

ORDINANCE NO.: 2021-096

*Granting an encroachment to Sam and Omar Kammash, for the use of the right of way area of the 3700 block of Gibson Street and the 3800 block of River Drive for the installation and maintenance of landscaping adjacent to 3820 and 3900 River Drive, Richland County
TMS#09103-05-12 and 09103-05-09*

WHEREAS, Sam and Omar Kammash (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 3700 block of Gibson Street and the 3800 block of River Drive for the installation and maintenance of landscaping adjacent to 3820 and 3900 River Drive, 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 21st day of December, 2021, that Grantee is hereby granted the right to use the right of way areas of the 3700 block of Gibson Street and the 3800 block of River Drive adjacent to 3820 and 3900 River Drive, Richland County TMS#09103-05-12 and 09103-05-09, for the installation and maintenance of landscaping 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.

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:

ATTEST:



City Attorney



City Clerk

Introduced: 12/7/2021

Final Reading: 12/21/2021

**CITY COUNCIL
ENCROACHMENT SUMMARY
2021-096**



**3700 BLOCK OF GIBSON STREET AND THE 3800 BLOCK OF RIVER DRIVE
ADJACENT TO 3820 AND 3900 RIVER DRIVE
LANDSCAPING**

Subject Property:	Right-of-way adjacent to 3820 and 3900 River Drive
Council District:	1
Proposal:	The applicant is requesting an encroachment for installation and maintenance of landscaping.
Applicant:	Sam and Omar Kammash
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of landscaping, as shown on the attached drawings.</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.
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CITY AGENCY COMMENTS FOR ENCROACHMENT

Lucinda Statler, Planning Department	Recommend approval.
Robert Anderson, Street Division	Recommend approval.
Denny Daniels, Columbia Water Engineering	Recommend approval.

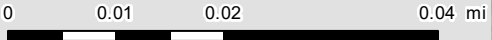
Andrew Ritter, Traffic Engineering	Recommend approval.
Caleb King, Forestry Division	Recommend approval.
Johnathan Chambers, Land Development	Recommend approval.
Kris Scott, Fire Department	Recommend approval.
Tori Salvant, Parking Services	Recommend approval.

