

**ORDINANCE NO.: 2018-072**

*Granting an encroachment to the Five Points Association for installation and maintenance of a concrete and brick art sculpture within the sidewalk right of way area of the 700 block of Saluda Avenue adjacent to 710 A Saluda Avenue, Richland County TMS #11308-06-09*

ORIGINAL  
STAMPED IN RED

WHEREAS, the Five Points Association (hereinafter "Grantee") desires to utilize a portion of the sidewalk right of way area of the 700 block of Saluda Avenue adjacent to 710 A Saluda Avenue, Richland County TMS #11308-06-09 for installation and maintenance of a concrete and brick art sculpture approximately twelve (12') feet in length, one (1') foot in width and twelve (12') feet in height, as shown on the attached drawing; 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 18th day of December, 2018, that the grantee is hereby granted the right to use the sidewalk right of way area of the 700 block of Saluda Avenue adjacent to 710 A Saluda Avenue, Richland County TMS #11308-06-09 for installation and maintenance of a concrete and brick art sculpture approximately twelve (12') feet in length, one (1') foot in width and twelve (12') feet in height, as shown on the attached drawing; and,

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. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.
4. Business advertising of any type is prohibited on the sculpture or foundation.
5. All sharp or jagged edges shall be ground smooth and turned toward the inside center of the sculpture.
6. Grantee is responsible for all costs and repair of the improvements within the right of way area should the City have to dig in the area or remove any part thereof for maintenance to City water and or sewer lines.

ORIGINAL  
STAMPED IN RED

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, his successors and assigns.

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.


BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at his 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: 12/5/2018  
Final Reading: 12/18/2018



**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2018-072**



**700 BLOCK OF SALUDA AVENUE  
ADJACENT TO 710A SALUDA AVENUE  
HUBBELL ART PIECE**

<b>Subject Property:</b>	Right-of-way adjacent to the 700 Block of Saluda Avenue adjacent to 710A Saluda Avenue, TMS#11308-06-09
<b>Council District:</b>	3
<b>Proposal:</b>	The applicant is requesting an encroachment for installation and maintenance of an concrete and brick art sculpture
<b>Applicant:</b>	Five Points Association, Ricard Burts
<b>Staff Recommendation:</b>	Approval with conditions

<b>Detail:</b>	<p>The applicant is requesting an encroachment for installation and maintenance of a concrete and brick circular sculpture approximately twelve (12') feet in length one (1') foot in width and twelve (12') feet in height, as shown on the attached drawings.</p> <p>Conditions of the proposed encroachment are as follows:</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Sculpture and foundation are to be maintained by property owner.</li> <li>3. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.</li> <li>4. Business advertising of any type on the sculpture or foundation is prohibited.</li> <li>5. All sharp or jagged edges shall be ground smooth and turned toward the inside center of the sculpture.</li> <li>6. Grantee is responsible for all costs and repair of the improvements within the right of way should the City have to dig in the area or remove any part thereof for maintenance to City water and or sewer lines.</li> </ol>
----------------	---

