

ORIGINAL
STAMPED IN RED

ORDINANCE NO. 2024-033

Amending Ordinance 2024-006 granting an encroachment to State Capitol Hotel, LLC, for use of the right of way areas of the 1200 block of Main Street and the 1200 block of Gervais Street for the installation and maintenance of a ramp and stairs and the replacement of current railings adjacent to 1200 Main Street, TMS# 09013-07-08

WHEREAS, by Ordinance No.: 2024-006 enacted on February 20, 2024, the Mayor and City Council granted State Capitol Hotel, LLC, (hereinafter "Grantee") the right to use the right of way areas of the 1200 block of Main Street and the 1200 block of Gervais Street, Richland County TMS # 09013-07-08, for the installation and maintenance of a ramp and stairs and the replacement of current railings adjacent to 1200 Main Street, as shown on the attached drawings; and,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this 21st day of May, 2024 that Grantee is hereby granted the right to amend Ordinance No. 2024-006 to include the installation and maintenance of a sidewalk measuring approximately eleven (11') feet in width one hundred (100') feet in length, as shown on the attached drawings.

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,

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.

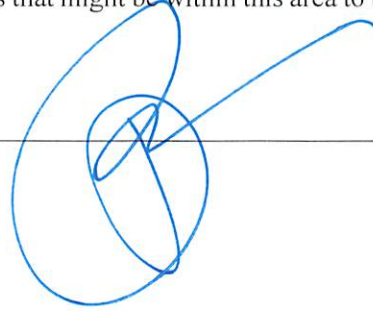
8. Prior to installation of sidewalk, coordinate with City Traffic Engineering to have underground traffic signal and street lighting circuits located and marked.

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: 5/7/2024

Final Reading: 5/21/2024

**CITY COUNCIL
ENCROACHMENT SUMMARY
2024-033**



**1200 BLOCK OF MAIN STREET AND 1200 BLOCK OF GERVAIS STREET
ADJACENT TO 1200 MAIN STREET
SIDEWALK**

Subject Property:	Right-of-way adjacent to 1200 Main Street
Council District:	2
Proposal:	The applicant is requesting to amend Ordinance No. 2024-006 for the installation and maintenance of a sidewalk.
Applicant:	State Capitol Hotel, LLC
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting to amend Ordinance No. 2024-006 to allow for the installation and maintenance of a sidewalk measuring approximately eleven (11') feet in width one hundred (100') feet in length adjacent to 1200 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">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. Prior to installation of sidewalk, coordinate with City Traffic Engineering to have underground traffic signal and street lighting circuits located and marked.
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City of Columbia

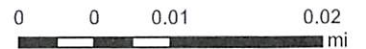


This map was prepared using the City GIS Viewer

City of Columbia - GIS Division

4/16/2024 12:43 PM

Building Footprint	Highway	City Maintained	Others
Tax Parcel	Highway	City Maintained	Others
Address Point	Highway	State Maintained	Others
Active	Highway	State Maintained	Others
Vacant	Highway	State Maintained	Others
Street & Ownership	City Maintained	State Maintained	Others
Interstate	City Maintained	Private	Others
Highway	City Maintained	Private	Others



CITY OF COLUMBIA GIS DATA DISCLAIMER:
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Permanent Encroachment Application and Checklist

1. Applicant Information

Name Rick Patel	
Company (if applicable) State Capitol Hotel, LLC	
Address (street, city, state, zip) 1200 Main Street, Columbia, SC 29201	
Phone (803) 261-6969	Email vruck@sheratoncolumbiahotel.com

2. Property Information

Address 1200 Main Street	
Tax Map Reference Number(s) 09013-07-08	
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 requesting this for sidewalk improvements for safety & ADA. The current sidewalk is not safe or compliant with ADA standards.

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.

