

#### **ORDINANCE NO.: 2022-030**

Granting an encroachment to GSM Properties, LLC, for the use of the right of way area of the 1200 block of Taylor Street for the installation and maintenance of brick pavers and concrete sidewalks, landscaping, irrigation and a suspended pavement system to support the new landscaping adjacent to 1216 and 1218 Taylor Street, Richland County TMS# 09014-09-03 and 09014-09-04

WHEREAS, GSM Properties, LLC, (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 1200 block of Taylor Street for the installation and maintenance of brick pavers and concrete sidewalks, landscaping, irrigation and a suspended pavement system to support the new landscaping adjacent to 1216 and 1218 Taylor Street, as shown on the attached drawings; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the medians or street for traffic, utility locations or other uses within the foreseeable future; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this 3<sup>rd</sup> day of May, 2022, that Grantee is hereby granted the right to use the right of way areas of the 1200 block of Taylor Street adjacent to 1216 and 1218 Taylor Street, Richland County TMS# 09014-09-03 and 09014-09-04, for the installation and maintenance of concrete sidewalks measuring approximately eighteen (18') feet in width forty (40') feet in length, brick pavers measuring approximately nine (9') feet in width twenty-seven (27') feet in length, landscaping, irrigation and a suspended pavement system to support the new landscaping measuring approximately five (5') in width five (5') feet in length, as shown on the attached drawings.

PROVIDED FURTHER that all work shall comply with the requirements of The City of Columbia, South Carolina Department of Transportation (SCDOT) and Federal Emergency Management Agency (FEMA) now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused by Grantee's construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager; and,

PROVIDED further that in the event the City has to make repairs or maintain utility lines located within the encroachment area the City will replace any items removed for the utility repair or maintenance with like items to those removed; and,

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns; and,

PROVIDED FURTHER that a certificate of insurance be issued as evidence of general liability insurance with at least the minimum amount of \$600,000.00 for personal injury and property damage and naming the City as an insured, be provided to and filed annually with the City Clerk by Grantee, his successors and assigns, as required by Chapter 11, Licenses, Permits, Business Regulations, Article III, Contractors, Sec. 11-71, 1998 Code of Ordinances of the City of Columbia, South Carolina.

PROVIDED FURTHER that the privilege granted hereby is subject to the Grantee complying with the following conditions, restrictions or limitations:

- 1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard.
- 2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.
  - 3. Grantee is responsible for maintaining landscaping and improvements.
- 4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.
- 5. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.
- 6. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.
- 7. All trees shall be protected and no large tree roots shall be removed from any existing trees.
  - 8. Emergency egress from the buildings shall not be impeded.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at its expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:  Assistant City Manager Gentry	Mayor
Approved by:	
City Manager	
Approved as to form:  City Attorney	City Clerk

Introduced: 4/19/2022 Final Reading: 5/3/2022

#### CITY COUNCIL ENCROACHMENT SUMMARY 2022-030

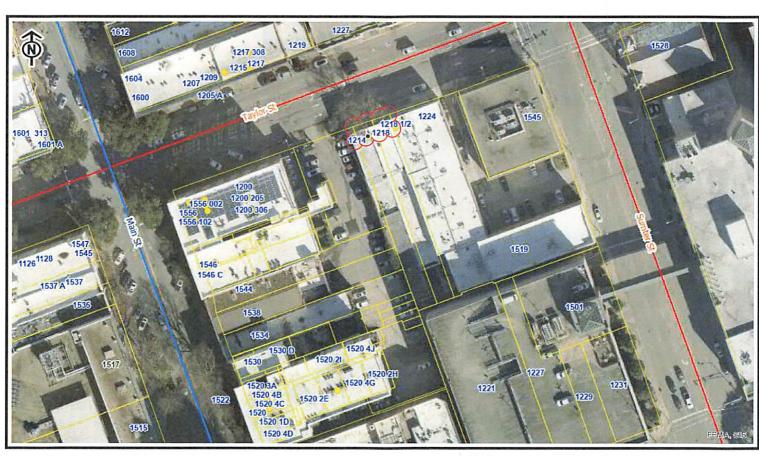


# 1200 BLOCK OF TAYLOR STREET ADJACENT TO 1216 AND 1218 TAYLOR STREET SIDEWALKS, BRICK PAVERS, LANDSCAPING, IRRIGATION AND SUSPENDED PAVEMENT SYSTEM

<b>Subject Property:</b>	Right-of-way adjacent to 1216 and 1218 Taylor Street
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of sidewalks, brick pavers, landscaping, irrigation and suspended pavement system.
Applicant:	GSM Properties, LLC
Staff Recommendation:	Approval.