City of Columbia

City of Columbia GIS



Thursday, November 4, 2021



FEMA, GIS, GIS, PDS

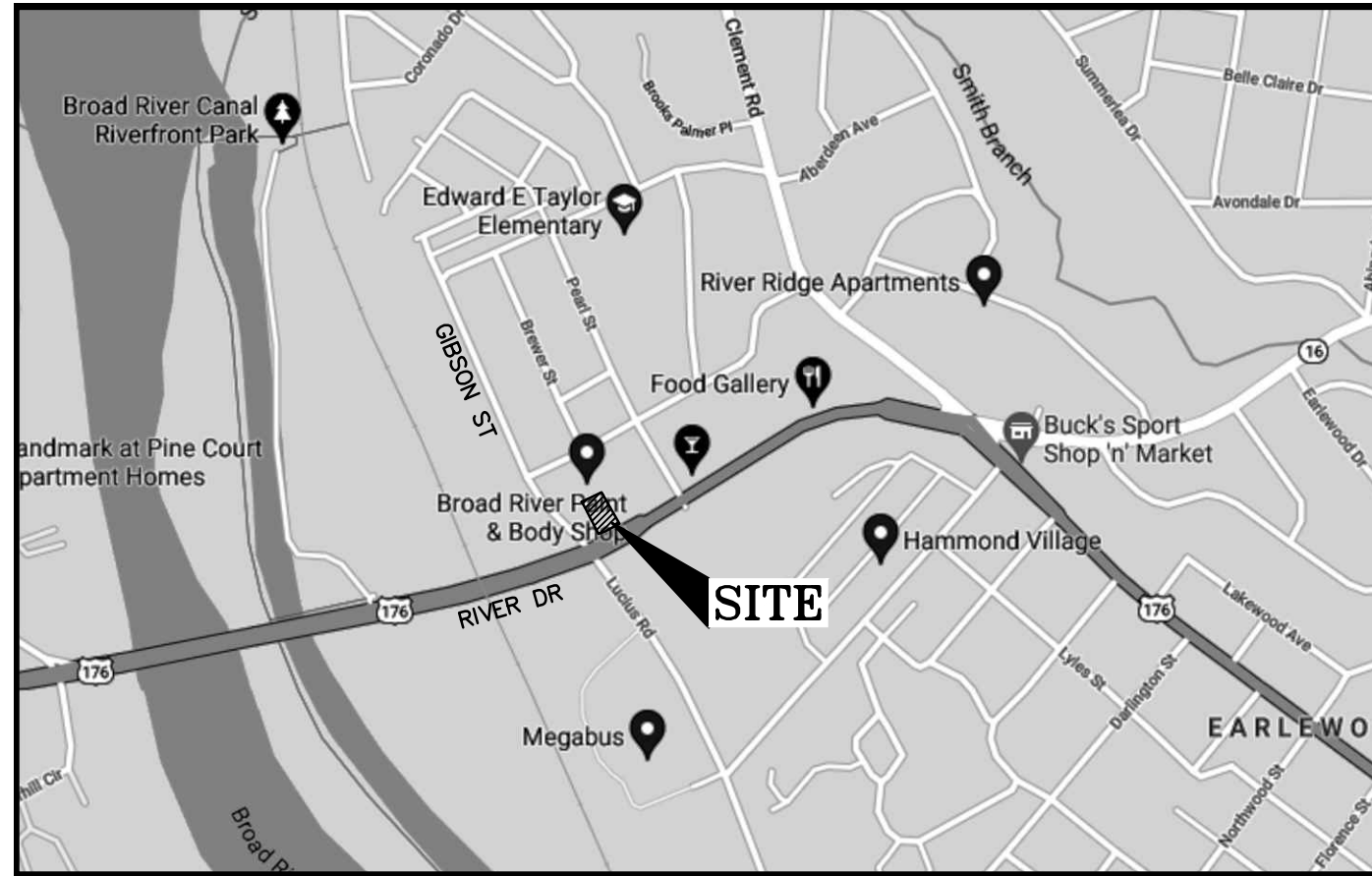


We Are Columbia

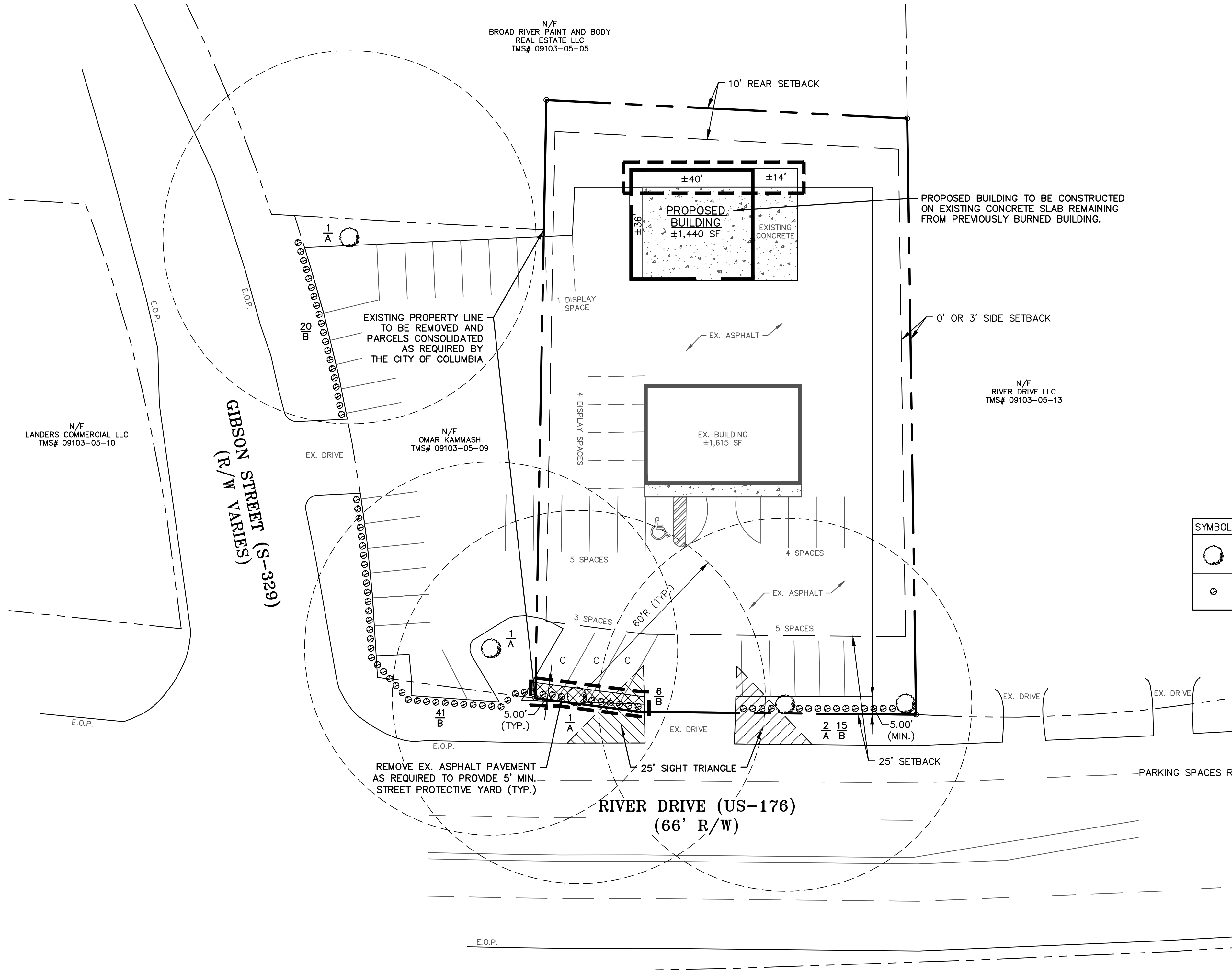
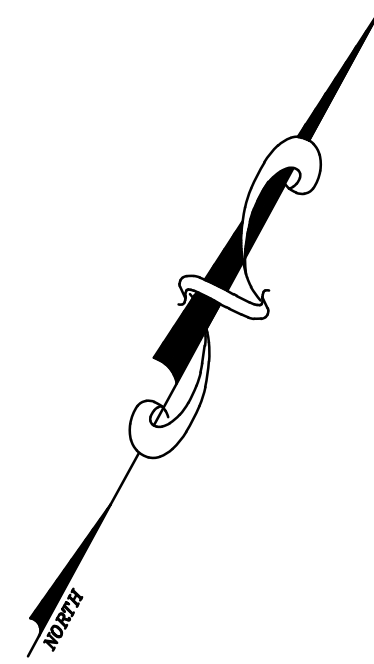
CITY OF COLUMBIA GIS DATA DISCLAIMER

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VICINITY MAP
SCALE: 1"=1,000'



- NOTES:**
- BOUNDARY AND SITE INFORMATION TAKEN FROM RICHLAND COUNTY ONLINE GIS INTERNET MAPPING SERVICE.
 - THE CONTRACTOR SHALL REPAIR ANY DAMAGE TO EXISTING UTILITIES OR STRUCTURES AT NO ADDITIONAL COST TO THE OWNER.
 - REFER TO ARCHITECTURAL DRAWINGS FOR BUILDING IMPROVEMENTS AND SURROUNDING AREA DIMENSIONS AND CONSTRUCTION.
 - THE CONTRACTOR SHALL REMOVE ALL ITEMS NECESSARY TO ALLOW THE PROPOSED CONSTRUCTION.

