

ORDINANCE NO: 2013-114

ORIGINAL
STAMPED IN RED

Granting encroachment to the South Carolina Department of Transportation for installation and maintenance of a landscaping and an irrigation system in the right of way areas of the 900 block of Park Street, 900 block of College Street and 900 block of Pendleton Street adjacent to the 955 Park Street, Richland County TMS #08916-08-01

WHEREAS, the South Carolina Department of Transportation (hereinafter "Grantee") desires to utilize a portion of the right of way areas of the 900 block of Park Street, 900 block of College Street and 900 block of Pendleton Street adjacent to its building at 955 Park Street for installation and maintenance of landscaping and an irrigation system, as shown on the attached drawings; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the sidewalk 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 19th day of November, 2013, that Grantee, its successors and assigns, is hereby granted the right of way areas of the 900 block of Park Street, 900 block of College Street and 900 block of Pendleton Street adjacent to its building at 955 Park Street for installation and maintenance of landscaping and an irrigation system, as shown on the attached drawings.

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 may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns.

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 Grantee.
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:

South Carolina Department of
Transportation



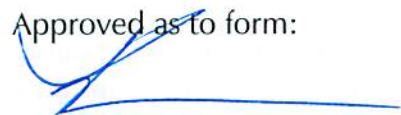
Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:


City Clerk

Introduced: 11/12/2013
Final Reading: 11/19/2013

**CITY COUNCIL
ENCROACHMENT SUMMARY
2013-114**



**900 BLOCK OF PARK STREET,
900 BLOCK OF COLLEGE STREET AND 900 BLOCK OF PENDLETON STREET
ADJACENT TO 955 PARK STREET
LANDSCAPING AND IRRIGATION**

Subject Property:	Right-of-way adjacent to 900 block of Park Street, 900 block of College Street and 900 block of Pendleton Street adjacent to the 955 Park Street, TMS #08916-08-01
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of landscaping and irrigation
Applicant:	South Carolina Department of Transportation
Staff Recommendation:	Approval

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of landscaping and an irrigation system, as shown on the attached drawings.</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, sidewalk and streets and/or creating hazardous conditions upon 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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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.

DEPARTMENT	PHONE	FAX	E-MAIL	CONTACT
Development Services (Administration)	803-545-3333	803-545-3330	knhampton@columbiasc.net	Krista Hampton
Development Services (Land Development)	803-545-3222	803-545-3222	johnleethibey@columbiasc.net	Nancy Lee Thibey
Development Services (Planning)	803-545-3222	803-545-3222	nthibey@columbiasc.net	John Follows
Development Services (Planning)	803-545-3222	803-545-3222	jsellows@columbiasc.net	Brian Cook
Development Services (Zoning)	803-545-3420	803-545-3420	kbcook@columbiasc.net	Jerry Thompson
Development Services (Building Inspections)	803-545-3420	803-545-3420	jlinton@columbiasc.net	Fanessa Prickney
Development Services (Permits)	803-545-3420	803-733-8699	lilinton@columbiasc.net	Amy Moore
Development Services (Historic Preservation)	803-545-3222	803-733-8699	lilinton@columbiasc.net	Joey Jacob
Utilities & Engineering (Administration)	803-545-3400	803-988-8199	lilinton@columbiasc.net	Dana Higgins
Utilities & Engineering (Construction Management)	803-545-3772	803-545-4130	lilinton@columbiasc.net	Robert Arderson
Public Works (Administration)	803-545-3780	803-733-8648	lilinton@columbiasc.net	Robert Sweet
Public Works (Traffic Engineering)	803-545-3850	803-733-8648	lilinton@columbiasc.net	David Brewer
Public Works (Forestry & Beautification)	803-545-3850	803-733-8648	lilinton@columbiasc.net	Sara Holler
Public Works (Solid Waste)	803-545-3800	803-733-8648	lilinton@columbiasc.net	John Hooks
Columbia Development Corporation	803-988-8040	803-733-8648	lilinton@columbiasc.net	Fred Delk
Risk Management	803-733-8306	803-733-8245	lilinton@columbiasc.net	Chip Timmons
Fire Department	803-545-3701	803-401-8839	lilinton@columbiasc.net	George Adams
Fire Department	803-545-3701	803-401-8839	lilinton@columbiasc.net	Gerald Koon
Fire Department	803-545-3701	803-401-8839	lilinton@columbiasc.net	John David Spade



