variance requests were approved, 3-0, to construct a single-family detached dwelling with one off-street parking spot, as proposed.

Historic Review Boards

The Historic Architectural Review Board (HARB) held 11 meetings and reviewed a total of 36 projects in 2023. The Grist Miller's House and the demolition of the Walnut Street Parking Garage were two of the more substantial projects reviewed.

The Historic Conservation Commission held 9 meetings and reviewed a total of 22 projects in 2023. ArtsQuest's Cultural Center proposal on West 3rd Street and the redevelopment of the Boys & Girls Club site were two significant projects for HCC to review.

Special Projects

South Bethlehem Greenway – All of the trail areas have been constructed for the portions of land that Bethlehem previously purchased from Norfolk Southern. The next step in moving Greenway expansion forward is to finally acquire the 9/10 of a mile of Norfolk Southern land that continues to prohibit the connection of the South Bethlehem Greenway to the northern end of the Saucon Rail Trail in Hellertown. Negotiations with Norfolk Southern have been initiated. Some acquisition grant funding has been awarded. The city continues to look for additional grant funds to support the acquisition and construction to close this important trail gap.

Housing – Planning for updated housing initiatives has become a significant priority. The development of Opening Doors: A Strategic Housing Plan was led by the community development bureau to outline required next steps to create new opportunities for affordable housing opportunities in Bethlehem. A priority next step is an overall review of the Zoning Ordinance and other development documents to create new, appropriately scaled, affordable housing opportunities and to break down existing development barriers for new residential development. These zoning amendments will be addressed in 2024.

In addition, the Opening Doors plan also allowed the city to apply for federal Choice Neighborhood grant funds in partnership with the Bethlehem Housing Authority. Choice Neighborhood grant funds were awarded for the development of a long-term housing and neighborhood plan for the Pembroke/Stefko area. This 2-year planning project began in fall of 2023 and will continue into 2025.

Wayfinding/Signage Project – All pedestrian signs included in phase 2 of the wayfinding program were installed in early 2023. Review by PennDOT is ongoing for the installation of the vehicle-style wayfinding signs.

Monocacy Way – Construction was previously finalized for the northern end of the Monocacy Way extending from the Burnside Plantation northward to Illick’s Mill Road and the Monocacy Park complex. The next step to completion of Monocacy Way is to close the gap and make a full trail connection to Sand Island and the Delaware & Lehigh National Heritage Corridor. A grant award was received from DCNR for this stretch of the trail. An engineering consulting team has been selected. Design of the trail will begin in 2024.

Grant Submissions – The city continues to actively pursue additional grant funding to move various projects forward. Grant awards in 2023 include DCNR award related to Friendship Park redevelopment and a PA DCED Multimodal grant for the development of an updated Park and Recreation Plan. A Safe Streets 4 All grant was also awarded for the redevelopment of the west end of Broad Street. More information about Broad Street is listed below.

Climate Action Plan Subcommittees – The Planning Bureau leads two of the subcommittees created to implement the Climate Action Plan recommendations – Land Use & Greenspace and Transportation & Mobility. The city continues to work with all subcommittees to move forward with the goals and objectives of the CAP.

Zoning Amendments – The Bureau continues to review the Zoning Ordinance for appropriate modifications and amendments. In 2023 an amendment was added to the Zoning Ordinance to create provisions for environmental education centers.

Subdivision and Land Development Ordinance - The Bureau continues to reach out to stakeholder groups related to the drafting of an updated SALDO. Additional revisions have recently been added to the draft related to climate action, transit and design standards.

Northside Alive – The city and neighborhood committees completed designs for the redevelopment of Friendship Park. Final engineered plans were completed. A DCNR grant was received for this project. The city awaits additional funding before the project can proceed to construction.

Broad Street Active Transportation Plan – The Broad Street Activation Transportation Plan was completed with WalkWorks grant funds in 2021. The Plan is an analysis of the entire Broad Street Corridor to address bicycle, pedestrian safety and transit improvements and includes a range of recommendations such as bike lanes, enhanced pedestrian crossings, bump outs, painted markings, street trees and signage in various sections. Bethlehem recently received awards for a PA DCED Multimodal grant and a federal Safe Streets 4 All grant. It is anticipated that engineering design work will be completed in 2024 for this corridor project. Construction will occur in phases throughout the Broad Street corridor.

SouthSide’s Tomorrow – The Planning Bureau continues to work with the Community Action Development (CADB) to provide staff support for the SouthSide’s Tomorrow plan. Specifically, the Bureau works most directly with the Public & Green Spaces subcommittee. The committee continues to concentrate on activities and improvements in the Greenway, community gardens and improved sidewalks and street lighting.

