

ORDINANCE NO.: 2021-049

Granting an encroachment to the South Carolina Department of Transportation for the use of the right of way area of the 900 block of College Street for the installation and maintenance of a privacy fence enclosure, steps, walkways, access drive, and irrigation adjacent to 955 Park Street, Richland County TMS#08916-08-01

WHEREAS, the South Carolina Department of Transportation of South Carolina (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 900 block of College Street adjacent to 955 Park Street, Richland County TMS#08916-08-01, for the installation and maintenance of a privacy fence enclosure measuring approximately eight (8') feet in height, twenty-seven (27') feet in width and fifteen (15') feet in length; a concrete walkway with steps measuring approximately four (4') feet in width and fifteen (15') feet in length; a concrete access drive measuring approximately eighteen (18') feet in width and twenty-five (25') feet in length; landscaping and irrigation, 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 3rd day of August, 2021, that Grantee is hereby granted the right to use the right of way areas of the 900 block of College Street adjacent to 900 block of College Street adjacent to 955 Park Street, Richland County TMS#08916-08-01, for the installation and maintenance of a privacy fence enclosure measuring approximately eight (8') feet in height, twenty-seven (27') feet in width and fifteen (15') feet in length; a concrete walkway with steps measuring approximately four (4') feet in width and fifteen (15') feet in length; a concrete access drive measuring approximately eighteen (18') feet in width and twenty-five (25') feet in length; landscaping 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 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.

8. Fencing materials must be reviewed and approved by the Design Development Review Commission staff.

9. Chain link fencing is not allowed; black metal picket is preferred with fabric for privacy is permitted.

10. Screening must be opaque.

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:

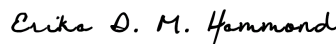
ATTEST:



City Attorney

Introduced: 7/20/2021

Final Reading: 8/3/2021



City Clerk

**CITY COUNCIL
ENCROACHMENT SUMMARY
2021-049**



**900 BLOCK OF COLLEGE STREET ADJACENT TO 955 PARK STREET
PLANTERS AND IRRIGATION, FENCE ENCLOSURE, STEPS, WALKWAYS,
ACCESS DRIVE, AND IRRIGATION**

Subject Property:	Right-of-way adjacent to 955 Park Street
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of planters and irrigation.
Applicant:	South Carolina Department of Transportation
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of a privacy fence enclosure measuring approximately eight (8') feet in height, twenty-seven (27') feet in width and fifteen (15') feet in length; a concrete walkway with steps measuring approximately four (4') feet in width and fifteen (15') feet in length; a concrete access drive measuring approximately eighteen (18') feet in width and twenty-five (25') 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. 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. 8. Fencing materials must be reviewed and approved by the Design Development Review Commission staff. 9. Chain link fencing is not allowed; black metal picket is preferred with fabric for privacy is permitted. 10. Screening must be opaque.
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CITY AGENCY COMMENTS FOR ENCROACHMENT

Lucinda Statler, Planning Department	<p>Recommend approval with the condition:</p> <ol style="list-style-type: none"> 1. Fencing materials must be reviewed and approved by the Design Development Review Commission staff. 2. Chain link fencing is not allowed; black metal picket is preferred with fabric for privacy is permitted.
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Robert Anderson, Street Division	Recommend approval.
Denny Daniels, Columbia Water Engineering	Recommend approval.
Andrew Ritter, Traffic Engineering	Recommend approval.
Caleb King, Forestry Division	Recommend approval.
Johnathan Chambers, Land Development	Recommend approval with condition: 1. Screening must be opaque.
Kris Scott, Fire Department	Recommend approval.

City of Columbia

SCDOT Encroachment



Wednesday, May 19, 2021



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.



We Are Columbia



**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 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: April 7, 2021 Property Owner: South Carolina Department of Transportation
 Business Name/Applicant's Name if different than owner: Roger D. Sears, Capital Improvements Manager
 Contact Information: Telephone Number: (803) 737-1298 Fax Number: *(803) 737-1542
 Mailing address: 955 Park Street; Columbia, SC 29201 E-mail address: searsrd@scdot.org

Business Name/Development Name for Encroachment: South Carolina Department of Transportation
 Encroachment type: Wall Fence Columns Steps Irrigation System 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) 30'x40' 6' or 8' high privacy fence enclosure for trash/recycling area, steps and walk to access area, access drive, and irrigation system for lawn.
 Construction material: Steel fence, concrete steps and sidewalk.

