

ORIGINAL  
STAMPED IN RED

**ORDINANCE NO.: 2020-102**

*Granting an encroachment to Clear Dot Charter School Columbia for the use of the right of way area of the 2000 block of Marion Street adjacent to 2015 Marion Street, Richland County TMS#09016-10-10 for the installation and maintenance of pollinator flower beds*

WHEREAS, Clear Dot Charter School Columbia (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 2000 block of Marion Street adjacent to 2015 Marion Street, Richland County TMS#09016-10-10, for the installation and maintenance of two (2) pollinator flower beds each measuring approximately ten (10') feet in width and fourteen (14') feet in length 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 1st day of December, 2020, that Grantee is hereby granted the right to use the right of way areas of the 2000 block of Marion Street adjacent to 2015 Marion Street, Richland County TMS#09016-10-10, for the installation and maintenance of two (2) pollinator flower beds each measuring approximately ten (10') feet in width and fourteen (14') feet in length, as shown on the attached drawings.

PROVIDED FURTHER that 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; and,

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:

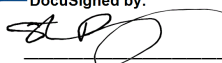
1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of 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.

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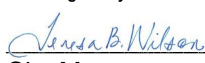
BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at its expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:

Assistant City Manager Gentry

DocuSigned by:  
  
Mayor

Approved by:

DocuSigned by:  
  
City Manager

Approved as to form:

DocuSigned by:  
  
City Attorney

ATTEST:

DocuSigned by:  
  
City Clerk

Introduced: 11/17/2020  
Final Reading: 12/1/2020

**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2020-102**



**2000 BLOCK OF MARION STREET  
ADJACENT TO 2015 MARION STREET  
POLLINATOR FLOWER BEDS**

<b>Subject Property:</b>	Right-of-way adjacent to 2015 Marion Street
<b>Council District:</b>	2
<b>Proposal:</b>	The applicant is requesting an encroachment for installation and maintenance of two pollinator flower beds
<b>Applicant:</b>	Dr. Lindsey Ott, Principal – Clear Dot Charter School Columbia
<b>Staff Recommendation:</b>	Approval.

<b>Detail:</b>	<p>The applicant is requesting an encroachment for installation and maintenance of two (2) pollinator flower beds each measuring approximately ten (10') feet in width and fourteen (14') feet in length, as shown on the attached drawings; and,</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. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.</li> <li>3. Landscaping to be maintained by property owner.</li> <li>4. Existing irrigation should not spray walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.</li> <li>5. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.</li> <li>6. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.</li> <li>7. All trees shall be protected and no large tree roots shall be removed from any existing</li> </ol>
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**CITY AGENCY COMMENTS FOR ENCROACHMENT**

<b>Planning</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.

**(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 x 11) 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: 09/15/2020 Property Owner: Uptown Properties, leased by Clear Dot Charter School Columbia  
 Business Name/Applicant's Name if different than owner: Clear Dot Charter School Columbia, Dr. Lindsey Ott, Principal  
 Contact Information: Telephone Number: 803-567-3075 Fax Number: 803-939-9910  
 Mailing address: 2015 Marion Street Columbia, SC 29201 E-mail address: lott@cleardotcharterschool.org

Business Name/Development Name for Encroachment:  
 Encroachment type: Wall Fence Columns Steps Irrigation System X Landscaping Driveway Pavers Sidewalk/Walkway  
Planters Awning Underground Utilities Other:

Dimensions (height/width/length):  
 (i.e. 6'x42' wooden privacy fence;  
 two 12'x4'x3' concrete steps) two 10x14 pollinator flower beds

