

ORIGINAL
STAMPED IN RED

ORDINANCE NO.: 2022-056

Granting an encroachment to Gusco, LLC for the use of the right of way area of the 2100 block of Senate Street for the installation and maintenance of landscaping and irrigation adjacent to 1030 Harden Street, Richland County TMS#11405-05-01

WHEREAS, Gusco, LLC (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 2100 block of Senate Street for the installation and maintenance of landscaping and irrigation adjacent to 1030 Harden 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 26th day of July, 2022, that Grantee is hereby granted the right to use the right of way area of the 2100 block of Senate Street adjacent to 1030 Harden Street, Richland County TMS#11405-05-01, for the installation and maintenance of landscaping and irrigation 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:

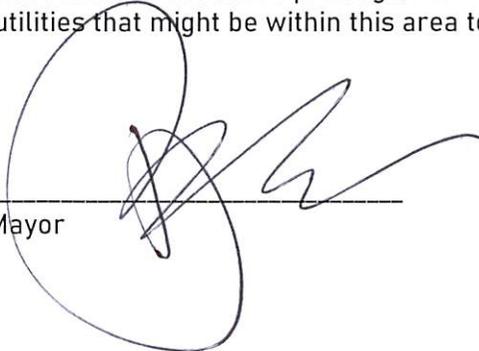
1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of 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.

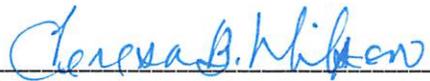
Requested by:

Assistant City Manager Gentry



Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 6/21/2022
Final Reading: 7/26/2022

**CITY COUNCIL
ENCROACHMENT SUMMARY
2022-056**



**2100 BLOCK OF SENATE STREET
ADJACENT TO 1030 HARDEN STREET
LANDSCAPING AND IRRIGATION**

Subject Property:	Right-of-way adjacent to 1030 Harden Street
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of landscaping and irrigation.
Applicant:	Gusco, LLC
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of landscaping and irrigation adjacent to 1030 Harden 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.
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**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 to be named as an additional insured on your insurance policy with limits being increased to \$600,000 as required by Sec. 11-71. It is recommended that you contact 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: GUSCO, LLC
 Business Name/Applicant's Name if different than owner: GUSCO, LLC c/o Gus Strasburger
 Contact Information: Telephone Number: 803-744-2305 Fax Number: _____
 Mailing address: 6478 Bridgewood Rd Columbia, SC 29206 E-mail address: guss@printgear.com
 Business Name/Development Name for Encroachment: GUSCO, LLC

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)

Place Landscaping along Senate Street

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.

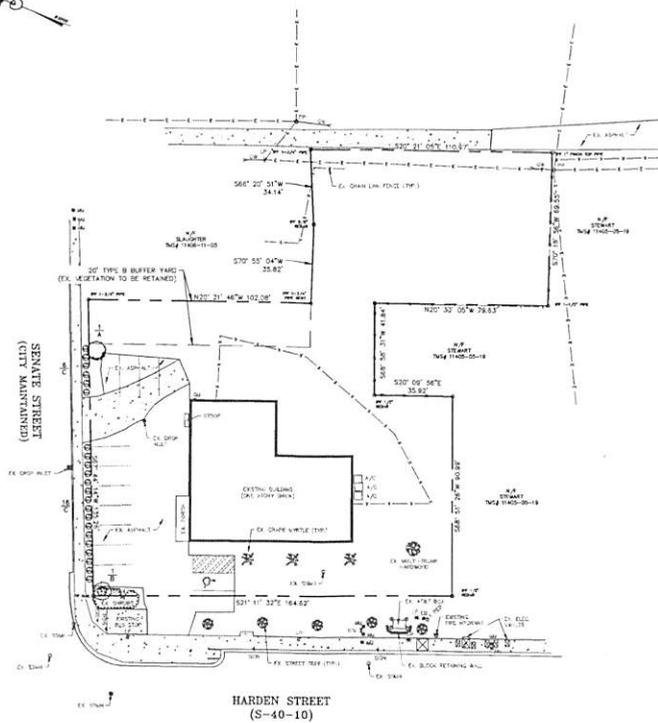
Name/Title: _____
 Date: _____

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.