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:

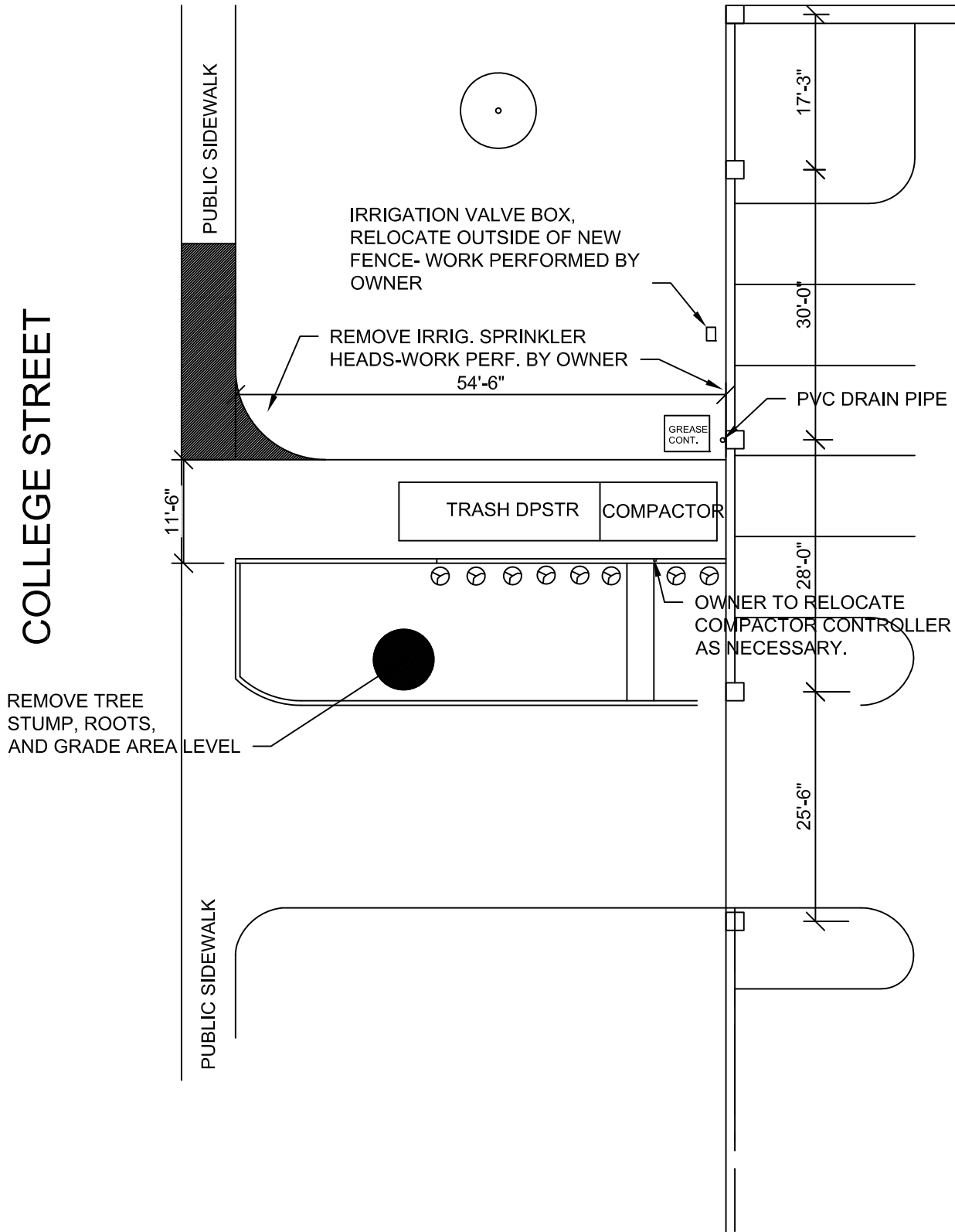
I acknowledge that any changes made to the business, hours, use of the encroachment area, or items allowed within the encroachment area, to include obtaining a license to sell beer, wine and/or liquor will require an amendment to the encroachment ordinance.

