

ORDINANCE NO. 2013-070

Granting encroachment to Sandy Point Golf Club, Inc. for installation and maintenance of a concrete handicap ramp and steel pipe hand railing within the right of way area adjacent to its building at 5260 Forest Drive, Richland County TMS #16706-04-11

WHEREAS, Sandy Point Golf Club, Inc. (hereinafter "Grantee") desires to install and maintain a concrete handicap ramp approximately five (5') feet in width and one hundred twenty (120') feet in length with steel pipe hand railing approximately three (3') feet in height adjacent to its building located at 5260 Forest Drive, Richland County TMS #16706-04-11, 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 13th day of August, 2013, that Grantee is hereby granted the right to install and maintain a concrete handicap ramp approximately five (5') feet in width and one hundred twenty (120') feet in length with steel pipe hand railing approximately three (3') feet in height adjacent to its building located at 5260 Forest Drive, Richland County TMS #16706-04-11, 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.
6. Stone for ramp to be consistent with the base of the building as shown on the attached photo.

7. For the portion of the handicap ramp that proposes to encroach within the water and sewer easements, the Real Estate Division will provide an agreement that the City will be held harmless and the owner will be responsible for replacement of the ramp in the event that the water and/or sanitary sewer main needs to be repaired.

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:

Sandy Point Golf Club, Inc.



MAYOR

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST: 

City Clerk

Introduced: 7/9/2013
Final Reading: 8/13/2013

ORIGINAL
STAMPED IN RED

**CITY COUNCIL
ENCROACHMENT SUMMARY
2013-070**



**5200 BLOCK OF FOREST DRIVE
ADJACENT TO 5260 FOREST DRIVE
HANDICAP RAMP WITH LANDSCAPING**

Subject Property:	5200 block of Forest Drive adjacent to 5260 Forest Drive
Council District:	4
Proposal:	Request approval for installation and maintenance of a concrete handicap ramp, steel pipe hand railing, and landscaping
Applicant:	Sandy Point Golf Club, Inc.
Staff Recommendation:	Recommend Approval.
Conditions:	Approval.

Detail:	<p>The applicant is requesting to an encroachment for the installation and maintenance of a concrete handicap ramp approximately five (5') feet in width and one hundred twenty (120') feet in length with steel pipe hand railing approximately three (3') feet in height and landscaping adjacent to its building located at 5260 Forest Drive, as shown on the attached drawing.</p> <p>Conditions of the encroachment are provided below:</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. 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. 6. Stone for ramp to be consistent with the base of the building as shown on the attached photo. 7. For the portion of the handicap ramp that proposes to encroach within the water and sewer easements, the Real Estate Division will provide an agreement that the City will be held harmless and the owner will be responsible for replacement of the ramp in the event that the water and/or sanitary sewer main needs to be repaired.
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CITY AGENCY COMMENTS FOR ENCROACHMENT

Planning & Development	Recommend Approval.
Streets	Recommend Approval.
Utilities & Engineering	Recommend Approval.

Traffic Engineering	Recommend Approval.
Fire Department	Recommend Approval.
Forestry	Recommend Approval.
Land Development	Recommend Approval.

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; bulkheads 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: 5/21/13 Property Owner: Sandy Point Golf Club, Inc.
 Applicant's Name if different from Property Owner: Michael Hicks c/o CSD, PLLC, Panda Express Restaurant Group
 Contact Information: Telephone Number: 919-848-6121 Fax Number: 919-848-3741
 Mailing address: 8312 Creedmoor Rd. Raleigh, NC 27613 E-mail address: hicks@csitedesign.com

Encroachment Location (Address): 5260 Forest Dr.
 (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: R16 706-04-11

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

If Other - specify: _____
 Dimensions (height/width/length): 5ft width 120lf ramp sidewalk with handrails.

(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: Concrete
 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) _____ _____ _____	
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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. 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.

