

ORDINANCE NO.: 2020-051

Granting an encroachment to South Carolina Automobile Dealers Association for the use of the right of way area of the 1400 block of Pulaski Street for the installation and maintenance of a brick retaining wall adjacent to 1410 Pulaski Street, Richland County TMS#09009-10-02

ORIGINAL
STAMPED IN RED

WHEREAS, South Carolina Automobile Dealers Association (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 1400 block of Pulaski Street adjacent to 1410 Pulaski, Richland County TMS#09009-19-02, for the installation and maintenance of a concrete sidewalk measuring approximately five (5') feet in width and one hundred forty-five (145') feet in length, landscaping, and irrigation as shown on the attached drawings.

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 4th day of August, 2020, that Grantee is hereby granted the right to use the right of way areas of the 1400 block of Pulaski Street adjacent to 1410 Pulaski Street, Richland County TMS#09009-10-02, for the installation and maintenance of a concrete sidewalk measuring approximately five (5') feet in width and one hundred forty-five (145') feet in length, landscaping, and irrigation as shown on the attached drawings.

ALL WORK SHALL COMPLY with the requirements of The City of Columbia, South Carolina Department of Transportation (SCDOT) and Federal Emergency Management Agency (FEMA) 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 may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns; and,

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.

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. Existing irrigation should not spray 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.

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

ATTEST:



City Clerk

Introduced: 7/21/2020

Final Reading: 8/4/2020

**CITY COUNCIL
ENCROACHMENT SUMMARY
2020-051**



**1400 BLOCK OF PULASKI STREET
ADJACENT TO 1410 PULASKI STREET
SIDEWALK**

Subject Property:	Right-of-way adjacent to 1400 Pulaski Street
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of a concrete sidewalk
Applicant:	South Carolina Automobile Dealers Association
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of a concrete sidewalk measuring approximately five (5') feet in width and one hundred forty-five (145') feet in length, landscaping, and irrigation as shown on the attached drawings; and,</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. Existing irrigation should not spray 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
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CITY AGENCY COMMENTS FOR ENCROACHMENT

Planning	Recommend approval.
Streets	Recommend approval.
Utilities and Engineering	Recommend approval .
Traffic Engineering	Recommend approval.
Forestry	Recommend approval. Be cautious of tree roots while working in the area. Root damage can significantly impact health and structure of the existing trees. Keep materials, equipment and other debris out of the tree zone. If there are any city tree root issues, please contact Forestry and Beautification.

