



CITY OF ALLENTOWN

No. 73

RESOLUTION

R - 2021

Introduced by the Administration on June 2, 2021

Authorizes permanent encroachment for outdoor patio 645 W Hamilton includes awning and planter boxes.

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 Corp, the property owner as listed on the attached application, is requesting an encroachment to install an outside patio area which includes an awning/planter boxes in the public right-of-way at 645 Hamilton Street, as it encroaches 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.

LEGISLATIVE TEMPLATE

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

Permanent encroachment for outdoor patio including planters and roof top awning at 645 Hamilton Street. The framing will be permanent with a retractable awning. As it is more than 1/3 of the public right of way council approval is required.

- **Summary and Facts of the Bill**

Currently there are planter boxes this permanent encroachment will include the addition of a patio roof.

- **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 will allow outdoor seating which would include a roof top and planter area for customer comfort when dining.

- **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?**

This will accommodate the citizens who either are frequent customers or new to the downtown area for another alternative in eating at an outdoor venue.