

**TOWNSHIP OF UPPER SAUCON
LEHIGH COUNTY, PENNSYLVANIA
ORDINANCE NO. 141-O**

AN ORDINANCE AMENDING THE UPPER SAUCON TOWNSHIP ZONING ORDINANCE OF 2009 BY AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE ZONING DESIGNATION OF AN APPROXIMATE 7,333 S/F PORTION OF THE LANDS OF DONALD BASSLER (PIN 642441595838) FROM SUBURBAN RESIDENTIAL (R-2) TO COMMERCIAL (C).

SECTION 1: STATEMENT OF LEGISLATIVE FINDINGS

WHEREAS, Provco Pineville Acquisitions, LLC (hereinafter, “Owner”) is the equitable owner of certain land in the Township located at the intersection of U.S. Route 309 and Passer Road; and

WHEREAS, the Owner has submitted a land development sketch plan proposing to construct, among other things, a Wawa convenience store and gas station at the afore-described location; and

WHEREAS, all of the land to be acquired for the project is located within the Township’s Commercial (C) Zoning District except for a 7,333 s/f portion of land which is presently part of the lands of Donald Bassler and is located in the Suburban Residential (R-2) Zoning District; and

WHEREAS, the afore-described 7,333 s/f of land is a part of PIN 642441595838 and part of land having an address of 6581 N. Main St. Coopersburg, PA; and

WHEREAS, the 7,333 s/f tract of land is hereinafter referred to as the “Premises;” and

WHEREAS, the Owner has submitted a request for an amendment pursuant to Article 9 Section 904 of the Upper Saucon Township Zoning Ordinance of 2009 (hereinafter, “Zoning Ordinance”) to amend the Official Zoning Map to change the zoning designation of the Premises from Suburban Residential (R-2) to Commercial (C); and

WHEREAS, the Premises is depicted on a map attached hereto and incorporated herein by reference as **Exhibit “A”** and

WHEREAS, a precise legal description of the Premises is attached hereto as **Exhibit “B;”** and

WHEREAS, the Board of Supervisors find that the proposed amendment is consistent with the public health, safety and welfare and is otherwise lawful as the Premises, presently zoned R-2, protrudes irregularly into the existing C Zone.

NOW, THEREFORE, the Board of Supervisors of Upper Saucon Township does hereby enact and ordain the following amendment to the Upper Saucon Township Zoning Ordinance of 2009, as amended:

SECTION 2: ZONING MAP AMENDMENT

1. The Upper Saucon Township Zoning Ordinance of 2009 is hereby amended by amending the Official Zoning Map to change the zoning designation of the Premises (the same being a 7,333 s/f portion of the land known as 6581 N. Main St. Coopersburg, PA, part of PIN 642441595838) from Suburban Residential (R-2) to Commercial (C). True and correct copies of depictions of the map amendment indicating the precise area to be rezoned and a legal description of the same are attached hereto as **Exhibits "A"** and **"B,"** respectively, and a true and correct copy of the applicable part of the revised, Official Zoning Map is attached hereto as **Exhibit "C."**

2. The forgoing Legislative Findings are incorporated herein by reference and made a part hereof.

SECTION 3: PROTANTO REPEAL

Unless otherwise specifically stated in this Ordinance, all ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict. Similarly, the Official Zoning Map is hereby repealed to the extent of any conflict with the provisions of this Ordinance.

SECTION 4: EFFECTIVE DATE

This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of Upper Saucon Township.

SECTION 5: SAVINGS CLAUSE

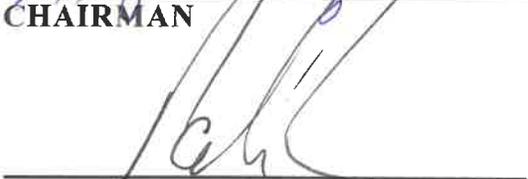
To the extent that any word, portion or provision of the text hereof is found by any court of competent jurisdiction to be invalid or void on constitutional or other grounds, such word, phrase, portion or provision shall, if possible, be deemed to be repealed and those remaining valid portions of the text shall remain in full force and effect if same can be accomplished without the structure of the Ordinance having been destroyed by the elimination of that word, phrase, portion or provision found to be invalid or void.