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

COLLEGE STREET



TRASH/RECYCLING AREA DEMOLITION PLAN

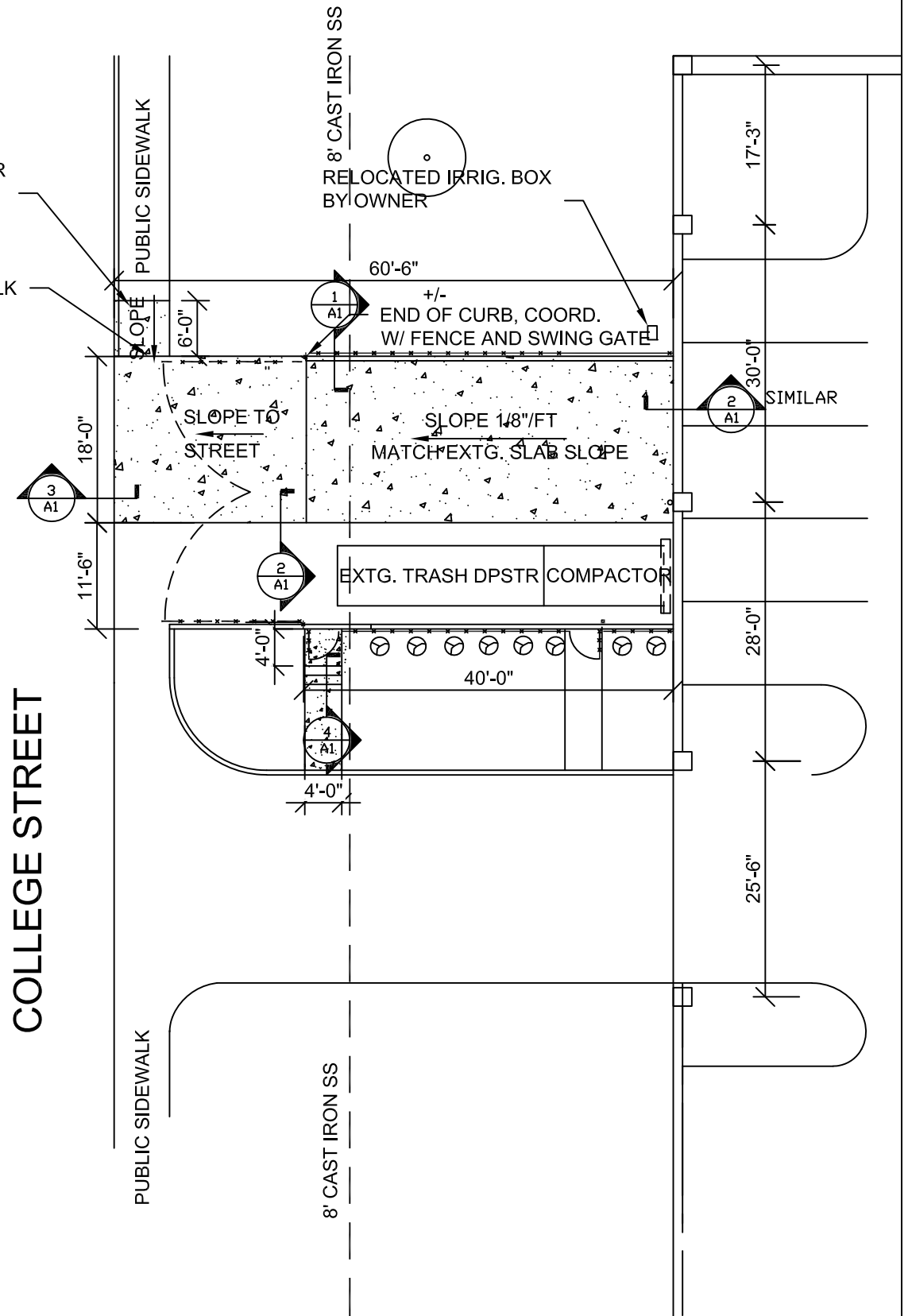
SCALE: 1/16"=1'-0"



NOTE:
 SEE ENLARGED SIDEWALK
 DETAIL 1, SHEET A2.

NEW SIDEWALK & CURB/GUTTER
 TRANSITION TO STREET ELEV.

NEW SLAB LEVEL
 W/ EXTG. SIDEWALK



TRASH/RECYCLING AREA PLAN

SCALE: 1/16"=1'-0"

COLLEGE STREET

NEW SIDEWALK BEGINS & CURB/GUTTER
STARTS & TRANSITION TO GUTTER ELEV.

1'-6" 6" 5'-6"

NEW SLAB LEVEL
W/ EXTG. SIDEWALK

SLOPE

6'-0"

NEW CONCRETE SIDEWALK CROSS SLOPE 1:48 MAX

GUTTER LOCATION

SLOPE CONC. TOWARDS GUTTER

SLOPE TO
STREET

18'-0"