- LANDSCAPE NOTES:**
- THE LANDSCAPE CONTRACTOR SHALL INSTALL AN IRRIGATION SYSTEM CAPABLE OF SUPPORTING THE INDICATED PLANTINGS.
 - ALL DISTURBED AREAS NOT INDICATED TO BE LANDSCAPED SHALL BE GRASSED IN ACCORDANCE WITH THE VEGETATIVE SCHEDULE ON THIS SHEET.
 - ALL PLANTING BEDS SHALL BE MULCHED WITH A 3 INCH LAYER OF CLEAN PINE STRAW.
 - ALL PLANTING BEDS SHALL BE RAKED SMOOTH AND CLEARED OF ROCKS, AND OTHER DEBRIS PRIOR TO PLACING MULCH.
 - ALL PLANTING BEDS SHALL BE TREATED WITH A PRE-EMERGENT HERBICIDE APPLIED IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS.
 - NO HYDROSEEDING SHALL OVER SPRAY THE PLANTING BEDS.
 - THE LANDSCAPING CONTRACTOR MUST BE BONDED AND MUST PROVIDE A ONE YEAR WARRANTY ON LANDSCAPING AND THE IRRIGATION SYSTEM.
 - ALL PLANTING AREAS SHALL BE MECHANICALLY IRRIGATED.

MINIMUM GRASSING SPECIFICATIONS

1. SUMMER: FERTILIZATION: 1000 LBS. OF 10-10-10 PER ACRE

PERMANENT COVER:	BAHIA GRASS	40 LBS. PER ACRE ALONE
	HULLED BERMUDA	20 LBS. PER ACRE W/MIXTURE
		8 LBS. PER ACRE ALONE
		4 LBS. PER ACRE W/MIXTURE
	BERMUDA SPRIGS (SCAURED)	100 LBS. PER ACRE BROADCAST
	SERPOCHA LESPEDEZA	40 LBS. PER ACRE ALONE
	LOVEGRASS, WEEPING	40 LBS. PER ACRE IN MIXTURES
		2 LBS. PER ACRE PLANT IN MIXTURES ONLY
TEMPORARY SUMMER COVER:	LESPEDEZA, ANNUAL	7 LBS. PER ACRE IN MIXTURE
	BROWN TOP MILLET	(DO NOT PLANT ON SANDY SOILS)
		40 LBS. PER ACRE ALONE
		20 LBS. PER ACRE IN MIXTURES

2. WINTER:

A. WINTER PERMANENT:

- TALL MEADOW FESCUE, 40 LBS. PER ACRE FROM SEPT. 1 TO APRIL 15 ONLY ON FERTILE SANDY CLAY OR CLAY SOILS.
- PLANTING FROM SEPT. 15 TO FEB. 15 ON SANDS MUST BE OF TEMPORARY WINTER COVER AND THEN SEED TO A PERMANENT SUMMER COVER.

B. WINTER TEMPORARY: SEPT. 1 TO MAY 1

RYE GRASS	60 LBS. PER ACRE ALONE
	20 LBS. PER ACRE IN MIXTURES
OATS	4 LBS. PER ACRE ALONE
	2 LBS. PER ACRE IN MIXTURE
RYE	1-1/2 LBS. PER ACRE ALONE
	1 LB. PER ACRE IN MIXTURE

OTHER PLANTINGS OR SEEDING AS CONTAINED IN THE CRITICAL AREA STABILIZATION SECTION OF SSC HANDBOOK, EROSION AND SEDIMENT CONTROL IN DEVELOPING AREAS, MAY BE USED PROVIDED ALL APPLICABLE SPECIFICATIONS CONTAINED IN SAID HANDBOOK ARE COMPLIED WITH.

TREE AND PLANT SCHEDULE

SYMBOL	DES. NUMBER	SPECIES	SIZE (MIN.)	SPACING
⊙	A	5 EA. WILLOW OAK (LARGE TREE)	2" CAL.	AS SHOWN
⊙	B	82 EA. DWARF YAUPON (SHRUB)	24" HEIGHT	3' O.C.