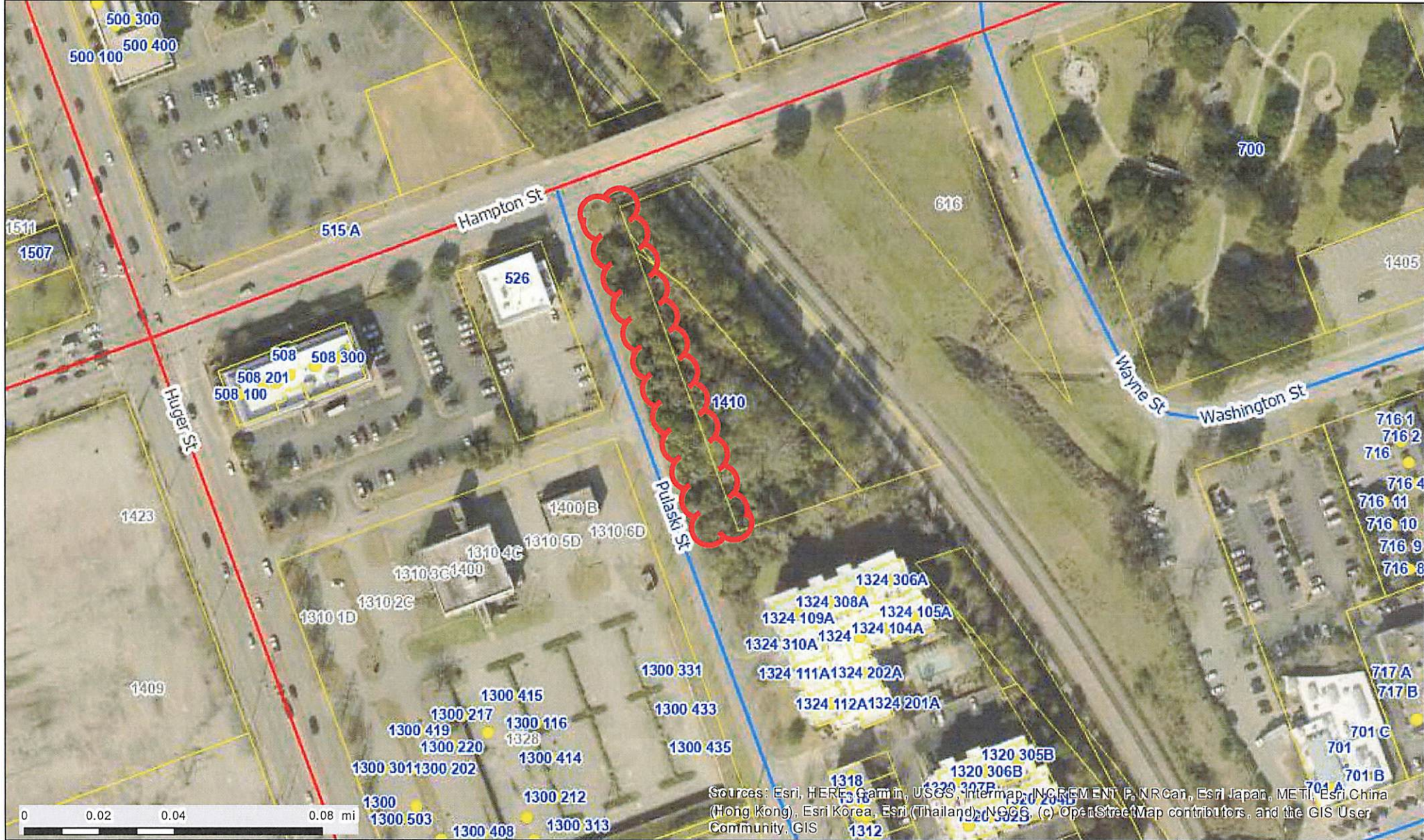
Land Development	Recommend approval.
Fire	Recommend approval.

City of Columbia

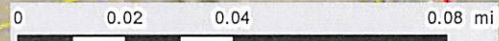
1410 Pulaski Street



Tuesday, May 5, 2020



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, GIS



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**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: 5-04-2020 Property Owner: SC Automobile Dealers Association

Applicant's Name if different from Property Owner: _____

Contact Information: Telephone Number: 803-252-0205 Fax Number: _____

Mailing address: 1410 Pulaski St. Columbia, SC 29201 E-mail address: sim@scada.com

Business Name/Development Name for Encroachment: Pulaski St. Auto Parking Lot

Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers Sidewalk/Walkway
 Planters Awning Underground Utilities Other: Storm Drainage and Retaining Wall

Dimensions (height/width/length): 5' wide sidewalk (Approximately 145' long) and 87' wide driveway
 (i.e. 6'x42' wooden privacy fence; two 12'x4'x3' concrete steps)

Construction material: Concrete (Sidewalk) & Heavy Duty Bituminous Pavement (Driveway)

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	jthompson@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	rharkins@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	cfdkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net

TREE PROTECTION

A.— THE CONTRACTOR SHALL BE RESPONSIBLE FOR PREVENTING DAMAGE TO EXISTING TREES LOCATED ALONG ACCESS AND HAUL ROADS, AND ADJACENT TO, OR WITHIN BUILDING CONSTRUCTION SITES AND MATERIAL AND EQUIPMENT STORAGE AREAS. THOSE TREES TO BE SAVED SHALL BE FLAGGED BY THE LANDSCAPE ARCHITECT PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

B.— CONTRACTOR WILL PROVIDE NECESSARY BARRICADES AND FENCING SO AS TO DIVERT AND DIRECT VEHICULAR AND PEDESTRIAN TRAFFIC AWAY FROM TREES. THE BARRICADES AND FENCING TYPE SHALL BE AS SHOWN ON THE CIVIL CONSTRUCTION DOCUMENTS.

C.— MATERIALS SHALL NOT BE STORED, NOR VEHICLES PARKED WITHIN THE DRIP—LINE OF THE TREES UNLESS AUTHORIZED BY LANDSCAPE ARCHITECT OR OWNER.

D.— VEHICLES AND EQUIPMENT SHALL NOT BE DRIVEN OVER EXPOSED ROOTS AND ROADS SHALL NOT BE LOCATED WITHIN THE DRIP—LINE OF TREES UNLESS APPROVAL IS OBTAINED FROM THE LANDSCAPE ARCHITECT.