Businesses only: _____ Outdoor dining
 _____ No. of chairs: _____ No. of Tables
 Hours of operation for outdoor dining: _____
 Number of planters: _____ (dimensions - size/material)
 _____ (or complete applicable "Encroachment type" section at
 Other: _____

Church Directional Signs (Must provide picture or drawing of proposed signs that reflect dimensions)
 Location(s) signs are to be placed (i.e., Northeast corner of Main Street)

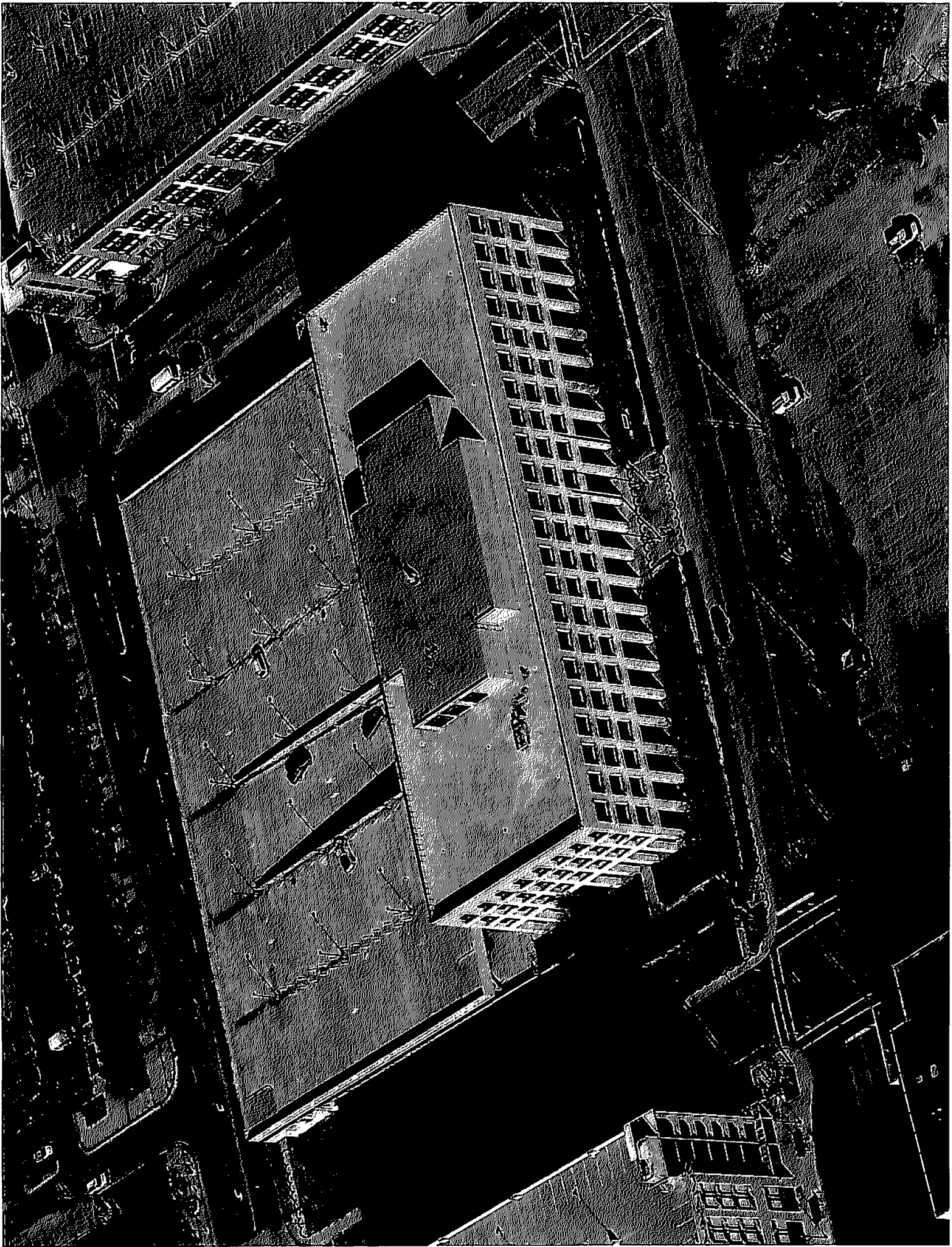
Please provide photographs and drawing or site plan drawn to scale - no larger than 8-1/2 x 11.
 Construction material: _____
 (i.e., 6x42 wooden privacy fence; two 12x4 concrete steps; two 12x12" x24" brick columns; 4x15" brick paver walkway)
 Encroachment type: _____ Wall _____ Fence _____ Columns _____ Steps _____ Irrigation System _____ Landscaping _____ Driveway _____ Pavers
 _____ Walkway/Side walk _____ Underground Utilities _____ other _____
 If Other - specify: _____
 Dimensions (height/width/length): _____

