

ORDINANCE NO. 2012-022

Granting encroachment to the University of South Carolina for use of the right of way area of the North Side of the 1000 block of College Street adjacent to the USC Public Health Building, Richland County TMS #08916-07-01, for installation and maintenance of asphalt pavement, concrete curb, gutter, landscaping and an irrigation system

WHEREAS, the University of South Carolina (hereinafter "Grantee") desires to use a portion of the right of way area of the North Side of the 1000 block of College Street adjacent to the USC Public Health Building, Richland County TMS #08916-07-01, for installation of asphalt pavement approximately twenty-six (26) feet in width and ten (10) feet in length to match existing asphalt pavement; a barrier curb approximately twenty-one (21) feet in length, six (6") inches in width and six (6") inches in height; a gutter approximately twenty-one (21) feet in length, one (1) foot in width; landscaping; and an irrigation system, 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 June, 2012, that Grantee is hereby granted the right to use a portion of the right of way area of the North Side of the 1000 block of College Street adjacent to the USC Public Health Building, Richland County TMS #08916-07-01, for installation of asphalt pavement; a barrier curb approximately twenty-one (21) feet in length, six (6") inches in width and six (6") inches in height; a gutter approximately twenty-one (21) feet in length, one (1) foot in width; landscaping; and an irrigation system, as shown on the attached drawings.

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 is subject to the Grantee complying with the following conditions, restrictions or limitations:

ORIGINAL
STAMPED IN RED

1. There shall not be a reduction in the current width of the roadway;
2. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets;
3. All trees shall be protected;
4. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained, to include extension of the existing sidewalk on the west side of the driveway by one section for installation of a wheelchair ramp and ADA mat, and installation of an ADA mat on the east side of the driveway.
5. Grantee is to coordinate existing and proposed crosswalks, ramps and curb cuts to insure proper alignment.

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.

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:


University of South Carolina


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

Introduced: 5/15/2012

Final Reading: 6/5/2012

ATTEST:


City Clerk

REQUEST FOR AN ENCROACHMENT ORDINANCE

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.* An encroachment must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and is 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 homeowners' 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.

Please complete and submit this form along with any attachment(s) to Shari Ardis by e-mail at slardis@columbiasc.net ; fax at 803-737-4250; or mail to Shari Ardis, Legal Department, 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 and not through the Legal Department. Chip Timmons with Risk Management (733-8306 or catimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: 03-14-12 Property Owner: The University of South Carolina

Applicant's Name if different from Property Owner: _____

Contact Information: Telephone Number: (803) 777-0320 Fax Number: _____

Mailing address: 743 Greene Street, Columbia, SC E-mail address: charlied@chaoinc.com

Encroachment Location (Address): North Side of College Street, Approx. 156' east of Park Street.

(If corner lot, include name and block number of side street, i.e., 1000 Main Street and 1100 block of Laurel Street) 900 blk

Tax Map Number for Encroachment Location: R08916-07-01

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Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other

If Other - specify: _____


Dimensions (height/width/length): _____

(i.e., 6'x42' wooden privacy fence; two 12"x4' concrete step; two 12"x12" x24" brick columns; 4'x15' brick paver walkway)

Construction material: Asphalt pavement, concrete curb, and landscaping

Please provide photographs and drawing or site plan *drawn to scale* - no larger than 8-1/2 x 11.

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<input type="checkbox"/> Church Directional Signs (Must provide picture or drawing of proposed signs that reflect dimensions) Location(s) signs are to be placed (i.e. Northeast corner of Main Street) _____ _____ _____	
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Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____