E.— ALL TREES INTENDED TO BE SAVED WHICH HAVE BEEN DAMAGED DUE TO CONSTRUCTION PRACTICES, SHALL BE INSPECTED AND TREATED BY A CERTIFIED ARBORIST AT THE CONTRACTOR'S EXPENSE.

F.— NO CUTTING OR FILLING OF EXISTING GRADE, TRENCHING, OR PRUNING SHALL OCCUR UNLESS SPECIFICALLY DIRECTED BY THE CONSTRUCTION DOCUMENTS, OR THE WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT AND OWNER.

TREE MAINTENANCE

FERTILIZATION

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EXISTING TREES.

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LABORATORY TO ENSURE THE PROF



GENERAL PLANTING NOTES

1. INSTALL METAL EDGING IN ALL AREAS WHERE PLANT BEDS ARE ADJACENT TO LAWN AREAS AS WELL AS ALL TREES LOCATED IN LAWN AREAS.
2. THE CONTRACTOR SHALL LOCATE ALL PROPOSED & EXISTING UTILITIES PRIOR TO THE BEGINNING OF WORK. THE CONTRACTOR SHALL REPAIR ANY DAMAGE TO UTILITIES THAT ARE DISTURBED AS A RESULT OF THE WORK.
3. THE CONTRACTOR SHALL MAINTAIN ALL GRASSED AREAS, INCLUDING THE REPAIR OF EROSION AREAS, UNTIL GRASS HAS REACHED THE LEVEL OF FINAL ACCEPTANCE & THROUGHOUT THE MAINTENANCE CONTRACT PERIOD IF APPLICABLE.
4. ALL AREAS THAT ARE DISTURBED BY CONSTRUCTION SHALL BE REPAIRED, GRADED, & GRASSED AT THE CONTRACTORS EXPENSE.
5. ALL TREE BARRICADES SHALL BE MAINTAINED AROUND THE DESIGNATED TREES AT ALL TIMES. ALL WORK IN THOSE AREAS SHALL BE DONE BY HAND.
6. PROVIDE EROSION CONTROL DEVICES WHERE EROSION KEEPS OCCURRING (SEE CIVIL PACKAGE FOR SITE EROSION CONTROL PLAN).
7. ALL PLANT BEDS SHALL RECEIVE (1) ONE BALE OF PINE NEEDLE MULCH PER 60 SQ. FT. TO A DEPTH OF 4".
8. CONTRACTOR SHALL RE-SPREAD EXISTING TOPSOIL STOCKPILED ON SITE, AND SHALL PROVIDE SUPPLEMENTAL TOPSOIL AS NEEDED. REFER TO SPECIFICATIONS FOR MORE DETAILED INFORMATION.
9. ALL PLANT BEDS SHALL RECEIVE A WEED INHIBITOR ("PREEN" OR EQUAL).

