

#### **ORDINANCE NO.: 2022-032**

Granting an encroachment to Huger Senate Hotel Associates, LLC for the use of the right of way areas of the 1000 block of Huger Street and the 400 block of Senate Street for the installation and maintenance of parking spaces, sidewalks, landscaping, and irrigation adjacent to 1025 and 1043 Huger Street, Richland County TMS#08911-01-05 and 08911-01-15

WHEREAS, Huger Senate Hotel Associates, LLC (hereinafter "Grantee") desires to utilize a portion of the right of way areas of the 1000 block of Huger Street and the 400 block of Senate Street for the installation and maintenance of five parking spaces measuring approximately eleven (11') feet in width twenty-five (25') feet in length, sidewalks measuring approximately eight (8') feet in width four hundred thirty (430') feet in length, landscaping, and irrigation adjacent to 1025 and 1043 Huger 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 21<sup>st</sup> day of June, 2022, that Grantee is hereby granted the right to use the right of way areas of the 1000 block of Huger Street and the 400 block of Senate Street adjacent to 1025 and 1043 Huger Street, Richland County TMS#08911-01-05 and 08911-01-15, for the installation and maintenance of five parking spaces measuring approximately eleven (11') feet in width twenty-five (25') feet in length, sidewalks measuring approximately eight (8') feet in width four hundred thirty (430') feet in length, landscaping, and irrigation 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
- 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. The five (5) parking spaces located in the public right-of-way of Senate Street are not solely for the proposed development located at 1043 Huger Street and may be metered.
- 9. Installation of Street lighting by the developer to be coordinated with Traffic Engineering and Planning and Development Services to ensure that the proposed locations of the lights do not materially alter the proposed improvements.

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	
Approved by:	Mayor
A nula	

Approved as to form:

City Attorney

Introduced: 6/7/2022

Final Reading: 6/21/2022

## CITY COUNCIL ENCROACHMENT SUMMARY 2022-032



## 1000 BLOCK OF HUGER STREET, 400 BLOCK OF SENATE STREET ADJACENT TO 1025 AND 1043 HUGER STREET PARKING SPACES, SIDEWALKS, LANDSCAPING, AND IRRIGATION

Subject Property:	Right-of-way adjacent to 1025 and 1043 Huger Street
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of parking spaces, sidewalks, landscaping, and irrigation.
Applicant:	Huger Senate Hotel Associates, LLC
Staff Recommendation:	Approval.

Detail:	The applicant is requesting an encroachment for installation and maintenance of five parking spaces measuring approximately eleven (11') feet in width twenty-five (25') feet in length, sidewalks measuring approximately eight (8') feet in width four hundred thirty (430') feet in length, landscaping, and irrigation adjacent to 1025 and 1043 Huger Street, 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>The five (5) parking spaces located in the public right-of-way of Senate Street are not solely for the proposed development located at 1043 Huger Street and may be metered.</li> <li>Installation of Street lighting by the developer to be coordinated with Traffic Engineering and Planning and Development Services to ensure that the proposed locations of the lights do not materially alter the proposed improvements.</li> </ol>

# City of Columbia City of Columbia GIS







CITY OF COLUMBIA GIS DATA DISCLAIMER

The City of Columbia GIS data represented on this map or plan is the product of compilation, as 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 Initials	Staff Initials
A copy of this Application Checklist, completed by the applicant.			
A completed and signed Application Form	a		
<b>Letters of Agency</b> for all applications where the applicant is not the owner of the subject property			
Pictures or specification sheet of the items to permanently encroach the Right-of- way			
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	u	
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	W	

1. Applicant Information					
Name Clancy Cipkala					
Company (if applicable) Solara Investments				1000	
Address (street, city, state, zip) 944 Lake Murray Blvd Irmo, SC 29063					
Phone 803-978-5530	Email	clancyinn@aol.com	 1		
2. Property Information	-			ere en de de la companya de la comp	
1025/1043 Huger Street  Tax Map Reference Number(s)  R08911-01-05 & R08911-01-	15				
Current use Vacant		Proposed us Hotel			
3. Property Ownership Does the applicant own the adjacen	t property	√? ⊠Yes	□No		
If the applicant <u>does not</u> own the ac	ljacent pro	perty, complete t	he <b>Letter of</b> A	Agency for each	property owner

that authorizes the applicant to submit this application on the property owner's behalf.