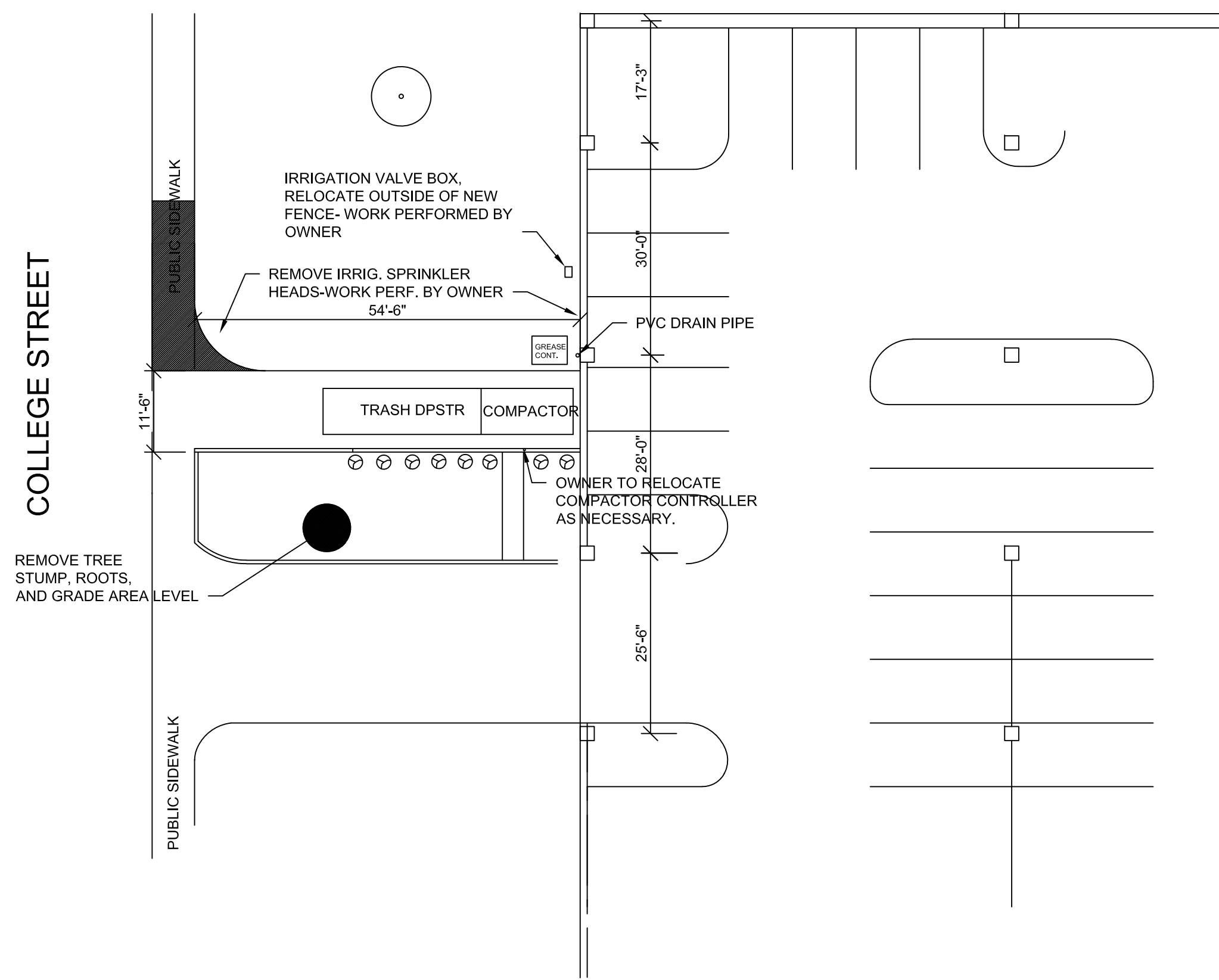
EXISTING PUBLIC SIDEWALK

NOTE: CONTRACTOR MUST COMPLY WITH THE CITY OF
COLUMBIA SPECIFICATIONS AND CONSTRUCTION
REQUIREMENTS FOR WORK WITHIN THE CITY
RIGHT OF WAY TO INCLUDE TRAFFIC CONTROL.

ENLARGED SIDEWALK PLAN

1/8" = 1'-0"





