

ORDINANCE NO.: 2020-019

Granting an encroachment to 908-Scannell (Columbia), LLC for the use of right of way area of the 1300 block of Huger Street and 1300 block of Pulaski Street adjacent to 1101 Huger Street, 1300 Huger Street, 1310 Huger Street and 1320 Huger Street, Richland County TMS #09009-11-04 for sidewalks, driveways, landscaping and irrigation

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WHEREAS, 908-Scannell (Columbia), LLC (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 1300 block of Huger Street and 1300 block of Pulaski Street adjacent to 1101 Huger Street, 1300 Huger Street, 1310 Huger Street and 1320 Huger Street, Richland County TMS #09009-11-04 for concrete sidewalks approximately six hundred fifty-eight (658') feet in length and varying in width between six (6') feet and nine (9') feet; concrete sidewalks approximately twenty-five (25') feet in length and five (5') feet in width; concrete sidewalks approximately four hundred seventy-five (475') feet in length and varying in width between four (4') feet to eight (8') feet width; a driveway approximately fifty (50') feet in length and fifteen (15') feet in width; a driveway approximately forty-two (42') feet in length and twelve (12') feet in width; landscaping and irrigation, 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 12th day of May, 2020, that Grantee is hereby granted the right to use the right of way area of the the 1300 block of Huger Street and 1300 block of Pulaski Street adjacent to 1101 Huger Street, 1300 Huger Street, 1310 Huger Street and 1320 Huger Street, Richland County TMS #09009-11-04 for concrete sidewalks approximately six hundred fifty-eight (658') feet in length and varying in width between six (6') feet and nine (9') feet; concrete sidewalks approximately twenty-five (25') feet in length and five (5') feet in width; concrete sidewalks approximately four hundred seventy-five (475') feet in length and varying in width between four (4') feet to eight (8') feet width; a driveway approximately fifty (50') feet in length and fifteen (15') feet in width; a driveway approximately forty-two (42') feet in length and twelve (12') feet in width; landscaping and irrigation, 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

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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. 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. Lighting standards to be reviewed and approved by Traffic Engineering and Planning.

9. Off-street parking spaces are not for the exclusive use of the applicant. These spaces may be metered by Parking Services.

10. Must comply with all requirements of the Design/Development Review Commission (D/DRC).

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 its expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

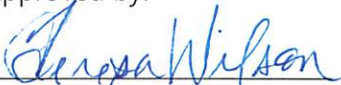
Requested by:

Assistant City Manager Gentry



Mayor

Approved by:



City Manager

Approved as to form:

T. A. Knox

City Attorney

Introduced: 3/17/2020

Final Reading: 5/12/2020

ATTEST:



City Clerk

**CITY COUNCIL
ENCROACHMENT SUMMARY
2020-019**



**1300 BLOCK OF HUGER STREET AND 1300 BLOCK OF PULASKI STREET
ADJACENT TO 1101 1300, 1310, AND 1320 HUGER STREET
SIDEWALKS, DRIVEWAYS, LANDSCAPING, AND IRRIGATION**

| | |
|------------------------------|--|
| Subject Property: | Right-of-way adjacent to the 1300 block of Huger Street and 1300 block of Pulaski Street, TMS#09009-11-04 |
| Council District: | 2 |
| Proposal: | Request approval for the installation and maintenance of sidewalks, driveways, landscaping, and irrigation |
| Applicant: | 908-Scannell (Columbia), LLC |
| Staff Recommendation: | Approval. |

| | |
|----------------|---|
| Detail: | <p>The applicant is requesting to an encroachment for the installation and maintenance of concrete sidewalks approximately six hundred fifty-eight (658') feet in length varying in width between six (6') feet and nine (9') feet, concrete sidewalks approximately twenty five (25') feet in length five (5') feet in width, concrete sidewalks approximately four hundred seventy-five (475') feet in length varying in width between four (4') feet to eight (8') feet width, a driveway approximately fifty (50') feet in length fifteen (15') feet in width, a driveway approximately forty-two (42') feet in length twelve (12') feet in width, landscaping and irrigation, as shown on the attached drawing.</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. 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. 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. Lighting standards to be reviewed and approved by Traffic Engineering and Planning. 9. Off-street parking spaces are not for the exclusive use of the applicant. These spaces may be metered by Parking Services. 10. Must comply with all requirements of the Design/Development Review Commission (D/DRC). |
|----------------|---|

