



SITE ADDRESS: 2020 Worthington Avenue

Office Use Only:

DATE SUBMITTED: 6.26.24

HEARING DATE: 7.24.24

PLACARD: _____

FEE: \$500.00

ZONING CLASSIFICATION: RT

LOT SIZE: _____

APPLICATION FOR APPEAL TO THE CITY OF BETHLEHEM ZONING HEARING BOARD,
10 EAST CHURCH STREET, BETHLEHEM, PA 18018

1. Return one (1) original and eight (8) copies of this application and all supporting documentation to the Zoning Officer, along with the filing fee. Include site plans and/or floor plans as necessary.
2. The application is due by 4PM on the 4th Wednesday of the month. The hearing will be held on the 4th Wednesday of the next month.
3. If you are submitting MORE THAN 10 exhibits at the hearing, you MUST place them in an indexed binder and submit at one time.

Appeal/Application to the City of Bethlehem Zoning Hearing Board is hereby made by the undersigned for: (check applicable item(s):

- ☐ Appeal of the determination of the Zoning Officer
- ☐ Appeal from an Enforcement Notice dated _____
- ☒ Variance from the City of Bethlehem Zoning Ordinance
- ☒ Special Exception permitted under the City Zoning Ordinance
- ☐ Other: _____

SECTION 1

APPLICANT:	
Name	Pennsylvania Youth Theatre, Attn: Valerie Reinhardt, Managing Director
Address	_____

Phone:	_____
Email:	_____

OWNER (if different from Applicant): Note. If Applicant is NOT the owner, attach written authorization from the owner of the property when this application is filed.	
Name	Lehigh University
Address	[REDACTED]
	[REDACTED]
Phone:	[REDACTED]
Email:	
ATTORNEY (if applicable):	
Name	Catherine E.N. Durso, Esquire
Address	[REDACTED]
	[REDACTED]
Phone:	[REDACTED]
Email:	[REDACTED]

SECTION 2. INFORMATION REGARDING THE REAL ESTATE

1. Attach a site plan, drawn to scale, of the real estate. Include existing and proposed natural and man-made features.
2. Attach architectural plans and elevations depicting proposed alterations or new construction.
3. Attach photographs.
4. If the real estate is presently under Agreement of Sale, attach a copy of the Agreement.
5. If the real estate is presently leased, attached a copy of the present lease.
6. If this real estate has been the object of a prior zoning hearing, attach a copy of the Decision.

SECTION 3.

THE RELIEF SOUGHT:

If the Applicant seeks a dimensional variance for any setback, lot coverage, distance between certain uses, etc., please state the following:

Section of Code	Dimension Required by Code	Dimension Proposed by Applicant	Variance Sought
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

If the Applicant seeks a use or other variance, please state the **specific section(s)** of the Zoning Ordinance applicable and describe the variance sought.

In the alternative, a variance from Section 1319.01(a)(34).

If the Applicant seeks a Special Exception, please state the **specific section (s)** of Zoning Ordinance applicable: _____

Special exception use approval under Sections 1319.02(b)(5) and 1319.02(b)(6).

If the Applicant seeks an appeal from an interpretation of the Zoning Officer, state the remedy sought in accordance with Sec. 1325.11 (b): _____

NARRATIVE

A brief statement reflecting why zoning relief is sought and should be granted must be submitted.

CERTIFICATION

I hereby certify that the information contained in and attached to this application is true and correct to the best of my knowledge and belief.

I also certify that I understand that any and all federal, state or local rules and regulations, licenses and approvals shall be obtained if the appeal is granted.



Applicant's Signature

6/26/2024

Date

See Agreement of Sale
Property owner's Signature

Date

Received by

Date

NOTICE: If the Decision of the Zoning Hearing Board is appealed, the appellant is responsible for the cost of the transcript.