REFER

SYMBOL

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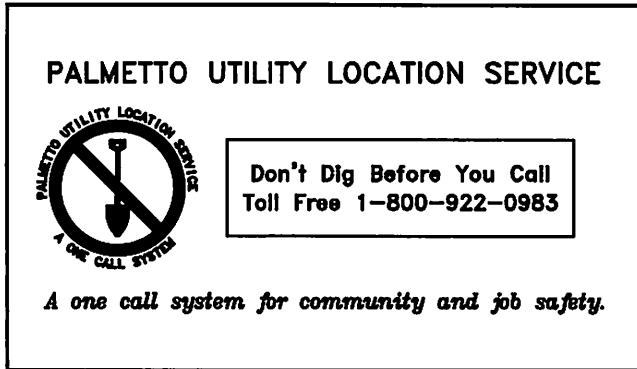
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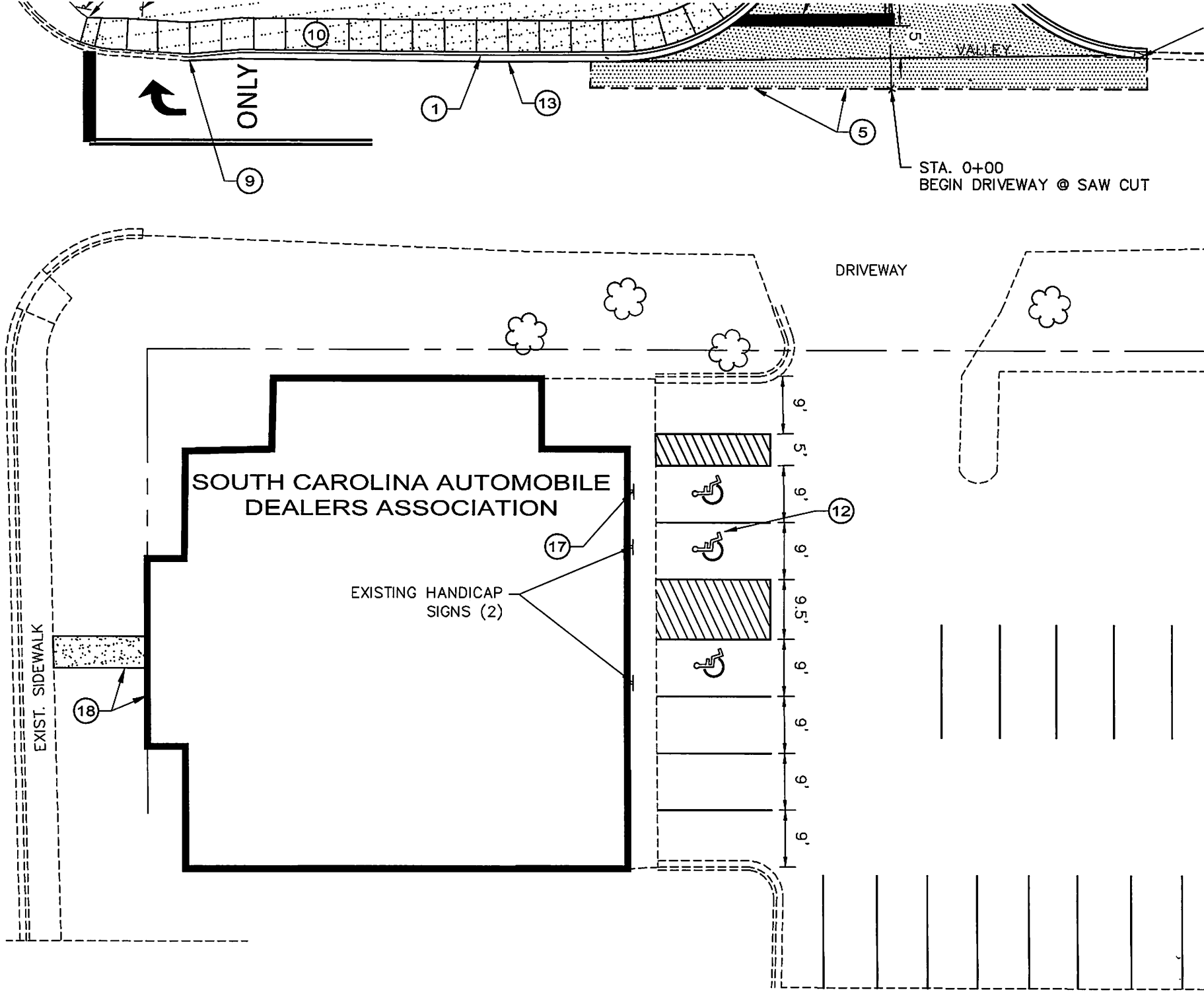


10. IRRIGATION SYSTEM SHALL BE FOR A MINIMUM PERIOD OF ONE ACCEPTANCE BY OWNER.

11. THE LOCATION OF ALL ABOVE RESPONSIBILITY OF THE IRRIGATOR PERSONAL INJURY AS A RESULT OF UTILITY LOCATIONS IS THE SOLE RESPONSIBILITY OF THE IRRIGATOR. UTILITY LOCATIONS ARE NOT SHOWN.

