

ORIGINAL
STAMPED IN RED

ORDINANCE NO.: 2023-125

Granting an encroachment to Midtown Fellowship for the use of the right of way area of the 1800 block of Blanding Street for the installation and maintenance of landscaping, irrigation and a new concrete sidewalk adjacent to 1800 and 1804 Blanding Street, Richland County TMS# 11403-09-01

WHEREAS, Midtown Fellowship (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 1800 block of Blanding Street for the installation and maintenance of landscaping, irrigation and a new concrete sidewalk adjacent to 1800 and 1804 Blanding 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 5th day of December, 2023, that Grantee is hereby granted the right to use the right of way area of the 1800 block of Blanding Street adjacent to 1800 and 1804 Blanding Street, Richland County TMS# 11403-09-01, for the installation and maintenance of landscaping, irrigation and a new concrete sidewalk 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:

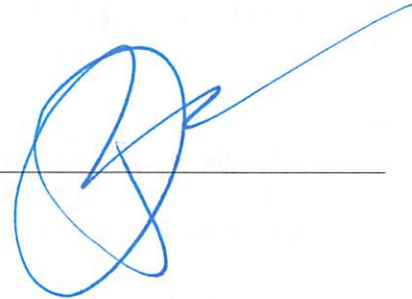
1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of 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.
8. Sidewalk shall be a minimum of six (6') feet in width.

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: 11/21/2023

Final Reading: 12/5/2023

**CITY COUNCIL
ENCROACHMENT SUMMARY
2023-125**



**1800 BLOCK OF BLANDING STREET
ADJACENT TO 1800 AND 1804 BLANDING STREET
LANDSCAPING, IRRIGATION AND A NEW CONCRETE SIDEWALK**

Subject Property:	Right-of-way adjacent to 1800 and 1804 Blanding Street
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of landscaping, irrigation and a new concrete sidewalk.
Applicant:	Midtown Fellowship
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting an encroachment for the installation and maintenance of landscaping, irrigation and a new concrete sidewalk adjacent to 1800 and 1804 Blanding 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. Sidewalk shall be a minimum of six (6') feet in width.
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City of Columbia



This map was prepared using
the City GIS Viewer.

City of Columbia - GIS Division
Monday, October 23, 2023

Address Point

- Active
- Vacant
- Tax Parcel

Street & Ownership

- Interstate
- City Maintained
- State Maintained
- Private
- Others
- Columbia City Limits

FEMA Flood Hazard Area

- AE - Floodway
- AE - 100yr Flood Plain
- A - No Base Flood Elevation
- X - 500yr Flood Plain
- Red: Band_1

Green: Band_2

Blue: Band_3

CITY OF COLUMBIA GIS DATA DISCLAIMER:

The City of Columbia GIS data represented on this map or plan is the product of the compilation of data produced by others. It is provided for informational purposes only and the City of Columbia makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.

Existing Site Plan

Front of 1800 Blanding Street



Proposed Site Plan

Front of 1800 Blanding Street



Specifications Sheet

Front of 1800 Blanding Street

We wish to:

- Install a new concrete sidewalk
- Install a new curb, with curb cut in center of entrance
- Install Dwarf Podocarpus along the curb
- Install "Empire Zoysia" sod along curb
- Install approximately 3-4 Willow Oaks between curb and sidewalk



Permanent Encroachment

Application and Checklist

4. Project Description

Provide a brief description of the project and list all items that will placed in the right-of-way (walls, fences, columns, steps, irrigation systems, landscaping, driveways, pavers, sidewalks/walkways, planters, awnings, etc.)

We wish to do the following along the front of 1800 Blanding Street:

1. Install a new concrete sidewalk where existing side walk is
2. Install a new curb along Blanding Street, with curb cut in center of entrance
3. Install Dwarf Podocarpus along the curb
4. Install "Empire Zoysia" sod along the curb
5. Install approximately 3-4 Willow Oaks between curb and sidewalk

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	Date
Chris Kakaras	9/28/23