4. Project Description	4.	Pro	ject	Des	crit	otior
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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.)

	Project is a hotel. The encroachment within the right-of-way will be parking spaces, new sidewalk, landscaping with irrigation and light poles.
r	
	For staff use only
	Date received (M/D/Y):/



## 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	Staff
Total acreage	X	
Location of lots and outlets (numbered and area in square feet)	X	
Location of buildings (including setbacks from property lines and distances between buildings)	<b>K</b> I	
Location of parking and access/driveways	X	
Location of rights-of-way and/or easements for streets, railroads, and utility	K	
Lines upon and abutting subject property	<u> 129</u>	
Location of streets, alleys, railroads, and utility lines upon and abutting subject property	X	
Section of sidewalk or right-of-way to be used for the encroachment	<b>X</b>	
Proposed placement of permanent items and furnishings on the sidewalk	X	
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	铽	П
North arrow	X	
Scale	<b>X</b> I	
Vicinity map (at 1 inch equals 1,000 feet)	— <b>X</b> I	_

## 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.

City of Columbia, Department of Planning and Development 1136 Washington St., Columbia, SC 29201 https://www.columbiasc.net/planning-development



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	
Parence	Cyp lala
Print Name	Date 10/13 /2021
Clarence Cipkala	18/13/229

## VISTA HOTEL

## PREPARED FOR **SOLARA INVESTMENTS JULY 2021**

## SHEET INDEX





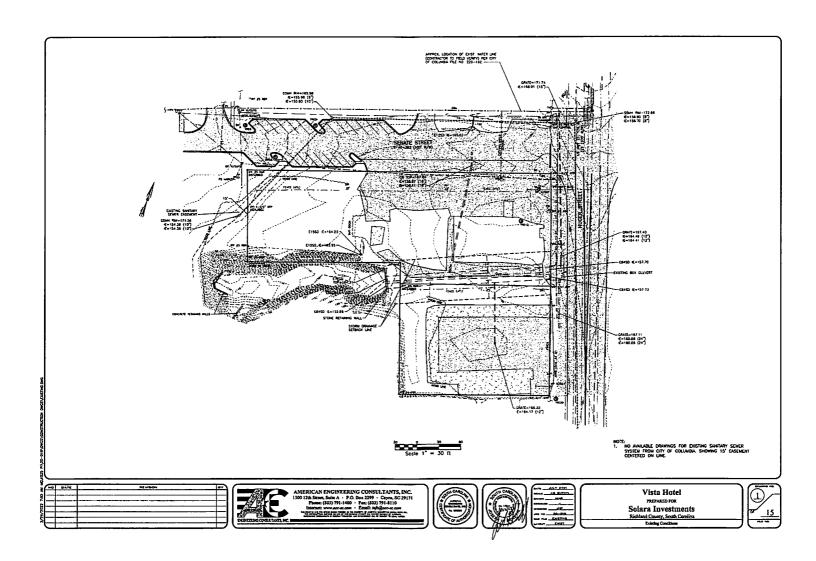
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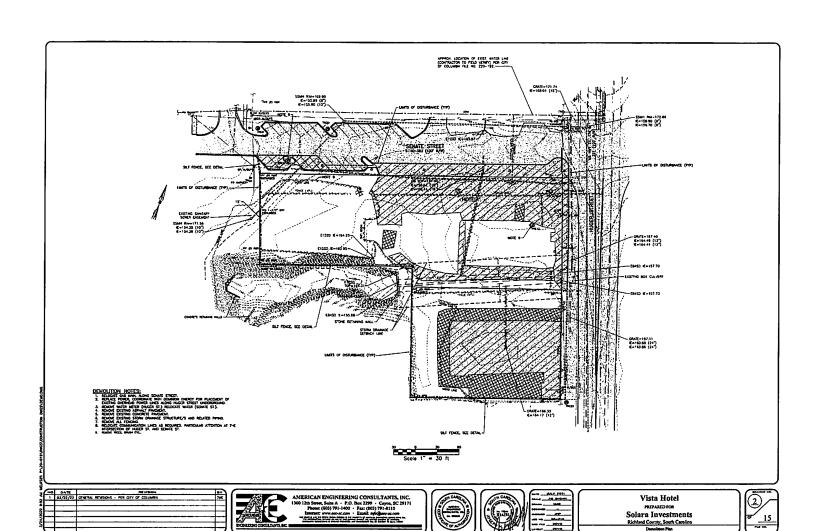
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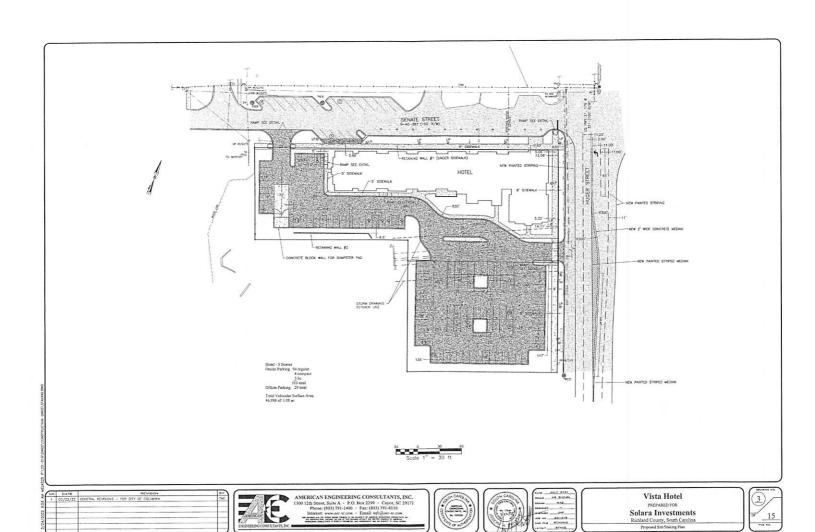


