

ORDINANCE NO. : 2015-084

Granting an encroachment to the University of South Carolina for the use of the right of way areas of the 900 block of Lincoln Street and 900 block of Gadsden Street for installation and maintenance of high density polyethylene (HDPE) conduit for the Discovery Building and Colonial Life Arena adjacent to Richland County TMS #08915-03-02, 08916-08-01, 08915-02-01, 08915-03-01

ORIGINAL  
STAMPED IN RED

WHEREAS, the University of South Carolina (hereinafter "Grantee") desires to use a portion of the right of way areas of the 900 block of Lincoln Street and the 900 block of Gadsden Street for installation and maintenance of high density polyethylene (HDPE) conduit for the Discovery Building and Colonial Life Arena, adjacent to Richland County TMS #08915-03-02, 08916-08-01, 08915-02-01, 08915-03-01; 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 1st day of December, 2015, that Grantee is hereby granted the right to use the right of way areas of the 900 block of Lincoln Street and the 900 block of Gadsden Street for installation and maintenance of high density polyethylene (HDPE) conduit for the Discovery Building and Colonial Life Arena, adjacent to Richland County TMS #08915-03-02, 08916-08-01, 08915-02-01, 08915-03-01; as shown on the attached drawings.

ALL WORK SHALL COMPLY with the requirements of The City of Columbia, South Carolina Department of Transportation 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 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 driveways or parking spaces, 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 of items approved by this ordinance for placement within the right of way area and assuring that all accessibility and ADA requirements are met and maintained.
3. All trees shall be protected and no large tree roots shall be removed from any existing trees, nor shall trees be located too close to streetlights.

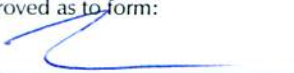
PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns.

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:  
Assistant City Manager Gentry

  
Mayor

Approved by:  
  
City Manager

Approved as to form:  
  
City Attorney  
Introduced: 10/20/2015  
Final Reading: 12/1/2015

ATTEST:  
  
City Clerk

**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2015-084**



**900 BLOCK OF LINCOLN STREET AND  
900 BLOCK OF GADSDEN STREET  
NETWORK CABLING INFRASTRUCTURES, INC.  
HDPE CONDUIT**

<b>Subject Property:</b>	Right-of-Way within the 900 Blocks of Lincoln and Gadsden Streets, TMS#08915-03-02, 08916-08-01, 08915-02-01, 08915-03-01
<b>Council District:</b>	2
<b>Proposal:</b>	The applicant is requesting an encroachment for installation and maintenance of High Density Polyethylene (HDPE) conduit
<b>Applicant:</b>	Network Cabling Infrastructures, Inc.
<b>Staff Recommendation:</b>	Approval

<b>Detail:</b>	<p>The applicant is requesting an encroachment for the installation and maintenance of conduit and fiber optic cable approximately two hundred sixty (260') feet in length, 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 driveways or parking spaces, 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 of items approved by this ordinance for placement within the right of way area and assuring that all accessibility and ADA requirements are met and maintained.</li> <li>3. All trees shall be protected and no large tree roots shall be removed from any existing trees, nor shall trees be located too close to streetlights.</li> </ol>
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**CITY AGENCY COMMENTS FOR ENCROACHMENT**

<b>Planning &amp; Development Services</b>	Recommend approval.
<b>Streets</b>	Recommend approval. Must be installed at a minimum depth of 42 in.
<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.

**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 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: USC  
 Applicant's Name if different from Property Owner: NCI Duane Foster Superintendent  
 Contact Information: Telephone Number: 404-201-5851 Fax Number: \_\_\_\_\_

Mailing address: NCI PO Box 2168, Duthart Ga 30096. E-mail address: steve.holcombe@ncicabling.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): Installing 1-1/2" inner duct from the corner of College & Lincoln St  
(i.e. 6x42' wooden privacy fence; crossing Lincoln st towards the Colonial Life Arena  
two 12x4x3' concrete steps)

Construction material: \_\_\_\_\_

**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: NA

Posted Maximum Capacity Allowance (inside/outside combined): NA No. of chairs outdoors: NA No. of Tables Outdoors: NA

Do you serve:  Wine  Beer  Liquor SCDOR ABL No.: NA 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	803-343-8779	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	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 Harkins	Development Services (Plans Review)	803-545-3420	803-733-8647	rharbins@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	cdkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net



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 Applicant's Name if different from Property Owner: NCI Duane Foster Superintendent  
 Contact Information: Telephone Number: 404-201-5851 Fax Number: \_\_\_\_\_  
 Mailing address: NCI PO Box 2168, Duluth Ga 30098. E-mail address: steve.holcombe@ncicabling.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): From the back entrance of the arena next to the  
generator crossing Gadsden ST with one 1-1/2" inner-  
 (i.e. 6x42" wooden privacy fence; two 12x4x3" concrete steps)  
 Construction material: duct to a USC HM

