

ORDINANCE NO. 2013-036

Granting encroachment to the South Carolina Budget and Control Board for installation and maintenance of handicap ramp, front step, handrails, repaving of concrete sidewalk and landscaping within the right of way area adjacent to its building at 1026-1028 Sumter Street

ORIGINAL
STAMPED IN RED

WHEREAS, the South Carolina Budget and Control Board (hereinafter "Grantee") desires to use a portion of the right of way area of the 1000 block of Sumter Street adjacent to its building at 1026-1028 Sumter Street, Richland County TMS #11304-02-01, for installation and maintenance of a handicap ramp approximately five (5') foot four (4") inches in width and twenty-eight (28') feet in length with handrails; a front step approximately five (5') foot four (4") inch in width and nine (9') feet in length with handrails; repaving of the concrete sidewalk and landscaping, 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 16th day of April, 2013, that Grantee is hereby granted the right to use the right of way area of the 1000 block of Sumter Street adjacent to its building at 1026-1028 Sumter Street, Richland County TMS #11304-02-01, for installation and maintenance of a handicap ramp approximately five (5') foot four (4") inches in width and twenty-eight (28') feet in length with handrails; a front step approximately five (5') foot four (4") inch in width and nine (9') feet in length with handrails; repaving of the concrete sidewalk and landscaping, 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 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. Landscaping to be maintained by property owner.
4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.
5. All trees shall be protected and no large tree roots shall be removed from any existing trees.

ORIGINAL
STAMPED IN RED

6. Handrails to be aluminum with a powder coat finish or any other material approved by the Design Development review staff.

7. Tree species must be reviewed and approved by Forestry and Beautification.

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:

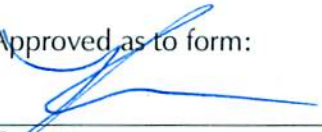
South Carolina Budget & Control Board


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:

City Clerk

Introduced: 4/9/2013

Final Reading: 4/16/2013

**CITY COUNCIL
ENCROACHMENT SUMMARY
2013-036**



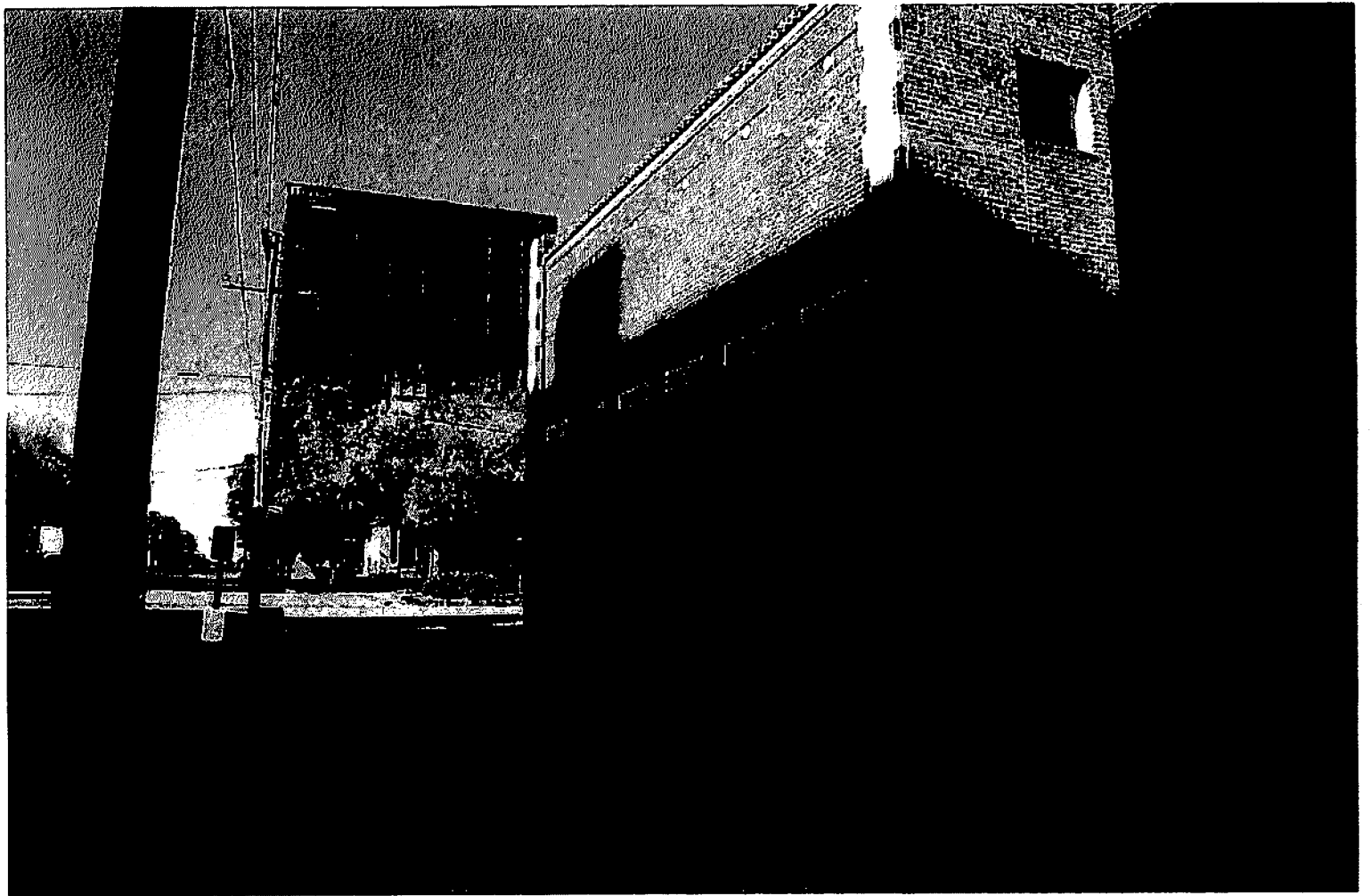
**1026-28 SUMTER STREET
ADJACENT TO THE SOUTH CAROLINA BUDGET & CONTROL BOARD
HANDICAP RAMP, FRONT STEP, HANDRAILS, AND LANDSCAPING**

Subject Property:	Right-of-ways adjacent to 1026-28 Sumter Street, TMS#11304-02-01
Council District:	3
Proposal:	The applicant is requesting an encroachment for installation and maintenance of handicap ramp, front step, handrails, repaving of concrete sidewalk, two trees and landscaping
Applicant:	South Carolina Budget & Control Board
Staff Recommendation:	Approval

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of a handicap ramp approximately five (5') foot four (4") inches in width and twenty-eight (28') feet in length with handrails; a front step approximately five (5') foot four (4") inch in width and nine (9') feet in length with handrails; repaving of the concrete sidewalk and landscaping, adjacent to as shown on the attached drawing.</p> <p>The applicant has worked with staff regarding this request and has agreed to provide two trees which will be installed by Forestry and Beautification.</p> <p>Conditions of the proposed encroachment are as follows:</p> <ol style="list-style-type: none"> 1. All trees shall be protected; 2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained; 3. Handrails to be aluminum with a powder coat finish or any other material approved by Design Development review staff; and 4. Tree species must be reviewed and approved by Forestry and Beautification.
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CITY AGENCY COMMENTS FOR ENCROACHMENT	
Planning & Development Services	Recommend approval.
Streets	Recommend approval.
Utilities and Engineering	Recommend approval.
Traffic Engineering	Recommend approval.
Forestry	Recommend approval.
Land Development	Recommend approval.
Fire	Recommend approval.