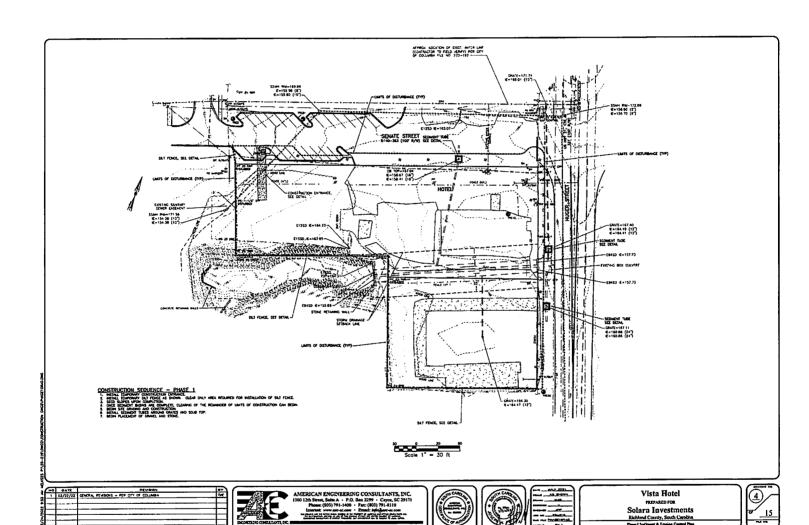


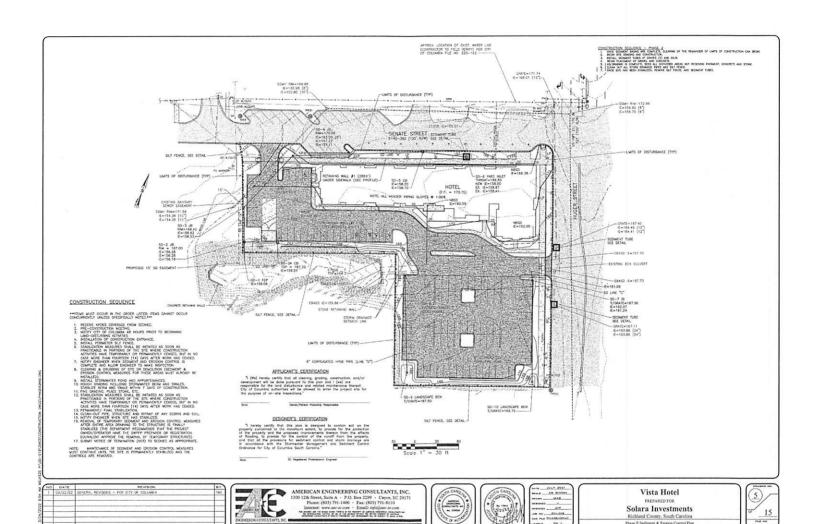


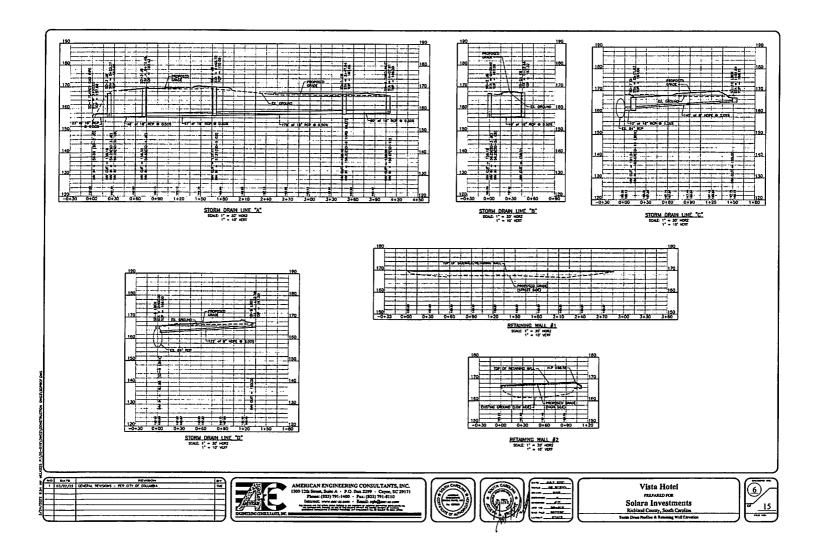


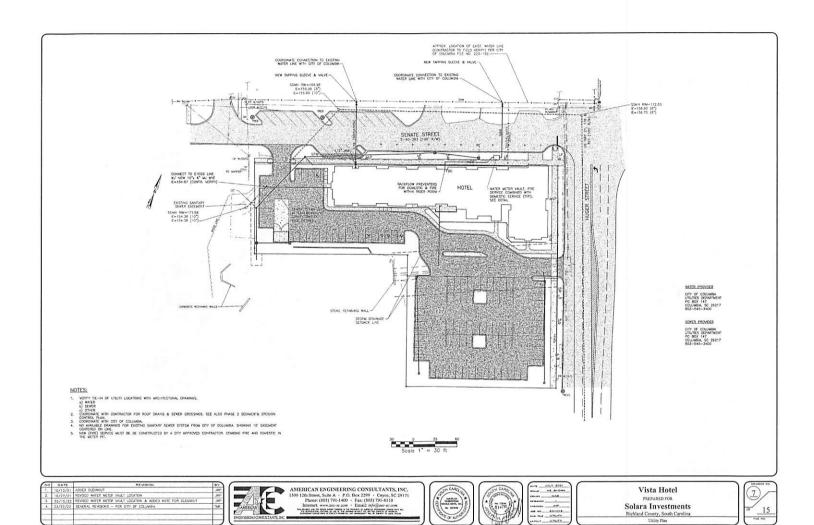


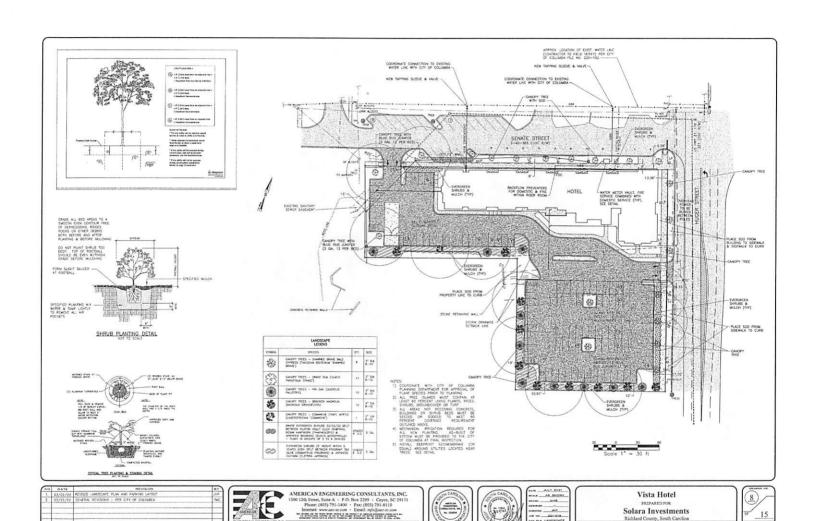