Detail:	The applicant is requesting an encroachment for installation and maintenance of concrete sidewalks measuring approximately eighteen (18') feet in width forty (40') feet in length, brick pavers measuring approximately nine (9') feet in width twenty-seven (27') feet in length, landscaping, irrigation and a suspended pavement system to support the new landscaping measuring approximately five (5') in width five (5') feet in length, as shown on the attached drawings; and,			
	Conditions of the proposed encroachment are as follows:			
	<ol> <li>No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard.</li> <li>Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.</li> <li>Grantee is responsible for maintaining landscaping and improvements.</li> <li>Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.</li> <li>Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.</li> <li>Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.</li> <li>All trees shall be protected and no large tree roots shall be removed from any existing trees.</li> <li>Emergency egress from the buildings shall not be impeded.</li> </ol>			
CITY A	AGENCY COMMENTS FOR ENCROACHMENT			
Lucinda Statler, Planning Department	Recommend approval.			
Robert Anderson, Street Division	Recommend approval.			

Denny Daniels, Columbia Water Engineering	Recommend approval.
Traffic Engineering	Recommend approval.
Caleb King, Forestry Division	Recommend approval.
Johnathan Chambers, Land Development	Recommend approval.
Kris Scott, Fire Department	Recommend approval.
Tori Salvant, Parking Services	Recommend approval.





## City of Columbia



This map was prepared using the City GIS Viewer:

City of Columbia - GIS Division Thursday, March 24, 2022



Vacant







0 0.01 0.02 0.04

Red: Band\_1

Green: Band\_2

Blue: Band\_3

Red: Band\_1

Green: Band\_2

Blue: Band\_3

CITY OF COLUMBIA
GIS DATA DISCLAIMER:
The City of Columbia GIS data represented
on this map or plan is the product of the
compilation of data produced by others,
It is provided for informational purposes only
and the City of Columbia makes no representation
as to its accuracy. Its use without field verification
is at the sole risk of the user.



### Checklist for All Applications

A complete site plan application shall include the following information. Refer to the Procedures Manual for additional information about these requirements. Please initial to signify that the requested information has been provided.

		Applicant Staff Initials Initials
A copy of this Application Checklist, completed by the applicant.		m
A completed and signed Application Form		m
<b>Letters of Agency</b> for all applications where the applicant is not the owner of the subject property		n-
Pictures or specification sheet of the items to perm way	anently encroach the Right-of-	m-
Existing Site Plan Please see page 4 below for required content.	1 copy: min. 18 x 24 inches or 1 digital copy (pdf format) – may be 8 ½ inches x 11 inches if legible	m
Proposed Site Plan Please see page 4 below for required content.	1 copy: min. 18 x 24 inches or 1 digital copy (pdf format) – may be 8 ½ inches x 11 inches if legible	2

1. Applicant Information		
Name		
SCOTT MIDDLETON		
Company (if applicable)		
GSM Properties, LLC		
Address (street, city, state, zip) 1619 SUMTER STREET		
COLUMBIA, 50 29201		
1624 Main St, Golumbia, SC 29201		
Phone 803-730-9454 Email S-Mi	ddleton@ Itchs.com	
2. Property Information		
Address		
1216 - 1218 Taylor St, Columbia, SC 29201		
Tax Map Reference Number(s)		
Richland County TMS # R09014-09-03 & R090	14-09-04	
Current use	Proposed use	
Vacant	Dining / Restaurant	
3. Property Ownership		
Does the applicant own the adjacent property?	□Yes ⊠No	
If the applicant <u>does not</u> own the adjacent propert that authorizes the applicant to submit this applica	y, complete the <b>Letter of Agency</b> for each property owner ation on the property owner's behalf.	



#### 4. Project Description

Provide a brief description of the project and list all items that will placed in the right-of-way (walls, fences, columns, steps, irrigation systems, landscaping, driveways, pavers, sidewalks/walkways, planters, awnings, etc.)

GSM Properties, LLC intends to renovate the building located at 1216 - 1218 Taylor St. in Columbia, SC that's associated with Richland County TMS # R09014-09-04 & R09014-09-03. Necessary infrastructure & improvements in Taylor St. Right-of-Way (SC-12), as shown in the Site Construction Plans provided as part of this application, to support the proposed renovations are described below.