**CITY AGENCY COMMENTS FOR ENCROACHMENT**

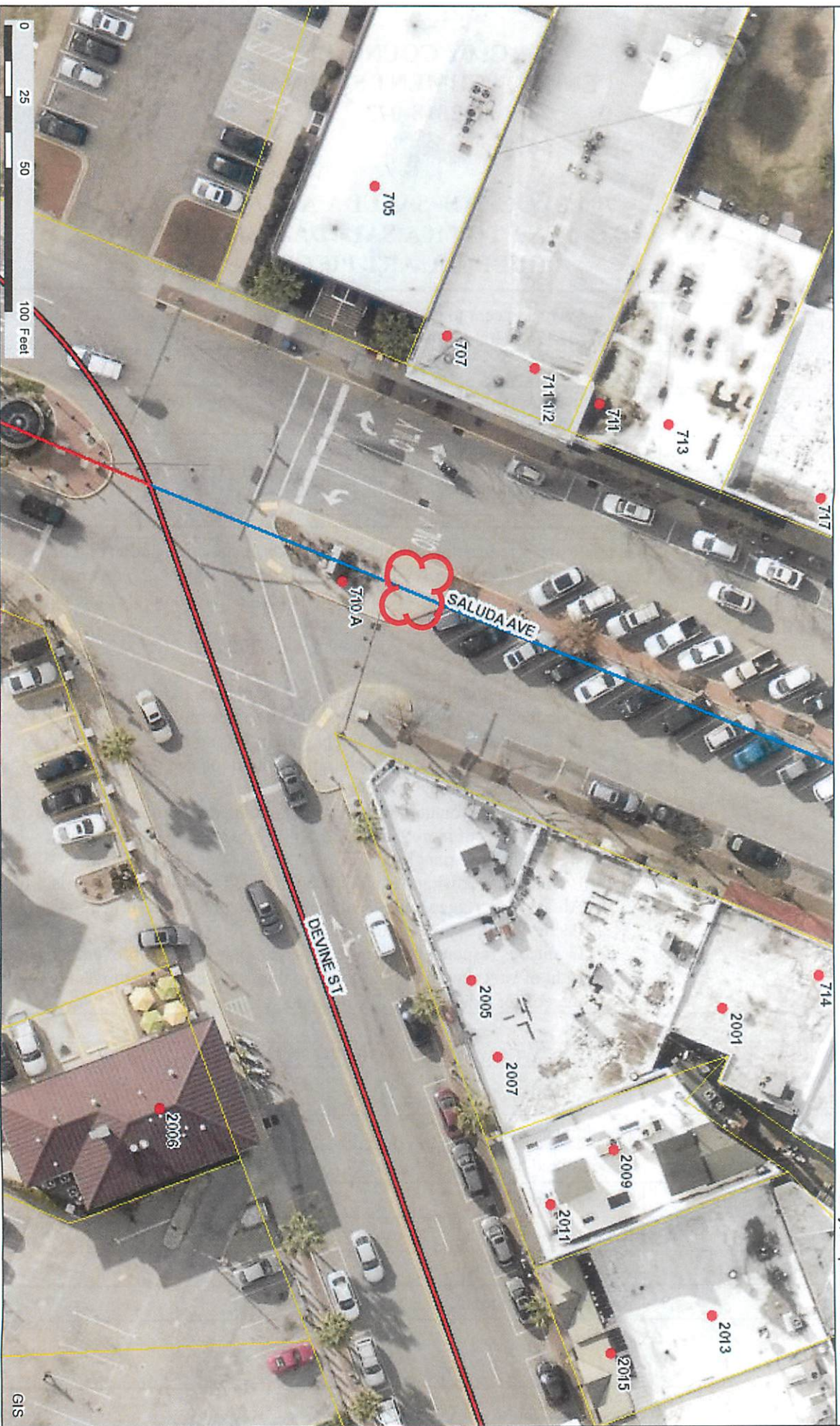
<b>Planning &amp; Development Services</b>	Recommend approval.
<b>Streets</b>	Recommend approval.
<b>Utilities and Engineering</b>	Recommend approval.
<b>Traffic Engineering</b>	Recommend approval.
<b>Forestry</b>	Recommend approval.
<b>Land Development</b>	Recommend approval.
<b>Fire</b>	Recommend approval.



# City of Columbia

## Hubbell Art Piece Encroachment

Friday, September 21, 2018



CITY OF COLUMBIA GIS DATA DISCLAIMER

The City of Columbia GIS data represented on this map or plan is the product of compilation, as 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.



GIS



**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 x11) 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: 9/12/18 Property Owner: Five Points Association  
 Business Name/Applicant's Name if different than owner: N/A  
 Contact Information: Telephone Number: 803.748.7373 Fax Number: 803.748.1119  
 Mailing address: 532 Congaree Avenue / Columbia, SC 29205 E-mail address: richardburts@gmail.com

Business Name/Development Name for Encroachment: Five Points Association

Encroachment type:  Wall  Fence  Columns  Steps  Irrigation System  Landscaping  Driveway  Pavers  Sidewalk/Walkway  
 Planters  Awning  Underground Utilities Other: Artwork / Sculpture

Dimensions (height/width/length): 12 ft in diameter  
 (i.e. 6'x42' wooden privacy fence;  
 two 12'x4'x3' concrete steps)

Construction material: Masonry

**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: FPA BOARD  
 Date: 9-12-18

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.