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. SCDOT must approve any new landscaping installed along SCDOT roadways. Along Huger, consider species with a larger canopy to provide additional shade over sidewalk. |
| Land Development | Recommend approval. |
| Fire | Recommend approval. |

**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 803-343-8779; 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: 2/11/2019 Property Owner: 908-Scannell (Columbia), LLC
 Applicant's Name if different from Property Owner: _____
 Contact Information: Telephone Number: 813-445-7101 Fax Number: _____
 Mailing address: 2209 E. 7th Ave, Suite C, Tampa, FL 33605 E-mail address: jwilson@908group.com,
 Business Name/Development Name for Encroachment: Nine at Columbia eduda@908group.com

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

Dimensions (height/width/length): Sidewalks, Landscape with irrigation, Street lighting, driveways, water (i.e. 6'x42' wooden privacy fence; connection and storm connection within Pulaski Street and Huger Street two 12'x4'x3' concrete steps) rights-of-way. See plans.

Construction material: Concrete and landscaping. See Plans.

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.

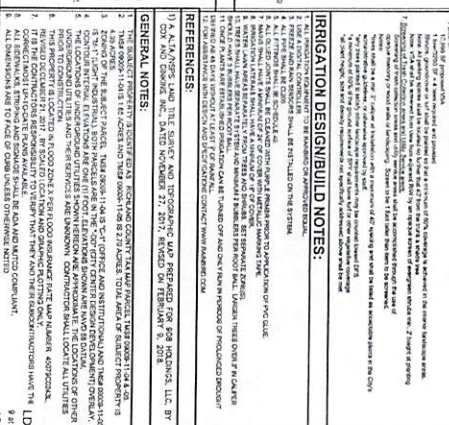
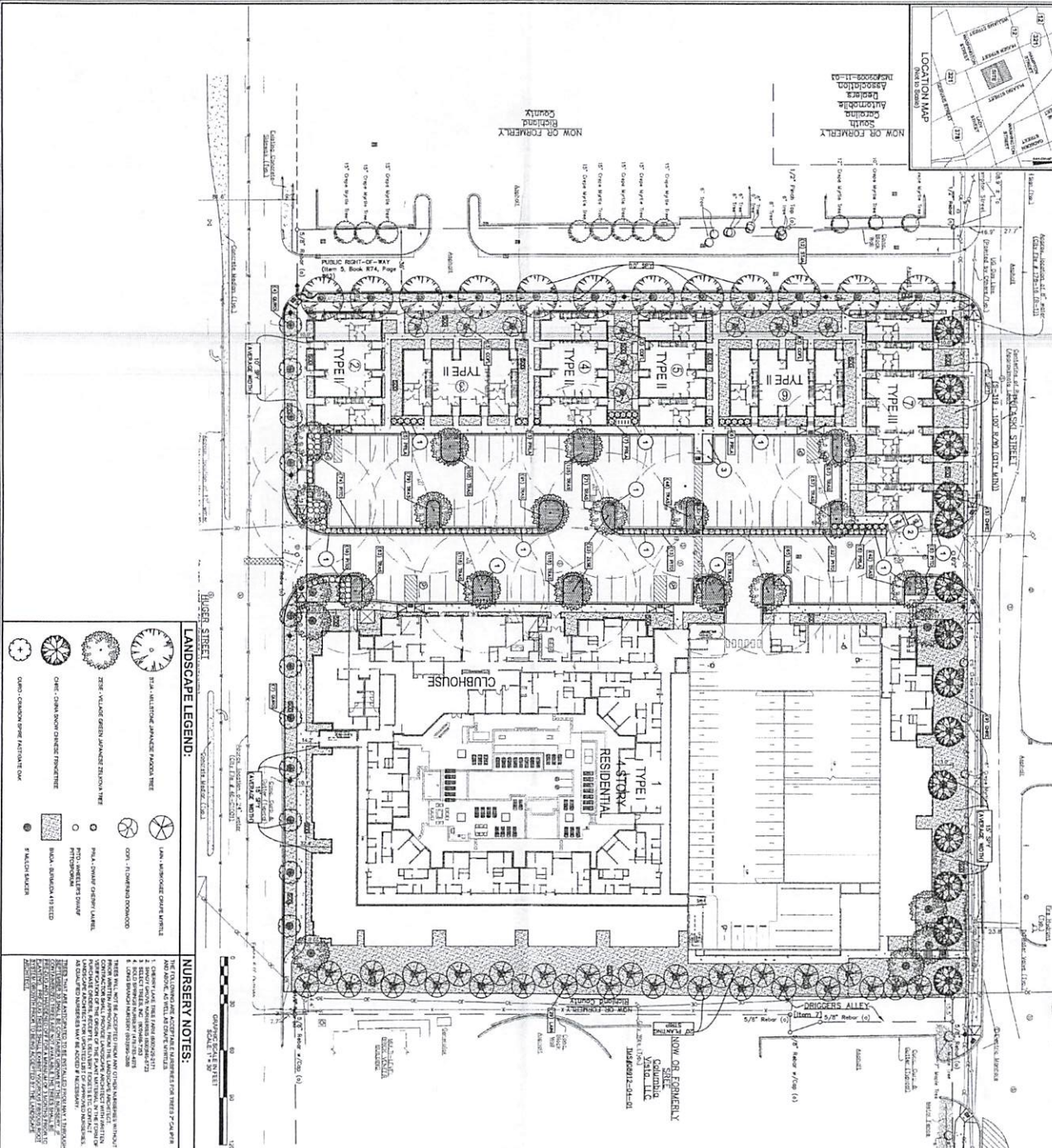
Name/Title:
Date:

