

ORIGINAL  
STAMPED IN RED

ORDINANCE NO.: 2024-002

*Granting an encroachment to MERV on Taylor, LLC dba Hotel Trundle, for the use of the right of way area of the 1500 block of Main Street for the installation and maintenance of a planter adjacent to 1542 Main Street, Richland County TMS# 09014-09-24*

WHEREAS, MERV on Taylor, LLC dba Hotel Trundle (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 1500 block of Main Street for the installation and maintenance of a planter adjacent to 1542 Main 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 6<sup>th</sup> day of February, 2024, that Grantee is hereby granted the right to use the right of way area of the 1500 block of Main Street adjacent to 1542 Main Street, Richland County TMS# 09014-09-24, for the installation and maintenance of a planter measuring approximately seventeen (17") inches in diameter twenty one and a half (21.5") inches in height with a ten and a half (10.5') foot tree within it 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.

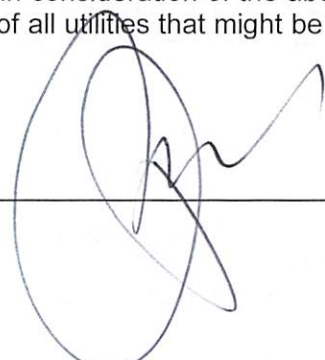
2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.
3. Grantee is responsible for maintaining landscaping and improvements.
4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous 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. Maintain building egress pathway for both height and width.
9. Installation shall stay within the confines of the facade of this particular building. Ensure adjacent property owner is also supportive if there is any overlap onto their facade.
10. Applicant is required to ensure that the weight of the planter is sufficient to secure the tree at all times.

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

ATTEST:

  
City Clerk

Introduced: 1/23/2024  
Final Reading: 2/6/2024



**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2024-002**



**1500 BLOCK OF MAIN STREET  
ADJACENT TO 1542 MAIN STREET  
PLANTER**

<b>Subject Property:</b>	Right-of-way adjacent to 1542 Main Street
<b>Council District:</b>	2
<b>Proposal:</b>	The applicant is requesting an encroachment for installation and maintenance of a planter.
<b>Applicant:</b>	MERV on Taylor, LLC dba Hotel Trundle
<b>Staff Recommendation:</b>	Approval.

<b>Detail:</b>	<p>The applicant is requesting an encroachment for the installation and maintenance of a planter measuring approximately seventeen (17'') inches in diameter twenty one and a half (21.5'') inches in height with a ten and a half (10.5') foot tree within it adjacent to 1542 Main Street, as shown on the attached drawings; and,</p> <p>Conditions of the proposed encroachment are as follows:</p> <ol style="list-style-type: none"><li>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.</li><li>2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.</li><li>3. Grantee is responsible for maintaining landscaping and improvements.</li><li>4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.</li><li>5. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.</li><li>6. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.</li><li>7. All trees shall be protected and no large tree roots shall be removed from any existing trees.</li><li>8. Maintain building egress pathway for both height and width.</li><li>9. Installation shall stay within the confines of the facade of this particular building. Ensure adjacent property owner is also supportive if there is any overlap onto their facade.</li><li>10. Applicant is required to ensure that the weight of the planter is sufficient to secure the tree at all times.</li></ol>
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**City of Columbia**



This map was prepared using  
the City GIS Viewer:

City of Columbia - GIS Division  
Wednesday, January 3, 2024

#### Address Point

- Active
- Vacant
- Tax Parcel

#### Street & Ownership

- Interstate

- Highway
- City Maintained
- State Maintained
- Private
- Others
- Columbia City Limits

#### Other Municipality

- Arcadia Lakes
- Blythewood
- Cayce
- Chapin
- Eastover

#### Forest Acres

- Irmo
- Lexington
- West Columbia

#### 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.





# Permanent Encroachment

## Application and Checklist

### 1. Applicant Information

Name Rita Patel	
Company (if applicable) MERV on Taylor LLC dba Hotel Trundle	
Address (street, city, state, zip) 1224 Taylor Street Columbia, SC 29201	
Phone 803-722-5000	Email rita@hoteltrundle.com

### 2. Property Information

Address 1542 Main Street Columbia, SC 29201	
Tax Map Reference Number(s)	
Current use Under Construction	Proposed use Hotel

### 3. Property Ownership

Does the applicant own the adjacent property? ☐ Yes ☒ No

If the applicant does not own the adjacent property, complete the **Letter of Agency** for each property owner that authorizes the applicant to submit this application on the property owner's behalf.



# Permanent Encroachment

## Application and Checklist

### 4. Project Description

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

We are seeking a permanent easement from the City of Columbia for the installation of a semi-permanent faux flowering tree at the entrance of our Main Street location. The tree will be positioned within a decorative planter pot (refer to Attachment 1) measuring 17 inches in diameter and 21.5 inches in height, colored matte black. The faux tree will emerge from the planter pot and ascend along the building, creating the illusion of growth against the structure. Its foliage will consist of a variety of faux greenery specifically designed for outdoor use, equipped with UV protection. Please find a visual reference of a similar installation in Attachment 2, though our rendition will feature a more restrained density of green leaves. To ensure safety and stability, the pot will be securely affixed to the sidewalk concrete using a concrete bolt. Please refer to Attachment 4 for specifics regarding this installation, including the framework for the branches and leaves. All connections to the building will be made at mortar joints to uphold the historical integrity of the structure. Attachment 5 is an earlier rendering of the installation on the left side of our entrance, but will now be located on the right side. Please use this illustration as a representation of what will be seen-but mirrored.

*For staff use only*

Date received (M/D/Y): \_\_\_\_/\_\_\_\_/\_\_\_\_

By: \_\_\_\_\_



# Permanent Encroachment

## Application and Checklist

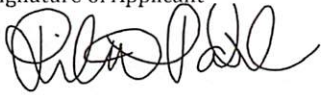
Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager.

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 	
Print Name Rita Patel	Date December 13th, 2023





The Fetter  
Wing  
Hotel  
Tangle



### Specs:

- block concrete paver
- filled w/ concrete for stability of structure
- structure framework will be threaded metal piping or structural black pipe  $\frac{3}{4}$ "
- Attachments:
  - angle anchor attachment from paver to concrete sidewalk
  - support pipe @ plywood for additional structure stability (acrossway) or clamp

Will NOT backcast/paving

Total Height:  $\approx 10.5' - 11'$