DULY ENACTED AND ORDAINED this 11th day of SEPTEMBER, 2017
by the Board of Supervisors of the Township of Upper Saucon, Lehigh County,
Pennsylvania, in lawful session duly assembled.

**TOWNSHIP OF UPPER SAUCON
BOARD OF SUPERVISORS**



CHAIRMAN



VICE CHAIRMAN



SUPERVISOR



SUPERVISOR

ATTEST:



SECRETARY

SUPERVISOR



ZONE R-2

BLOCK 4 LOT 2
APN 6424420295-1
LANDS N/F
TIMOTHY L. & KELLY L. HORNER
DOC. #2015008373

BLOCK 4 LOT 1
APN 6424418938-1
LANDS N/F
DONALD A. BASSLER
O.B. 1258, PG. 392

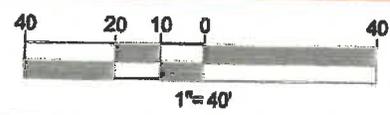
BLOCK 4 LOT 10A
APN 6424418968-1
LANDS N/F
JUAN & ANIBARRO C. VELAZQUEZ
DOC. #7131508

BLOCK 4 LOT 5
APN 6421510965(7-1)
LANDS N/F
JERRY H. SCHMIDT, JR.
DOC. #183116

BLOCK 4 LOT 3
APN 6424420295-1
LANDS N/F
FRANK C. & DEBORAH A. JEFFERY
O.B. 1048, PG. 4182

BLOCK 4 LOT 4
APN 6424427010(7-1)
LANDS N/F
LEIGHAN DEVELOPMENT GROUP
O.B. #143127

BLOCK 4 LOT 5
APN 6421527059(7-1)
LANDS N/F
ROBERT C. & DWANE M. HOFFENBACHER
O.B. 1145, PG. 131



PROJECT NAME: **PROVCO PINEVILLE ACQUISITION, LLC**
ROUTE 309 & PASSER ROAD, UPPER SAUCON TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, 18036

SHEET TITLE: **REZONING EXHIBIT**



BOHLER ENGINEERINGTM

1600 MANOR DRIVE, SUITE 200 CHALFONT, PA 18914
PHONE: (215) 986-8100 FAX: (215) 986-8102

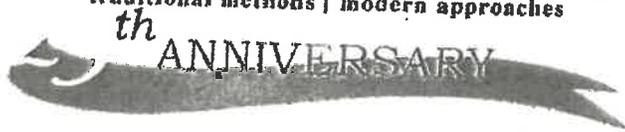
SCALE: 1"=40' DATE: 6/2/17 CHECKED BY: W.R.R. PROJ:



ALL CONTENT OF THIS PLAN ARE PROPRIETARY AND SHALL NOT BE COPIED OR USED FOR ANY PURPOSE WITHOUT AUTHORIZATION FROM BOHLER ENGINEERING. ONLY APPROVED, SIGNED AND SEALED PLANS SHALL BE



CONTROL POINT ASSOCIATES, INC.
traditional methods | modern approaches



New Britain Corporate Center
 1600 Manor Drive, Suite 210
 Chalfont, PA 18914
 Tel. 215.712.9800
 Fax. 215.712.9802
 www.cpasurvey.com

July 5, 2017
 02-170063

**METES AND BOUNDS DESCRIPTION
 PROPOSED AREA TO BE REZONED
 PART OF LOT 1, BLOCK 4
 LANDS NOW OR FORMERLY
 DONALD A. BASSLER
 UPPER SAUCON TOWNSHIP, LEHIGH COUNTY
 COMMONWEALTH OF PENNSYLVANIA**