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:
Date:

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 | 803-343-8779 | 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 | jlthompson@columbiasc.net |
| Fanessa Pinckney | Development Services (Permits) | 803-545-3420 | 803-733-8699 | fcpinckney@columbiasc.net |
| Amy Moore | Development Services (Historic Preservation) | 803-545-3222 | 803-733-8647 | aemoore@columbiasc.net |
| Robert Harkins | Development Services (Plans Review) | 803-545-3420 | 803-733-8647 | rlharkins@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 Sweat | 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 |
| David Koon | Fire Department | 803-545-3701 | 803-401-8839 | cdgkoon@columbiasc.net |
| John David Spade | Parking Services | 803-545-3070 | 803-733-8523 | spade@columbiasc.net |



LANDSCAPE NOTES: ALL PLANTS SHALL BE MECHANICALLY BRANDED...

CODED LANDSCAPE NOTES:

LANDSCAPE REQUIREMENTS:

IRRIGATION DESIGN/INSTALL NOTES:

GENERAL NOTES:

REFERENCES:

PROJECT:
NINE AT COLUMBIA
1400 HUGER STREET
 LOCATED IN THE CITY OF COLUMBIA
 RICHLAND COUNTY, SOUTH CAROLINA

LANDSCAPE PLAN

DATE: 02/20/19
 DRAWN BY: [Name]
 CHECKED BY: [Name]

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
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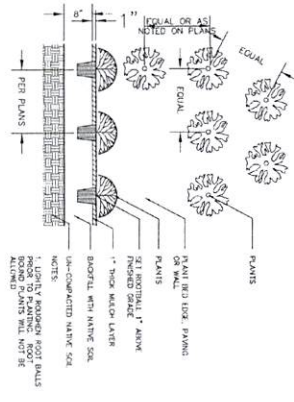
OWNER'S REPRESENTATIVE:
 MR. ERIC DIXON
 2208 E. 7TH AVENUE, SUITE C
 TAYLOR, TN 37080
 (615) 442-7101
 email: eric.dixon@edggroup.com

OFFICE OF ARCHITECTURE & DESIGN, INC.

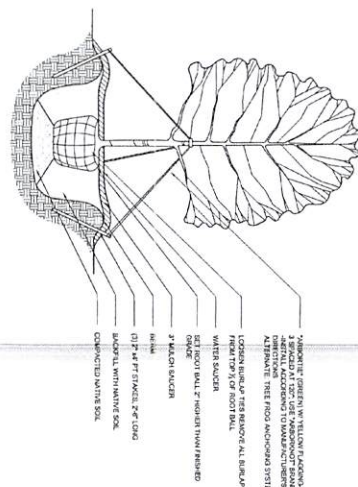
REGISTERED PROFESSIONAL ARCHITECT
 STATE OF SOUTH CAROLINA
 ARCHITECT NO. 2070

COX AND DINKINS
 ARCHITECTS - 264-2769

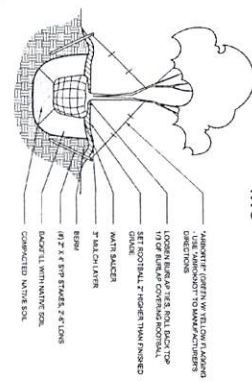
COX AND DINKINS INC.
 1010 W. 12TH STREET
 FLORENCE, SC 29506
 TEL: 803.662.4200
 FAX: 803.662.4201
 Email: info@coxanddinkins.com