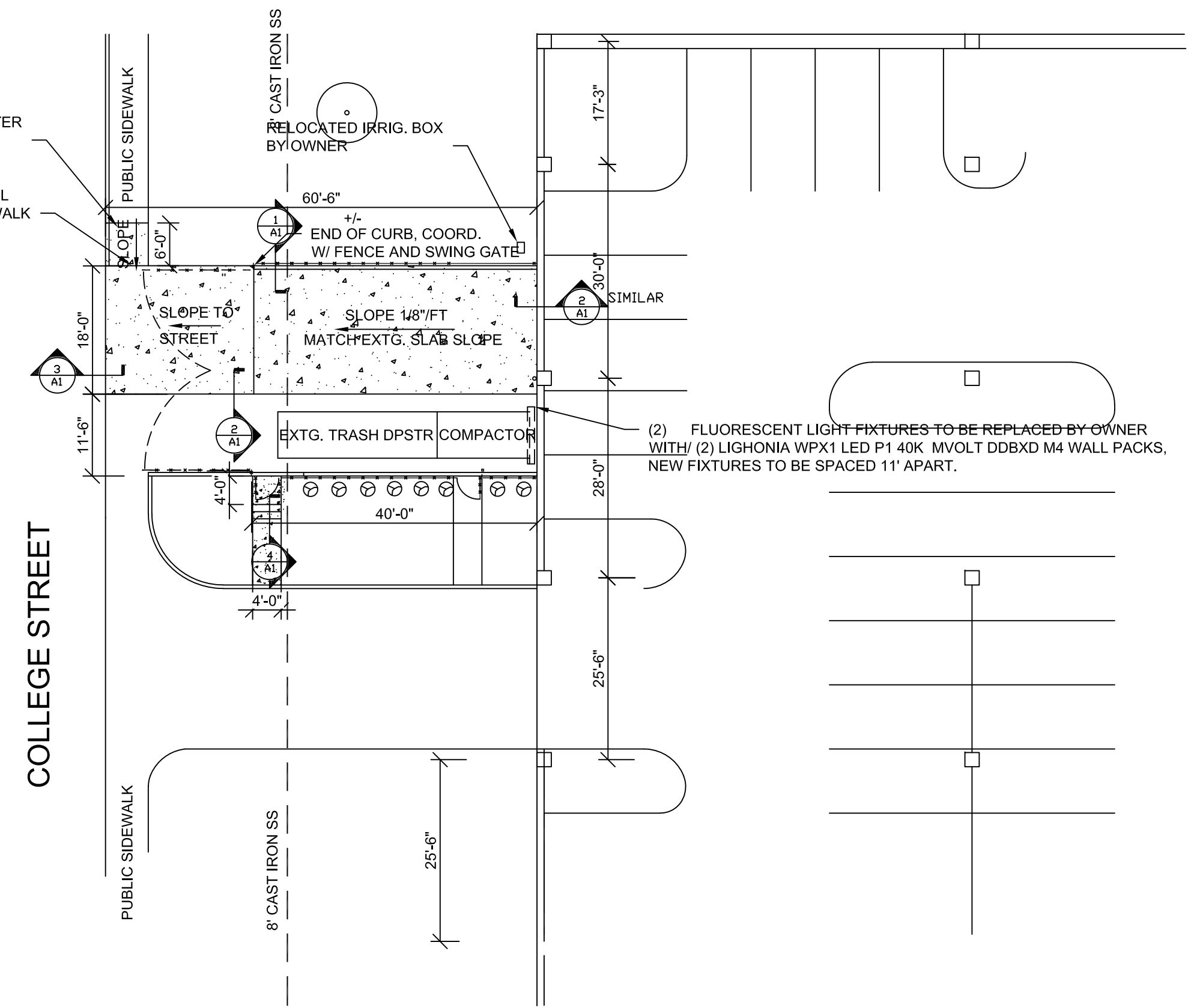
TRASH/RECYCLING AREA DEMOLITION PLAN

SCALE: 1/16"=1'-0"

NOTE:
 SEE ENLARGED SIDEWALK
 DETAIL 1, SHEET A2.

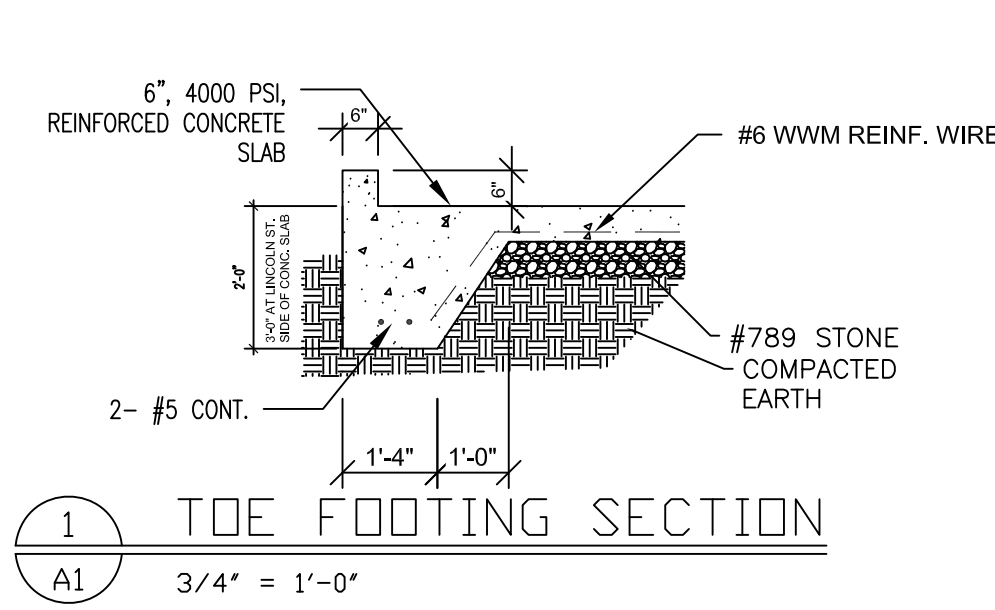
NEW SIDEWALK & CURB/GUTTER
 TRANSITION TO STREET ELEV.

