

ORDINANCE NO.: 2015-027

*Amending Ordinance 71-18 granting an encroachment to the
South Carolina Baptist Hospital for installation of an elevated pedestrian walkway over the
1300 block of Taylor Street to include installation and maintenance of an awning*

WHEREAS, by Ordinance No.: 71-18 enacted on November 3, 1971, Mayor and City Council granted the South Carolina Baptist Hospital the right to use the 1300 block of Taylor Street adjacent to the South Carolina Baptist Hospital, 1308 Taylor Street Richland County TMS #09014-06-02 and 1333 Taylor Street, Richland County TMS #09014-05-06 for installation and maintenance of an elevated pedestrian walkway over the 1300 block of Taylor Street; and,

WHEREAS, Palmetto Baptist Hospital, formerly known as South Carolina Baptist Hospital, desires to amend Ordinance No.: 71-18 to include the installation and maintenance of an awning approximately one hundred forty (140") inches in length, forty-eight inches (48") in width and six (6") inches in height along the northern end of the pedestrian walkway adjacent to the South Carolina Baptist Hospital, 1308 Taylor Street Richland County TMS #09014-06-02 and 1333 Taylor Street, Richland County TMS #09014-05-06, 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 21st day of April, 2015, that Grantee, its successors and assigns is hereby granted the right to install and maintain an awning approximately one hundred forty (140") inches in length, forty-eight inches (48") in width and six (6") inches in height along the northern end of the pedestrian walkway adjacent to the South Carolina Baptist Hospital, 1308 Taylor Street Richland County TMS #09014-06-02 and 1333 Taylor Street, Richland County TMS #09014-05-06, 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, HOWEVER, that in exercising the privileges granted under this ordinance, Grantee, his successors and assigns, will indemnify and save harmless the City from any and all claims or causes of action which may arise by reason of the construction or maintenance of the aforesaid encroachment.

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

3. Grantee is responsible for all costs and repair of the improvements within the right of way area should the City have to dig in the area or remove any part thereof for maintenance to City water and or sewer lines.

4. Obstructions of more than four (4') feet in height are prohibited within the sight-visibility triangle.


PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, his successors and assigns.

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.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at his 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:



City Attorney

ATTEST:


City Clerk

Introduced: 4/14/2015

Final Reading: 4/21/2015

**CITY COUNCIL
ENCROACHMENT SUMMARY
2015-027**



**1300 BLOCK OF TAYLOR STREET
ADJACENT TO 1333 TAYLOR STREET
PALMETTO BAPTIST HOSPITAL
CROSSWALK AWNING**

Subject Property:	1300 block of Taylor Street adjacent to 1333 Taylor Street
Council District:	2
Proposal:	Request approval for the placement and maintenance of an awning, as shown on the attached drawing.
Applicant:	Palmetto Baptist Hospital
Staff Recommendation:	Recommend Approval
Condition:	1. Certificate of Design Approval (CDA) from Design/Development Review staff.

Detail:	The applicant is requesting approval for the placement and maintenance of an awning approximately one hundred forty (140") inches in length, forty-eight inches (48") in width and six (6") inches in height along the northern end of the pedestrian walkway adjacent to the South Carolina Baptist Hospital, as shown on the attached drawing.
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CITY AGENCY COMMENTS FOR ENCROACHMENT

Planning & Development	Recommend Approval.
Streets	Recommend Approval.
Utilities & Engineering	Recommend Approval.
Traffic Engineering	Recommend Approval.
Fire Department	Recommend Approval.
Forestry	Recommend Approval.
Land Development	Recommend Approval.

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 ctimmons@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 803-343-8779; 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.

Date: _____ Property Owner: Palmetto Baptist Hospital
 Applicant's Name if different from Property Owner: Kyle Whitson - Palmetto State Glass, Inc.
 Contact Information: Telephone Number: 803-714-9680 Fax Number: 803-714-9725
 Mailing address: PO Box 4488 Columbia, SC 29240 E-mail address: Kyle@palmettostateglass.com
 Business Name/Development Name for Encroachment: _____

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)

140" Wide x 48" Deep x 6" High

Construction material:

Aluminum

☐ **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 SCDOR ABL 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.