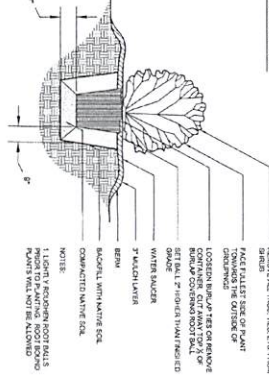
GROUNDCOVER PLANTING DETAIL



TREE PLANTING DETAIL



SMALL TREE PLANTING DETAIL



SHRUB PLANTING DETAIL

| PLANT | COMMON NAME | HEIGHT | SPREAD | ROOTZONES | SPACING | NOTES |
|-------|-------------|-----------|---------|-----------|---------|-------|
| 1 | Common Name | 10'-12' | 6'-8' | 9'-10' | 5'-6' | ... |
| 2 | Common Name | 8'-10' | 5'-6' | 8'-9' | 4'-5' | ... |
| 3 | Common Name | 12'-14' | 7'-9' | 10'-11' | 6'-7' | ... |
| 4 | Common Name | 14'-16' | 8'-10' | 12'-13' | 7'-8' | ... |
| 5 | Common Name | 16'-18' | 9'-11' | 14'-15' | 8'-9' | ... |
| 6 | Common Name | 18'-20' | 10'-12' | 16'-17' | 9'-10' | ... |
| 7 | Common Name | 20'-22' | 11'-13' | 18'-19' | 10'-11' | ... |
| 8 | Common Name | 22'-24' | 12'-14' | 20'-21' | 11'-12' | ... |
| 9 | Common Name | 24'-26' | 13'-15' | 22'-23' | 12'-13' | ... |
| 10 | Common Name | 26'-28' | 14'-16' | 24'-25' | 13'-14' | ... |
| 11 | Common Name | 28'-30' | 15'-17' | 26'-27' | 14'-15' | ... |
| 12 | Common Name | 30'-32' | 16'-18' | 28'-29' | 15'-16' | ... |
| 13 | Common Name | 32'-34' | 17'-19' | 30'-31' | 16'-17' | ... |
| 14 | Common Name | 34'-36' | 18'-20' | 32'-33' | 17'-18' | ... |
| 15 | Common Name | 36'-38' | 19'-21' | 34'-35' | 18'-19' | ... |
| 16 | Common Name | 38'-40' | 20'-22' | 36'-37' | 19'-20' | ... |
| 17 | Common Name | 40'-42' | 21'-23' | 38'-39' | 20'-21' | ... |
| 18 | Common Name | 42'-44' | 22'-24' | 40'-41' | 21'-22' | ... |
| 19 | Common Name | 44'-46' | 23'-25' | 42'-43' | 22'-23' | ... |
| 20 | Common Name | 46'-48' | 24'-26' | 44'-45' | 23'-24' | ... |
| 21 | Common Name | 48'-50' | 25'-27' | 46'-47' | 24'-25' | ... |
| 22 | Common Name | 50'-52' | 26'-28' | 48'-49' | 25'-26' | ... |
| 23 | Common Name | 52'-54' | 27'-29' | 50'-51' | 26'-27' | ... |
| 24 | Common Name | 54'-56' | 28'-30' | 52'-53' | 27'-28' | ... |
| 25 | Common Name | 56'-58' | 29'-31' | 54'-55' | 28'-29' | ... |
| 26 | Common Name | 58'-60' | 30'-32' | 56'-57' | 29'-30' | ... |
| 27 | Common Name | 60'-62' | 31'-33' | 58'-59' | 30'-31' | ... |
| 28 | Common Name | 62'-64' | 32'-34' | 60'-61' | 31'-32' | ... |
| 29 | Common Name | 64'-66' | 33'-35' | 62'-63' | 32'-33' | ... |
| 30 | Common Name | 66'-68' | 34'-36' | 64'-65' | 33'-34' | ... |
| 31 | Common Name | 68'-70' | 35'-37' | 66'-67' | 34'-35' | ... |
| 32 | Common Name | 70'-72' | 36'-38' | 68'-69' | 35'-36' | ... |
| 33 | Common Name | 72'-74' | 37'-39' | 70'-71' | 36'-37' | ... |
| 34 | Common Name | 74'-76' | 38'-40' | 72'-73' | 37'-38' | ... |
| 35 | Common Name | 76'-78' | 39'-41' | 74'-75' | 38'-39' | ... |
| 36 | Common Name | 78'-80' | 40'-42' | 76'-77' | 39'-40' | ... |
| 37 | Common Name | 80'-82' | 41'-43' | 78'-79' | 40'-41' | ... |
| 38 | Common Name | 82'-84' | 42'-44' | 80'-81' | 41'-42' | ... |
| 39 | Common Name | 84'-86' | 43'-45' | 82'-83' | 42'-43' | ... |
| 40 | Common Name | 86'-88' | 44'-46' | 84'-85' | 43'-44' | ... |
| 41 | Common Name | 88'-90' | 45'-47' | 86'-87' | 44'-45' | ... |
| 42 | Common Name | 90'-92' | 46'-48' | 88'-89' | 45'-46' | ... |
| 43 | Common Name | 92'-94' | 47'-49' | 90'-91' | 46'-47' | ... |
| 44 | Common Name | 94'-96' | 48'-50' | 92'-93' | 47'-48' | ... |
| 45 | Common Name | 96'-98' | 49'-51' | 94'-95' | 48'-49' | ... |
| 46 | Common Name | 98'-100' | 50'-52' | 96'-97' | 49'-50' | ... |
| 47 | Common Name | 100'-102' | 51'-53' | 98'-99' | 50'-51' | ... |
| 48 | Common Name | 102'-104' | 52'-54' | 100'-101' | 51'-52' | ... |
| 49 | Common Name | 104'-106' | 53'-55' | 102'-103' | 52'-53' | ... |
| 50 | Common Name | 106'-108' | 54'-56' | 104'-105' | 53'-54' | ... |