Construction material:  
None permanent, garden bed edging

**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 SCDORABL 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:

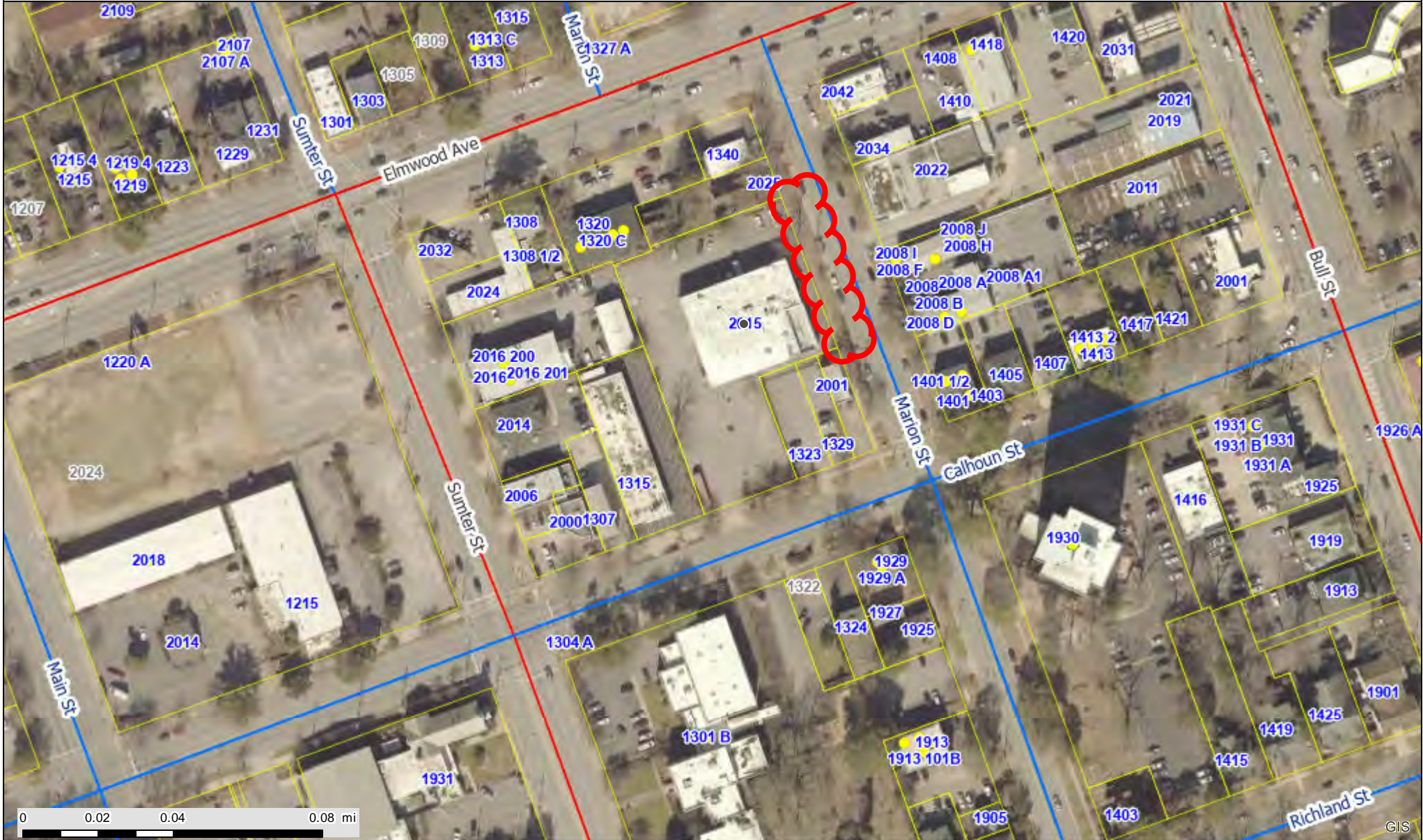
The proposed ordinance will be sent to the requesting party and City offices for review and approval. Johnathan Chambers will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-255-8935	jechambers@columbiasc.net
John Fellows	Development Services (Planning)	803-545-3222	803-733-8647	jsfellows@columbiasc.net
Rachel Bailey	Development Services (Zoning)	803-545-3332	803-733-8647	rlbailey@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	jlthompson@columbiasc.net
Tori Salvant	Development Services (Development Center)	803-545-3420	803-733-8699	tcsalvant@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	aemoore@columbiasc.net
Lucinda Statler	Development Services (Urban Design)	803-545-0229	803-733-8647	lsstatler@columbiasc.net
Jerry Thompson	Development Services (Commercial Plan Review)	803-545-3420	803-733-8647	jlthompson@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
Caleb King	Public Works (Forestry & Beautification)	803-545-3860	803-733-8648	cdking@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	cfdkdscott@columbiasc.net
Linda Matney	Parking Services	803-545-3070	803-733-8523	lsmatney@columbiasc.net

# City of Columbia Clear Dot Encroachment



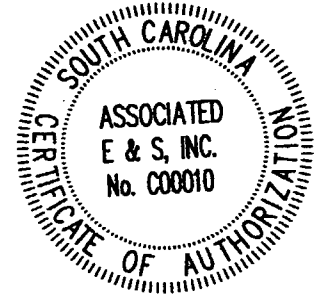
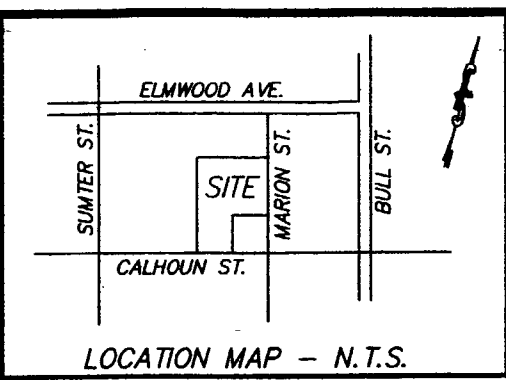
Tuesday, September 15, 2020



### CITY OF COLUMBIA GIS DATA DISCLAIMER

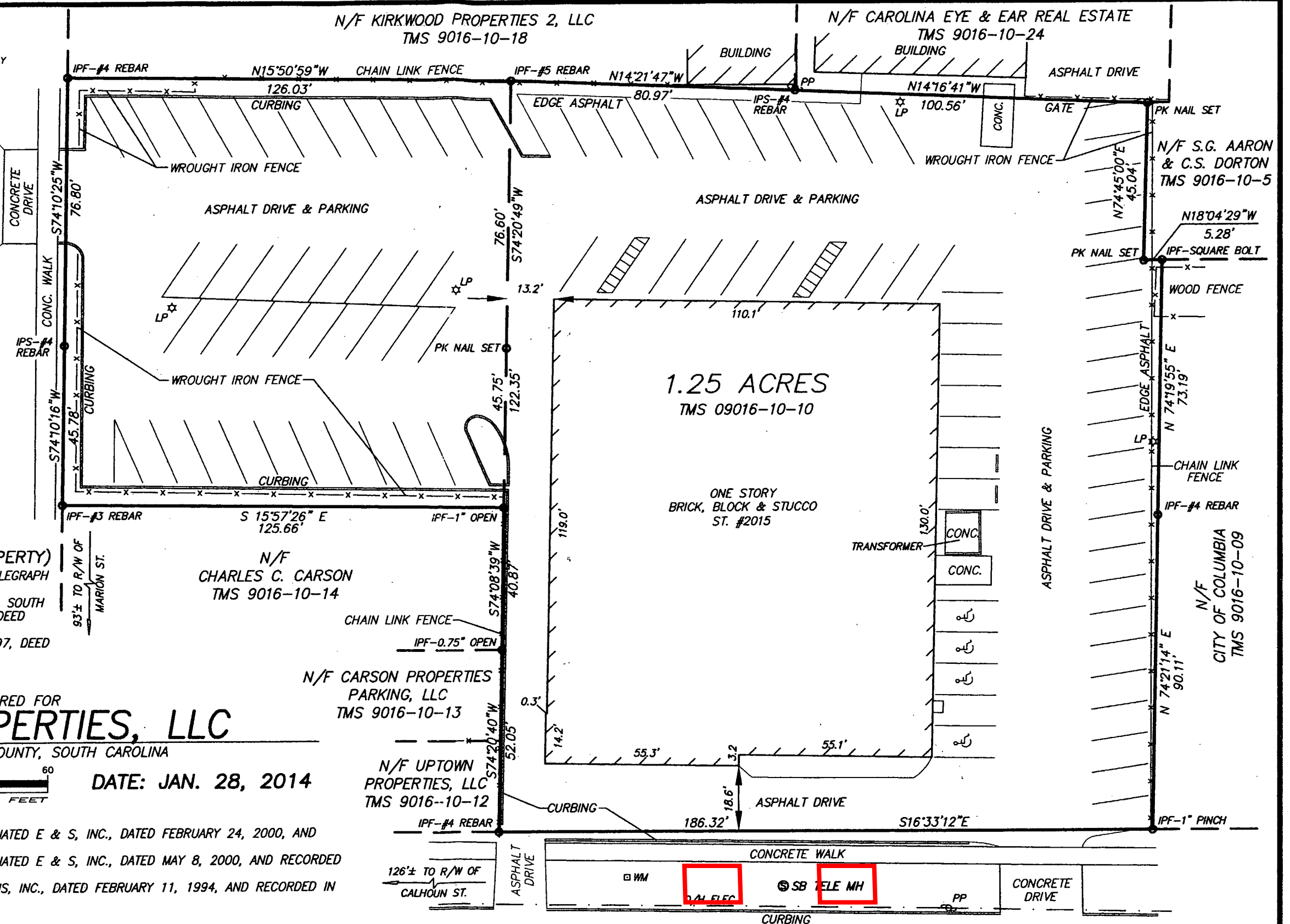
The City of Columbia GIS data represented on this map or plan is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Columbia makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.