August K. Strasburger
 Name/Title: August K. Strasburger
 Date: 5-17-22
member

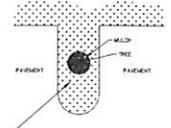
The proposed ordinance will be sent to the requesting party and City offices for review and approval. Johnathan Chambers will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-255-8935	jchambers@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	rbailey@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	jhooks@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



- NOTES:**
1. LANDSCAPE INFORMATION PROVIDED BY CH2M ENGINEERING OF COLUMBIA, INC.
 2. THE CONTRACTOR SHALL CALL SURVEYORS FOR ALL UNDISCLOSED UTILITIES LOCATIONS AT LEAST 14 DAYS BEFORE THE START OF CONSTRUCTION.
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 4. THE CONTRACTOR SHALL REMOVE ALL UTILITIES NECESSARY TO CONSTRUCTION OF THE PROJECT.
 5. THE CONTRACTOR SHALL REMOVE ALL UTILITIES NECESSARY TO ALLOW THE PROPOSED CONSTRUCTION.

- LANDSCAPE NOTES:**
1. THE CONTRACTOR SHALL INSTALL AN IRRIGATION SYSTEM CAPABLE OF SUPPORTING THE INDICATED PLANTINGS.
 2. ALL PLANTINGS SHALL BE INSTALLED WITH THE SPECIFIED SPACING ON THIS SHEET.
 3. ALL PLANTINGS SHALL BE MULCHED WITH A 3" MULCH LAYER.
 4. ALL PLANTINGS SHALL BE BASED SOILS AND CLEARED OF ALL WEEDS AND OTHER VEGETATION PRIOR TO PLANTING.
 5. ALL PLANTINGS SHALL BE INSTALLED WITH AN APPROPRIATE SPACING AS INDICATED ON THIS SHEET.
 6. NO FERTILIZERS SHALL BE APPLIED TO THE PLANTINGS.
 7. THE CONTRACTOR SHALL MAINTAIN ALL PLANTINGS THROUGHOUT THE CONSTRUCTION PERIOD.
 8. ALL PLANTING AREAS SHALL BE MECHANICALLY PREPARED.



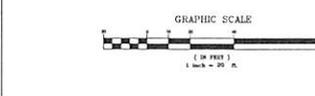
TYPICAL TREE ISLAND PLANTING PLAN
SCALE: 1" = 20'

- MINIMUM GRASSING SPECIFICATIONS**
- MINIMUM SPECIFICATIONS**
1. ALL EXPOSED AREAS SHALL BE SEEDING WITH A PERMANENT AND MAINTENANCE FREE SEED MIX WITHIN 14 DAYS OF CONSTRUCTION ACTIVITY CEASING.
 2. SEEDING SHALL BE DONE BY MEANS OF AERIAL APPLICATION OR EQUIPMENT THAT WILL PROVIDE UNIFORM COVERAGE. SEED SHALL BE APPLIED TO THE ENTIRE AREA TO BE SEEDING WITHIN THE SPECIFIED TIME FRAME.
 3. SEEDING SHALL BE DONE WITHIN 14 DAYS OF CONSTRUCTION ACTIVITY CEASING.
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TREE AND PLANT SCHEDULE

SYMBOL	DES	NUMBER	SPECIES	SIZE (IN)	SPACING
⊙	A	1 EA.	MULCH GRASS (LARGE TREE)	2" CAL.	AS SHOWN
⊙	B	1 EA.	AMERICAN ELM (MEDIUM TREE)	2" CAL.	AS SHOWN
⊙	C	22 EA.	ORANGE JASMINE (SHRUB)	3" CAL. 24" HEIGHT	4' O.C.

VEHICLE SURFACE AREA TREE SUMMARY
 TOTAL V.S.A. TREES REQUIRED = 14 TREES OF 1" TREES 2,000 SF = 2 TREES
 TOTAL V.S.A. TREES PROVIDED = 2 TREES



HERITAGE ENGINEERING, INC.
 1818 WILSON BLVD. • P.O. BOX 883 • BILTERWOOD, S.C. 29018
 (803) 714-9832 OFFICE • HERITAGE@HERITAGEENGINEERING.COM

LANDSCAPING PLAN
1030 HARDEN STREET
 PREPARED FOR
GUSCO, LLC
 IN THE CITY OF COLUMBIA, RICHLAND COUNTY, SOUTH CAROLINA

PROJECT No. 22022
 DATE: APRIL 22, 2022
 SCALE: 1" = 20'
 SHEET C1 OF 1