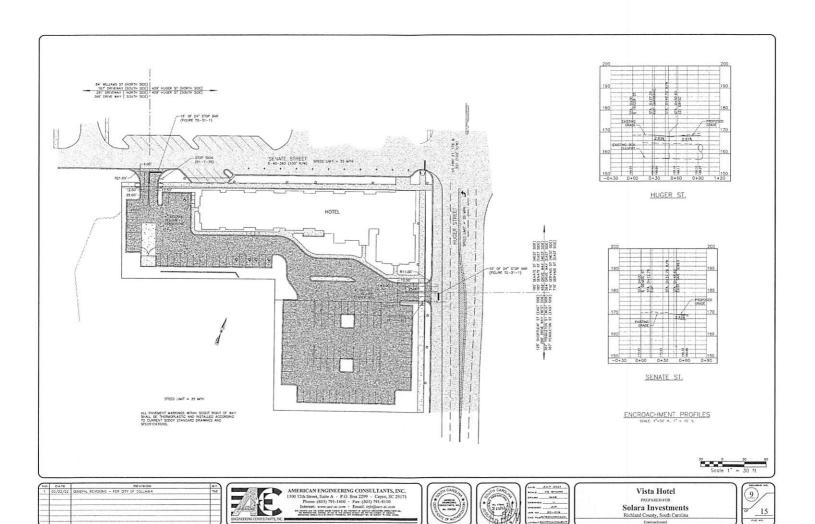


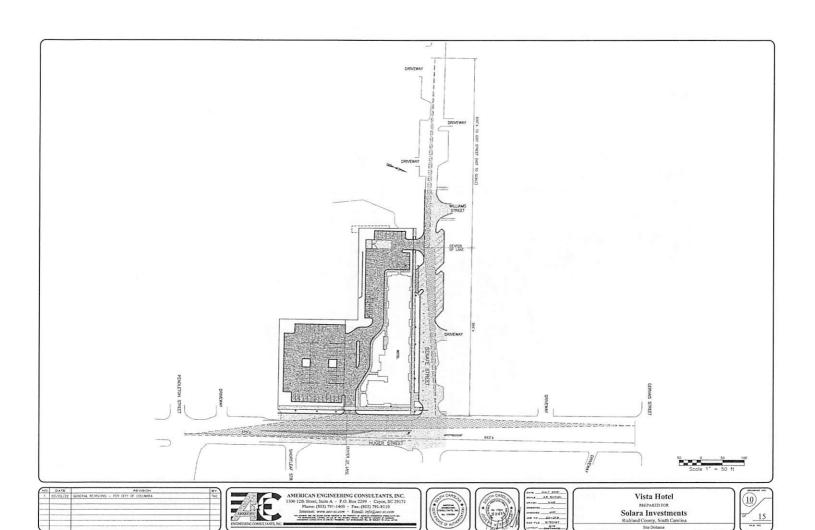


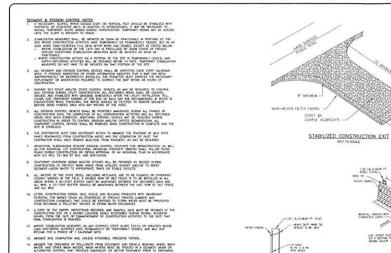


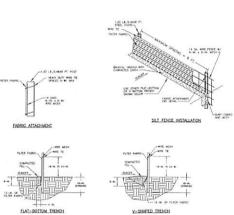


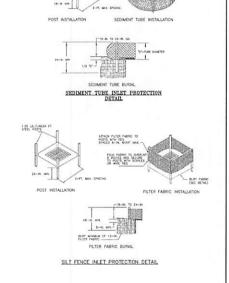