IPF = IRON PIN FOUND  
IPS = IRON PIN SET  
TMS = TAX MAP SHEET  
R/W = RIGHT OF WAY  
N/F = NOW OR FORMERLY  
O/H = OVERHEAD  
WM = WATER METER  
PP = POWER POLE  
LP = LIGHT POLE

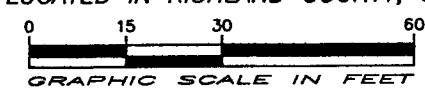
CALHOUN STREET (100' R/W)



- EXCEPTIONS:**  
(MAY OR MAY NOT APPLY TO SUBJECT PROPERTY)
1. GRANT OF EASEMENT TO SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, DATED AUGUST 3, 1955, DEED BOOK 166-359.
  2. RIGHT-OF-WAY FROM CAPITAL ELECTRIC SUPPLY COMPANY TO SOUTH CAROLINA ELECTRIC & GAS COMPANY, DATED MAY 10, 1966, DEED BOOK D-44-324.
  3. INGRESS/EGRESS ACCESS EASEMENT DATED OCTOBER 23, 1997, DEED BOOK D-1414-0820.

PLAT PREPARED FOR  
**UPTOWN PROPERTIES, LLC**  
SITE LOCATED IN RICHLAND COUNTY, SOUTH CAROLINA

SCALE: 1" = 30'



DATE: JAN. 28, 2014

**REFERENCES:**

1. RICHLAND COUNTY TAX MAP NUMBER 09016-10-10
2. PLAT PREPARED FOR "UPTOWN PROPERTIES, LLC" BY ASSOCIATED E & S, INC., DATED FEBRUARY 24, 2000, AND RECORDED IN PLAT BOOK 393 AT PAGE 460.
3. PLAT PREPARED FOR "UPTOWN PROPERTIES, LLC" BY ASSOCIATED E & S, INC., DATED MAY 8, 2000, AND RECORDED IN PLAT BOOK 409 AT PAGE 2321.
4. PLAT PREPARED FOR "WILLIAM M. GREGG" BY COX & DINKINS, INC., DATED FEBRUARY 11, 1994, AND RECORDED IN PLAT BOOK 55 AT PAGE 7041.

**CERTIFICATION:**

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN.

*Larry W. Smith*  
LARRY W. SMITH, S.C., P.L.S. NO. 3724

**ASSOCIATED E & S, INC.**

B 7-14 800 VIOLET STREET, WEST COLUMBIA, SOUTH CAROLINA, 29169 - PH. 791-1550

**EXEMPTION FROM REVIEW PROCESS**  
THIS PLAT IS A RESURVEY OF EXISTING LOTS OF RECORD WITH NO CHANGES TO EXISTING LOT LINES.

*Larry W. Smith*  
LARRY W. SMITH, S.C.P.L.S. NO. 3724

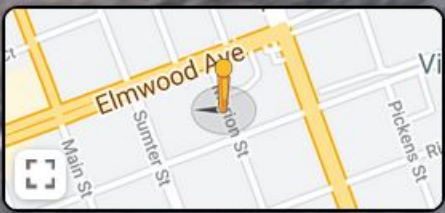
Book 1925-3239  
2014008419 02/11/2014 11:44:19:997  
Fee: \$5.00 County Tax: \$0.00 State Tax: \$0.00  
Plat Standard



Columbia, South Carolina



Street View



Google