BEFORE THE ZONING HEARING BOARD OF THE CITY OF BETHLEHEM

SUPPLEMENTAL STATEMENT

I. BACKGROUND

Pennsylvania Youth Theatre (“PYT”) is the equitable owner of property located at 2020 Worthington Avenue in the City of Bethlehem in the RT (High Density Residential) Zoning District (“Property”). PYT has entered into an Agreement of Sale with Lehigh University to purchase the Property. The Property was previously used by Light of Christ Lutheran Church as a place of worship with a daycare, offices and religious education as accessory uses. PYT’s use for educational purposes is permitted by right in the RT Zone under Ordinance Section 1304.01(b). PYT is requesting special exception use approval to not require off-street parking under Ordinance Sections 1319.02(b)(5) and 1319.02(b)(6). In the alternative, a variance from Ordinance Section 1319.01(a)(34)’s parking requirements is requested.

II. REQUESTED RELIEF

Since PYT’s inception in 1985, the City of Bethlehem has been its home. PYT is currently a 25-year tenant of the Banana Factory property. With the scheduled January 2025 tear down of the Banana Factory’s six buildings, PYT must relocate. Finding a suitable space within the City of Bethlehem is important for PYT. The former Light of Christ Church property at 2020 Worthington Avenue would allow a reuse of the Property by the PYT. PYT is a nonprofit performing arts organization whose mission is to educate, entertain, and enrich the lives of young people and their families through the art of theater. Through a comprehensive performing arts curriculum, literature-based performances, and vigorous outreach programs, PYT challenges children to develop their talents, to think creatively, and to acquire an appreciation and understanding of the arts. The Property at 2020 Worthington Avenue will allow the PYT to continue to provide an environment for its students who range in age from 3 to 18.

PYT offers classes in drama, voice and dance. School educational programs run 26 to 33 weeks from September to April/June. Classes meet Monday through Thursday, 4:30 to 9:00/9:30 p.m., Friday 4:30 to 5:15 p.m., and Saturday 10:00 a.m. to 1:00 p.m. On average, 40 to 50 students attend classes each day. Students are dropped off at the start of class and picked up at the end, with approximately 5 to 7 students that drive themselves. In addition, four faculty members conduct the classes each night. PYT also offers 10 weeks (June-August) of summer camp programs providing children an opportunity to explore a variety of performing arts activities. During the summer camp program, an average of 65 students attend the camp each week and are dropped off at the start of each day and picked up at the end. Depending on the week, up to 8 counselors oversee the camp programs. While PYT offers add-on options that allow for drop-off starting at approximately 8:00 a.m. and pick up until 6:00 p.m., most camp drop-offs/pick-ups occur 8:30-9:00 a.m. and 4:00-4:30 p.m. PYT employs 6 full-time employees with flexible hours with its administrative offices open 9:00 a.m. to 9:30 p.m., Monday through Friday with half the staff operating during normal business hours and the other half operating during evening hours.

The original chapel on the Property was constructed in 1952 with the school addition in 1960. Thereafter, a sanctuary addition was done in 1974 with an ADA accessible entrance ramp constructed in 1982. Since the 1950's, the Property has been used for religious and associated purposes. The Property is .6389 acres in size and does not have any off-street parking. The Church used the Property for years for church services, a day care, religious education and offices without any off-street parking. PYT is requesting to similarly use the Property without off-street parking. The ability to use the sanctuary for rehearsals and the classrooms for educational purposes by PYT provides a unique opportunity for reuse of this building. In addition to its class and camp offerings, in the future, PYT would also like the opportunity as an accessory use of the sanctuary space as an auditorium for performances which could house 125-150 patrons.