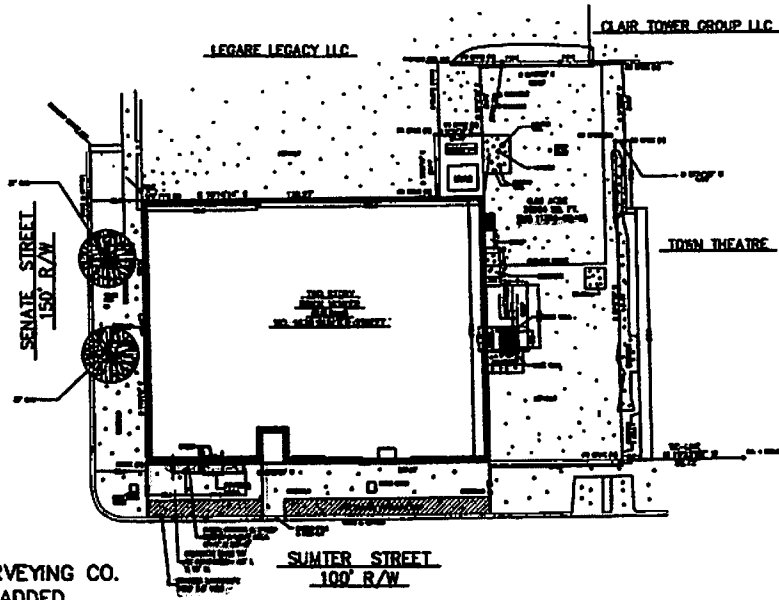
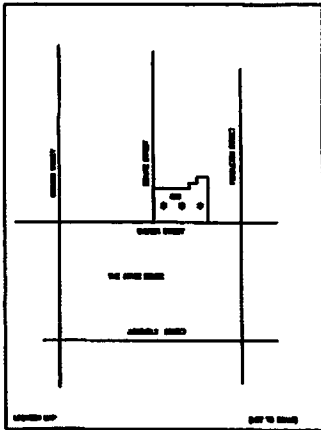




NOT BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF BAXTER LAND SURVEYING CO., INC. ANY ENCROACHMENT INFORMATION ADDED BY OTHERS IS NOT PART OF THIS SURVEY.

PROPERTY NOT BE SUBJECT TO RECORDS OF ANY OTHER COUNTY OR STATE. THIS SURVEY WAS MADE BY THE SURVEYOR IN THE FIELD AND THE ACCURACY THEREOF IS NOT GUARANTEED BY THE SURVEYOR.

NO.	DESCRIPTION



SURVEY BY BAXTER LAND SURVEYING CO.
ENCROACHMENT INFORMATION ADDED
BY OTHERS

PLAT PREPARED FOR
STATE OF SOUTH CAROLINA
ROSELAND COUNTY, COLUMBIA, SC



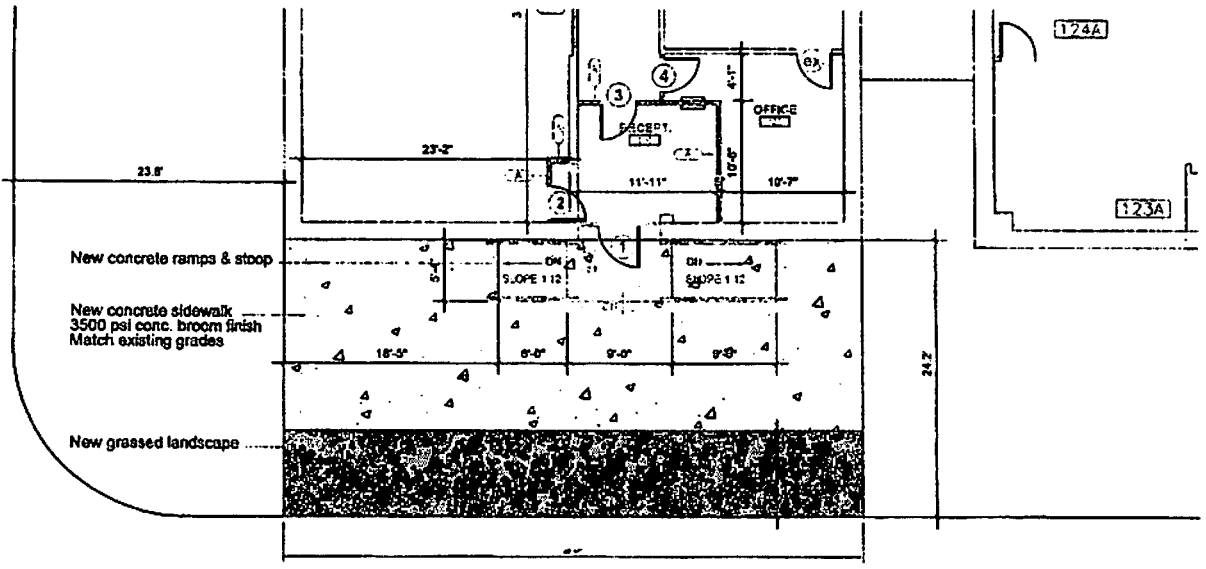
BAXTER LAND SURVEYING CO., INC.
2204 Devine Street Columbia, SC 29205 (803)-252-8564
BAXLAND@AOL.COM