Hours of operation for outdoor dining: _____

Number of planters: _____ Awning: _____ (dimensions - size/material) _____

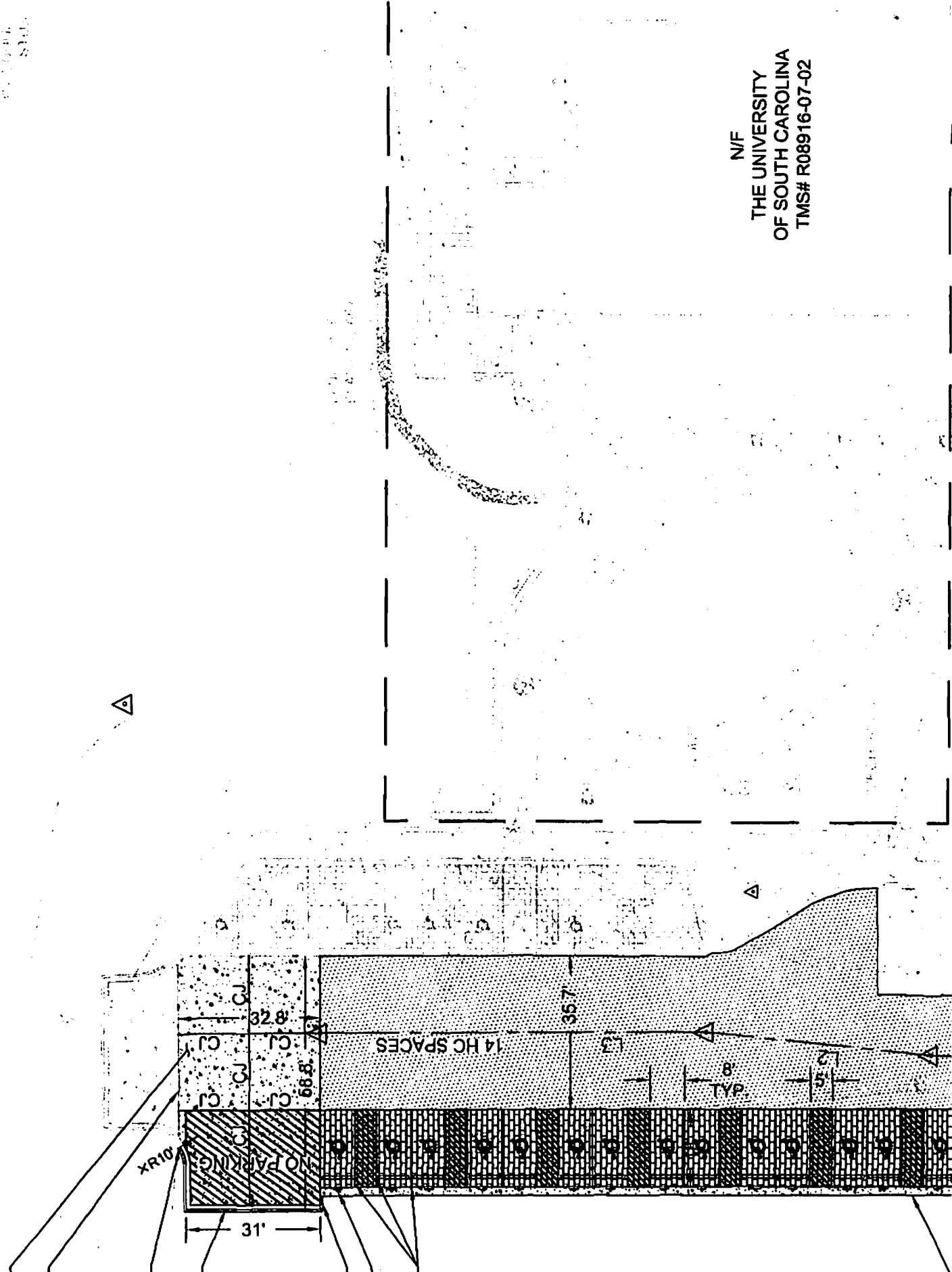
Other: _____ (or complete applicable "Encroachment type" section above)

The proposed ordinance will be sent to the requesting party and City offices for review and approval. Krista Hampton 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	Telephone Number	Fax Number
Joey Jaco	Utilities & Engineering	545-3400	988-8199
Missy Gentry	Public Works	545-3780	733-8648
Krista Hampton	Planning and Development Services	545-3420	733-8647
Jerry Thompson	Building Official	545-3442	733-8699
Sara Hollar	Forestry & Beautification	545-3860	733-8648
Amy Moore	Historic Preservation	545-3222	733-8647
Fred Delk	Columbia Dev. Corporation	988-8040	988-8039
Chip Timmons	Risk Management	733-8306	733-8245
Dana Higgins	Construction Management	545-3372	545-4130
David Brewer	Traffic Engineering	545-3850	733-8648
Robert Sweatt	Street Division	545-3790	545-3785
Jonathan Chambers	Planning and Development Services	545-3206	343-8779
Carmen Floyd	Fire Marshall	545-3703	401-8839
Nancy Lee Trihey	Planning and Development Services	545-3218	733-8647
John Fellows	Planning and Development Services	545-3222	733-8647

