

# CITY OF BETHLEHEM

## Department of Community and Economic Development

### Interoffice Memo

**TO:** Planning Commission Members

**FROM:** Craig D. Peiffer, Assistant Director of Planning and Zoning

**RE:** Proposed Zoning Map Amendment - 11 and 15 W. Garrison Street

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### **BACKGROUND**

The City of Bethlehem has received a request for a zoning map amendment for the properties at 11 and 15 W. Garrison Street from the RT – High Density Residential District to the CB – Commercial Central Business District. Copies of the applicant's proposal and map are enclosed in your packets.

The applicant owns a total of nine contiguous parcels in the 700 block of N. New Street between W. North Street and W. Garrison Street. Seven of the nine parcels are zoned CB – Commercial Central Business. The two remaining parcels – 11 and 15 W. Garrison Street – were previously zoned CB – Commercial Central Business but have been zoned RT – High Density Residential since 2005.

Over the course of several decades, starting in 1982, a prior owner acquired each of these nine parcels and sought to consolidate them for a new development project appropriate for the CB – Commercial Central Business District. To help accomplish this, in 2019, the former owner requested the zoning at 11 and 15 W. Garrison Street be changed from RT – High Density Residential back to CB – Commercial Central Business. A development plan for a mixed-use project was presented along with that rezoning request. That request was reviewed by the Planning Commission and supported, but it was ultimately denied by City Council.

It is our understanding that following the previous property owner's death, the current applicant acquired the collection of nine parcels and is now seeking to move forward with a project similar to the 2019 project. As shown in the applicant's pending proposal, the applicant intends to consolidate the nine contiguous parcels and build a mixed-use development that, upon cursory preliminary review, appears to conform to the CB – Commercial Central Business Zoning District.

Without any zoning map amendment, the applicant could proceed by right with a mixed-use development on seven of the nine parcels in accordance with the CB – Commercial Central Business Zoning District requirements (e.g., up to 150 feet in height). With the currently proposed zoning map amendment for the two remaining parcels, the applicant is proposing to proceed with a project that has enhanced aesthetic features and that it describes as more compatible in scale with the surrounding neighborhood than what could be built on only the seven parcels.

No zoning text amendments are proposed or are necessary to accompany this map revision.

## **DISCUSSION**

### ***Existing conditions***

As noted, the applicant owns a total of nine contiguous parcels in the 700 block of N. New Street between W. North Street and W. Garrison Street on which they propose to build a 70-unit mixed-use apartment building with first floor commercial uses fronting N. New Street.

Seven of the nine contiguous parcels owned by the applicant are zoned CB – Commercial Central Business. The two remaining parcels – 11 and 15 W. Garrison Street – were previously zoned CB – Central Business but have been zoned RT – High Density Residential since 2005.

The nine parcels in this block of N. New Street between W. North Street and W. Garrison Street currently contain a mix of commercial and residential rentals in 2 ½- to 3-story buildings as well as three vacant lots. The frontage along N. New Street contains vacant lots missing structures due to a prior sinkhole in the area from several years ago.

The parcels proposed for rezoning at 11 and 15 W. Garrison Street, which are in the northwestern most portion of this block, currently contain 2 ½-story detached dwellings with 2 units and 1 unit respectively.

Combined, the nine contiguous parcels owned by the applicant total 29,708 square feet or .68 acres. Of this, the area proposed to be rezoned at 11 and 15 W. Garrison Street totals 5,406 square feet or .12 acres. Looking at the proposed project site in its entirety, the area proposed to be rezoned accounts for roughly 18%.

### ***Proposed development***

The applicant's zoning map amendment petition includes conceptual drawings to describe the nature of the proposed development project if the rezoning of the two of nine parcels not already zoned CB – Commercial Central Business succeeds.

The proposed development project includes a 5-6 story building at 60 feet average building height, containing 70 dwelling units, 85 parking spaces, and 8,350 square feet of commercial retail space on the first floor fronting N. New Street.

It appears that the proposed development complies with the general intent and requirements of the CB – Commercial Central Business Zoning District; however, the plan will be reviewed in more detail if it proceeds. The CB – Commercial Central Business Zoning District permits a maximum building height of 150 feet (with some limitations along residential district lines). Here, the property owner proposes a six-story building with a height ranging from 58 to 65 feet. The proposal is substantially less than what is permitted by right in the CB – Commercial Central Business Zoning District.