REGISTERED PROFESSIONAL SURVEYOR



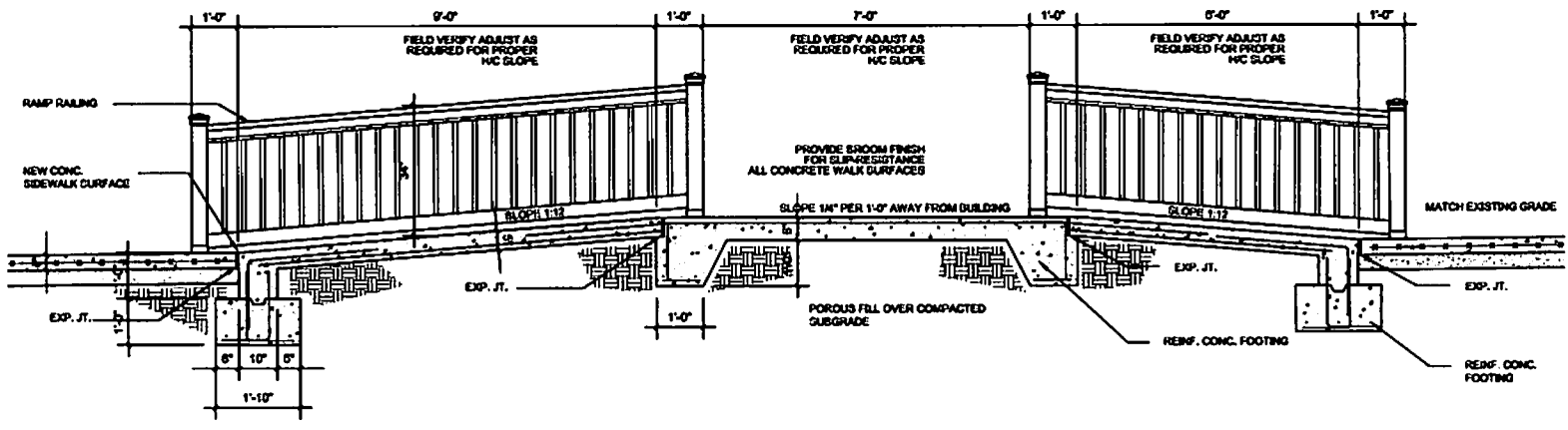
SENATE STREET



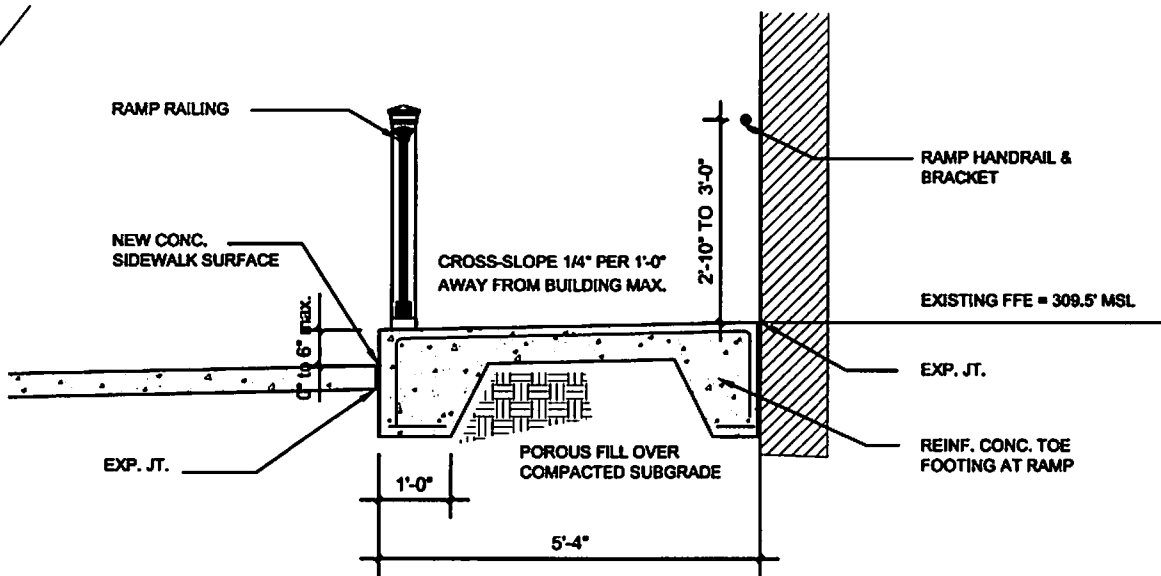
1 First Floor Plan
21.1 Scale: 1/8" = 1'-0"

SUMTER STREET





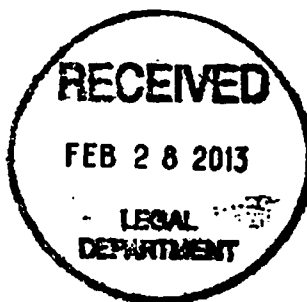
3 Entry Ramp Section
a3.1 Scale: 1/2" = 1'-0"



2 Ramp Section at Stoop
a3.1 Scale: 1/2" = 1'-0"



McCreary/Snow Architects, PA
Architects and Planners



February 25, 2012

Legal Department
City of Columbia
P.O. Box 147
Columbia, SC 29217

RE: Encroachment request for 1026-1028 Sumter Street; Handicap access ramps and sidewalk improvement

Dear Sir or Madam:

Enclosed are several items required for a City of Columbia encroachment for the above property.

- a. Form for Request for Encroachment Ordinance
- b. 11 x 17 site plan including :
 - a. Address: 1026 Sumter Street, Columbia, SC 29201
 - b. Tax Map Sheet #:R11304-02-01
 - c. Lot lines
 - d. Locations of street trees (located on Senate Street, none on Sumter Street frontage)
 - e. Curb cuts nearby
 - f. Location and nature of proposed encroachment.
- c. Photographs of encroachment area
- d. Narrative attached
- e. Proof of Insurance

Additionally, proof of insurance is being sent to Mr. Chip Timmons, Risk Manager.

Please contact me if there are any questions for this request for an Encroachment Ordinance on this project.

Sincerely,
McCreary/Snow Architects, PA

Deborah A. Snow, AIA
Principal

3111 Devine Street
Columbia, SC 29205
(803) 771-6267

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 sardis@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: Feb. 6, 2013 Property Owner: S.C. Budget & Control Board

Applicant's Name if different from Property Owner: _____

Contact Information: Telephone Number: (803) 734-2320 Fax Number: (803) 734-2117

Mailing address: 300 Gervais Street, Columbia, SC29201 E-mail address: _____

Encroachment Location (Address): 1026 Sumter Street, Columbia, SC

(If corner lot, include name and block number of side street, i.e., 1737 Main Street and 1100 block of Laurel Street)

Tax Map Number for Encroachment Location: R11304-02-01

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

If Other - specify: Handicap ramp

Dimensions (height/width/length): 5'4" wide x 28'-0" long handicap accessible ramp and front step; 7'-6" wide grass strip next to curb; repaving concrete sidewalk.