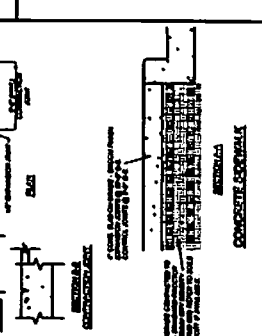
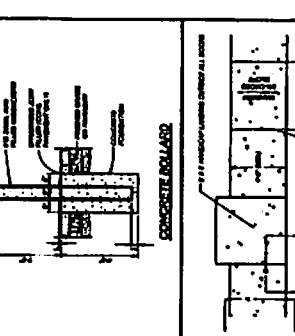
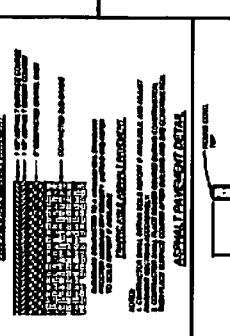
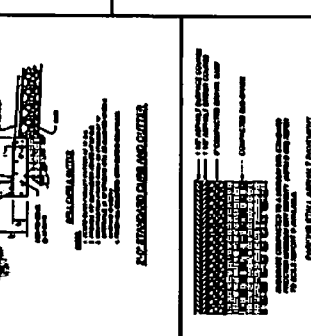
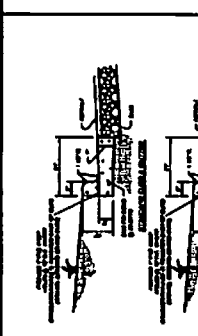
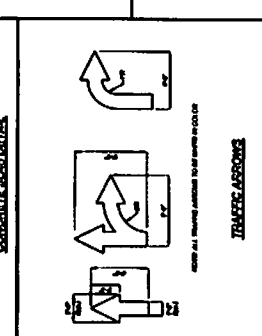
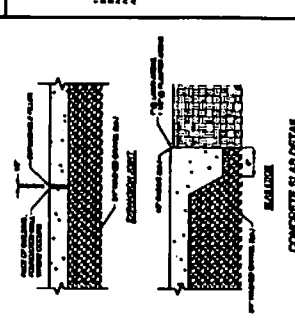
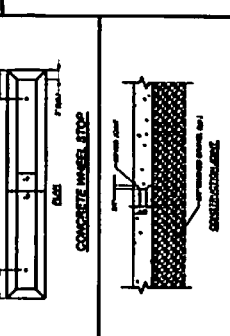
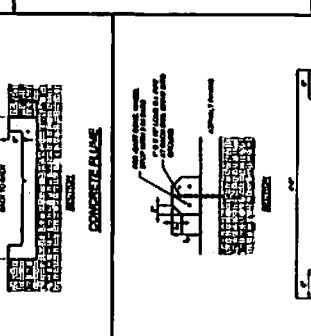
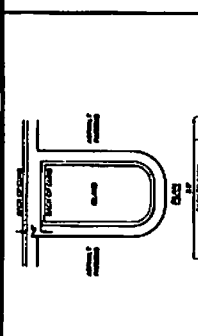
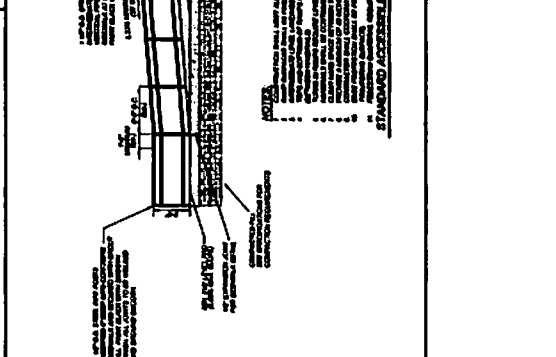
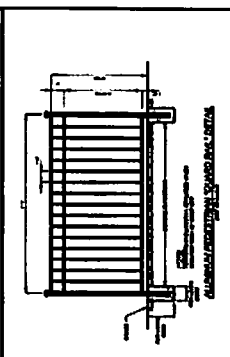
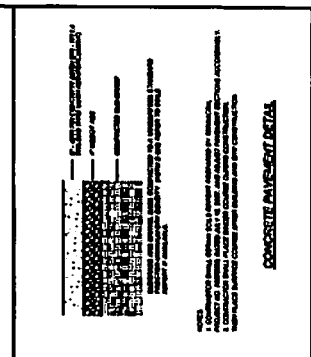
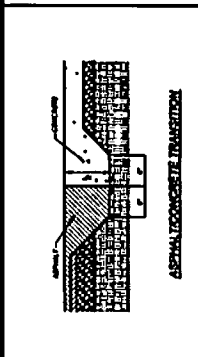
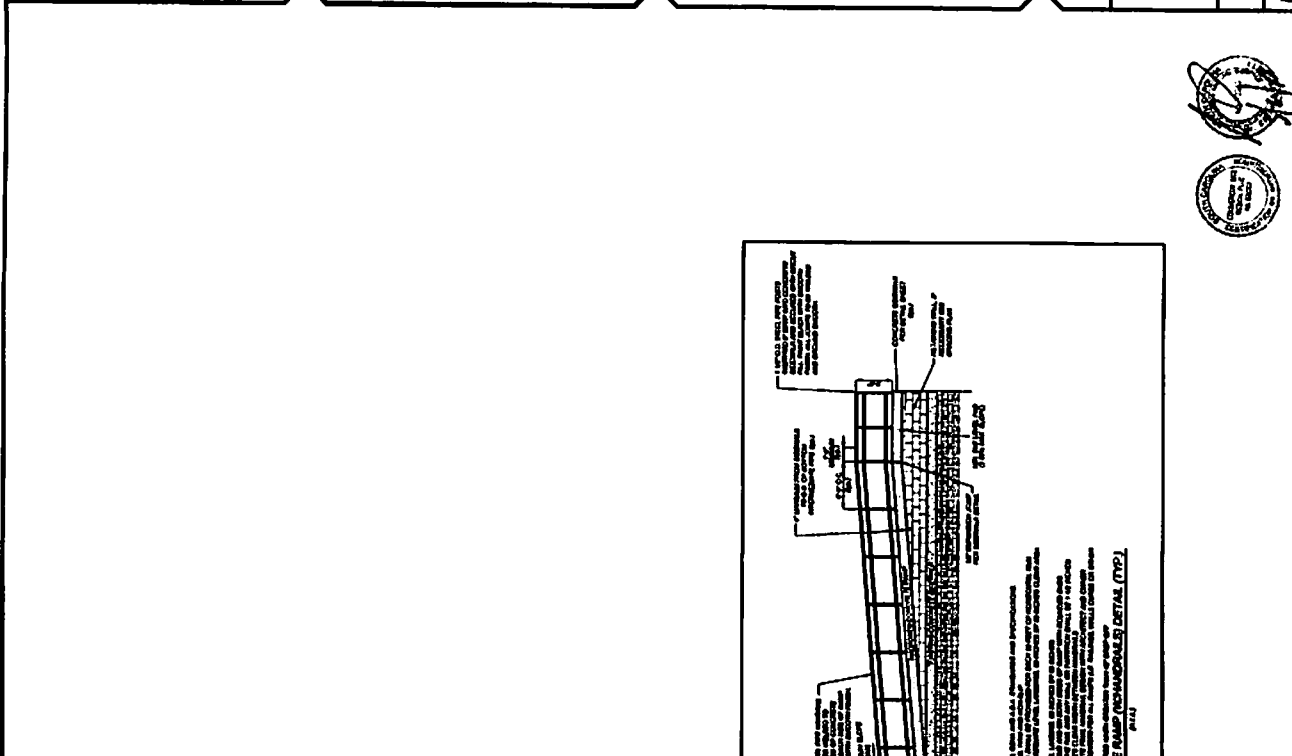
CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Krista Hampton	Development Services (Administration)	803-645-3420	803-733-8647	kmhampton@columbiasc.net
Johnathan Chambers	Development Services (Land Development)	803-645-3333	803-343-8779	jchambers@columbiasc.net
Nancy Lee Trihey	Development Services (Planning)	803-645-3222	803-733-8647	nltrihay@columbiasc.net
John Fellows	Development Services (Planning)	803-645-3222	803-733-8647	jsfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-645-3332	803-733-8647	kbcook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-645-3420	803-733-8699	jthompson@columbiasc.net
Fanessa Pinckney	Development Services (Permits)	803-645-3420	803-733-8699	fcpinckney@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-645-3222	803-733-8647	aemoore@columbiasc.net