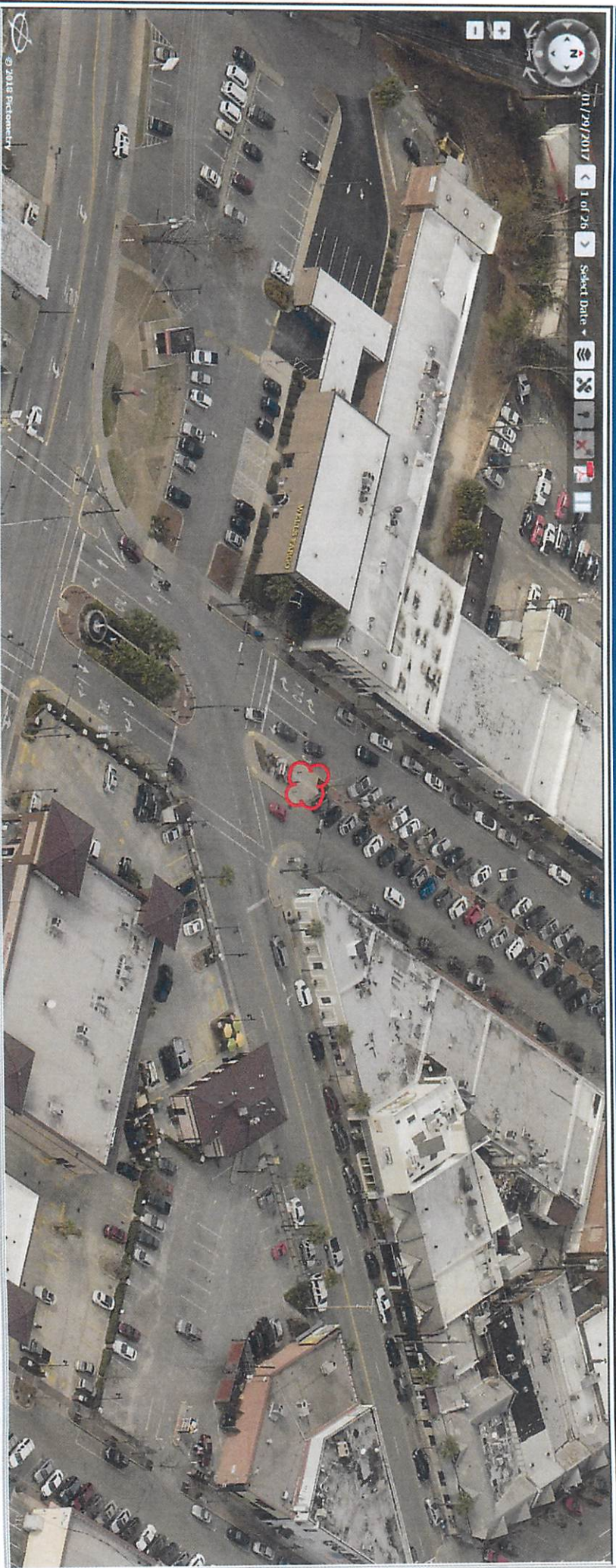
Name/Title: FPA BOARD  
 Date: 9-12-18

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	jechambers@columbiasc.net
John Fellows	Development Services (Planning)	803-545-3222	803-733-8647	jsfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-545-3332	803-733-8647	kbcook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	jthompson@columbiasc.net
Zach Kay	Development Services (Development Center)	803-545-3420	803-733-8699	zpkay@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
Sara Hollar	Public Works (Forestry & Beautification)	803-545-3860	803-733-8648	sehollar@columbiasc.net
John Hooks	Public Works (Solid Waste)	803-545-3800	803-733-8648	jphooks@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



City of Columbia Pictometry Viewer





14032-3

SURVEYED BY GLENN ASSOCIATES SURVEYING, INC.  
P.O. BOX 12 JENKINSVILLE, S.C. 29065 telephone (803) 345-5297

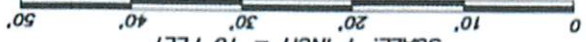
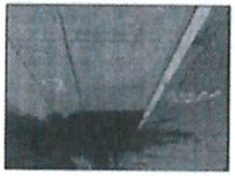


