

**ORDINANCE NO. 2013-131**

ORIGINAL  
STAMPED IN RED

*Granting encroachment to the Catholic Charities for installation and maintenance of sod and an irrigation system within the right of way areas of the 1400 block of Pickens Street and the 1500 block of Hampton Street adjacent to its building at 1427 Pickens Street, Richland County TMS #11402-13-05*

WHEREAS, Catholic Charities (hereinafter "Grantee") desires to use a portion of the right of way area of the 1400 block of Pickens Street and 15800 block of Hampton Street adjacent to its building at 1427 Pickens Street, Richland County TMS11402-13-05 for installation and maintenance of sod 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 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 10th day of December, 2013, that Grantee is hereby granted the right to install and maintain sod 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 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

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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, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.

5. All trees shall be protected and no large tree roots shall be removed from any existing trees.

6. Tree species must be reviewed and approved by Forestry and Beautification.

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.

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:

Catholic Charities \_\_\_\_\_

  
\_\_\_\_\_  
MAYOR

Approved by:

  
\_\_\_\_\_  
City Manager

Approved as to form:

  
\_\_\_\_\_  
City Attorney

ATTEST:

  
\_\_\_\_\_  
City Clerk

Introduced: 11/19/2013

Final Reading: 12/10/2013



**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2013-131**



**1400 BLOCK OF PICKENS STREET AND  
1500 BLOCK OF HAMPTON STREET  
ADJACENT TO 1427 PICKENS STREET  
IRRIGATION**

<b>Subject Property:</b>	Right-of-way adjacent to 1400 block of Pickens Street and 1500 block of Hampton Street adjacent to its building at 1427 Pickens Street, TMS#11402-13-05
<b>Council District:</b>	2
<b>Proposal:</b>	The applicant is requesting an encroachment for installation and maintenance of sod and irrigation
<b>Applicant:</b>	Catholic Charities
<b>Staff Recommendation:</b>	Approval

<b>Detail:</b>	<p>The applicant is requesting an encroachment for installation and maintenance of sod 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"> <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. Irrigation must be designed to avoid spraying walkways, sidewalk and streets and/or creating hazardous conditions upon walkways, sidewalks and streets.</li> <li>5. All trees shall be protected and no large tree roots shall be removed from any existing trees.</li> <li>6. Tree species must be reviewed and approved by Forestry and Beautification.</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.





Pickens St

Hampton St





Pickens St

Hampton St

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REQUEST FOR AN ENCROACHMENT ORDINANCE

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 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 homeowners' policy with limits being increased to \$600,000 as required by Sec. 17-27. 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.

Please complete and submit this form along with any attachments to Shan Ards by e-mail at [darid@columbiasc.net](mailto:darid@columbiasc.net); fax at 803-737-4250; or mail to Shan Ards, Legal Department, POB 142 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 [cattimmons@columbiasc.net](mailto:cattimmons@columbiasc.net)) should be contacted regarding the insurance requirements.

Date: 11-11-13  
 Property Owner: CATHOLIC CHARITIES  
 Applicant's Name: SOUTHERN VISIONS, INC.  
 Contact Information: Telephone Number: 803-609-0559 Fax Number: 803-256-0554  
 Mailing address: 2825 COMMERCE DR. CATH. CH. 29205  
 Encroachment Location (Address): 1421 PICKENS ST. COL. SC 29201  
 (If corner lot, include name and block number of side street, i.e., 1737 Main Street and 1100 block of Laurel Street)  
 Tax Map Number for Encroachment Location: CORNER OF HUNTINGTON STREET

Encroachment type:  Wall  Fence  Columns  Slops  Irrigation System  Landscaping  Driveway  Pavers  Walkway/Side walk  Underground Utilities  Other - specify: 500' WERE REMOVED OLD GRASS/WALKS, FINE GRADING + LAYING NEW SOD WITH TOP UP ROTORS TO REFLATE THE LAWN.

Dimensions (height/width/length): \_\_\_\_\_

Construction material: (i.e., 6x4' wooden privacy fence; two 12"x12' x24' brick columns; 4x15' brick paver walkway)

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.

Businesses only:  Outdoor dining  No. of chairs: \_\_\_\_\_ No. of tables: \_\_\_\_\_

Hours of operation for outdoor dining: \_\_\_\_\_

Number of planters: \_\_\_\_\_ Awnings: \_\_\_\_\_ (dimensions - size/material) \_\_\_\_\_

Other: \_\_\_\_\_ (for complete applicable "Encroachment type" section above)

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
Krista Hampton	Development Services (Administration)	803-545-3420	803-545-3420	<a href="mailto:khampton@columbiasc.net">khampton@columbiasc.net</a>
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-545-3333	<a href="mailto:jchambers@columbiasc.net">jchambers@columbiasc.net</a>
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Brian Cook	Development Services (Zoning)	803-545-3332	803-545-3332	<a href="mailto:bcook@columbiasc.net">bcook@columbiasc.net</a>
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Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-545-3222	<a href="mailto:aemoore@columbiasc.net">aemoore@columbiasc.net</a>
Joey Jacob	Utilities & Engineering (Administration)	803-545-3400	803-545-3400	<a href="mailto:jjacob@columbiasc.net">jjacob@columbiasc.net</a>
Dana Higgins	Utilities & Engineering (Construction Management)	803-545-3372	803-545-3372	<a href="mailto:dhiggins@columbiasc.net">dhiggins@columbiasc.net</a>
Robert Anderson	Public Works (Administration)	803-545-3780	803-545-3780	<a href="mailto:raanderson@columbiasc.net">raanderson@columbiasc.net</a>
Robert Sweat	Public Works (Street Division)	803-545-3790	803-545-3790	<a href="mailto:rsweat@columbiasc.net">rsweat@columbiasc.net</a>
David Brewer	Public Works (Traffic Engineering)	803-545-3850	803-545-3850	<a href="mailto:ddbrewer@columbiasc.net">ddbrewer@columbiasc.net</a>
Sara Holler	Public Works (Forestry & Beautification)	803-545-3860	803-545-3860	<a href="mailto:seholler@columbiasc.net">seholler@columbiasc.net</a>
John Hooks	Public Works (Solid Waste)	803-545-3800	803-545-3800	<a href="mailto:jhooks@columbiasc.net">jhooks@columbiasc.net</a>
Chip Timmons	Columbia Development Corporation	803-988-8040	803-988-8040	<a href="mailto:cctc@columbiasc.net">cctc@columbiasc.net</a>
Fred Deik	Risk Management	803-733-8306	803-733-8243	<a href="mailto:cattimmons@columbiasc.net">cattimmons@columbiasc.net</a>
George Adams	Fire Department	803-545-3701	803-401-8839	<a href="mailto:cddadams@columbiasc.net">cddadams@columbiasc.net</a>
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