NEW SLAB LEVEL
 W/ EXTG. SIDEWALK

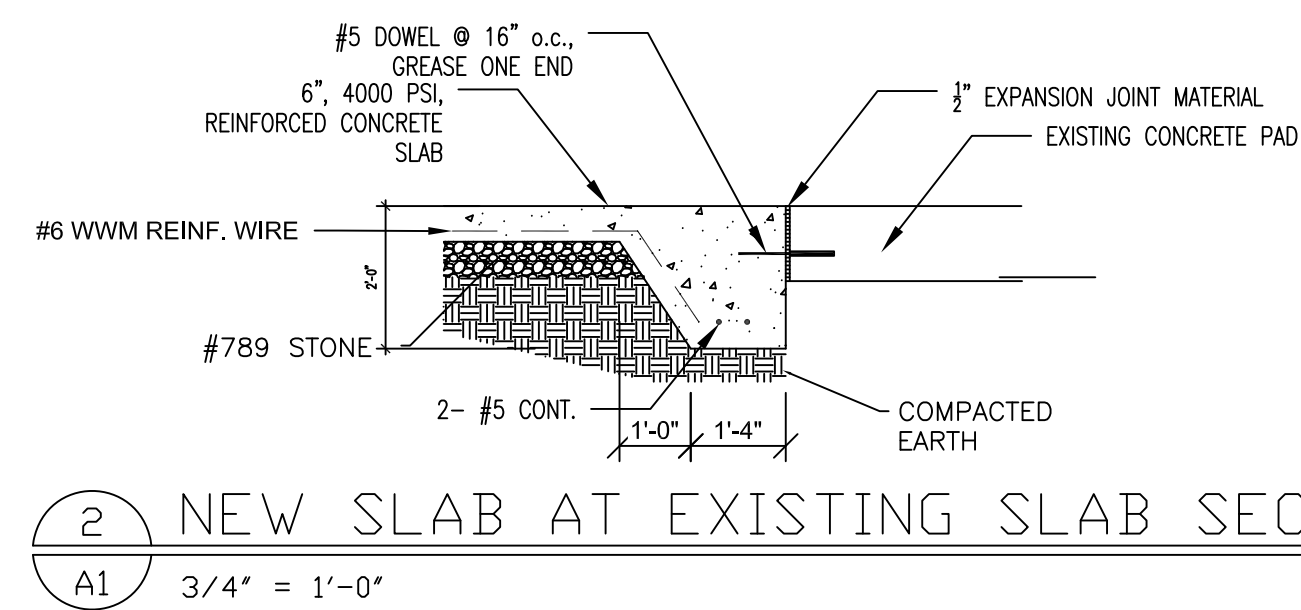


TRASH/RECYCLING AREA PLAN

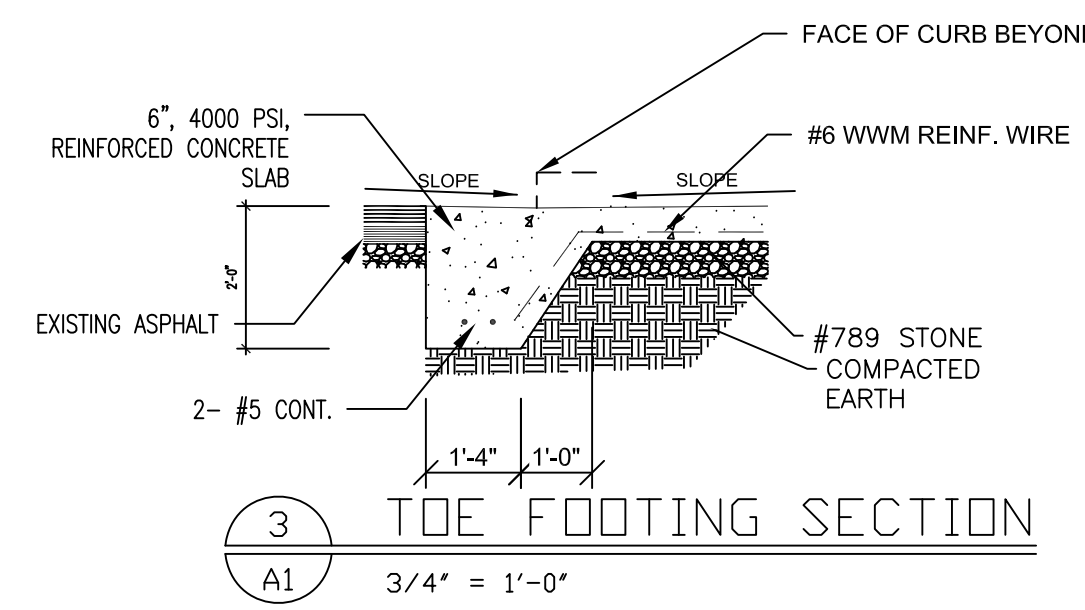
SCALE: 1/16"=1'-0"



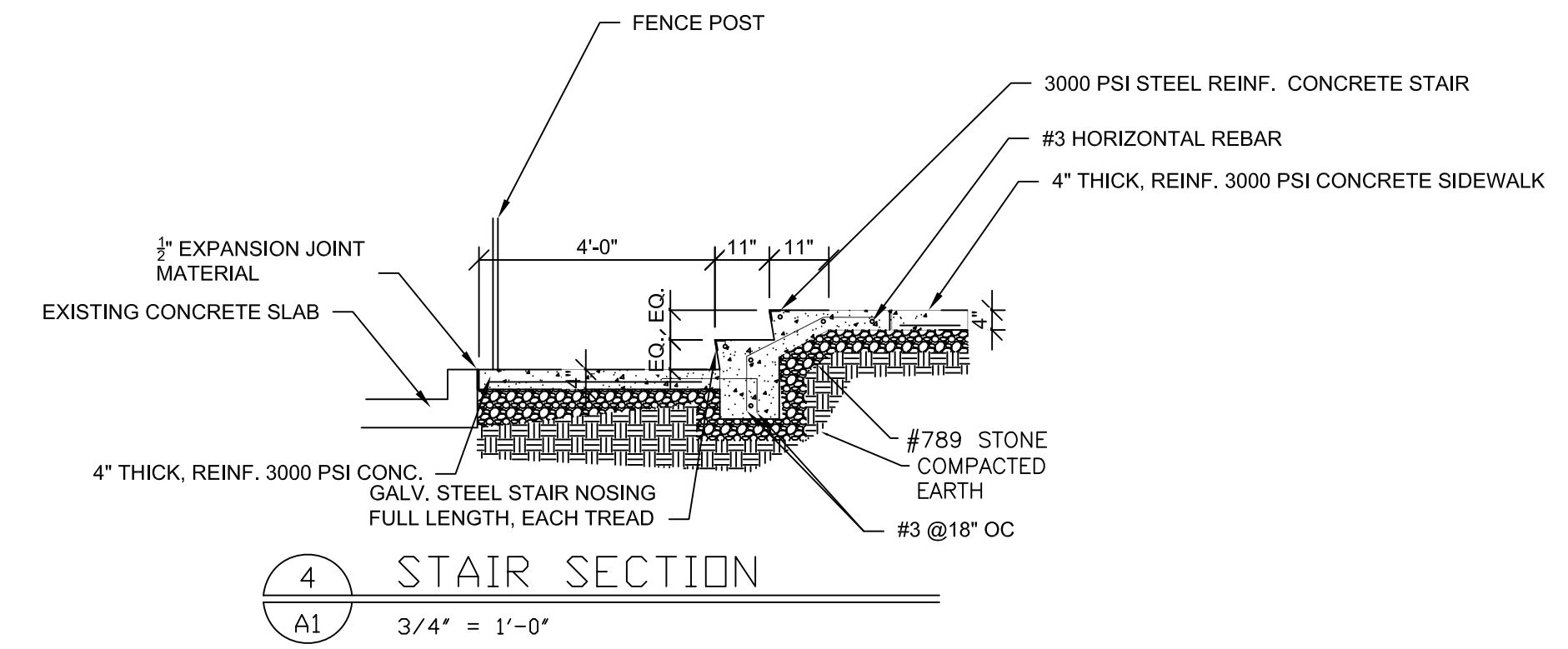
1 TOE FOOTING SECTION
 A1 3/4" = 1'-0"