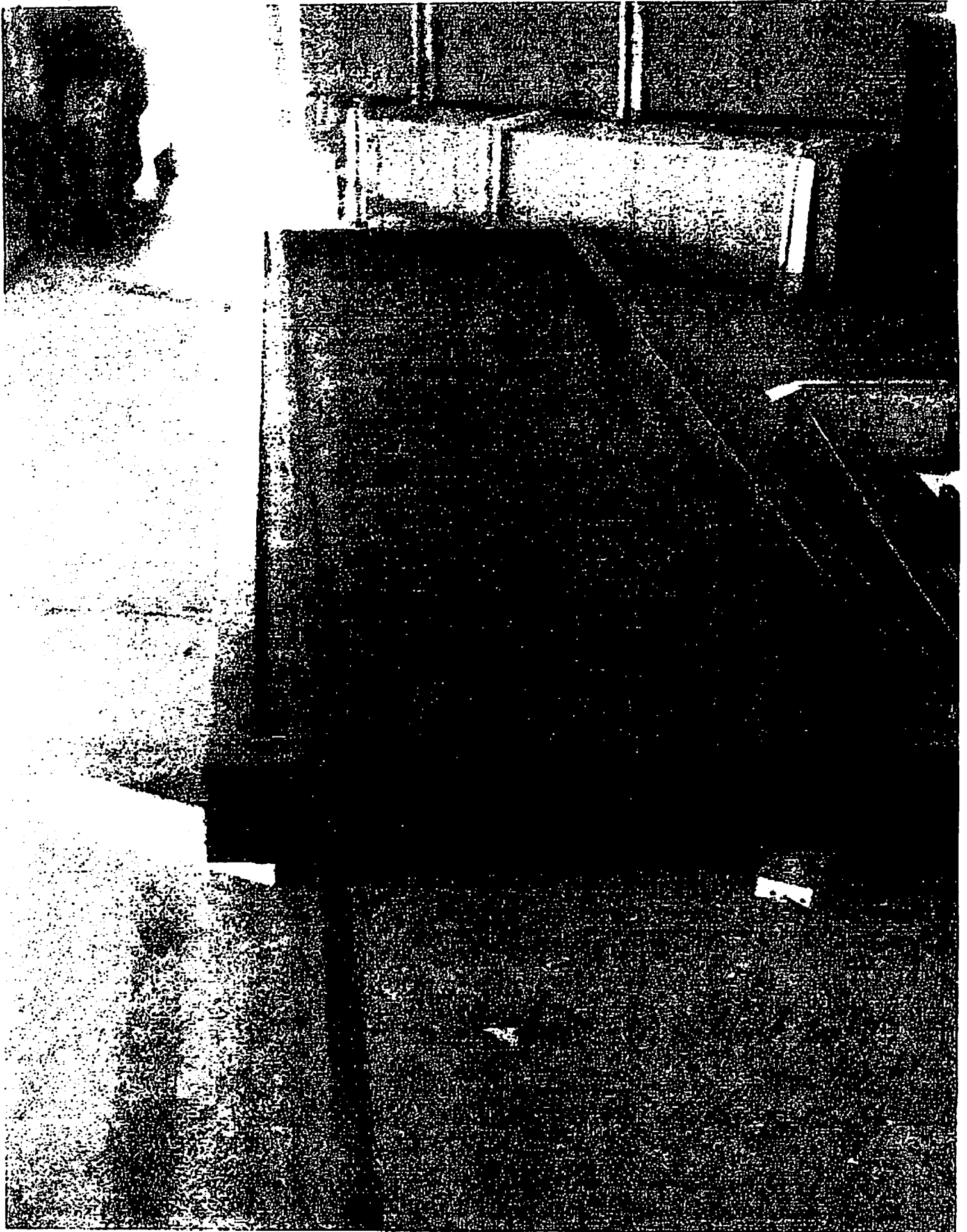
Name/Title: _____
 Date: _____

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: 1/9/15

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	jfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-545-3332	803-733-8647	bcook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	jthompson@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 Markins	Development Services (Plans Review)	803-545-3420	803-733-8647	rmarkins@columbiasc.net
Denny Daniels	Utilities & Engineering (Construction Management)	803-545-3400	803-988-8199	ddaniels@columbiasc.net
Robert Anderson	Public Works (Administration)	803-545-3780	803-733-8648	randerson@columbiasc.net
Robert Sweat	Public Works (Street Division)	803-545-3790	803-545-3785	rgsweat@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	ctimmons@columbiasc.net
David Koon	Fire Department	803-345-3701	803-401-8839	cdkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	jspade@columbiasc.net



City of Columbia

Baptist Crosswalk Encroachment



Tuesday, March 17, 2015



Source: Esri, DigitalGlobe, GeoEye, Earthstar (Earthstar), CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, ICG, and the GIS User Community. Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community.