The proposed improvements include demolition of the sidewalk in front of the existing building along 1216 to 1218 Taylor St., installation of new brick paver(s) & concrete sidewalk, installation of a new 4" water meter vault in the new sidewalk, & the installation of new landscaping & suspended pavement system to support the new landscaping, as shown in the Site Construction Plans provided as part of this application.

The sidewalk surfacing & landscaping shown in the Site Construction Plans is consistent with previous improvements made adjacent to the Project Site (refer to 1227 Taylor St. (TMS # R09014-04-09)) and is proposed at the request of the City of Columbia.

		For staff use only	· · · · · · · · · · · · · · · · · · ·		•
Date received (M/D/Y):	/	/		Ву:	



#### 5. Additional Submission Requirements

#### **Existing Site Plan**

This shall be a site plan of the existing conditions or a plat of survey, to scale and fully dimensioned.

#### Proposed Site Plan

The proposed site plan shall be prepared to scale and fully dimensioned, and include the following:

	Applicant	Stati
Total acreage		
Location of lots and outlets (numbered and area in square feet)		
Location of buildings (including setbacks from property lines and distances between buildings)		
Location of parking and access/driveways		
Location of rights-of-way and/or easements for streets, railroads, and utility		
Lines upon and abutting subject property	5	
Location of streets, alleys, railroads, and utility lines upon and abutting subject property	₩.	
Section of sidewalk or right-of-way to be used for the encroachment	•	
Proposed placement of permanent items and furnishings on the sidewalk	¥	
Proposed placement of permanent items and furnishings in the right-of-way		
Location and height of all fences, walls, and exterior lighting in the right-of-way		
North arrow	<b>T</b>	
Scale Filippe Training Control of the Control of th	$\checkmark$	
Vicinity map (at 1 inch equals 1,000 feet)		

#### 6. Acknowledgement

For a continuing encroachment on any type of property in which the City has an interest (i.e., rights of way, tree zone, sidewalk, streets), the person or entity is required to have an encroachment ordinance enacted by City Council permitting the encroachment. Encroachment ordinances are required for but not limited to: irrigation systems; landscaping; fencing; walls; pavers; walkways; outdoor dining items (chairs, tables, umbrellas, etc.); awnings; bollards and directional signs (i.e., churches) Business signs are NOT permitted via an encroachment.

Encroachments must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and are subject to review and approval by City staff. Enactment of the encroachment ordinance by a majority vote of City Council, which is a discretionary legislative act, is also required.

In order to obtain an encroachment ordinance from the City of Columbia, it will be necessary for the City of Columbia to be named as an additional insured on your insurance policy with limits being increased to \$600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if it will name the City of Columbia as an additional insured prior to submitting your request for an encroachment ordinance. If you have any questions concerning these requirements, please contact Chip Timmons with Risk Management, (803) 733-8306 or catimmons@columbiasc.net.

All work shall comply with the requirements of the City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation.



Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager.

Property owned, operated and maintained by SCDOT shall comply with SCDOT encroachment requirements.

Permittee understands and agrees that the privilege granted may be modified or terminated by the City of Columbia at any time without notice and that the privilege granted hereby is subject to applicant's compliance with the following conditions, restrictions or limitations:

Permittee must comply with all existing City of Columbia and any other state or federal codes, rules and regulations, as applicable including the Americans with Disabilities Act, now in existence or hereafter enacted.

7. Signature	
Signature of Applicant	
m	
Print Name	Date
SCOTT MIDDLETON	12-10-2021

#### SITE CONSTRUCTION PLANS

#### 1216-1218 TAYLOR ST IMPROVEMENTS

CITY OF COLUMBIA, SC

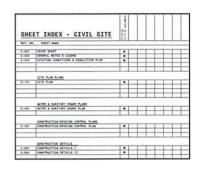
- GENERAL NOTES:

