

**ORDINANCE NO. 2002-020**

*Granting encroachment to Arnold Construction  
at Vista Lofts located at 701 Gervais Street*

WHEREAS, Arnold Construction (hereinafter "Grantee") desires to utilize a portion of the sidewalk area adjacent to Vista Lofts located at 701 Gervais Street to allow seven (7) out swinging doors to encroach approximately two feet six inches (2'6") each into the sidewalk area as depicted on the attached sketch; and to allow placement and maintenance of benches, each approximately eight (8') feet in length, or other acceptable ornaments or planters, on either side of the doorways to prevent pedestrian traffic from walking in the doorway encroachment areas; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the sidewalk 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 10th day of April, 2002, that Grantee is hereby granted the right to have seven (7) out swinging doors encroach approximately two feet six inches (2'6") each into the sidewalk area as depicted on the attached sketch; and to allow placement and maintenance of benches, each approximately eight (8') feet in length, or other acceptable ornaments or planters, on either side of the doorways to prevent pedestrian traffic from walking in the doorway encroachment areas.

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.

PROVIDED, HOWEVER, that in exercising the privileges granted under this ordinance, Grantee, its successors and assigns, will indemnify and save harmless the City from any and all claims or causes of action which may arise by reason of the construction or maintenance of the aforesaid encroachment and in the event the encroachment becomes in conflict with future municipal plans, said property shall be returned to the City by Grantee.

PROVIDED FURTHER that the evidence of public liability insurance naming the City as an insured in the minimum amount of \$600,000.00 for personal injury and property damage shall be filed annually with the City Clerk by Grantee, its successors and assigns.

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:



MAYOR

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 3/20/2002

Final Reading: 4/10/2002

ORIGINAL  
SIGNED IN RED

DESIGN/DEVELOPMENT REVIEW  
PLANNING DEPARTMENT  
HISTORIC PRESERVATION • URBAN DESIGN



# Memorandum

TO: Jim Meggs, City Attorney  
FROM: Krista Hampton, Historic Preservation Planner *KMH*  
CC: Fred Delk, CDC  
DATE: March 1, 2002  
RE: Encroachment Request at 701 Gervais Street

Attached please find a letter requesting an encroachment at 701 Gervais Street. The nature of the request is to allow the doors to swing out. Additionally, because of this configuration, the inspections department has required that some fixture be placed in front of any door that will swing out and an encroachment for such a fixture is also requested.

Could your office please prepare a resolution for Council's consideration of this matter? Please let me know if additional information is needed.



# ARNOLD CONSTRUCTION

March 1, 2002

Ms. Christa Hampton  
City of Columbia  
PO Box 7997  
Columbia, SC 29202

RE: 701 Gervais Street, Vista Lofts  
Columbia, SC

Dear Christa:

Per our phone conversation on Thursday, 2-28-02, we hereby request an "encroachment permit" to swing the front doors in the ground floor commercial space out which would encroach on the City sidewalk approximately two feet six inches (2'6"). This would occur only at spaces that would have an occupancy greater than fifty (50) people. Therefore, it probably would only be necessary in a couple of spaces out of a total of seven (7) possible.

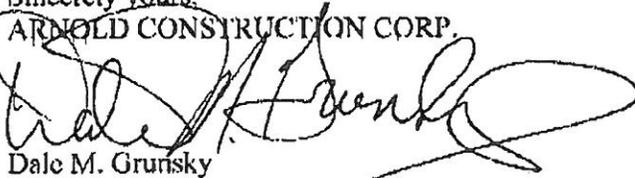
In order to protect the public from an "out swinging" door, we propose to install a bench, or other acceptable ornaments, on either side of the opening to prevent someone from stepping in front of the door when it was being opened.

Since we do not know how many, if any, or which spaces may require this variance, we are requesting that a "general" encroachment be granted so that if we do get a tenant that requires the variance, it will already be in place. When we sign up a tenant, they usually want the space "yesterday".

Attached is a sketch of what we had in mind.

Please call me if I need to provide additional information.

Sincerely yours,  
ARNOLD CONSTRUCTION CORP.



Dale M. Grunsky  
V. President

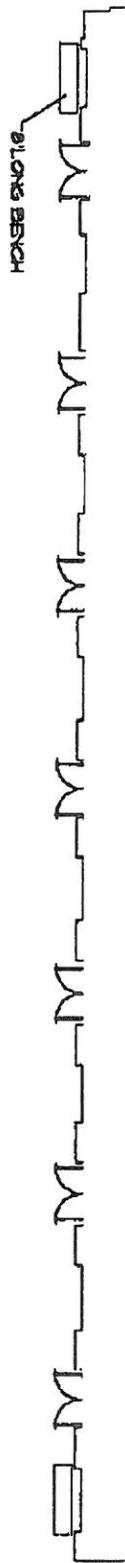
Cc Ben D. Arnold



ARNOLD CONSTRUCTION CORPORATION

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GERVAIS STREET

