

# 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 – 1401 8<sup>th</sup> Avenue

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The City of Bethlehem has received a citizen-initiated petition requesting a zoning map amendment for the property owned by DB6, Inc, Parcel ID 642811698449-6, and a portion of the property owned by DB3, LLC, Parcel ID 642811001173-1, totaling 4.200 acres, from the CMU – Mixed Use Commercial Zoning District to the CS – Commercial Shopping Center Zoning District. Copies of the applicant's proposal and map are enclosed in your packets.

#### **BACKGROUND**

The subject property ownership is organized as a condominium association. The property requested to be rezoned, totaling 4.200 acres, includes the following: (1) Parcel address 1401 8<sup>th</sup> Avenue, known as Parcel ID 642811698449-6 per Deed from DB3, LLC to DB6, Inc., totaling 2.0043 acres, which serves as a stormwater detention field; (2) Adjacent parcel owned by DB3, LLC and known as part of Parcel ID 642811001173-1 per Deed from 23 Just Road I, LP to DB3, LLC, totaling 1.0700 acres, which was formerly part of 1345 Martin Court, Woodmont Mews, and is vacant; and an additional area of 1.1257 acres to include those areas measured to the centerline of the public right-of-way of 8<sup>th</sup> Avenue and Martin Court.

On November 18, 2016, DB3, LLC conveyed a portion (2.0043 acres) of the property, Unit No. 6 (1401 8<sup>th</sup> Avenue) to DB6, Inc.; Ref. attached Deed.

In December 2022, the Applicant filed for a Lot Line Adjustment, plan titled Final Subdivision (Lot Line Adjustment) Plan, prepared by Keystone Consulting Engineers, Inc., dated December 13, 2022, and attached hereto. The plan subdivided a portion (1.070 Acres) of the property located at 1345 Martin Court, Parcel ID 642811001173, 23 Just Road I, LP, and with the intent to convey this portion to DB3, LLC. This is identified on the plan, and noted, "Proposed Lot Line." As part of the same application, the plan called for the removal of the lot line separating the subdivided portion from the adjacent parcel located at 1401 8<sup>th</sup> Avenue, Parcel ID 642811698449-6, DB6, Inc., and noted, "Existing Lot line to be Removed."

Conveyance of the subdivided portion was completed August 27, 2024; Ref. attached Deed. The aforementioned plan was recorded on September 12, 2024; Ref. attached Lehigh County Clerk of Judicial Records Receipt.

#### **CONTEXT**

Properties adjacent (west) to the subject property are zoned RG – Medium Density Residential and contain single-family detached dwellings and RT – High Density Residential and contain Multi-Family Dwellings (Woodmont Mews). The property opposite (south) of the subject property, separated by

Martins Court, is zoned CS – Commercial Shopping Center and contains a Retail Store (Price Rite). The property opposite (east) of the subject property, separated by 8<sup>th</sup> Avenue, is zoned OMU – Commercial Office Mixed Use and is partially under construction for Medical Office Buildings (LVHN).

8<sup>th</sup> Avenue is classified as a minor north/south arterial, with a right-of-way width of 93' north of the intersection with Martin Court. Martin Court is a stub road, part of the public right-of way extending west ~175' and terminating nearby the southwest corner of the subject property, at which point it becomes a private drive. Further to the south, the subject property is nearby the 8<sup>th</sup> Avenue interchange with the Route 378 Expressway, and further to the north, the subject property is nearby Eaton Avenue, classified as a minor east/west arterial.

There is no direct pedestrian access from the adjacent single-family development; whereas there is direct pedestrian access from the adjacent multi-family (Woodmont Mews) development. The intersection of 8<sup>th</sup> Avenue, Martin Court and Martin Tower Road is signalized and includes pedestrian signals and crosswalks. This will facilitate pedestrian access from the planned residential uses proposed in the Master Plan for Tower Place and a future connection to the Monocacy Trail.

### **PROPOSED USE**

The Applicant proposes the zoning map amendment to allow for the development of the site to include, "an upscale car wash and/or restaurant." Both uses are permitted by-right uses in the CS District, and with additional requirements under Article 1322 for a car wash and restaurant with drive-thru service. The CMU District prohibits a car wash, permits restaurants, but prohibits drive-thru service.

The future land development of the subject parcel will require compliance with City Ordinances, and specifically adequate buffering along the RG District Boundary and adequate stormwater management controls. It is recommended that a restaurant, without drive-thru service, or another pedestrian-oriented use be placed nearby the 8<sup>th</sup> Avenue and Martin Court intersection.

### **RECCOMENDATION**

The City of Bethlehem, Comprehensive Plan, Future Land Use Plan, identifies the subject area as split between General Commercial & Shopping Centers and Neighborhood Commercial. General Commercial is to provide for a variety of lighter and heavier commercial uses. Neighborhood Commercial is to provide for lighter commercial uses serving nearby homes and to include a pedestrian focus.

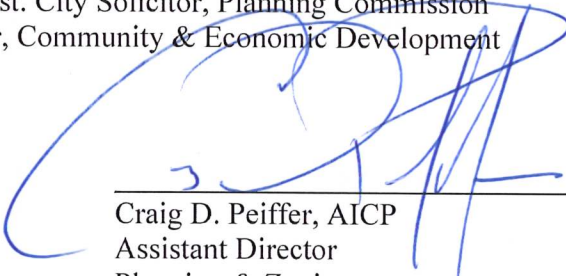
The Planning Bureau recommends approval of the requested zoning map amendment. The proposed change is an extension of the CS District along 8<sup>th</sup> Avenue, is serviced by arterials and a nearby expressway, and is in keeping with the Comprehensive Plan.

This item is placed on your March 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. Dennis Benner, Esq. Attorney for DB3, LLC and DB6, Inc.  
Matthew Deschler, Esq., Asst. City Solicitor, Planning Commission  
Laura Collins, Esq. Director, Community & Economic Development

DATE: 03.13.2025



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