2 NEW SLAB AT EXISTING SLAB SECTION
 A1 3/4" = 1'-0"



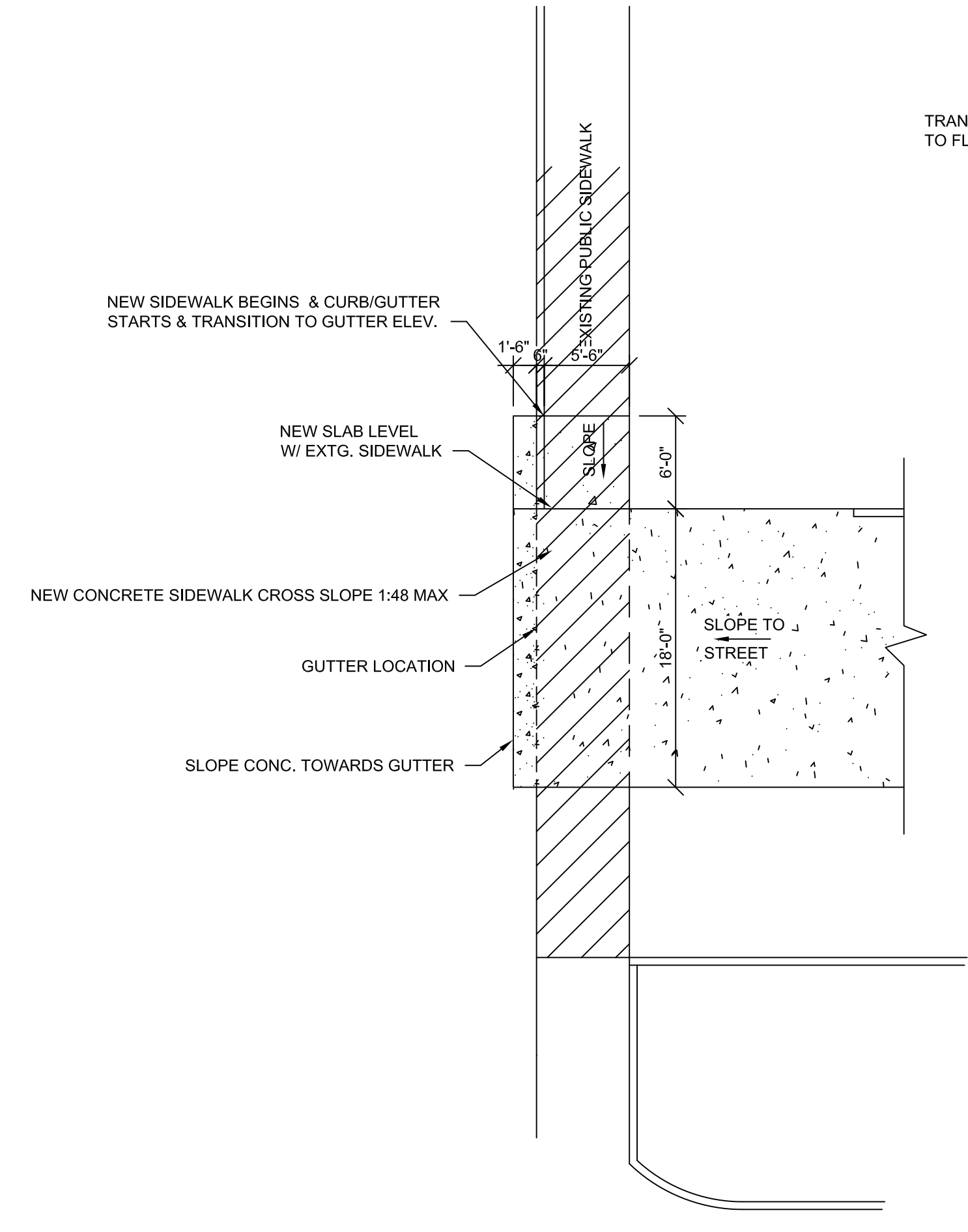
3 TOE FOOTING SECTION
 A1 3/4" = 1'-0"