BEGINNING AT A POINT AT THE INTERSECTION OF THE DIVIDING LINE BETWEEN LOT 1, BLOCK 4, LANDS NOW OR FORMERLY BASSLER AND LOT 4, BLOCK 4, LANDS NOW OR FORMERLY NEWMAN DEVELOPMENT GROUP, SAID POINT BEING DISTANT SOUTH 08 DEGREES - 20 MINUTES - 09 SECONDS EAST, A DISTANCE OF 198.72 FEET FROM THE SOUTHERLY ULTIMATE RIGHT-OF-WAY LINE OF PASSER ROAD, (A.K.A. S.R. 2028, 33 FOOT WIDE LEGAL RIGHT-OF-WAY), AT THE INTERSECTION OF THE DIVIDING LINE BETWEEN LOT 4, BLOCK 4, AND LOT 3 BLOCK 4, LANDS NOW OR FORMERLY HOPSON, FROM SAID POINT OF BEGINNING RUNNING; THENCE

1. ALONG THE COMMON DIVIDING LINE BETWEEN LOT 1, BLOCK 4; LOT 4, BLOCK 4; LOT 5, BLOCK 4, LANDS NOW OR FORMERLY HEFFENTRAGER, AND LOT 6, BLOCK 4, LANDS NOW OR FORMERLY DIPLACIDO, NORTH 81 DEGREES - 39 MINUTES - 51 SECONDS EAST, A DISTANCE OF 157.05 FEET TO A POINT, THENCE;

THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG THE DIVIDING LINE BETWEEN LOT 1, BLOCK 4 AND LOT 8, BLOCK 4, LANDS NOW OR FORMERLY SCHWENK, JR.:

2. SOUTH 08 DEGREES - 20 MINUTES - 09 SECONDS EAST, A DISTANCE OF 37.70 FEET TO A POINT, THENCE;
3. SOUTH 72 DEGREES - 33 MINUTES - 56 SECONDS WEST, A DISTANCE OF 140.91 FEET TO A POINT, THENCE;
4. PASSING THROUGH LOT 1, BLOCK 4 NORTH 24 DEGREES - 57 MINUTES - 40 SECONDS WEST, A DISTANCE OF 62.60 FEET TO A POINT, THENCE;

CONTAINING 7,333 SQUARE FEET OR 0.168 ACRES

THIS PROPERTY SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS EITHER WRITTEN OR IMPLIED.



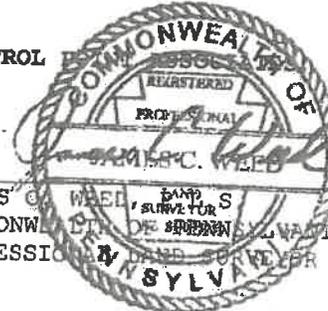
CONTROL POINT ASSOCIATES, INC.

traditional methods | modern approaches

July 5, 2017
02-170063
Upper Saucon Twp., Lehigh Co., PA
Page 2

THIS DESCRIPTION WAS WRITTEN BASED UPON A MAP ENTITLED "PROVCO PINEVILLE ACQUISITION, LLC, ROUTE 309 & PASSER ROAD, UPPER SAUCON TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, 18036, REZONING EXHIBIT", PREPARED BY BOHLER ENGINEERING, DATED 6/2/2017, FILE NO. PC161373, SHEET 1 OF 2.

CONTROL POINT ASSOCIATES, INC.