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AMERICAN ENGINEERING CONSULTANTS, INC.
1300 12th Street, Suite A - P.O. Box 2299 - Cayee, SC 29171
Phone: (60) 7971-1400 - Fact (80) 7971-19110
Internet: www.ace-accounts. Emilial Info@ace-accounts.

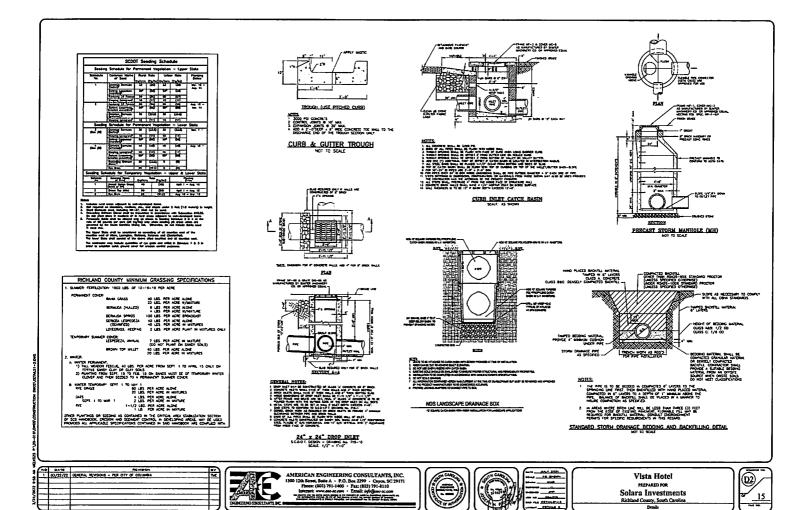
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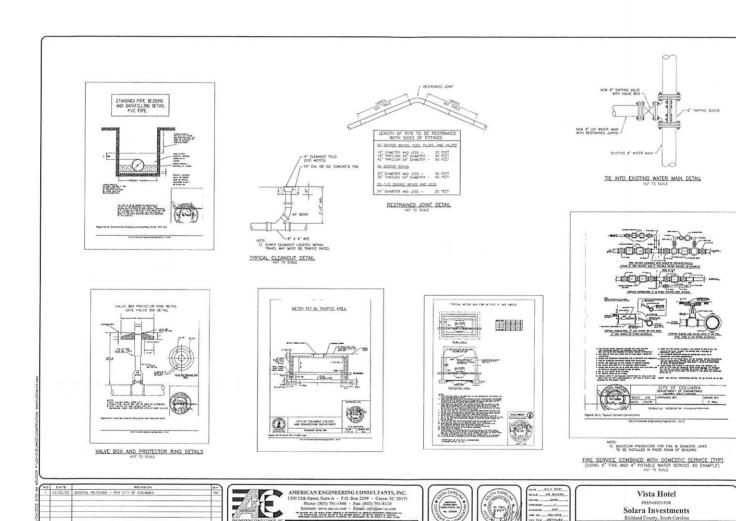




Vista Hotel
PREPARED FOR
Solara Investments
Richland County, South Carolina
Details







D3 15