2012-022
12030435

- RETE PAD
- EXISTING PAVEMENT
- EXISTING CURB & GUTTER
- EXISTING CURB & GUTTER
- 3' TAPER SIGN, TYP.
- MARKING
- 14 HC SPACES
- 15 CONC



**Photograph of Encroachment Area & Narrative
For
USC Public Health Building Green Space**

Tax map# R08916-07-01
March 14, 2012



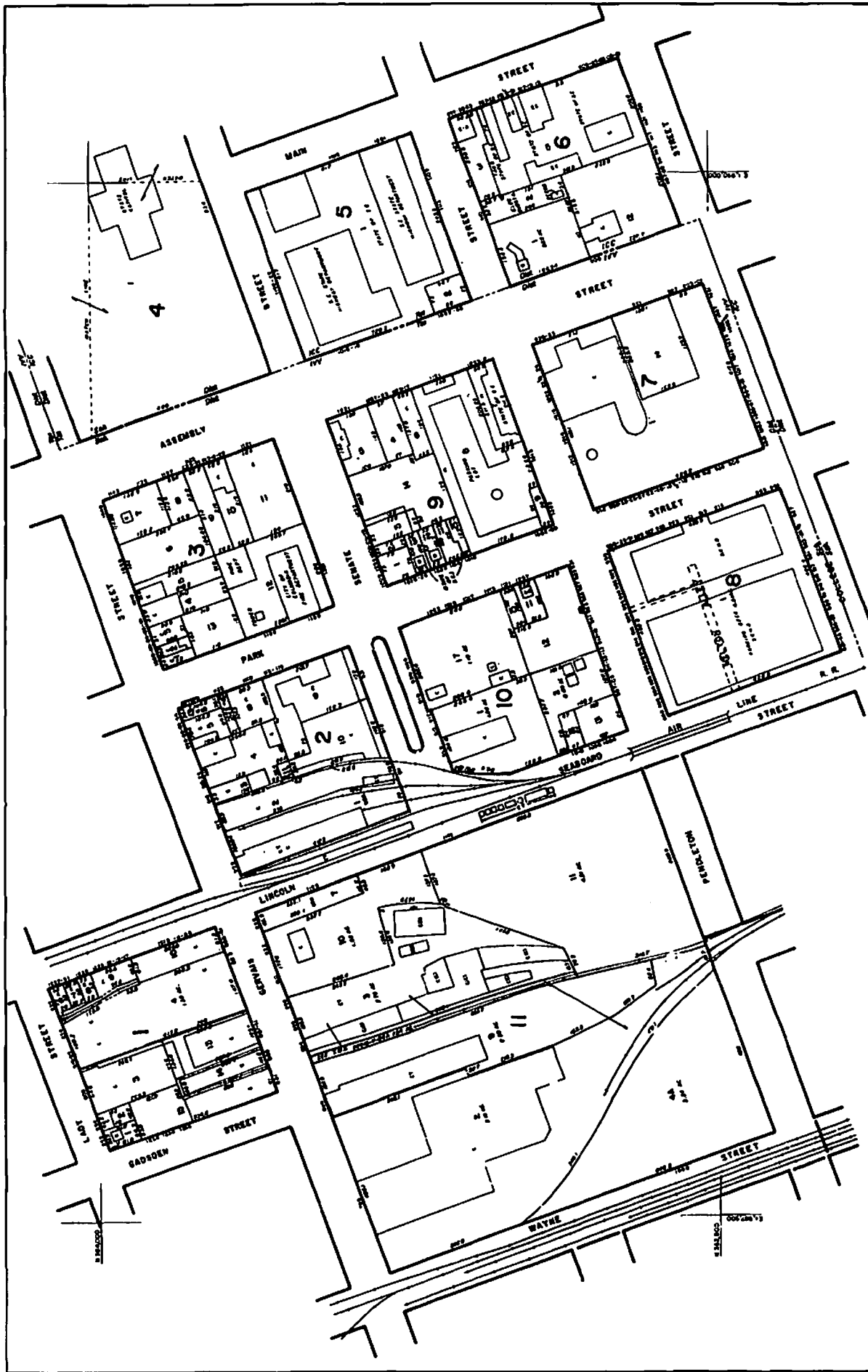
Photo 1



Photo 2

Narrative: Install proposed concrete curb & gutter to the left side edge of the existing concrete sidewalk on Photo 2 and proposed asphalt pavement to match the existing asphalt driveway on City of Columbia ROW.