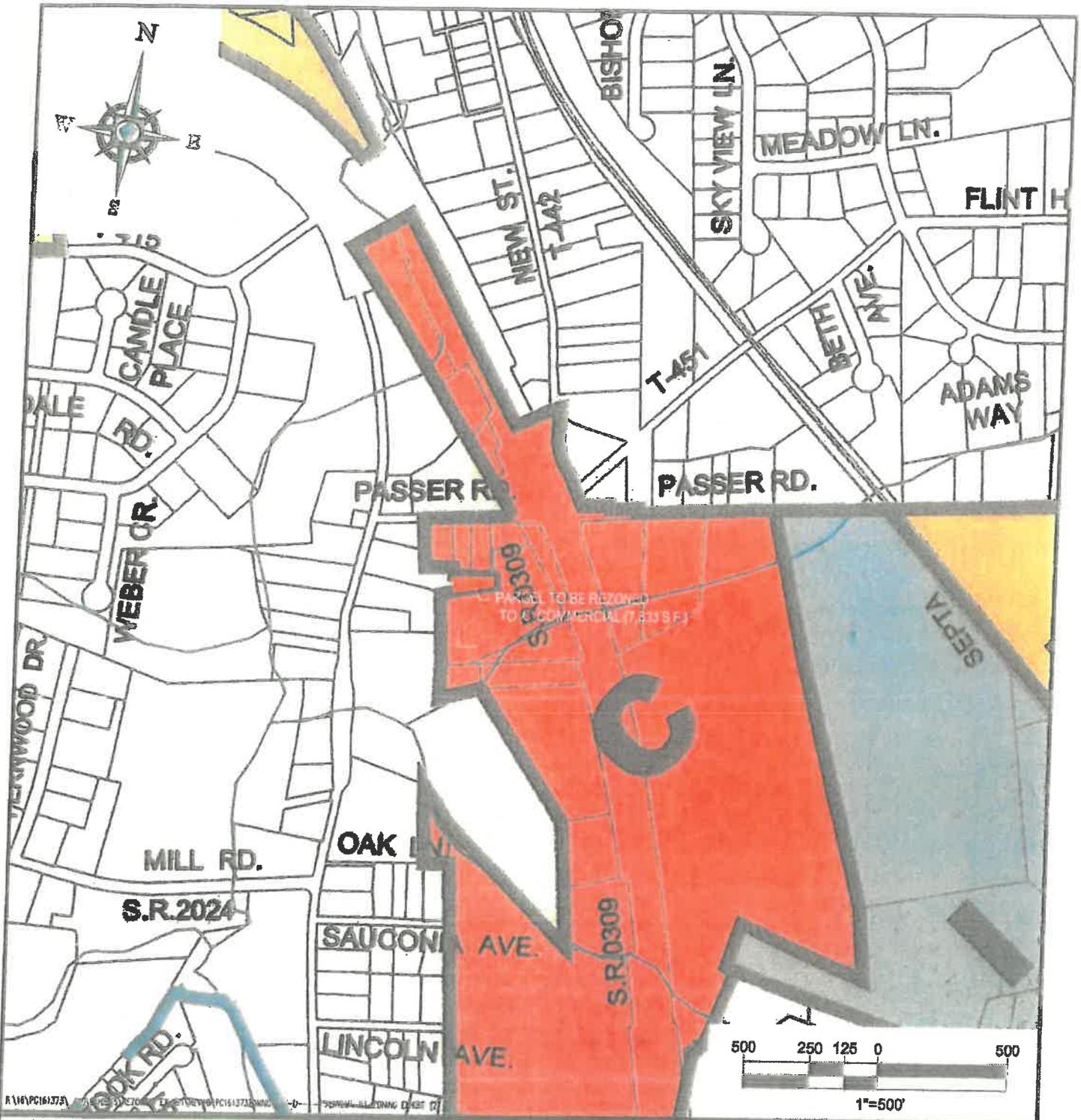


07/05/2017

JAMES C. WEED, P.E. DATE
COMMONWEALTH OF PENNSYLVANIA
PROFESSIONAL ENGINEER # SU075250

\\Pdc02\surveys\17\02-170063-BEI-Proposed Wawa-Coopersburg-PA-JAA\M&B\BEI 6-22-2017\M&B_Parcel to be rezoned 6.26.2017.docx

PREPARED BY: BAR
REVIEWED BY: JAA



PROJECT NAME

PROVCO PINEVILLE ACQUISITION, LLC

ROUTE 309 & PASSER ROAD, UPPER SAUCON TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, 18036

SHEET TITLE:

REZONING EXHIBIT

SHEET 2 OF 2

SCALE: 1"=40' DATE: 6/2/17 CHECKED BY: W.R.R. PROJECT NO:



**BOHLER™
ENGINEERING**

1600 MANOR DRIVE, SUITE 200 CHALFONT, PA 18914
PHONE: (215) 896-9100 FAX: (215) 896-8102

TEXT OF THIS PLAN ARE PROPRIETARY AND SHALL NOT BE COPIED OR USED FOR ANY PURPOSE
EXCEPT AS AUTHORIZED BY BOHLER ENGINEERING. ONLY APPROVED, SIGNED AND SEALED PLANS SHALL BE