Pursuant to Zoning Ordinance Section 1304.01(b), a school, public or private, primary or secondary, is permitted by right in the RT Zoning District so PYT's use is allowed. Off-street parking for a school under Ordinance Section 1319.01(a)(34) is one parking space for each 1.5 employees plus off-street spaces for the safe and convenient loading and unloading of students, plus one space for each 10 students in the 12th grade. PYT currently has approximately 17 students that are in the 12th grade, which would require two parking spaces, for its 11 employees (6 employees plus 4 faculty per night) 17 additional parking spaces are required or 19 spaces total. The use of the sanctuary as an auditorium would need one parking space for every 4 persons legally permitted under the Fire regulations (based on an auditorium use) requiring +/- 38 spaces based on 150 patrons. PYT requests special exception use approval under Article 1319.02(b)(5) which provides that the Zoning Hearing Board can approve modifications to the off-street parking requirements if the applicant proves to the satisfaction of the Zoning Hearing Board that such modifications are necessary to allow appropriate adaptive re-use of an existing principal non-residential building into a new approved use. Additionally, PYT seeks special exception use approval under Ordinance Section 1319.02(b)(6)(b) which permits the Zoning Hearing Board to approve a reduction in the number of off-street parking spaces required to be provided for a use if the applicant proves to the satisfaction of the Zoning Hearing Board that a lesser number of spaces would be sufficient.

A place of worship is required to have one space per five seats in the room of its largest capacity and where there are pews without individual seats, every 24 inches count as one seat. The existing church sanctuary is the room with the largest capacity, and it has 26 pews that are 13'8" in length, two pews that are 7'7.5" in length, one pew that is 5'7.5" in length and a pew in the choir area 14'7.5" in size. This represents a total of 4,690 inches of pews or an off-street parking requirement of 196 spaces. This would amount is in excess of what would be required for the PYT use under current parking standards. PYT submits that the parking required for its school use is well below what would have been required by the Church. PYT will create a designated area on Worthington Avenue in front of the building to provide for the safe and convenient loading and unloading of students. PYT requires drop-off of students by parents except for very young students which classes are at earlier times during the week. Staff will meet parent's curbside in the designated areas and retrieve the students and take them into the building. Special exception use approval should be granted to not require off-street parking as the parking required is less than for church use and PYT will provide a safe and convenient loading area. In the alternative, a variance from the off-street parking requirements should be granted.

Applicant submits that the proposed adaptive reuse of the existing principal nonresidential building for a use that is permitted by right has less parking requirements than the prior permitted use of a church with accessory uses. Given the uniqueness of the Property, there is not an ability to provide any off-street parking. Peak times will be at the class times throughout the week and in the morning drop-off and afternoon pick up during the camp. The proposed use is permitted by right at the Property and provides an opportunity for reuse of an unusual building. The use will not substantially injure neighboring property values and is not otherwise detrimental to the welfare of the community. In fact, having PYT remain in the City of Bethlehem is a benefit to the community. The use will be designed and located so that public health, safety, welfare, and convenience are protected. Granting the requested relief will not create a safety hazard and will not alter the essential character of the neighborhood or district where the Property is located.

III. CONCLUSION

For the aforementioned reasons, the requested relief should be granted.

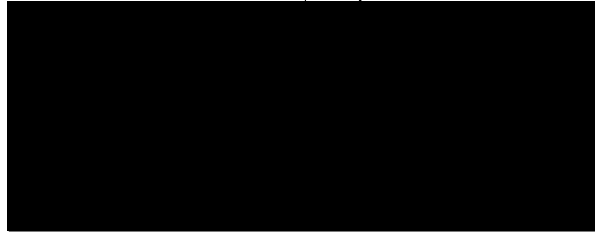
Respectfully submitted,

FITZPATRICK LENTZ & BUBBA, P.C.