PROPERTY TAX MAP
RICHLAND COUNTY
 SOUTH CAROLINA

PROPERTY MAP SHEET NO. 08916
 COUNTY OF RICHLAND, SOUTH CAROLINA
 PREPARED BY ICC, IV

50
 50
 50

LEGEND

1	Lot
2	Block
3	Street
4	Water
5	Other

REVISIONS

NO.	DATE	DESCRIPTION
1	1/1/78	Original Map
2	1/1/79	Amendment
3	1/1/80	Amendment
4	1/1/81	Amendment
5	1/1/82	Amendment
6	1/1/83	Amendment
7	1/1/84	Amendment
8	1/1/85	Amendment
9	1/1/86	Amendment
10	1/1/87	Amendment
11	1/1/88	Amendment
12	1/1/89	Amendment
13	1/1/90	Amendment
14	1/1/91	Amendment
15	1/1/92	Amendment
16	1/1/93	Amendment
17	1/1/94	Amendment
18	1/1/95	Amendment
19	1/1/96	Amendment
20	1/1/97	Amendment
21	1/1/98	Amendment
22	1/1/99	Amendment
23	1/1/00	Amendment
24	1/1/01	Amendment
25	1/1/02	Amendment
26	1/1/03	Amendment
27	1/1/04	Amendment
28	1/1/05	Amendment
29	1/1/06	Amendment
30	1/1/07	Amendment
31	1/1/08	Amendment
32	1/1/09	Amendment
33	1/1/10	Amendment
34	1/1/11	Amendment
35	1/1/12	Amendment
36	1/1/13	Amendment
37	1/1/14	Amendment
38	1/1/15	Amendment
39	1/1/16	Amendment
40	1/1/17	Amendment
41	1/1/18	Amendment
42	1/1/19	Amendment
43	1/1/20	Amendment
44	1/1/21	Amendment
45	1/1/22	Amendment
46	1/1/23	Amendment
47	1/1/24	Amendment
48	1/1/25	Amendment
49	1/1/26	Amendment
50	1/1/27	Amendment

GRAPHIC SCALE
 1" = 100'

MILE KEY

000-00	000-10	100-01
000-10	000-20	100-10
000-20	000-30	100-20
000-30	000-40	100-30
000-40	000-50	100-40
000-50	000-60	100-50
000-60	000-70	100-60
000-70	000-80	100-70
000-80	000-90	100-80
000-90	000-00	100-90

**CITY COUNCIL
ENCROACHMENT SUMMARY
2012-024**



Adjacent to 1000 BLOCK OF COLLEGE STREET

Subject Property: Right-of way adjacent to 1000 blk of College Street, TMS# 8916-07-01

Council District: 2

Proposal: Request approval for installation of asphalt pavement approximately twenty-six (26') feet in width and ten (10') feet in length to match existing asphalt pavement; a barrier curb approximately twenty-one (21') feet in length, six (6") inches in width and six (6") inches in height); a gutter approximately twenty-one (21') feet in length, one (1) foot in width; landscaping; and an irrigation system.

Applicant: University of South Carolina

Staff Recommendation: Approve based upon revised plan showing curb extended to match east side.

Detail: The University of South Carolina is pursuing improvements to the College Street right-of-way to complement improvements that are doing at the School of Public Health. Staff requested a change to the curb radii to provide better safety for pedestrians and the designers responded with a revised plan extending the curb on the western edge. With this change, staff sees no adverse effects of this encroachment.

CITY AGENCY COMMENTS FOR ENCROACHMENT

Planning & Development	Recommend Approval of revised plan with western curb radii extended.
Streets	Recommend Approval
Forestry	Recommend Approval
Land Development	Recommend Approval
Fire	Recommend Approval