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

Construction material: Concrete ramps with handrails; concrete stoop 9'-0" x 5'-4"; grass

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

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) _____



Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____

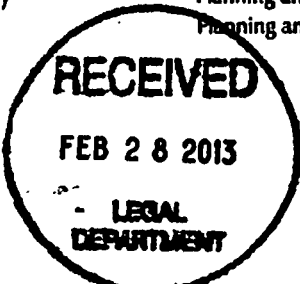
Hours of operation for outdoor dining: _____

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 Jacob	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 Trilhey	Planning and Development Services	545-3218	733-8647
John Fellows	Planning and Development Services	545-3222	733-8647



LR 1/25/2011

13020471
 REC-15LA
 2-28-13

NARRATIVE

Location: 1026 Sumter Street, Columbia, South Carolina

February 6, 2013

Request for Encroachment to install handicap accessible entrance, renovate concrete sidewalk, and provide landscape strip near street curb.

Remove existing sidewalk in front of building to renovate the entire area between building and curb. This area is approximately 1065 s.f.

In this area remove the steel pipe and railing next the to building as they no longer serve a purpose.

Provide new front stoop large enough for handicap entry and maneuvering at front door, with ramps and railings installed from both sides of the stoop. With extension of handrails, the extent of the ramps and stoop are 5'-4" wide and 28'-0" long, next to the outside wall of the building.

Reserve the 7'-6" strip along the curb line for grass planting. Prepare with soil amendments and sod. This landscaped area is in City of Columbia r.o.w.



SOUTH CAROLINA BUDGET AND CONTROL BOARD

INSURANCE RESERVE FUND
POST OFFICE BOX 11066
COLUMBIA, SOUTH CAROLINA 29211

Phone (803) 737-0020

POLICY NUMBER	FROM	POLICY PERIOD	TO	TYPE OF INSURANCE	DATE PRINTED
F110720613	09/01/2012	09/01/2013		BUILDING AND PERSONAL PROPERTY	14 FEB 2013

COVERAGE PROVIDED UNDER THIS POLICY PART IS SUBJECT TO THE FOLLOWING FORMS
PD-01 PD-03 PD-04 PD-05 PD-08 PD-09 PD-10 PD-11 PD-12 PD-15 PD-27 PD-33

NAMED INSURED AND ADDRESS OFFICE OF GENERAL SERVICES FACILITIES MANAGEMENT 921 S MAIN STREET COLUMBIA, SC 29201	CONTACT PERSON AND PHONE KARL MCCOTTRY (803)734-3353	FORM # PD-33	PAGE 1 OF 1
	TYPE OF ACTIVITY ENDORSEMENT CERTIFICATE OF INSURANCE		ACTIVITY # 004

EFFECTIVE DATE - 02/12/2013

NAME AND ADDRESS OF CERTIFICATE HOLDER: 0009

THE CITY OF COLUMBIA
PO BOX 147
COLUMBIA SC 29217-0000

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

THIS IS TO CERTIFY THAT A POLICY HAS BEEN ISSUED TO THE ABOVE NAMED INSURED AND IS IN FORCE AT THIS TIME. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THIS POLICY DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF THIS POLICY.

CANCELLATION: SHOULD THIS POLICY BE CANCELLED BEFORE EXPIRATION DATE THEREOF THE INSURANCE RESERVE FUND WILL ENDEAVOR TO PROVIDE 30 DAYS WRITTEN NOTICE TO ABOVE NAMED CERTIFICATE HOLDER, BUT FAILURE TO PROVIDE SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY.

THE PROPERTY LISTED BELOW HAS BEEN ADDED TO THE ABOVE CERTIFICATE HOLDER:

SEG/PROP NUMBER	PROPERTY DESCRIPTION	PROPERTY LOCATION	INSURED VALUE
330	SUMTER STREET BUILDING	1026-1028 SUMTER ST	5,089,904

THIS ENDORSEMENT SHOULD BE ATTACHED TO AND BECOME PART OF POLICY F110720613

FEBRUARY 13, 2013

DATE

ANNE MACON SMITH
Director