



CITY OF ALLENTOWN

No. 124

RESOLUTION

R - 2017

*Introduced by the Administration on June 7, 2017*

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**Authorizes encroachment of 134 - 160 Hamilton Street**

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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 the 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**, American Plaza Association, the property owner as listed on the attached application, is requesting an encroachment to install steps from the building into in the public right-of-way at 134 - 160 Hamilton Street, which was denied by the Administration as it encroaches more than one third (1/3) into the right-of-way; and

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

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Permanent encroachment application to install steps at the rear of the building @ 160 Hamilton Street (Watch Us Grow).

- **Summary and Facts of the Bill**

These steps will be placed in the right of way area which will encroach more than 1/3.

- **Purpose – Please include the following in your explanation:**
  - What does the Bill do – what are the specific goals/tasks the bill seek to accomplish
  - What are the Benefits of doing this/Down-side of doing this
  - How does this Bill related to the City's Vision/Mission/Priorities

It will allow access to the rear of the building for classrooms.

- **Financial Impact – Please include the following in your explanation:**
  - Cost (Initial and ongoing)
  - Benefits (initial and ongoing)

N/A

- **Funding Sources – Please include the following in your explanation:**
  - If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.

N/A

- **Priority status/Deadlines, if any**

High priority

- **Why should Council unanimously support this bill?**

Assist students, faculty, visitors etc. into the building.