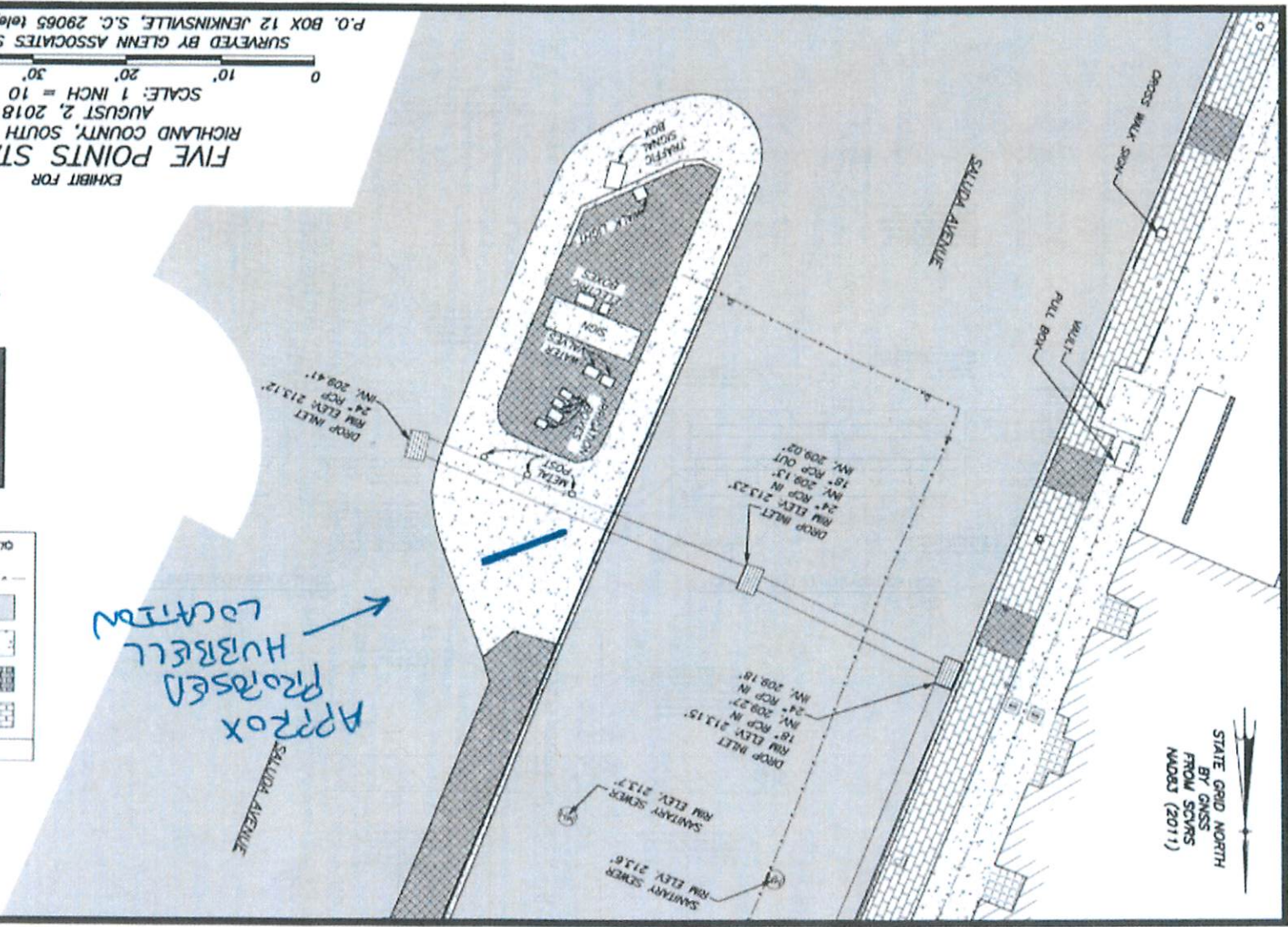
EXHIBIT FOR  
**FIVE POINTS STATUE**  
RICHLAND COUNTY, SOUTH CAROLINA  
AUGUST 2, 2018  
SCALE: 1 INCH = 10 FEET