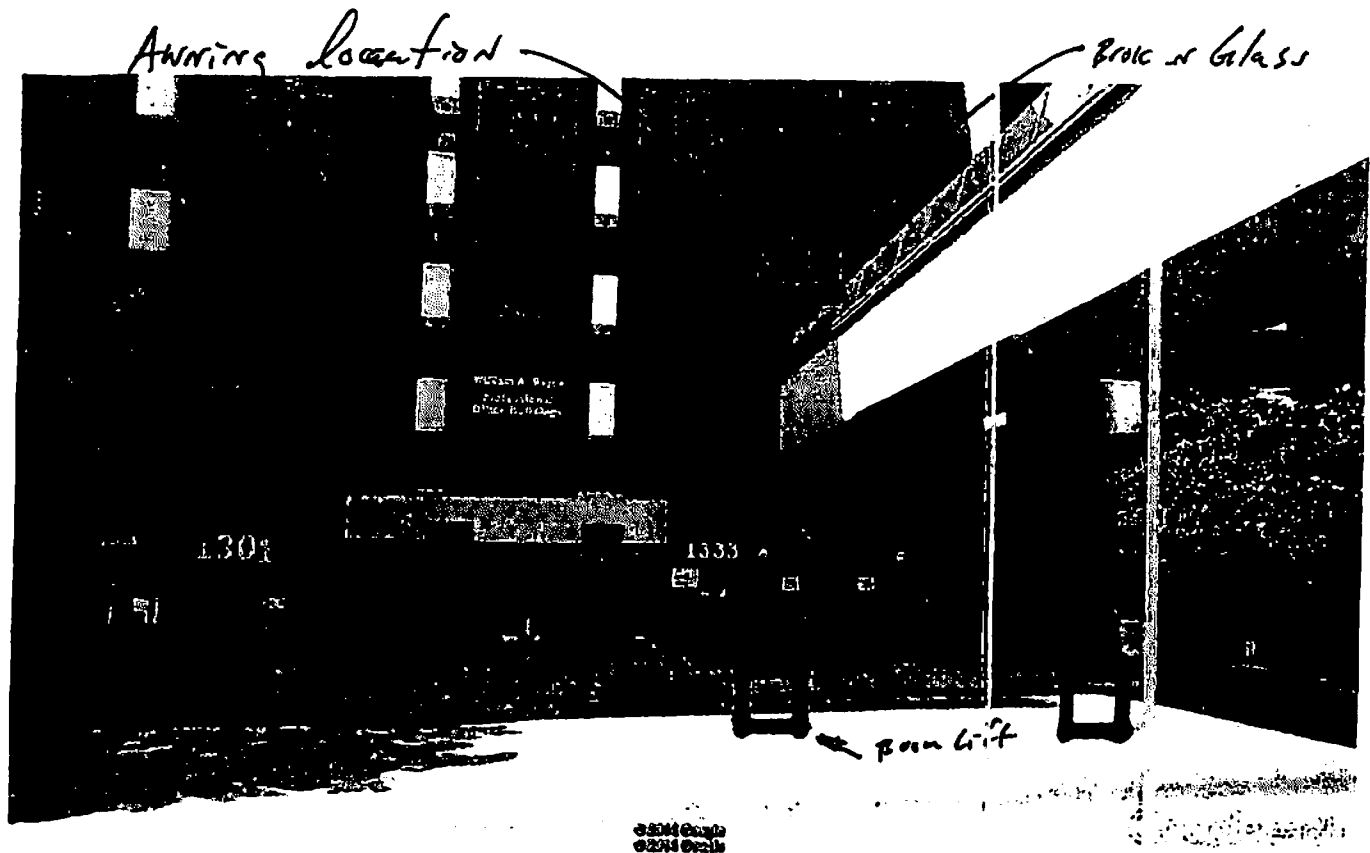
CITY OF COLUMBIA GIS DATA DISCLAIMER

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Go gle earth

feet 10
meters 5

We will place a 45' boom lift at the red square to install an awning and replace two pieces of broken glass. The broken glass is in the top of the crosswalk close to the William A Byrne Office building.

The lift will block the sidewalk and extend about two feet into the street.