Joey Jacob	Utilities & Engineering (Administration)	803-645-3400	803-888-8199	jjacob@columbiasc.net
Dana Higgins	Utilities & Engineering (Construction Management)	803-645-3372	803-645-4130	dnhiggins@columbiasc.net
Robert Anderson	Public Works (Administration)	803-645-3780	803-733-8648	raanderson@columbiasc.net
Robert Sweet	Public Works (Street Division)	803-645-3790	803-645-3785	rgsweet@columbiasc.net
David Brewer	Public Works (Traffic Engineering)	803-645-3850	803-733-8648	ddbrewer@columbiasc.net
Sara Hollar	Public Works (Forestry & Beautification)	803-645-3860	803-733-8648	sehollar@columbiasc.net
John Hooks	Public Works (Solid Waste)	803-645-3800	803-733-8648	jphooks@columbiasc.net
Fred Delk	Columbia Development Corporation	803-988-8040	803-988-8039	cdc@columbiasc.net
Chip Timmons	Risk Management	803-733-8306	803-733-8245	catimmons@columbiasc.net
George Adams	Fire Department	803-645-3701	803-401-8839	cfadams@columbiasc.net
Gerald Koon	Fire Department	803-645-3701	803-401-8839	cfadams@columbiasc.net
John David Spade	Parking Services	803-645-3070	803-733-8523	jspade@columbiasc.net

NO.	REV.	DATE	BY	APP'D

COMMERCIAL SITE DESIGN
 10000 W. CENTRAL EXPRESS
 COLUMBIA, SOUTH CAROLINA 29208
 PHONE: (803) 733-1100
 FAX: (803) 733-1101
 WWW: WWW.COMMERCIALSITEDESIGN.COM

PANDA EXPRESS
 5290 FOREST DRIVE
 COLUMBIA, SOUTH CAROLINA
 DETAILS

PRG1301-DT1
 DT1
 1 OF 16 SHEETS
 DATE: 08/11/11





Forest Drive

Forest Drive





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