

ORDINANCE NO. 2002-086

*Granting encroachment to Sub Pub at 2002-F Greene Street
for installation and maintenance of brick pavers and for
four tables and fourteen chairs for outdoor dining*

WHEREAS, Sub Pub (hereinafter "Grantee") desires to utilize a portion of the sidewalk right of way area adjacent to its business at 2002-F Greene Street for installation and maintenance of brick pavers approximately two (2') feet in width and eight (8') feet in length between the upper street-level sidewalk and retaining wall and for placement of four (4) tables and fourteen (14) chairs for outdoor dining by its patrons; 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 16th day of October, 2002, that Grantee is hereby granted the right to use a portion of the sidewalk right of way area adjacent to its business at 2002-F Greene Street for installation and maintenance of brick pavers approximately two (2') feet in width and eight (8') feet in length between the upper street-level sidewalk and retaining wall and for placement of four (4) tables and fourteen (14) chairs for outdoor dining by its patrons.

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.

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.

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.

ORIGINAL
STAMPED IN REC

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

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REC

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 10/2/2002

Final Reading: 10/16/2002

Jim Meggs

From: nick matt [nickmatt01@yahoo.com]
Sent: Monday, September 09, 2002 12:16 PM
: jmeggs@columbiasc.net



SubPub2.JPG

Dear Mr. Meggs,

My name is Nidal Mater and I operate the Sub Pub at 2002 F Greene Street in Five Points. We have applied for an NBIZ Grant through Gerry Lynn Hall and the South Columbia Development Corporation. Ms. Hall has had Mr. Chip Land, Mr. Stan Leinwand and Mr. Dick Trice on site to evaluate and approve the design elements for our grant improvement. Ms. Hall, Mr. Land and Mr. Leinwand worked with us to finalize our small design plan and made sure it fulfilled City Code standards. Mr. Trice and Ms. Hall observed the tree one and determined the distance, from any trees, we would need to observe to preserve the health of the existing trees.

Sub Pub's grant application is for a new sign, which will be mounted above our door and to create a small, outdoor dining area (4 - 30" tables and 14 standard chairs) by installing some brick pavers in a 4' x 8', unattractive dirt space in front of our store. We will also install brick pavers between the upper, street-level sidewalk and retaining wall. This is an odd shaped area of only 1.5 - 2' x 8'. (see attached photo)

We would like to request an Encroachment into the public right-of-way to install the brick pavers and place our dining tables and chairs. We would like this item placed on the City Council Agenda as quickly as possible. Please respond and advise when our request will be

presented to City
Council. Please call me at 252-5505 with any
questions.

Sincerely,

Nidal Mater, Owner
Sub Pub

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