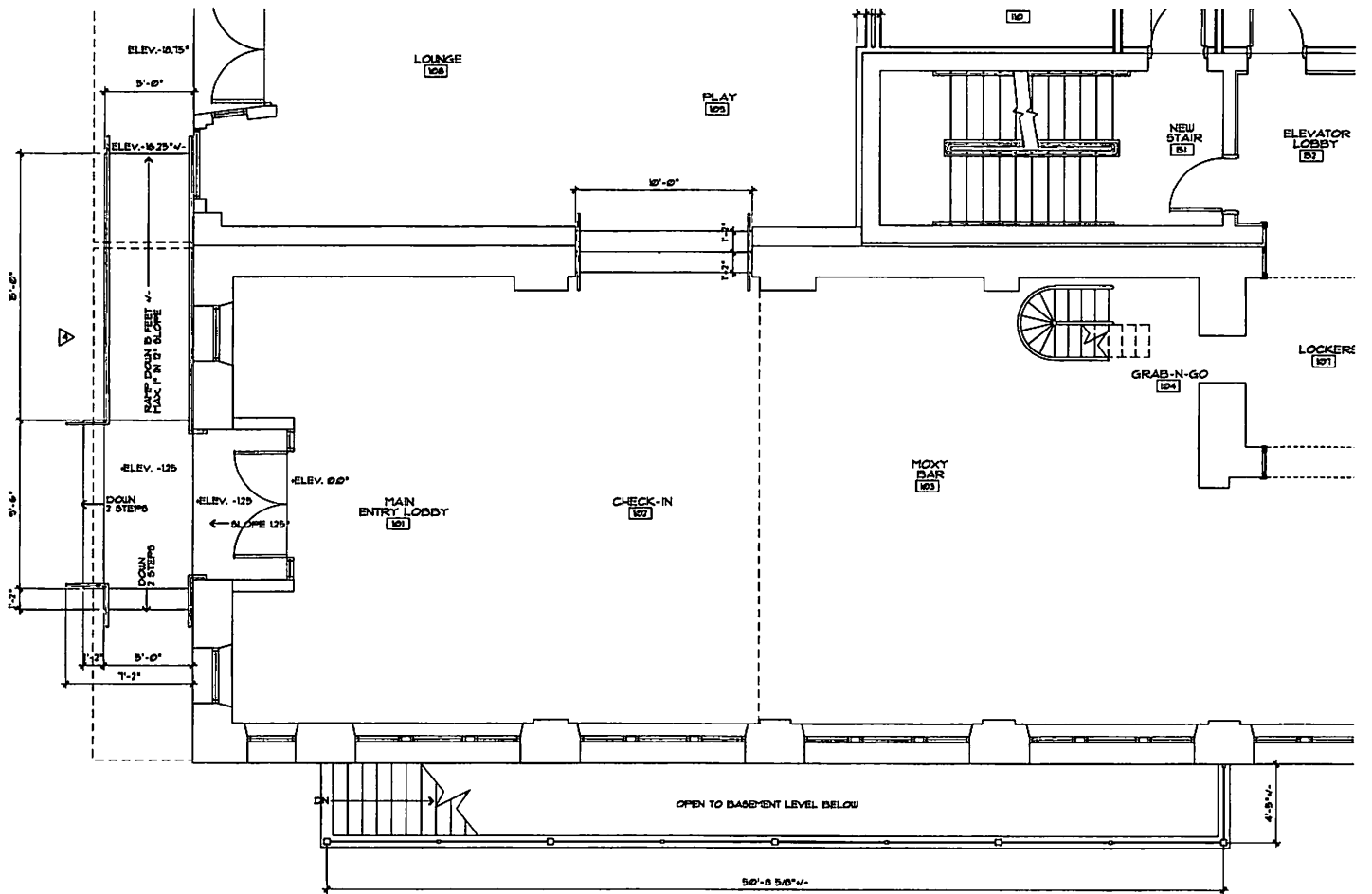
Property owned, operated and maintained by SCDOT shall comply with SCDOT encroachment requirements.