UTILITIES:  
A(ET) MARKED OK  
NATURAL GAS: MARKED OK

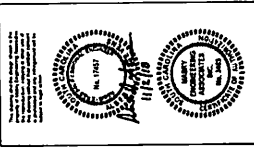


LEGEND	
	QUP LIGHT POLE
	WATER LINE
	ASPHALT SURFACE
	CONCRETE PAD
	LANDSCAPED
	BRICK WALK

Approx  
Proposed  
Hubbell  
Location



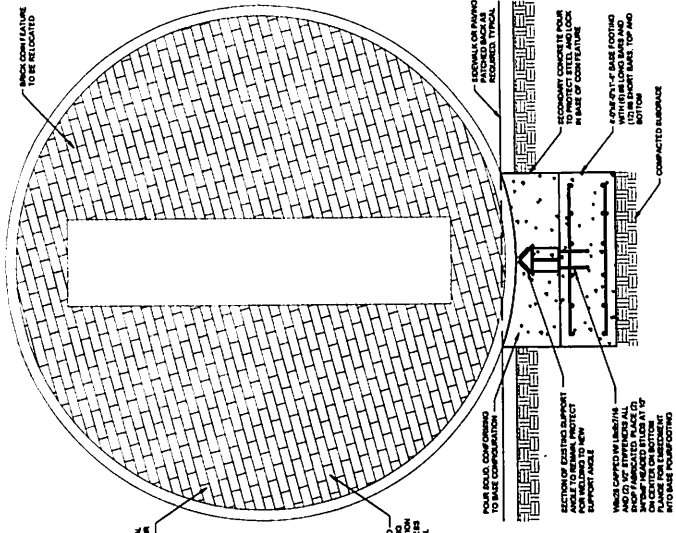
Project No. 1102715	Project Name
Drawn By	Checked By
Date	Scale
11/02/78	11/02/78



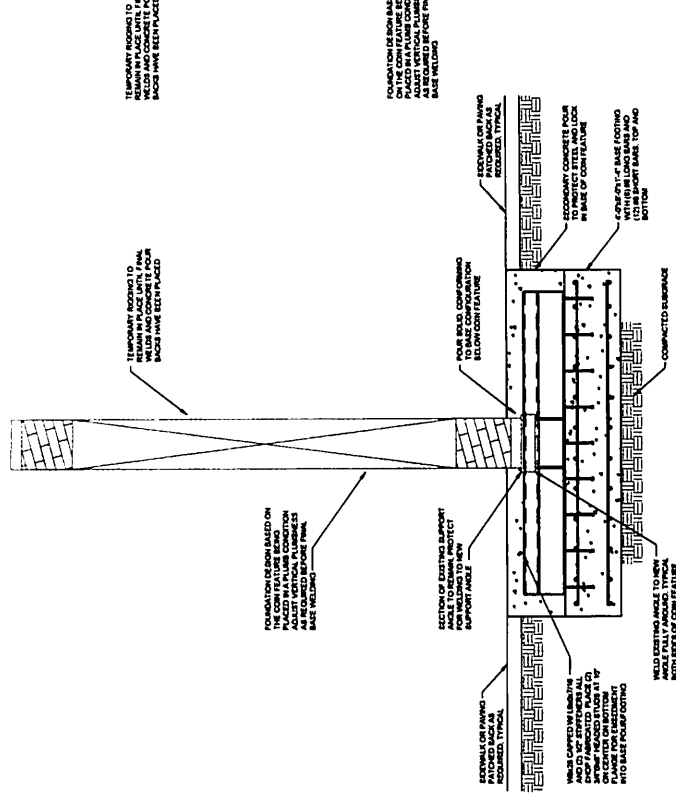
**BRICK COIN - FOUNDATION DETAILS**  
 Foundation Details  
 Five Points Area  
 Columbia, South Carolina

**Mabry Engineering Associates, Inc.**  
 ENGINEERS  
 100 South Broad Street, Suite 100  
 Columbia, SC 29201  
 Telephone: (803) 799-1100  
 Telefax: (803) 799-1109

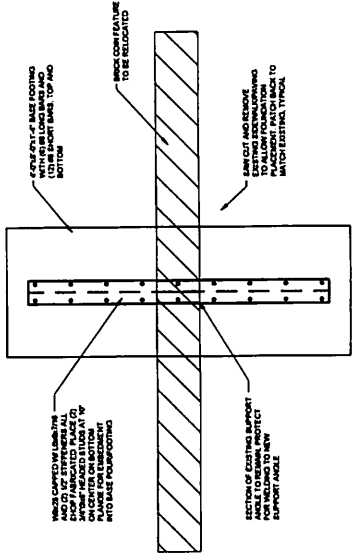
Project Number	<b>S101</b>
----------------	-------------



**COIN FOUNDATION DETAIL - SECTION**  
 SCALE 3/4"=1'-0"



**COIN FOUNDATION DETAIL - ELEVATION**  
 SCALE 3/4"=1'-0"



**COIN FOUNDATION PLAN**  
 SCALE 3/4"=1'-0"



**MABRY ENGINEERING ASSOCIATES INC**

840 Shull Street, Suite 100  
West Columbia, South Carolina 29169  
Phone (803) 926-0000  
Fax (803) 926-7600

**BRICK ART FEATURES**

JOB \_\_\_\_\_

SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_

CALCULATED BY \_\_\_\_\_ DATE 7/19/18

CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

SCALE \_\_\_\_\_