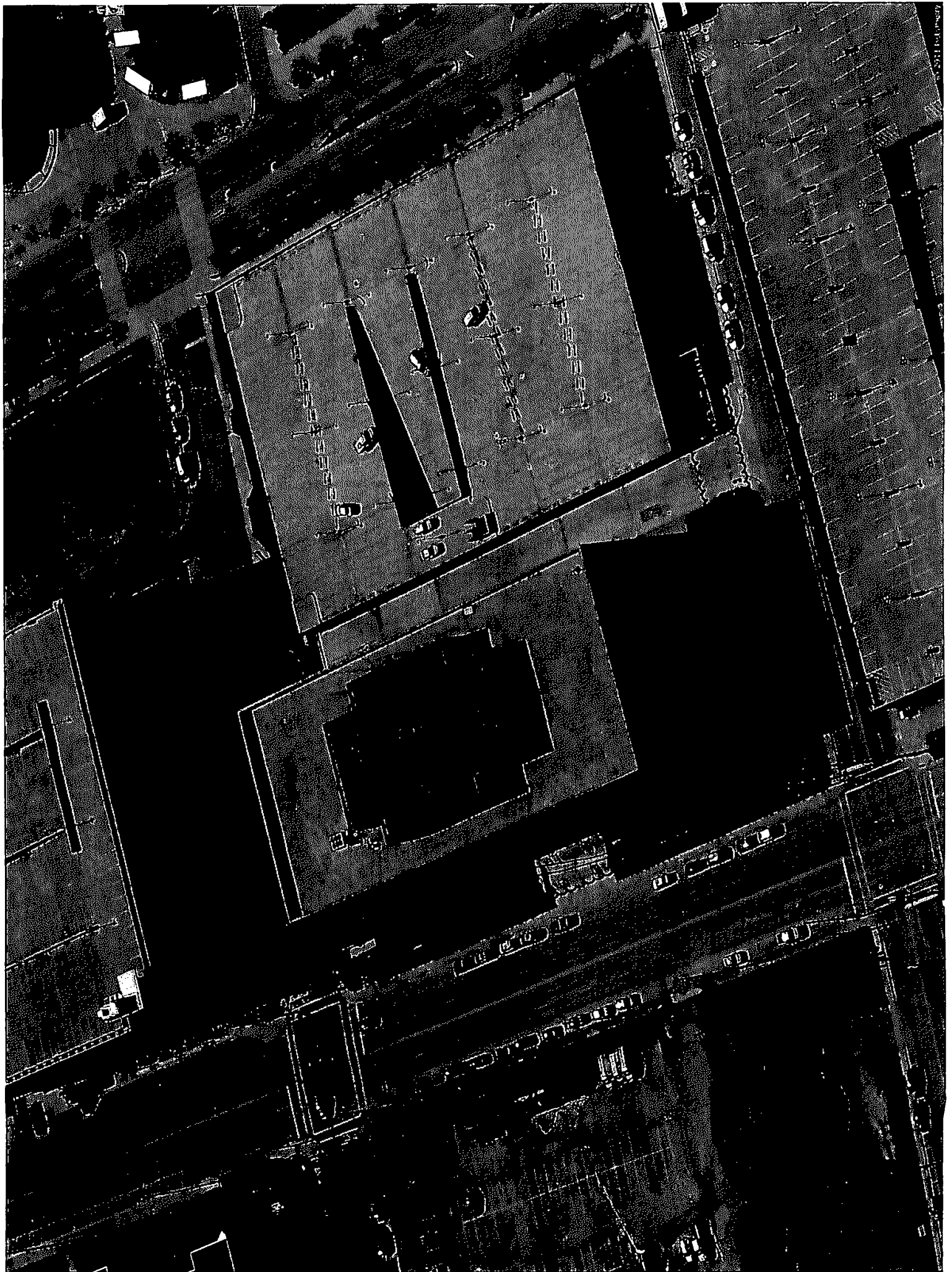
Tax Map Number for Encroachment Location: _____
 Mailing address: _____
 Encroachment Location (Address): _____
 (If corner lot, include name and block number of side street, i.e., 1737 Main Street and 1400 block of Laurel Street)
 Contact Information: Telephone Number: _____
 Property Owner: _____
 Applicant Name (if different from Property Owner): _____
 Date: _____
 Fax Number: _____
 E-mail address: _____

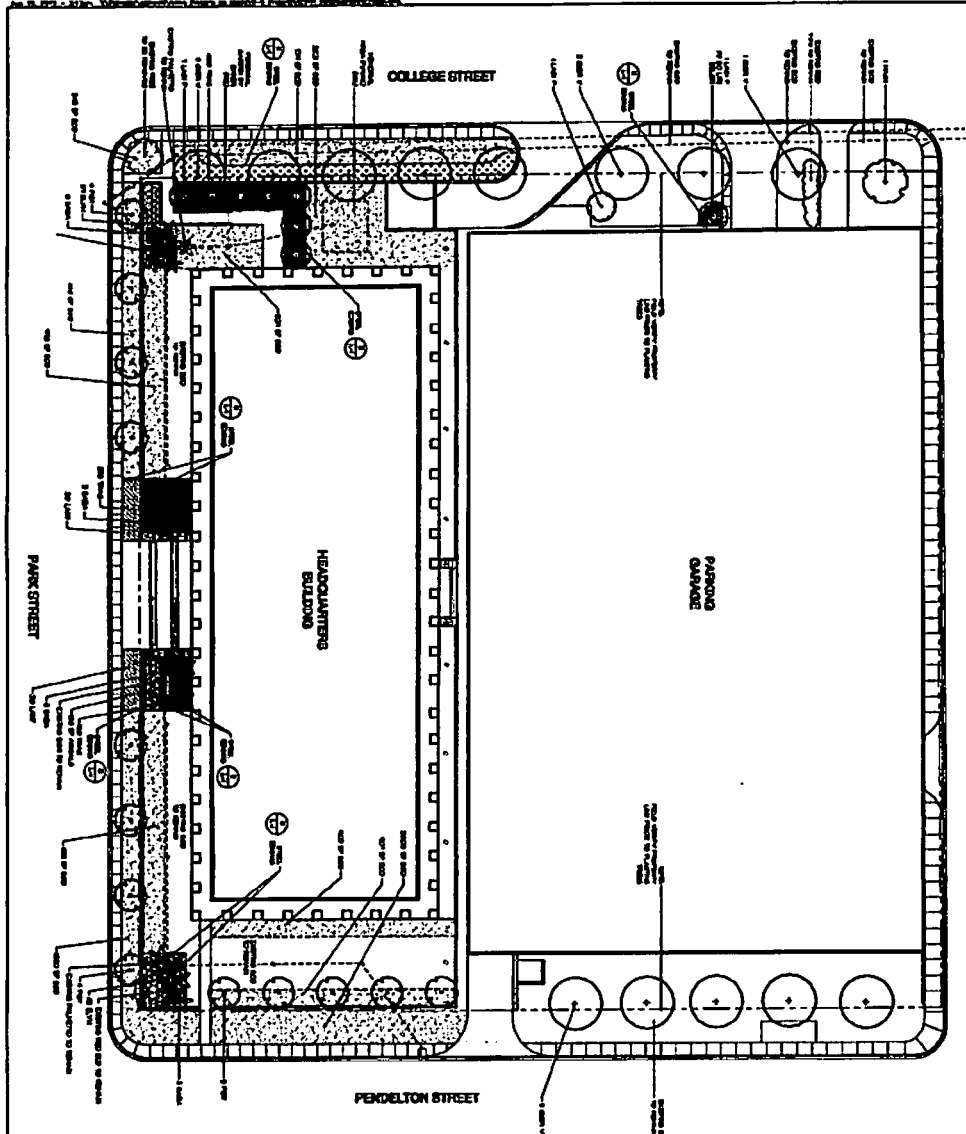
Please complete and submit this form along with any attachments to Shari Ardis by e-mail at stardis@columbiasc.net; fax at 803-737-4250; or mail to Shari Ardis, Legal Department, POB 147 Columbia, SC 29217, for preparation of an encroachment ordinance. Copies to City departments should be directed to the contact person for that department as shown below and not through the Legal Department. Chip Timmons with Risk Management (733-8306 or ctimmons@columbiasc.net) should be contacted regarding the insurance requirements.
 Date: _____
 Property Owner: _____
 Applicant Name (if different from Property Owner): _____
 Contact Information: Telephone Number: _____
 Mailing address: _____
 Encroachment Location (Address): _____
 (If corner lot, include name and block number of side street, i.e., 1737 Main Street and 1400 block of Laurel Street)
 Tax Map Number for Encroachment Location: _____

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 with an encroachment. An encroachment must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and is subject to review and approval by City staff. Encroachment 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. 11-27. 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.

REQUEST FOR AN ENCROACHMENT ORDINANCE

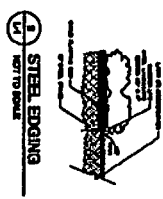
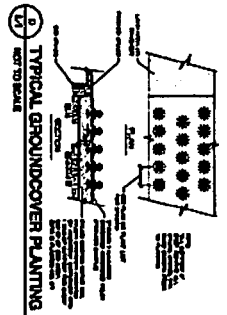
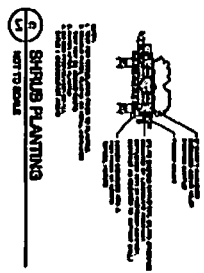
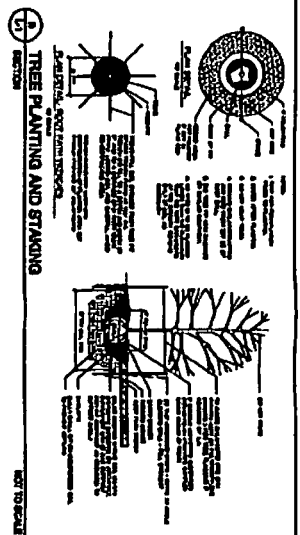
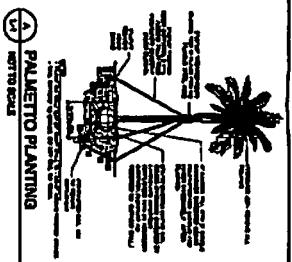






PLANT LIST

NO.	PLANT NAME	QUANTITY	PLANT SIZE	PLANT TYPE	PLANT CODE
1	Palmetto	10	10' x 10'	Tree	PAL
2	Shrub	20	6' x 6'	Shrub	SHR
3	Steel Edging	100	2' x 2' x 1/2"	Edging	STE
4	Typical Groundcover	1000	1' x 1' x 1"	Groundcover	TGC
5	Tree Planting and Staking	10	10' x 10'	Tree	TPS



GENERAL NOTES

1. All planting shall be done in accordance with the SCDOT Standard Specifications for Road and Bridge Construction, Section 200.
2. All trees shall be planted in accordance with the SCDOT Standard Specifications for Road and Bridge Construction, Section 200.
3. All shrubs shall be planted in accordance with the SCDOT Standard Specifications for Road and Bridge Construction, Section 200.
4. All groundcover shall be planted in accordance with the SCDOT Standard Specifications for Road and Bridge Construction, Section 200.
5. All steel edging shall be installed in accordance with the SCDOT Standard Specifications for Road and Bridge Construction, Section 200.

PRELIMINARY

DATE: 11/15/11
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: 1" = 10'

GRIMBALL ASSOCIATES COTTERILL

SCDOT - HEADQUARTERS BUILDING
 Planting Plan

NO.	REVISION