4 STAIR SECTION
 A1 3/4" = 1'-0"

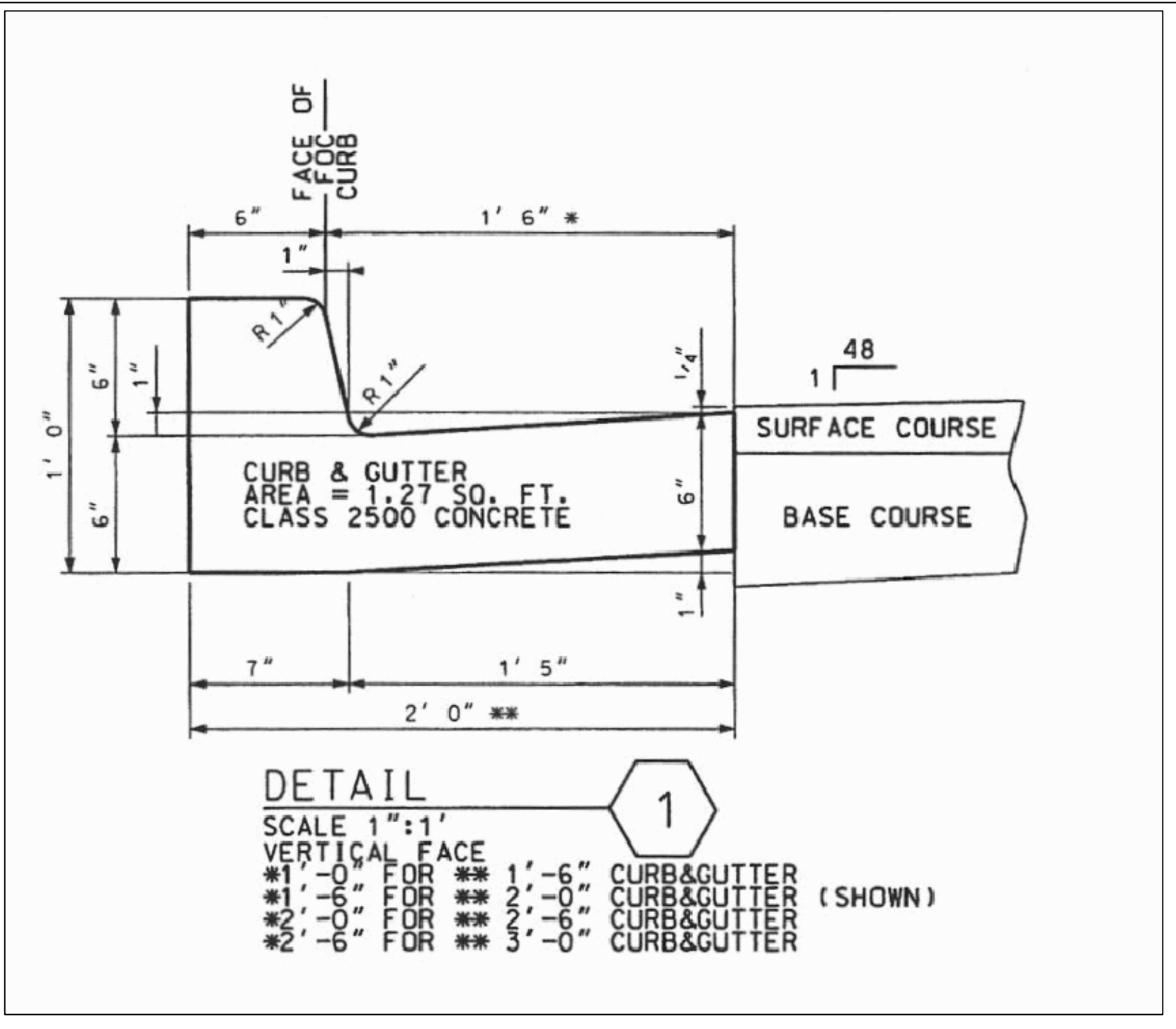
NOTE: AFTER GRADING, OWNER AND CONTR.
 WILL VERIFY NUMBER OF TREADS
 REQUIRED.

COLLEGE STREET



1 ENLARGED SIDEWALK PLAN
A2 1/8" = 1'-0"

TRANSITION CURB FROM 6" TO FLUSH WITH GUTTER AT NEW ENTRY DRIVE



1 STANDARD CURB & GUTTER
A1 NOT TO SCALE

NOTE: CONTRACTOR MUST COMPLY WITH THE CITY OF COLUMBIA SPECIFICATIONS AND CONSTRUCTION REQUIREMENTS FOR WORK WITHIN THE CITY RIGHT OF WAY TO INCLUDE TRAFFIC CONTROL.

Drawn: REVISED	Checked:
File:	Project No.: