



CITY OF ALLENTOWN

No. _____

RESOLUTION

R31 - 2019

Introduced by the Administration on April 17, 2019

Authorizes encroachment for permanent canopy @ 777 W Walnut St (corner of W. Maple and S. 8th Street)

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, Five City Center OP LP, the property owner as listed on the attached application, is requesting an encroachment to install a permanent canopy @ 777 W Walnut Street map attached for council in the public right-of-way, as the canopy encroach more than one than (1/3) into the right-of-way; and

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.

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

Application for Permanent encroachment for installation of canopy @ 777 W Walnut (Five City Center)

- **Summary and Facts of the Bill**

Because it is more than 1/3 of the public right of way this canopy will require council approval for Five City Center parking garage at the corner of W. Maple and S. 8th

- **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**

This canopy will provide coverage for the entry to the Five City Center parking garage - see attached

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

no cost to City

- **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?**

The canopy will assist with protection from sun glare and weather for the entry to the garage.