

ORDINANCE NO.: 2021-010

Granting an encroachment to the Municipal Association of South Carolina for the use of the right of way area of the 1400 block of Gervais Street for the installation and maintenance of planters and irrigation adjacent to 1411 Gervais Street, Richland County TMS#11401-04-05

WHEREAS, the Municipal Association of South Carolina (hereinafter "Grantee") desires to utilize a portion of the right of way area of the, 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 4th day of May, 2021, that Grantee is hereby granted the right to use the right of way areas of the 1400 block of Gervais Street adjacent to 1411 Gervais Street, Richland County TMS#11401-04-05, for the installation and maintenance of two (2) fiberglass planters measuring approximately four (4') feet in height and four (4') feet in width and irrigation, 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 Grantee's 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 in the event the City has to make repairs or maintain utility lines located within the encroachment area the City will replace any items removed for the utility repair or maintenance with like items to those removed; 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. Grantee is responsible for maintaining landscaping and improvements.
- 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.

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:	ATTEST:	
<i>M</i>	Crika D. M. Hammond	
City Attorney	City Clerk	
Introduced: 4/20/2021		

Introduced: 4/20/2021 Final Reading: 5/4/2021

CITY COUNCIL ENCROACHMENT SUMMARY 2021-010



1400 BLOCK OF GERVAIS STREET ADJACENT TO 1411 GERVAIS STREET PLANTERS AND IRRIGATION

Subject Property:	Right-of-way adjacent to 1411 Gervais Street			
Council District:	2			
	The applicant is requesting an encroachment for installation and maintenance of planters and irrigation.			
Applicant:	Municipal Association of South Carolina			
Staff Recommendation:	Approval.			
	The applicant is requesting an encroachment for installation and maintenance of two (2) fiberglass planters measuring approximately four (4') feet in height and four (4') feet in width and irrigation, as shown on the attached drawing; and, Conditions of the proposed encroachment are as follows: 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. Grantee is responsible for maintaining landscaping and improvements. 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.			
CITY AGENCY COMMENTS FOR ENCROACHMENT Planning Recommend approval.				
Streets	Recommend approval.			
Utilities and Engineering	Recommend approval .			
Traffic Engineering	Recommend approval.			
Forestry	Recommend approval.			
Land Development	Recommend approval.			
Fire	Recommend approval.			
THU	recommend approval.			

City of Columbia 1411 Gervais Street



Tuesday, January 26, 2021







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.



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 email 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.

lom
Fax Number: 8032525989
E-mail address: Beth.SmithPollom@colliers.com
on
stem Landscaping Driveway Pavers Sidewalk/Walkway
wd and 42" ht. Planter can be found at (http://coducts/standard-planters/cylinders/rimmed/) under existing brick pavers.
erglass
siness at the time of enactment of the outdoor dining encroachment ordinance shall ncroachment area, if not already included in the posted capacity allowance, so that cause the posted capacity to be exceeded.
No. of chairs outdoors: No. of Tables Outdoors:
If not, do you intend to apply for an ABL license?
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:

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	cfdgkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net
LR: 7/2014				

PLANT SCHEDULE TREES ILE CAR BOTANICAL / COMMON NAME ILE CAR ILE CAR BOTANICAL / Cordina #2 American Holly - SIZE ILE CAR ILE XOA ILE XOA ILE XOA ILE XOA ILE XOA BOTANICAL / COMMON NAME DIA VAR DIA VAR DIA VAR BOTANICAL / COMMON NAME DIA VAR DIA VAR BOTANICAL / COMMON NAME ANN PER BOTANICAL / COMMON NAME Annuals/Perennials / To Be Selected By Owner AND PER BOTANICAL / COMMON NAME Annuals/Perennials / To Be Selected By Owner BOTANICAL / COMMON NAME Annuals/Perennials / To Be Selected By Owner BOTANICAL / COMMON NAME Annuals/Perennials / To Be Selected By Owner BOTANICAL / COMMON NAME Annuals/Perennials / To Be Selected By Owner BOTANICAL / COMMON NAME Annuals/Perennials / To Be Selected By Owner

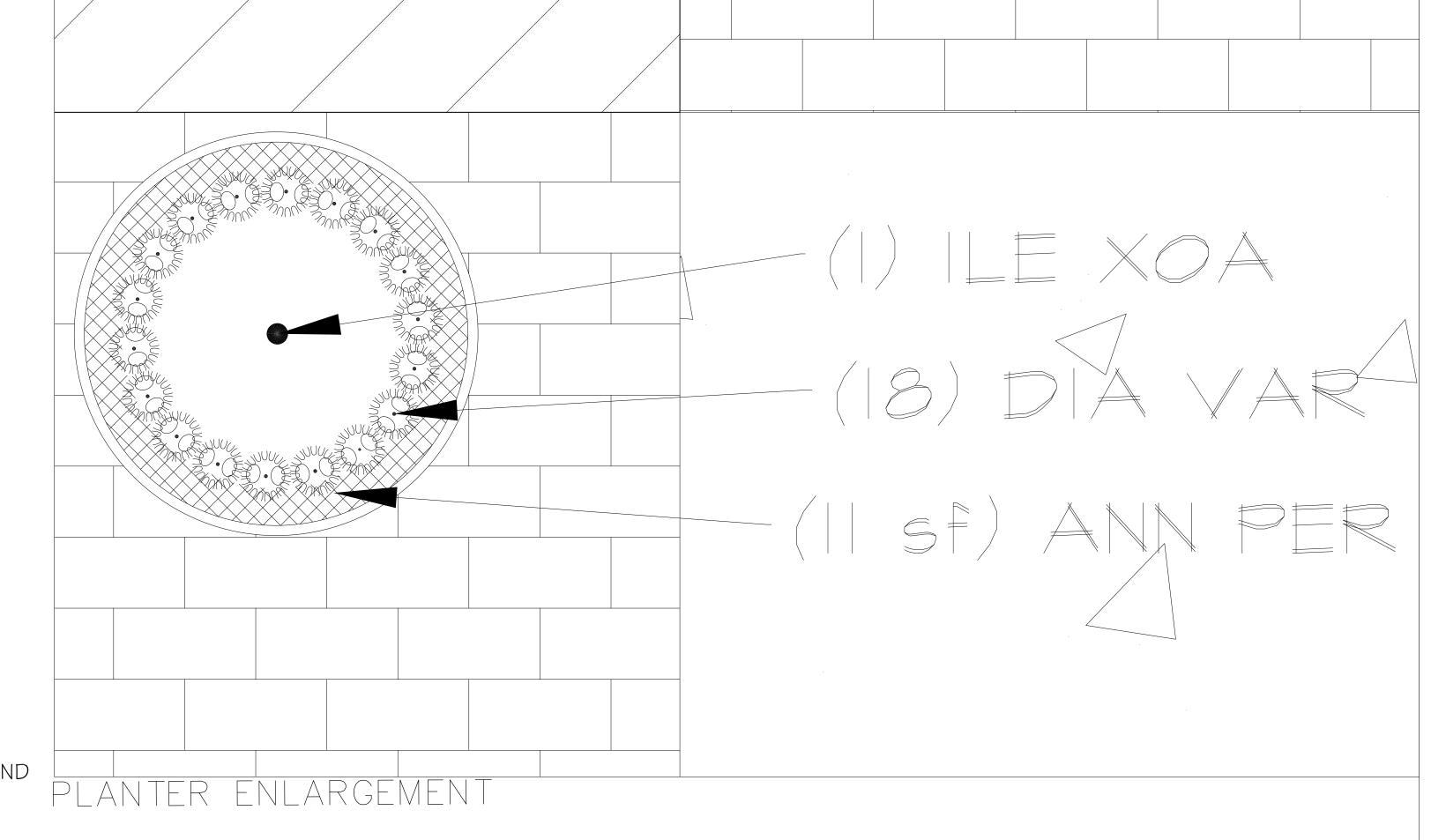
GENERAL NOTES

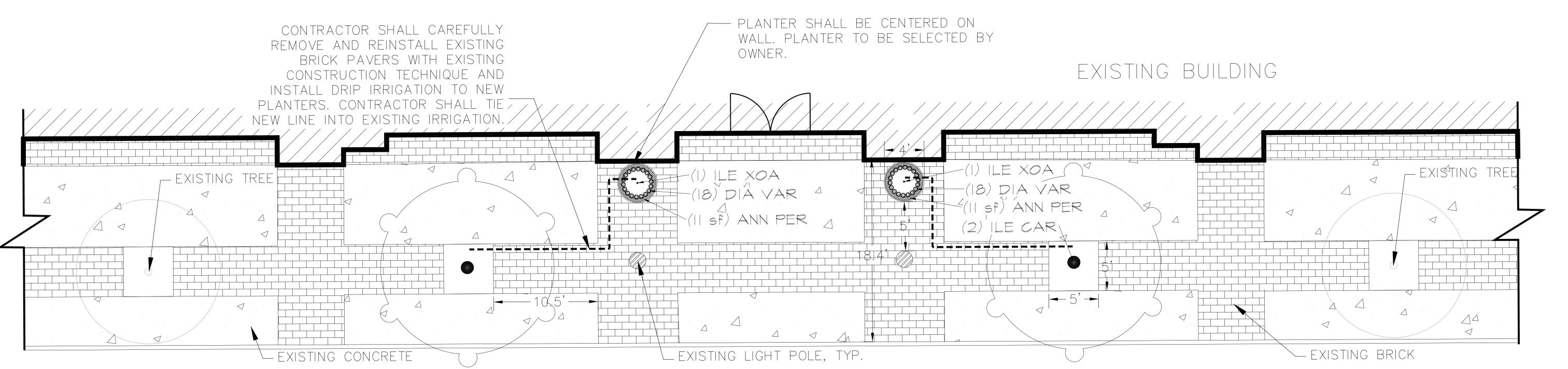
- THE DRAWING IS BASED ON 2020 RICHLAND COUNTY GIS AND FIELD MEASUREMENTS.
- 2. QUANTITIES ARE SHOWN FOR INFORMATION ONLY. THE CONTRACTOR IS RESPONSIBLE FOR HIS OR HER OWN QUANTITIES. IF THERE IS A CONFLICT BETWEEN QUANTITIES AND SPACING, SPACING SHALL PREVAIL.
- 3. ALL NEW TREES, SHRUBS, LAWN, AND GROUNDCOVER SHALL BE MECHANICALLY IRRIGATED.
- 4. ALL TREES AND SHRUBS SHALL BE MULCHED WITHIN TWO DAYS AFTER PLANTING. MULCH SHALL COVER THE AREA OF THE PLANTING PIT, BED, OR SAUCER AROUND EACH PLANT.
- 5. ANY AREA DISTURBED DURING CONSTRUCTION NOT COVERED BY NEW CONSTRUCTION SHALL BE REPLACED WITH EXISTING MATERIAL (BRICK/CONCRETE/ETC.). MATCH EXISTING AT NO ADDITIONAL COST TO THE OWNER.
- 6. ALL PLANTS SHALL MEET THE STANDARDS AND SPECIFICATIONS OF THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION. PLANT SIZE TAKES PRECEDENCE OVER CONTAINER SIZE AS THE MOST DESCRIPTIVE SPECIFICATION.
- 7. PLANTERS SHALL BE FILED WITH SPECIFIED PLANT MIX PER SPECIFICATIONS ON L-2.
- 8. OWNER TO SELECT PLANTER AND COLOR FROM MANUFACTURERS LIST, PRIOR TO CONSTRUCTION. PLANTER: \sim RIMMED 48" wd x 42" ht
 - (http://www.oldtownfiberglass.com/products/standard-planters/cylinders/rimmed/)
 - PLANTERS SHALL HAVE A MANUFACTURER WATERPROOF LINER INSTALLED IN PLANTER. "INTERNAL RESERVOIR" THE PLANTER SHALL BE PURCHASED FROM OLD TOWN FIBER GLASS
 - SC SALES REP: PAUL JACKSON (EMAIL): PAUL@SITEINNOVATION.NET (T): (704) 814-0603 (M): (704) 301-7319
- 9. PLANT OPTIONS FOR ANNUALS:

FALL/WINTER PLANT OPTIONS: TRAILING PANSIES, ORNAMENTAL CABBAGE, HEUCHERA (CORAL BELLS), SWISS CHARD, VIOLAS

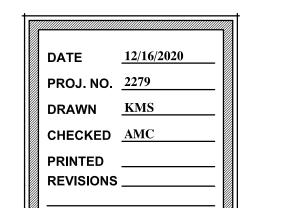
SPRING/SUMMER PLANT OPTIONS: DUSTY MILLER, VINCA, SUN PATIENTS, SNAP DRAGONS, PURPLE SWEET POTATO VINE

10. CONTRACTOR SHALL SUBMIT A TEMPORARY ENCROACHMENT PERMIT PRIOR TO CONSTRUCTION. PERMIT CAN BE FOUND AT (https://www.columbiasc.net/development-inspections/encroachments). CONTRACTOR MUST HAVE CERTIFICATE OF INSURANCE.



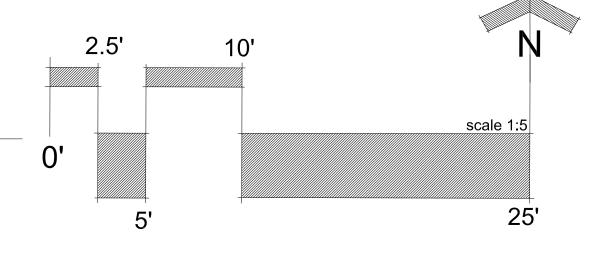


GERVAIS STREET

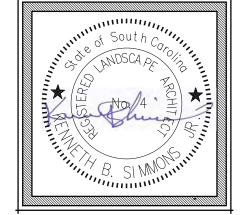


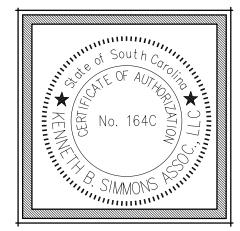
SC Municipal Association

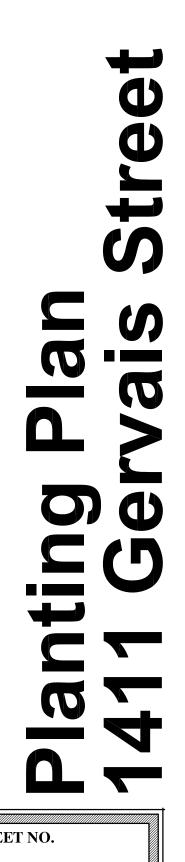
Columbia, SC



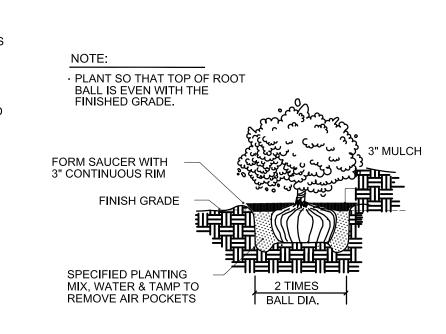






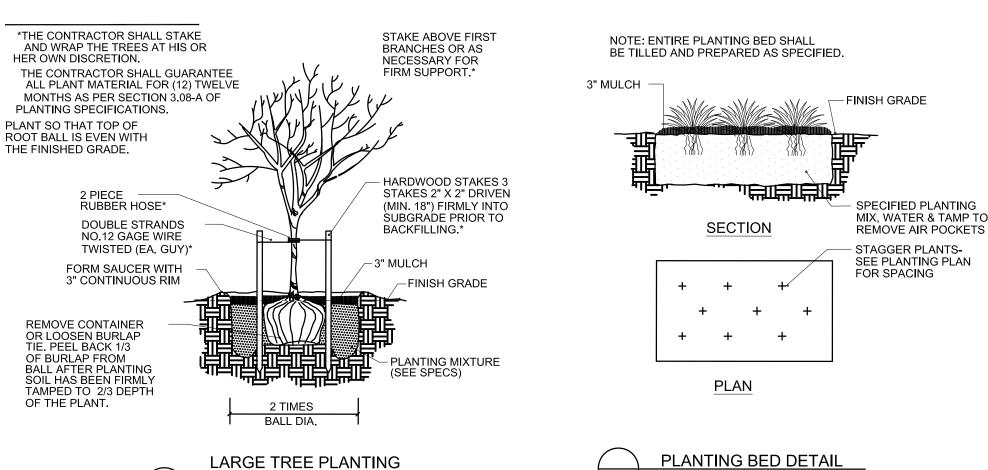


AND STAKING DETAIL



not to scale

SHRUB PLANTING DETAIL



SECTION 02830-PLANTING PART 1 - GENERAL:

1.01 - SCOPE

The Contractor shall furnish all material and labor necessary for the installation of trees and shrubs, plus maintenence, guarantee and replacement of plants. Furnish a unit price for each plant type (installed complete) for the purpose of adding or deleting plants.

