



CITY OF ALLENTOWN

No. \_\_\_\_\_

**RESOLUTION**

**R - 2023**

***Introduced by the Administration on July 19, 2023***

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Authorizes encroachment for a marquee sign for Archer Music Hall, which will be located at 939 Hamilton St.

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***Resolved by the Council of the City of Allentown, That***

**WHEREAS**, Article 903.02, of the Codified Ordinances of the City of Allentown, relating to Permanent Obstructions, specifies the criterion and conditions under which permissible encroachments such as steps, porches, planters, fences, building projections, and service structures shall be permitted in the public right-of-way; and

**WHEREAS**, permissible encroachments may not exceed 1/3 of the sidewalk area measured from the property line and may not reduce the width of the abutting sidewalk to less than five feet; and

**WHEREAS**, permanent obstructions not permitted under the above criterion or approved by the Bureau of Building and Standards, may be permitted upon the expressed approval of Council in the form of a resolution; and

**WHEREAS**, such encroachments shall not impede or endanger the free flow of pedestrian or vehicular traffic; adversely affect the passage of light or air to adjoining properties; adversely affect in any other manner the health, safety or welfare of adjoining property owners or the public in general; or represent a significant variance from the number or size of encroachments existing in the immediate block area; and

**WHEREAS**, City Center Investment Corporation, the property owner as listed on the attached application, is requesting an encroachment to provide a marquee sign for Archer Music Hall, located at 939 Hamilton St. The marquee will span 42ft in length, 13ft in depth and 13ft from the sidewalk to the bottom of the sign.

**WHEREAS**, Allentown City Council finds that the proposed encroachment will not substantially impact the public right-of-way.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Allentown, approves said encroachment and directs the Mayor to enter into an agreement on behalf of the City allowing the encroachment.

## Legislative Template

- What department or bureau is this bill originating from? Where did the initiative for the bill originate?

Public Works – Engineering / City Center Investment Corporation

- Summary and facts of the bill.

Permanent encroachment is proposed for a marquee sign for the music hall going in at 939 Hamilton St. The marquee will span 42ft in length, 13ft in depth and 13ft from sidewalk to the bottom of the sign. Sidewalks in front of the property are 18ft wide which means the marquee will stop 5ft from the road.

- Purpose – Please include the following in your explanation:
  - a. What does the bill do? What are the specific goals or tasks the bill seeks to accomplish?

This bill would allow for the marquee sign to encroach over the public right of way by 13ft. This sign is essential to the music hall being established at 939 Hamilton St to advertise upcoming shows and messaging relevant to the operation of the facility.

- b. What are the benefits of doing this? What are the drawbacks?

The proposed music hall is to accommodate shows that are too small for the PPL Center and give local bands a place to perform in front of an audience up to 1800. The marquee sign is essential to the sustainability of the music hall to allow vehicular and pedestrian traffic to see upcoming shows and important information.

- c. How does this bill relate to the City's vision/mission/priorities?

The North side of the 900 block of Hamilton St is due for a major rehabilitation and the music hall is the first step in that direction. The music hall will cater to smaller and start up bands that currently do not have anywhere to play in the City and the marquee sign will be needed for advertisement and informational services to make the music hall successful.

- Financial Impact – Please include the following in your explanation:
  - a. Cost (initial and ongoing)

This project is privately funded and will not have a negative financial impact on the City.

- b. Benefits (initial and ongoing)

This project is privately funding and will not need any funding from the City.

- Funding Sources – Please include the following in your explanation:

- a. If transferring funds, please make sure to give specific account names and numbers. If appropriating funds from a grant, please list the agency awarding the grant.

n/a

- Priority status – Are there any deadlines to be aware of?

The project has gotten final approval from the Allentown Planning Commission and are working towards the plan approval from City departments.

- Why should Council unanimously support this bill?

The marquee sign is essential to the long term sustainability of the whole 900 block of Hamilton St which includes the music hall, hotel, apartments and restaurants.