TOTAL DISTURBED AREA
±850 SF

LEGEND
--- LIMITS OF DISTURBANCE

PARKING SUMMARY

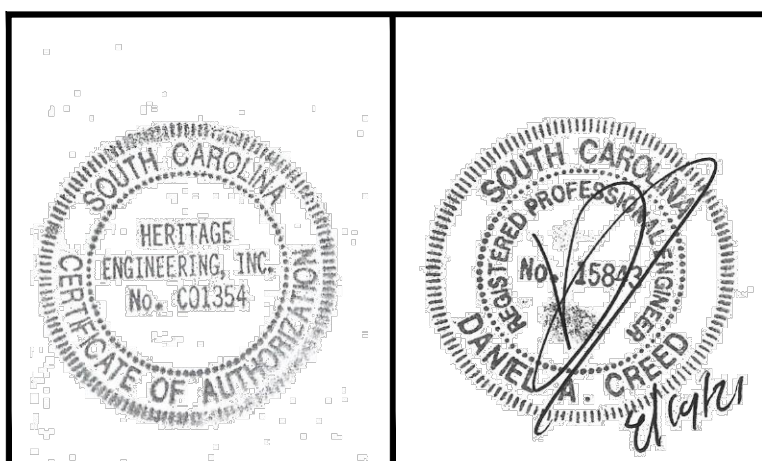
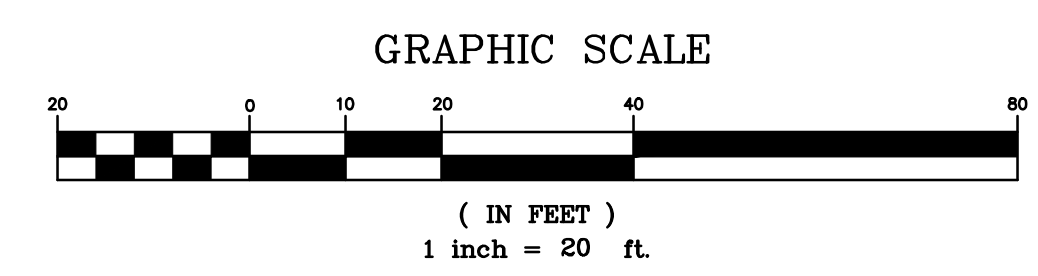
---PARKING SPACES REQ'D (DEALERSHIP) = ±3,055 SF @ 3.5 SPACES/1,000 SF = 11 SPACES
TOTAL PARKING SPACES REQ'D = 11 SPACES
EX. SPACES PROVIDED = 16 SPACES
EX. ACCESSIBLE SPACES PROVIDED = 1 SPACES
TOTAL EX. SPACES PROVIDED = 17 SPACES

SETBACKS
FRONT = 25'
SIDE = 0' OR 3'
REAR = 10'

OWNER
SAM & OMAR KAMMASH
K.O. ENTERPRISE
COLUMBIA, SC 29201
(803)319-5004.

CONTRACTOR
JIM WHEATLEY
HOOVER BUILDINGS OF LEXINGTON
1120 TWO NOTCH ROAD
LEXINGTON, SC 29073
803-359-9128

SITE PLAN
K.O. BUILDING REPLACEMENT
PREPARED FOR
HOOVER BUILDINGS OF LEXINGTON
IN THE CITY OF COLUMBIA, RICHLAND COUNTY, SOUTH CAROLINA
DATE: APRIL 29, 2021 | SCALE: 1" = 20' | SHEET C1 OF 1



HERITAGE ENGINEERING INC.
10719 WILSON BLVD. • P.O. BOX 923 • BLYTHEWOOD, S.C. 29016
(803) 714-9632 OFFICE • HERITAGESC@MINDSPRING.COM

NO.	DATE	DESCRIPTION
3	8/19/2021	REV. LANDSCAPING PER CITY OF COLUMBIA
2	8/12/2021	REV. PER CITY OF COLUMBIA
1	5/12/2021	ADD LANDSCAPING

**REQUEST FOR A PERMANENT COMMERCIAL ENCROACHMENT ORDINANCE
(INCLUDING OUTDOOR DINING/LANDSCAPING/STUDENT HOUSING)**

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 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.