The current proposal is substantially similar to the 2019 development plan that was previously reviewed by the Planning Commission. It differs in only the following ways: (1) the number of proposed underground parking spaces has increased from 72 to 85; (2) the total number of residential units decreases from 72 to 70, and whereas the current proposal includes a 35/35 split between one- and two-bedroom units as opposed to a 52/20 split between one- and two-bedroom

units in the prior proposal; and (3) the current proposal includes a step down in height along the W. Garrison Street frontage from approximately 10 feet, as measured from parapet to parapet, and between the north east and north west corners, as compared to the previously proposed project -- the 63-foot height is reduced to approximately 58 feet along the W. Garrison Street façade.

### ***Findings***

The CB – Commercial Central Business Zoning District is the densest commercial district and is typically designated for the downtown areas. Currently, 11 and 15 W. Garrison Street are zoned RT – High Density Residential. They immediately abut the last block of the CB – Central Business Zoning District along the N. New Street Corridor.

The City's Zoning Ordinance includes provisions to address the transition between commercial and residential zones. For instance, buffering requirements (1318.23) apply. Rear yard setbacks are increased from 0 to 20 feet along district boundary lines of residential districts. Height is also limited to 75 feet along the rear 60 feet of a commercial lot abutting a residential zone.

Our zoning research shows that this general area has gone through zoning changes throughout the city's history. Dating back to at least 1955, the CB – Commercial Central Business Zoning District (previously labeled the C-1 District) extended from the core downtown area north to Union Boulevard, encompassing all of the area between N. New Street and Main Street, including the W. Garrison Street corridor and the parcels at issue in this petition.

In the early 2000s, the City proposed changes to the zoning map in this area to limit the overall area/size of the CB – Commercial Central Business District. This was done for several reasons. First, it was clear that in order to encourage a successful and vibrant downtown area, the geographic area of CB – Commercial Central Business would need to be condensed. The map changes limited areas of commercial or mixed-use development to the core downtown area and major corridors, such as N. New Street (which remained CB – Commercial Central Business) or Union Boulevard (which was rezoned to CL – Limited Commercial). The map change eliminated from the commercial zoning districts any of the parcels that did not immediately front on a main street. Accordingly, W. Garrison Street and the parcels at issue in this petition were rezoned to RT - High Density Residential.

The subsequent 2008 Comprehensive Plan designates the entire area between North Street and Union Boulevard west of New Street as Neighborhood Commercial in the Future Land Use Map. The Transportation section of the Comprehensive Plan designates N. New Street as a collector street with a right of way width of 80 feet. Union Boulevard and Broad Street are designated as Principal Arterial Streets in this area. Therefore, commercial zoning districts and more substantial development is appropriate on these wider streets. North and Garrison Streets are designated as local streets, which supports their residential designation.

The parcels are not in an historic district.

### **CONCLUSION**

This is a unique situation where a property owner acquired numerous adjacent parcels in an area that has fluctuated at the transition between commercial and high-density residential zoning areas over multiple decades. As it stands today, the applicant is permitted, by right, to develop a project appropriate for the CB – Commercial Central Business Zoning District on seven of nine

total parcels. The applicant seeks to utilize the two remaining contiguous parcels, which are currently zoned RT – High Density Residential, as part of that development. The Planning Bureau recommends that the Planning Commission consider the presentation as to the proposed project and any alternatives that would be built by right if the rezoning is denied and only seven of the nine parcels are utilized for development.

The Planning Bureau also recommends the Planning Commission consider the transitional nature of this block and the historic context of zoning in this area and of these particular parcels. Note also that the transitional provisions between the CB – Commercial Central Business and RT – High Density Residential Zoning Districts will apply as transition to the abutting residential area. The proposed development considers this transition between the new development and the existing homes to the rear with the inclusion of buffers and setbacks.

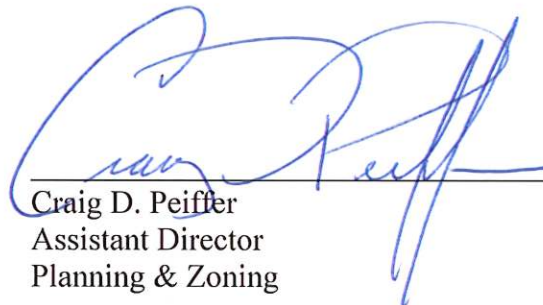
The Planning Bureau also supports the completion of the streetscape on N. New Street in the block between W. North and W. Garrison Streets where current sit vacant and unused lots.

This item is placed on your February 13, 2025 Planning Commission Agenda for consideration. The Planning Commission is a recommending body to City Council who will ultimately vote on the Zoning Map Amendment.

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C. L. Collins  
M. Deschler  
Mayor Reynolds  
BPG Investments II, LLC

DATE: 02.07.2025



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