PART 2 - PRODUCTS:

Test topsoil for pH and correct.

2.02 - TOPSOIL TO BE FURNISHED

If sufficient topsoil is not available on site, the Contractor shall furnish all topsoil required to install all work shown. Provide a soil analysis. Topsoil to have a "high" rating in each basic nutrients tested and a pH ranging from 6.0 to 6.5. Necessary additives to be incorporated to bring the soil up to standards specified.

2.03 - BASIC SLAG AND AGRICULTURAL SULPHUR Basic slag and agricultural sulphur (for correcting the soil pH) to be

2.04 - COW MANURE

Cow manure heat treated, weed seed free, and commercially bagged.

2.05 - COMMERCIAL FERTILIZER

standard grade.

Commercial fertilizer to be 16-4-8 (50% organic) formula and conform to the applicable laws. It shall be uniform in composition, and be delivered to the site in the original unopened containers.

Peat shall be partially decomposed vegetable matter. It shall be brown, clean, low in mineral and woody material, mildly acid and granulated or

Pine straw baled clean, weed free. Bales to be stored off the ground.

Use the owner's water prudently, if available. Furnish all necessary hoses and accessories for irrigation.

2.09 - PLANT MATERIALS

Plants are shown on the drawings with sizes and spacing.

B. NOMENCLATURE

The names of plants required under this Contract conform to those given in Standard Plant Names, prepared by American Joint Committee on Horticulture Nomenclature.

C. QUANTITIES

Quantities necessary to complete the planting are to be determined by the Contractor. The quantities shown on the plans are for information only.

D. QUALITY AND SIZE

Plants shall have a habit of growth that is normal for the species and free from pests, diseases, and injuries. Requirements for plants follow the standards currently recommended by the American Association of

E. SUBSTITUTION

Substitution will be permitted only upon submission of proof that plants are not obtainable within four hundred (400) miles of the site.

2.10 - TYPE OF PROTECTION TO ROOTS

A. Plants designated "B&B" in the plant list are balled and burlapped. B. Container grown plants may be substituted in lieu thereof.

2.11 - SAMPLES, TESTS, AND INSPECTIONS

A. NOTICE OF SOURCES Within ten (10) days following acceptance of the bid, the Owner shall be notified of the sources of the materials required.

B. TOPSOIL TO BE FURNISHED

The Owner reserves the right to inspect the topsoil to be furnished.

The Contractor is responsible for all certificates of inspection that may be required by Federal, State, or other authorities.

PART 3 - EXECUTION:

3.01 - TIME OF PLANTING

The Contractor will be notified when he can start work. At the option and on the full responsibility of the Contractor, planting operations may be conducted under unreasonable conditions without additional compensation.

Plant material shall be sprayed as needed to control diseases and pest.

3.03 - PRUNING AND REPAIR

Upon completion of the work, all trees and shrubs shall be pruned only as needed. All cuts shall be made flush.

3.04 - OBSTRUCTION BELOW GROUND OR OVERHEAD

A. Where these conditions are encountered and where obstructions cannot be removed and where trees are found to be under overhead wires, other locations will be designed.

B. Removal of obstructions, relocation of construction and provision of drainage for planting shall be done only as directed. If changes in the location of the work, or if the removal of obstructions involves additional work, the Contractor shall not proceed until authorized.

3.05 - NEW PLANTING

New planting to be located where shown on the plans. B. PLANTING PITS

Circular pits excavated for all plants except for hedge and plants to be planted in beds. Diameter of pits for plant material two feet (2') greater than the diameter of the ball. The depth of pits for trees and shrubs shall be deep enough to accommodate the ball when the plant is set to finished grade allowing for compacted planting mixture in the bottom of the

Subsurface drains have not been included as part of the project; therefore, the Contractor is to make such percolation tests as necessary to determine if subsurface drainage conditions are so poor as to support moisture conditions fatal to plantings. The following procedure is recommended.

1. Wait at least twenty—four (24) hours after rain and dig test pit twelve inches (12") square or twelve and one—half inches (12 1/2") in diameter to depth of bottom of plant bed, trench or pit; remove all loose soil (if standing water is visible, notify the Owner).

2. Quickly fill bottom with six inches (6") of water (approximately three and one-fourth (3 1/4) gallons).

3. Record length of time from filling until disappearance of water and divide number of minutes by six (6) to give average time of one inch (1") fall.

4. Compare one inch (1") fall time with the following table: One inch (1) in zero to three (0-3) minutes indicates rapid absorption. One inch (1) in three to five (3-5) minutes indicates medium absorption. One inch (1") in five to thirty (5-30) minutes indicates slow absorption. One inch (1") in over sixty (60) minutes indicates impervious soil.

5. If test indicates soil to be semi-impervious or impervious, notify the Owner before proceeding.

6. If the Contractor does not make tests at representative locations and file results with the Owner, or if he plants in areas shown to have poor drainage without a written release, he shall be liable for any guaranteed replacements due to subsurface water damage.

D. PLANTING MIXTURE

Soil used in planting to be topsoil mixed with one (1) part peat and one (1) part manure to five (5) parts soil. Very poor soils shall not be used. Except for ericaceous plants, very acid or sour soil (having a pH of less than six (6)) to be thoroughly mixed with sufficient slag to produce a slightly acid reaction (a pH of six to six point five (6.0-6.5)). Soil used in planting to be thoroughly mixed with five (5) pounds of 16-4-8 (50% organic) formula commercial fertilizer per cubic yard.

Excess excavated soil from planting operations to be disposed of.

F. SETTING PLANTS

All plants planted in pits, centered, and set on compacted planting mixture to such a depth that the finished grade level at the plant after settlement will be the same as that at which the plant was grown. Wire and binding to be removed from around the trunk of the plant. Planting mixture placed and compacted carefully to avoid injury to roots. Fill the hole to finished grade and form a saucer around each plant.

All plants mulched with a three inch (3") layer of pine straw within two (2)days after planting. Mulch to cover the area of the planting pit, bed, or saucer around each plant.

3.06 - MAINTENANCE

Maintenance to begin immediately following the last operation of installation for each plant and continue in accordance with the following requirements: New planting to be protected and maintained until installation of planting is complete plus a minimum of ninety (90) days. Maintenance includes watering, weeding, cultivating, mulching, removal of dead material, reinserting plants to proper grades and restoration of the planting saucers.

3.07 - INSPECTION FOR ACCEPTANCE

A. INSPECTION

Inspection of the work of planting will be made at the conclusion of the maintenance period.

B. ACCEPTANCE

After inspection, the Contractor will be notified of acceptance of all work, exclusive of the possible replacement of plants subject to guarantee, or the requirements for completion of the work.

3.08 - PLANT GUARANTEE AND REPLACEMENT

A. GUARANTEE

Plants shall be guaranteed for one (1) year from the substantial completion of the planting and shall be alive and in satisfactory growth at the end of the

B. REPLACEMENT

At the end of the guarantee period an inspection will be made. Any plant that is dead or not in satisfactory growth shall be removed. These and any plants missing, due to the Contractor's negligence, shall be replaced.

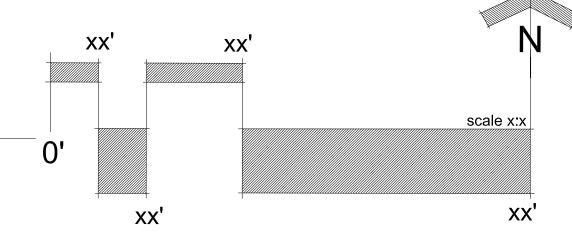
All replacements shall be plants of the same kind and size as specified. They shall be furnished and planted as specified under New Planting. The cost of such replacements shall be by the Contractor.

END OF SECTION

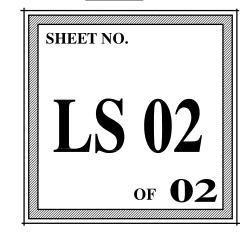
*NOTE: REFER TO PLANT LIST FOR PROPER DETAIL OF EACH PLANT MATERIAL.

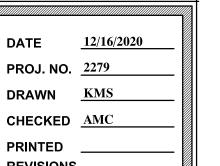
SC Municipal Association

Columbia, SC









PRINTED

REVISIONS _