Please complete and submit this form along with photographs and drawings or site plan drawn to scale (including a 8-1/2 x 11) to Johnathan Chambers by e-mail at jechambers@columbiasc.net; fax at 803-255-8935; or mail to Johnathan Chambers, Development Services, POB 147 Columbia, SC 29217, for preparation of an encroachment ordinance. Copies to City departments should be directed to the contact person for that department as shown below.

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.

Date: _____ Property Owner: Sam & Omar Kammash
 Business Name/Applicant's Name if different than owner: K.O. Enterprise
 Contact Information: Telephone Number: 803-319-5004 Fax Number: _____
 Mailing address: 3900 River Drive E-mail address: _____
 Business Name/Development Name for Encroachment: K.O. Enterprise

Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers Sidewalk/Walkway
 Planters Awning Underground Utilities Other: _____

Dimensions (height/width/length):
 (i.e. 6'x42' wooden privacy fence;
 two 12'x4'x3' concrete steps)

 Construction material: _____

OUTDOOR DINING: The Fire Marshal's posted capacity allowed within the business at the time of enactment of the outdoor dining encroachment ordinance shall include the total number of patron seating approved for the outdoor dining encroachment area, if not already included in the posted capacity allowance, so that patrons relocating from inside to the outside or from outside to the inside do not cause the posted capacity to be exceeded.

Hours/days of operation for outdoor dining: _____
 Posted Maximum Capacity Allowance (inside/outside combined): _____ No. of chairs outdoors: _____ No. of Tables Outdoors: _____

Do you serve: Wine Beer Liquor SCDOR ABL No.: _____ If not, do you intend to apply for an ABL license? _____

I acknowledge that the adjoining property owners and businesses have been contacted and approve the addition of outdoor dining at this location to include the service of beer, wine and/or liquor if applicable during the business hours noted above, and that any changes made to the business hours, use of the encroachment area or items allowed within the encroachment area will require an amendment to the encroachment ordinance.

Name/Title: _____
 Date: _____

I acknowledge that any changes made to the business, hours, use of the encroachment area, or items allowed within the encroachment area, to include obtaining a license to sell beer, wine and/or liquor will require an amendment to the encroachment ordinance.

 Name/Title: _____
 Date: _____

The proposed ordinance will be sent to the requesting party and City offices for review and approval. Johnathan Chambers will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-255-8935	jechambers@columbiasc.net
John Fellows	Development Services (Planning)	803-545-3222	803-733-8647	jsfellows@columbiasc.net
Rachel Bailey	Development Services (Zoning)	803-545-3332	803-733-8647	rlbailey@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	jthompson@columbiasc.net
Tori Salvant	Development Services (Development Center)	803-545-3420	803-733-8699	tcsalvant@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	aemoore@columbiasc.net
Lucinda Statter	Development Services (Urban Design)	803-545-0229	803-733-8647	lsstatter@columbiasc.net
Jerry Thompson	Development Services (Commercial Plan Review)	803-545-3420	803-733-8647	jthompson@columbiasc.net
Scott Holder	Development Services (Landscaping)	803-545-3218	803-255-8935	jsholder@columbiasc.net
Denny Daniels	Utilities & Engineering (Construction Management)	803-545-3400	803-988-8199	jddaniels@columbiasc.net
Robert Anderson	Public Works (Administration)	803-545-3780	803-733-8648	raanderson@columbiasc.net
Robert Sweatt	Public Works (Street Division)	803-545-3790	803-545-3785	rgsweatt@columbiasc.net
David Brewer	Public Works (Traffic Engineering)	803-545-3850	803-733-8648	ddbrewer@columbiasc.net
Caleb King	Public Works (Forestry & Beautification)	803-545-3860	803-733-8648	cdking@columbiasc.net
John Hooks	Public Works (Solid Waste)	803-545-3800	803-733-8648	jphooks@columbiasc.net
Chip Timmons	Risk Management	803-733-8306	803-733-8245	catimmons@columbiasc.net
Kris Scott	Fire Department	803-545-3736	803-401-8839	cfkdscott@columbiasc.net
Linda Matney	Parking Services	803-545-3070	803-733-8523	lsmatney@columbiasc.net