City of Columbia APPLICATION for TEMPORARY ENCROACHMENT

Date: 10/31/14 Permit Number: _____

Location of Work: Palmetto Baptist Hospital - 13th Taylor St. Crosswalk

Applicant Name: Palmetto State Glass - Kyle Whitehouse

Applicant Address: 136 McLeod Rd. Columbia, SC 29203

Applicant Telephone # 803-714-9680 Fax #: 803-714-9725

Start Date: 11-4-14 Completion Date: 11-4-14

Closure Times: 8:00 am to 12:00 pm (Be sure to allow and include time for "set up" and clean up")

Please check one of the following as to work being performed: ☐ Residential ☒ Commercial

Please check one of the following as to work being performed:

☐ Sidewalk Replacement/Installation
Length _____ Linear Feet Width (Excluding curb) _____

☐ Driveway Replacement/Installation
Length _____ Linear Feet Width (Including curb) _____

☒ Other Install Awning and Replace broken glass

Work Description: (Fully describe work within City's right-of-way, including any street or lane closures. Please include a letter of request and a copy of your certificate of insurance to be approved by the City of Columbia Risk Manager. Attach a separate sheet if necessary. Please attach complete plans, specification, maps, etc., where applicable. Additionally, please list structures that will be placed on street or sidewalk.

Replace ~~two~~ two pieces of broken glass at
BAPTIST Hospital crosswalk and install Awning.

I have read, understand and agree to comply with the permit conditions that are a part of this permit. I further agree to comply with the City of Columbia Code of Ordinances regarding working in the City right of way.

Signature [Signature]

Date 10/31/14



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
4/16/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Phoenix Company, LLC P.O. Box 26396 Winston-Salem NC 27114-6396	CONTACT NAME: Tracie Hawkins PHONE (A/C No. Ext): (336) 765-9332 FAX (A/C No.): (336) 765-7141 E-MAIL: tracieh@thephoenixcompany.com ADDRESS: thephoenixcompany.com
INSURED Palmetto State Glass, Inc. P.O. Box 4188 Columbia SC 29240	INSURER(S) AFFORDING COVERAGE INSURER A: Cincinnati Insurance Company INSURER B: Accident Fund Ins Co of America INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER: CL1422619304 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSURANCE TYPE	TYPE OF INSURANCE	ADDL. SUBR. INSR. (WV)	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY					EAC 1 OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					EAC 1 OCCURRENCE \$ 500,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		ENP0235682	3/1/2014	3/1/2015	ME* EXP (Any one person) \$ 10,000
						PER PERSONAL & ADV INJURY \$ 1,000,000
A	GEN'L AGGREGATE LIMIT APPLIES PER					GENERAL AGGREGATE \$ 2,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO. RECT <input checked="" type="checkbox"/> LOC					PRODUCTS - COMP/OP AG \$ 2,000,000
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea. accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO		EBA0235682	3/1/2014	3/1/2015	BODILY INJURY (Per person) \$
A	<input checked="" type="checkbox"/> ALL OWNED AUTOS					BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS					PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS					
	<input type="checkbox"/> NON-OWNED AUTOS					
A	UMBRELLA LIAB					EAC 1 OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> EXCESS LIAB					AGGREGATE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE		ENP0235682	3/1/2014	3/1/2015	
	<input type="checkbox"/> RETENTION \$					
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					X WORKERS COMPENSATION LIMITS \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/SENIOR EXCLUDED?					EAC EACH ACCIDENT \$ 500,000
	(Mandatory in NH)		KCV6098670	3/1/2014	3/1/2015	EAC DISEASE - EA EMPLOYE \$ 500,000
	if yes, describe under DESCRIPTION OF OPERATIONS below					EAC DISEASE - POLICY LIM \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Excluded under Workers Compensation: Kyle Whetstone.
Site Address: 1333 Taylor Street, Columbia, SC 29201
City of Columbia is an additional insured as respects to general liability for ongoing and completed operations when required by written contract under Contractors' Commercial General Liability Broadened Endorsement (GA233). Should any of the above policies be cancelled before the expiration thereof, the issuing insurers will mail 30 days (10 days for non-payment of premium) written notice to City of Columbia.

CERTIFICATE HOLDER CANCELLATION

(803) 255-8912 fcpinckney@columbiasc.net City of Columbia, SC Office of Business Opportunities Attn: Gerry Lynn Hall P Box 147 Columbia, SC 29217	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Tracie Hawkins/HAWKIN
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