  1. A CONFLETE SET OF APPROVED CHARGES WAT SE WAINTAINED ON SITE AT ALL TIMES THAT THE CONTRACTOR IS FOR OWING MAKE.
- WITHIN ALL MOTES, THE TERM CONTRACTOR DUALS MEAN THE GENERAL CONTRACTOR AND ANY SUBCONTRACTOR OR VENCOR PERFORMING CONSTRUCTION ON THE SITE.
- 3. SHOULD THE CONTRACTOR FIND ANY DISCREPANCES ON THE DRAWINGS, OR IN THE FIELD FRIOR TO BEGINNING WORK ON DURING CONSTRUCTION, HE SHALL ISSUEDIATELY MOTIFY THE ENGINEER.
- BORDARY AND TOPOGRAFF HAS NOT BEEN FIELD VERIFIED BY THE ENGINEER. IT WILL BE THE CONTACTOR'S RESPONSELIETY TO VERIFY EXISTING FIELD CONCITIONS AND REPORT MAY DESCREPANCIES OR CONFLICTS TO THE ENGINEER PRIOR TO CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING ALL UNDERSONAND UTILITIES PRIOR TO CONTRACTOR AND IS RESPONSIBLE FOR ANY DALAGE TO THEE DURING CONTRACTOR THE TATLET LOCATION SERVICE AT LIAIT 49 MADE PRIOR TO THE TATLET LOCATION SERVICE AT LIAIT 49 MADE PRIOR TO
- . THE CONTRACTOR SHALL COMPLY WITH ALL BULES AND REGULATIONS OF FEDERAL, STATE, CO.
- ARTHUR MINISTRACTION, AND COTAINS OF CONSTRUCTION SHALL COMMUN TO THE STAND SPECIFICATIONS AND REGALTIONS OF THE CITY OF COLMANS & SCOTT.

  8. ALL SIGHT-OF-ART-CONSTRUCTION SHALL SET LOCAL AND STATE COFFMINIST OF TRANSPOR
- a, THE CONTRACTOR IS REQUIRED TO SEET ALL APPLICABLE PEOCEAL, CORA, STATE, & LOCAL REGULATIONS CONCERNING PROJECT SAFETY AND ASSUMES FULL RESPONSIBILITY FOR EAFETY ON
- IO. THE CONTRACTOR SHALL VERIFY THAT ALL NECESSARY PENUTS FOR CONSTRUCTION HAVE BEEN DETAINED PRIOR TO THE START OF THE PROJECT.
- , the commands much are responsible for possels to tription impractions at this the BIT or ALLERSH EMPERIES (1.4. AMERICA CORE, INDIANA, CITLITIES, LONGLAUDE MAKE, SEC.), the Commands much responsible for a little of the Tription of the own from to the loss of the JOB and at NO COST to the DAMES IN ACCORDANCE WITH A COMMAND FOR THE COMMAND CORE OF THE COMMAND CORE OF THE COMMAND COMM
- 12. CONTRACTOR SHALL PROVIDE AS-BUILT RECORDS OF ALL CONSTRUCTION (INCLUDING UNDERGACARD UTILITIES) TO THE OWNER POLICIENS COMPLETION OF CONSTRUCTION ACTIVITIES. AS MEDICO. THE CONTRACTOR IS REPORDED. FOR COORDINATING INSTALLATION OF ALL WILLITIES BY THE APPROPRIETE UTILITY CORPANY AND DESCRIPTACTOR FRANCISCH SORK TO ANGE CONTLICTS. THE CONTRACTOR IS ALSO RESPONDED. FOR SOURCEDING INSTALLATION OF ALL UTILITIES IN A TREET,
- IA, IN THE EVENT OF A COMPLICT WITH MATER, SEWER, DRAINAGE OR OTHER UTILITY LINES, THE CONTRACTOR SHALL COORDINATE WITH THE ENGINEER PRIOR TO MAKING FIELD ACCUMENTS.
- 15. THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF ALL RUSSISM, TRASH, AND ORGANIC BATTRIAL 41C. IN A LEGAL BANNER,



DEVELOPED BY GSM PROPERTIES, LLC



JACOB RICE ENGINEERING Ė. CONSTRUCTION FOR NOT **PRELIMINARY** SERVICE AL DESCRIPTION OF SERVICE AND SERV

SCHEPS.

1216-1216 TAYLOR ST. IMPROVEMENTS
CITY OF COLUMBIA. SC
GSM PROPERTIES, LLC COVER SHEET

C-001

PROJECT CONTACTS

DEVELOPER/OWNER

GOV PROPERTIES, LLC
1904 NATE ST.
COLUMBIA, SG 29001
CONTACT:
PRORE:
ENAIL:

LAND DISTURBANCE 80.04 ACRES

ENGINEER

PLANNING & ZONING

STORMWATER

WATER & SEWER
CITY OF COLUMBIA
1203 BAIN 27.
COLUMBIA, 90 22001
CONTACT, DOOTT MORENS
PHONE: 18037545-3290
EMAIL: WICHAEL ADDESSACLIS
EMAIL STICHAEL ADDESSACLIS