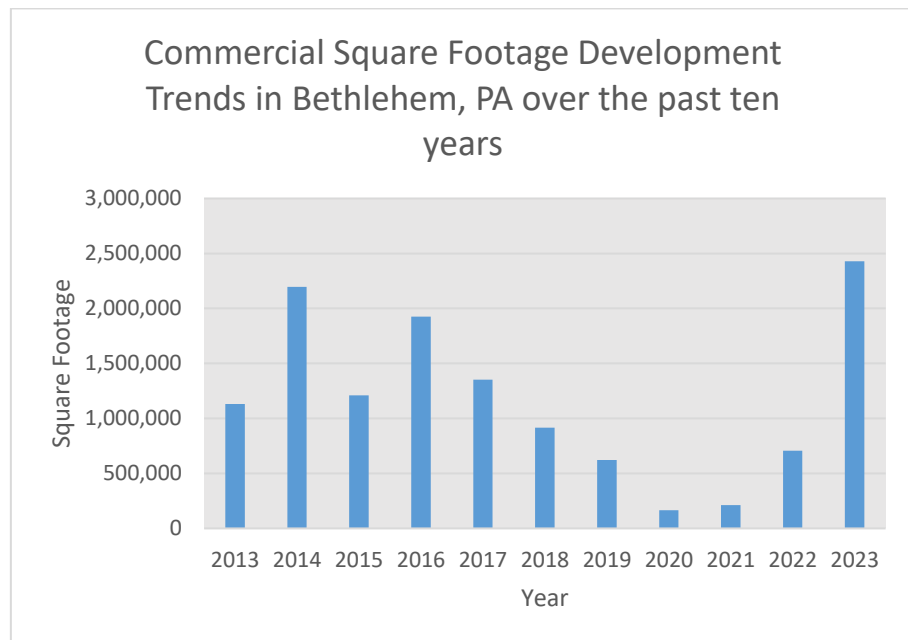
Boards and Committees - Planning and Zoning Bureau staff continue to support and participate in a variety of regional and local boards and commissions, including Lehigh Valley Planning Commission, Lehigh Valley Transportation Study, SouthSide’s Tomorrow, Northside Alive, South Side Arts District and others.

Development Trends

The following charts and graphs depict development trends in Bethlehem for the past 10 years.

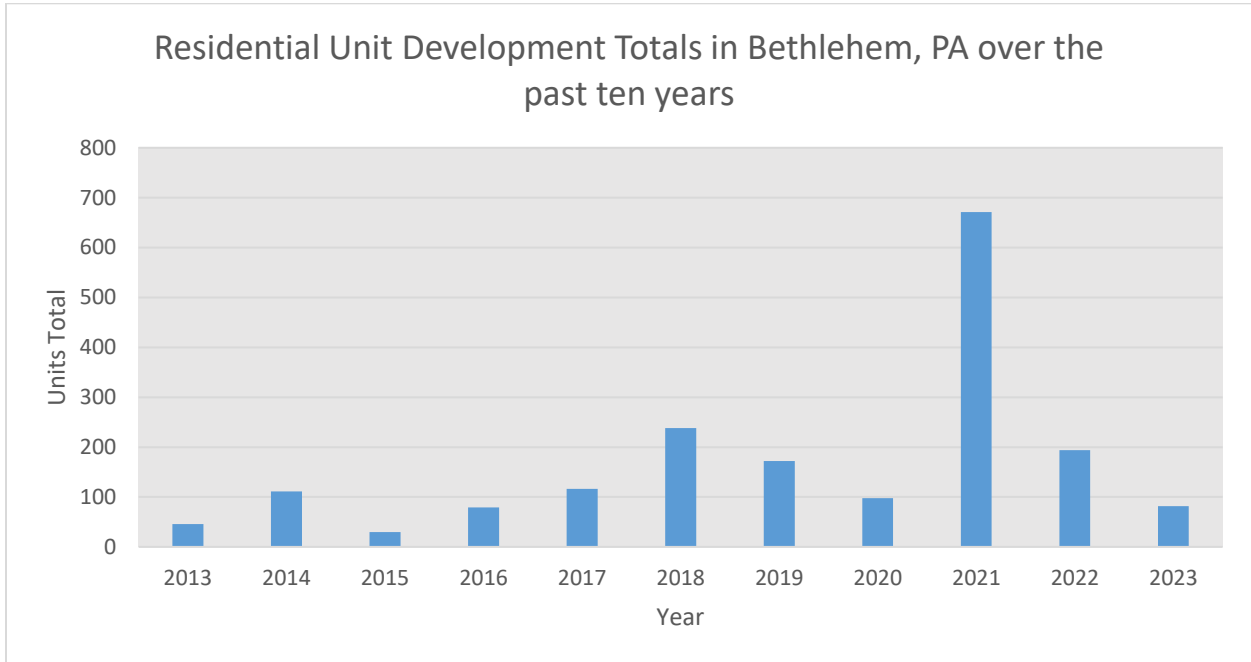
The commercial square footage totals reflect two medical office buildings at the Martin Tower site, the ArtsQuest Cultural Arts Center, a variety of industrial businesses in the Bethlehem Industrial Park and at Majestic Commerce Center, along with a few LVIP VII pad sites on Route 412 (Tru by Hilton and fast-food pad sites).

Year	Commercial Square Footage
2013	1,132,254
2014	2,195,142
2015	1,210,854
2016	1,924,765
2017	1,351,335
2018	916,286
2019	622,763
2020	165,160
2021	213,238
2022	707,147
2023	2,428,858



The following shows the number of residential dwelling units approved by year.

Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Units	46	111	30	79	116	238	172	98	671	194	82



The final chart shows the total number of plans submitted by year.

Total number of subdivision and land development projects

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2021	2022	2023
Land Development	10	11	8	8	9	12	11	8	19	16	19	16	14
Major Subdivision	1	0	1	5	6	4	6	3	3	1	3	1	1
Minor Land Development	2	0	7	2	3	2	2	3	0	5	0	5	2
Minor Subdivision	7	2	8	7	5	7	5	6	7	4	7	4	4

Subdivision and Land Development Projects in Bethlehem, PA