NURSERY NOTES: ALL PLANTS SHALL BE MECHANICALLY WEEDED AND MULCH AS SHOWN ON THE PLAN. PLANTS SHALL BE DELIVERED TO THE PROJECT WITH A 10% SURPLUS. PLANTS SHALL BE DELIVERED TO THE PROJECT WITH A 10% SURPLUS. PLANTS SHALL BE DELIVERED TO THE PROJECT WITH A 10% SURPLUS.

LANDSCAPE NOTES: ALL PLANTS SHALL BE MECHANICALLY WEEDED AND MULCH AS SHOWN ON THE PLAN. PLANTS SHALL BE DELIVERED TO THE PROJECT WITH A 10% SURPLUS. PLANTS SHALL BE DELIVERED TO THE PROJECT WITH A 10% SURPLUS. PLANTS SHALL BE DELIVERED TO THE PROJECT WITH A 10% SURPLUS.

CODED LANDSCAPE NOTES: 1. LANDSCAPE SHALL BE MAINTAINED AS SHOWN ON THE PLAN. 2. LANDSCAPE SHALL BE MAINTAINED AS SHOWN ON THE PLAN. 3. LANDSCAPE SHALL BE MAINTAINED AS SHOWN ON THE PLAN.

IRRIGATION DESIGN/NOTES: 1. IRRIGATION SHALL BE DESIGNED AS SHOWN ON THE PLAN. 2. IRRIGATION SHALL BE DESIGNED AS SHOWN ON THE PLAN. 3. IRRIGATION SHALL BE DESIGNED AS SHOWN ON THE PLAN.

GENERAL NOTES: 1. ALL PLANTS SHALL BE MECHANICALLY WEEDED AND MULCH AS SHOWN ON THE PLAN. 2. ALL PLANTS SHALL BE MECHANICALLY WEEDED AND MULCH AS SHOWN ON THE PLAN. 3. ALL PLANTS SHALL BE MECHANICALLY WEEDED AND MULCH AS SHOWN ON THE PLAN.

COX AND DINKINS
LANDSCAPE ARCHITECTS
1001 S. MAIN ST.
COLUMBIA, SC 29201
(803) 732-1111

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |

DATE: 2/17/17

NINE AT COLUMBIA
1400 HUGER STREET
LOCATED IN THE CITY OF COLUMBIA
RICHLAND COUNTY, SOUTH CAROLINA

LANDSCAPE DETAILS

PROJECT: NINE AT COLUMBIA
1400 HUGER STREET
RICHLAND COUNTY, SOUTH CAROLINA

DATE: 2/17/17