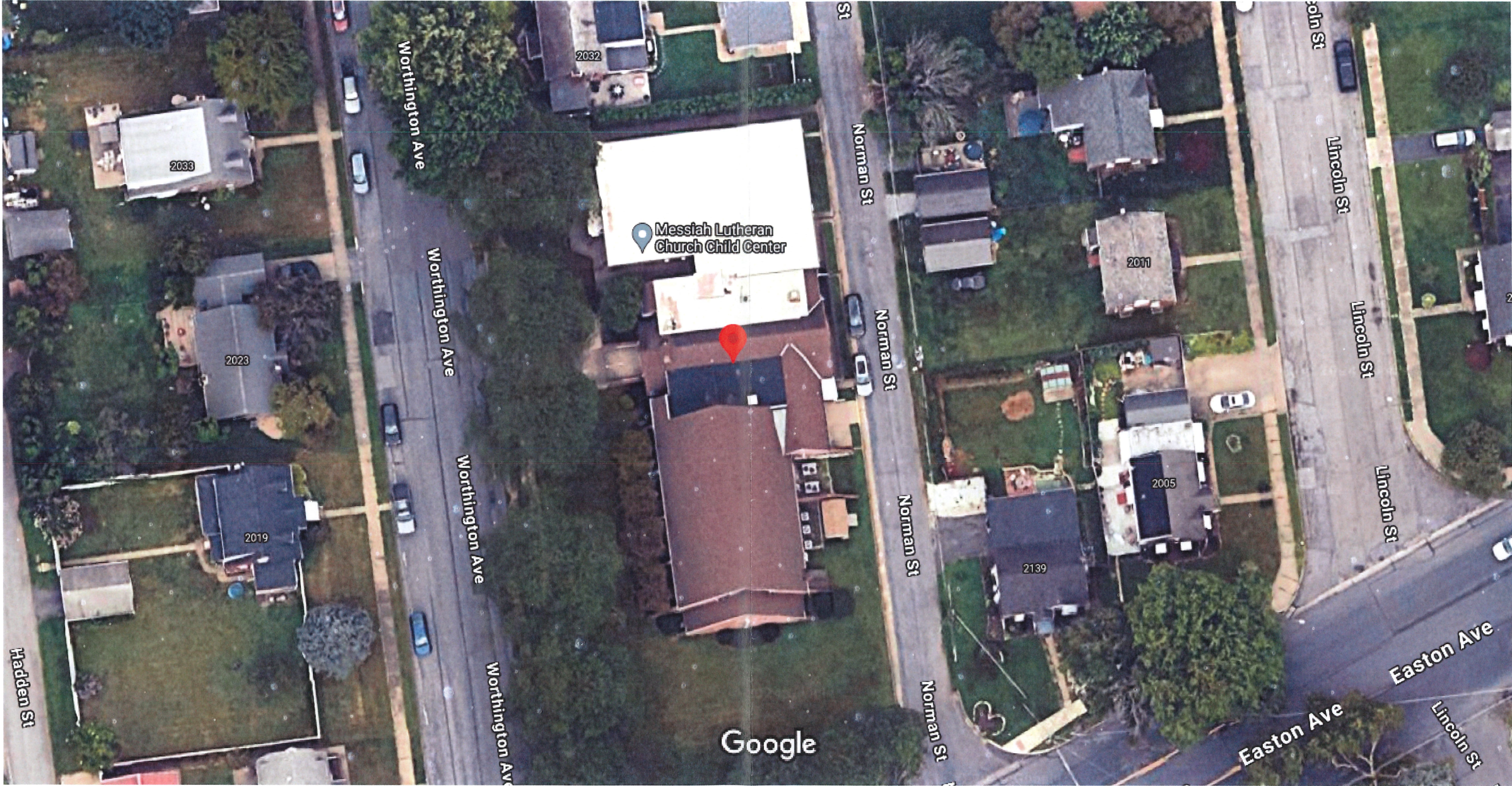
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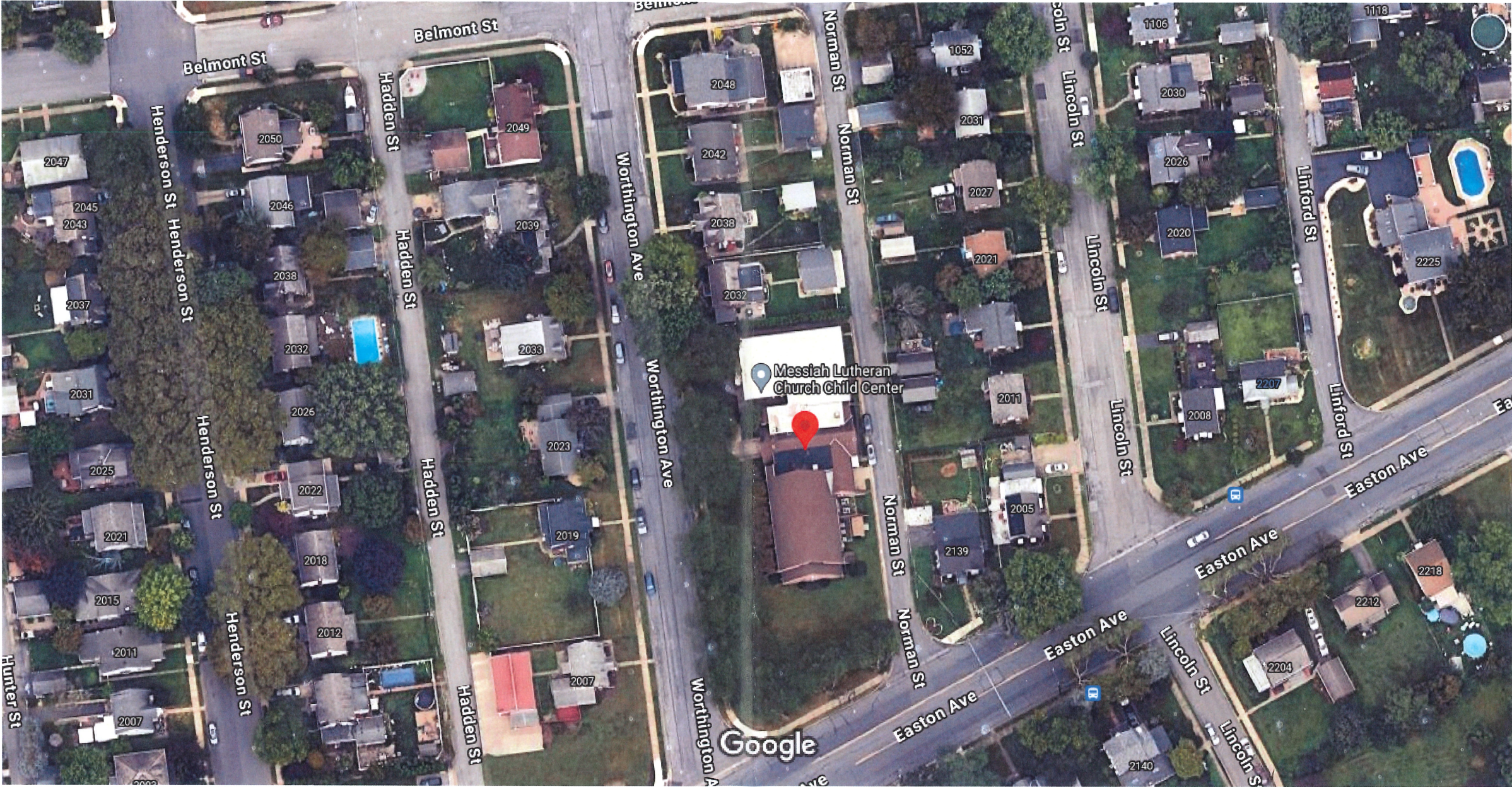


Catherine E. N. Durso, Esquire



Date: June 26, 2024





2128 Easton Ave

No. 1



Image capture: Jul 2019 © 2024 Google





Image capture: Aug 2011 © 2024 Google



Bethlehem, Pennsylvania

Google Street View

Aug 2011



Image capture: Aug 2011 © 2024 Google





Image capture: Aug 2011 © 2024 Google