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 Rishi Patel	Date 3/20/24

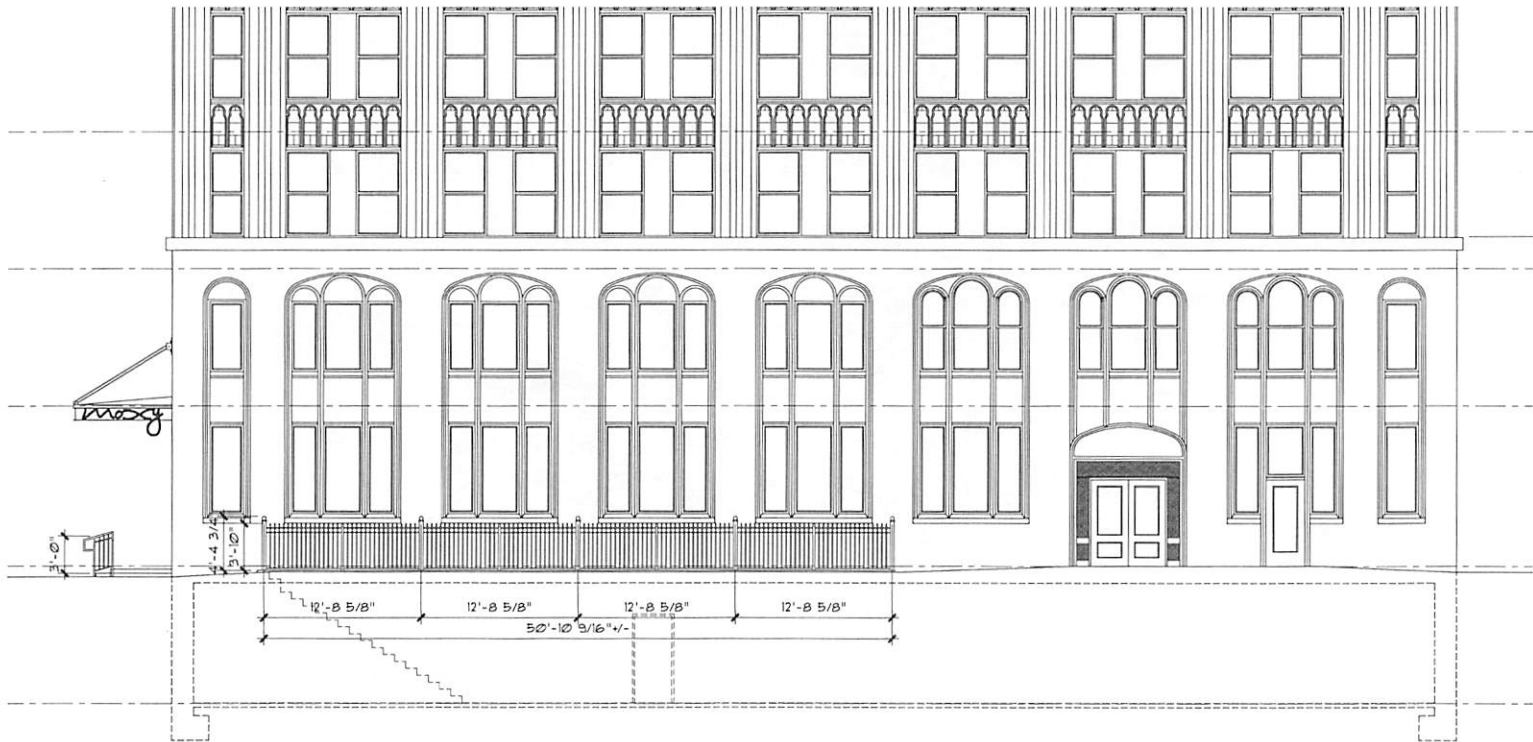


1 RENOVATED FIRST FLOOR DIMENSIONED PLAN
 A1.10 SCALE: 1/4" = 1' - 0"



1
A2.1

PROPOSED MAIN STREET ELEVATION
 SCALE : 1/8" = 1' - 0"



2 PROPOSED GERVAIS STREET ELEVATION
A2.1 SCALE : 1/8" = 1' - 0"