12. CONTRACTOR SHALL PROVIDE ALL NECESSARY UTILITY LOCATIONS AT THE TIME OF COMPLETION.

HAMPTON STREET
(SC-12E)



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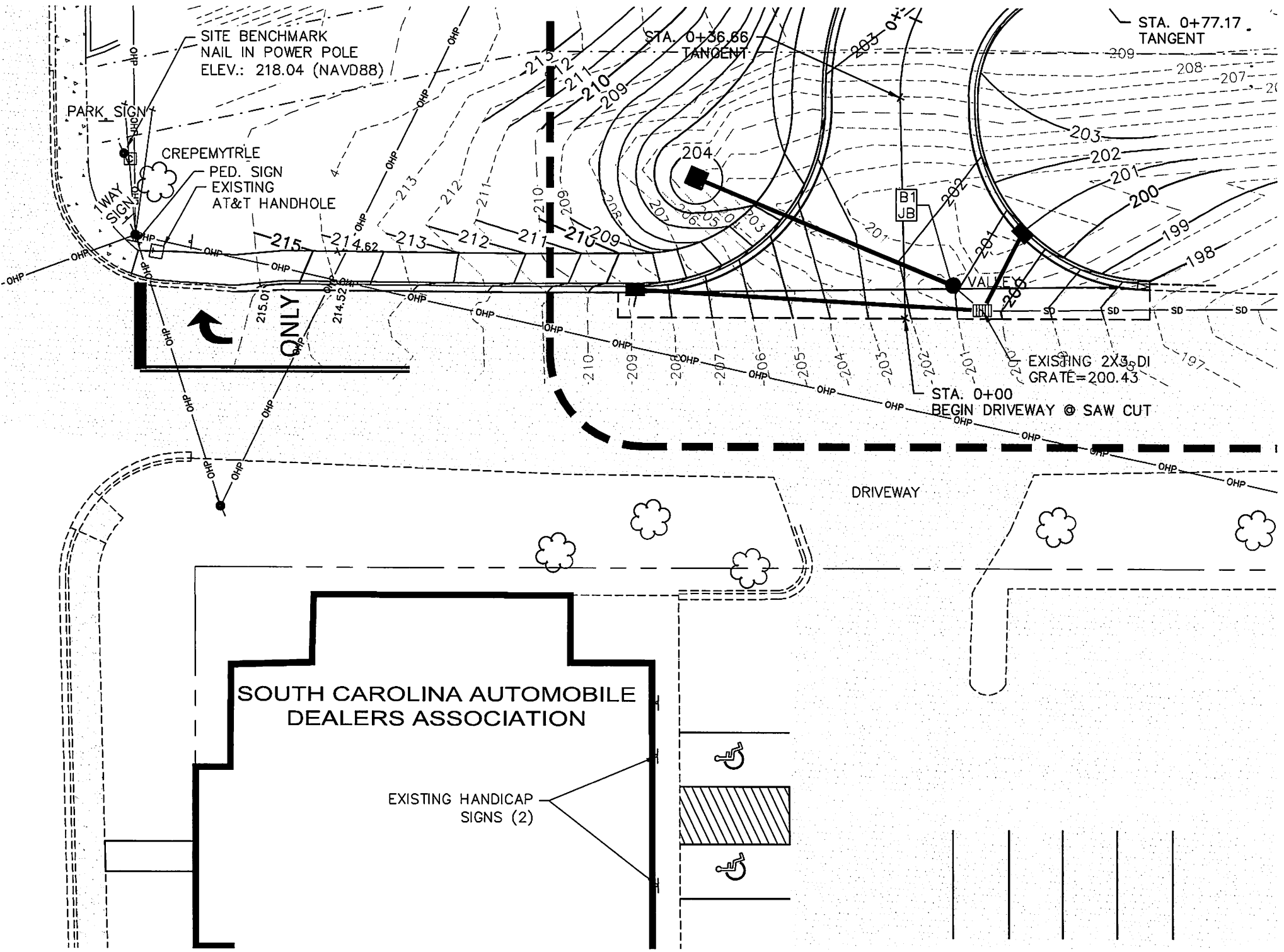
DRIVEWAY

SOUTH CAROLINA AUTOMOBILE
DEALERS ASSOCIATION

EXISTING HANDICAP
SIGNS (2)

EXIST. SIDEWALK

VALLEY



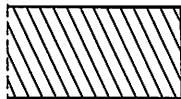
SITE BENCHMARK
NAIL IN POWER POLE
ELEV.: 218.04 (NAVD88)

CREPEMYRTLE
PED. SIGN
EXISTING
AT&T HANDHOLE

ONLY

**SOUTH CAROLINA AUTOMOBILE
DEALERS ASSOCIATION**

EXISTING HANDICAP
SIGNS (2)



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TANGENT

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BEGIN DRIVEWAY @ SAW CUT

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DRIVEWAY

PARK SIGN

1WAY SIGN

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