**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.

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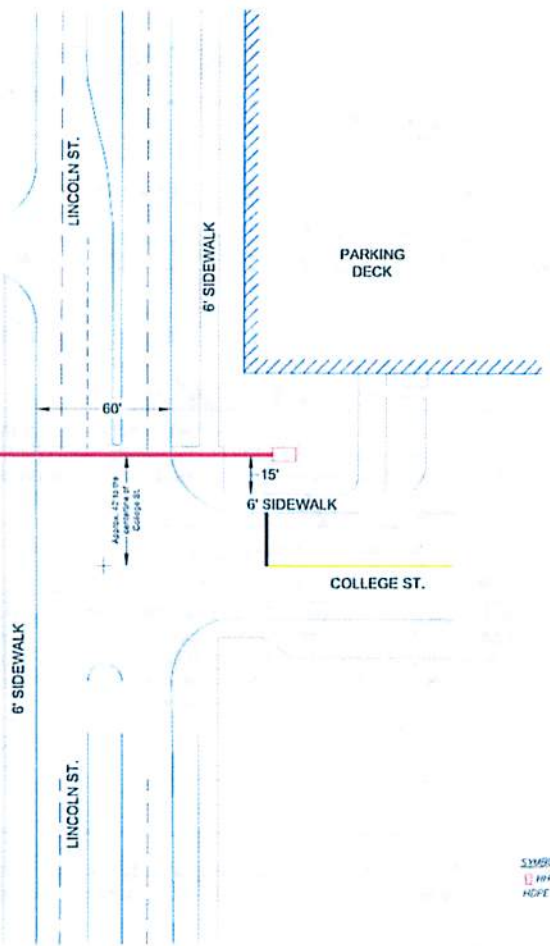
The method for installing this 1 inch conduit is HDD [ Horizontal Directional Drilling ]  
 All underground utilities must be Pot-Holed/Located Before Drilling Begins.

This drawing is for obtaining a Right-of-Way Encroachment Permit for the purpose of placing one 1.0" underground conduit

PROPOSED Underground Communications Conduit Crossing Lincoln Street To Be Owned By State of South Carolina

PROPOSED 1" HDPE CONDUIT

COLONIAL LIFE ARENA



SYMBOLS AND ABBREVIATIONS  
 [ ] - EXISTING HANDHOLE  
 HDPE - HIGH DENSITY POLYETHYLENE

D.O.T. Permit Drawing  
 Lincoln Street  
 Columbia, SC



PROJECT FILE	
DATE	07-07-15
BY	BOT
CHECKED	
DATE	NTS
SCALE	
TITLE	Encroachment
DRAWN BY	D.O.T. Permit Drawing
SHEET NO.	1 of 1

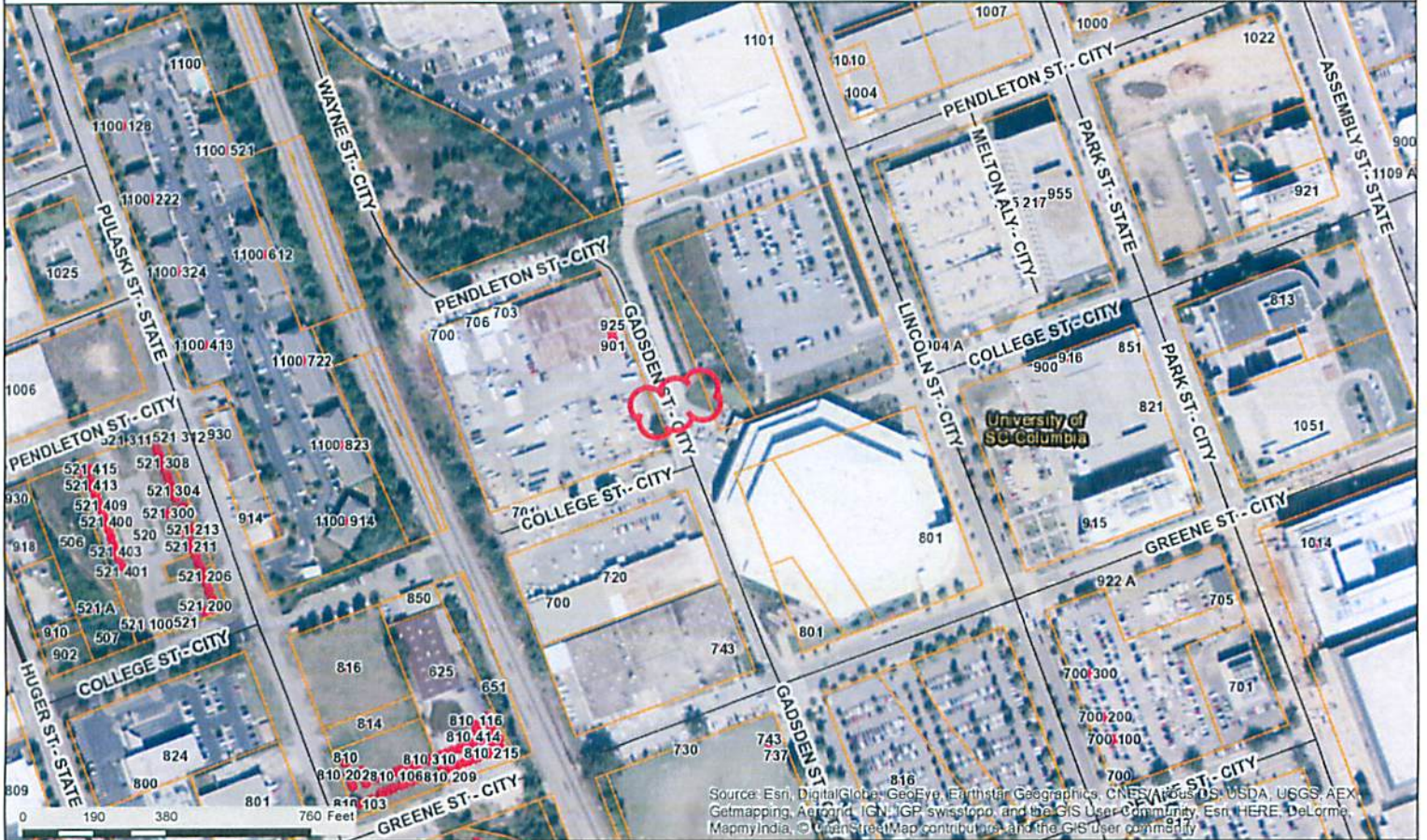




# City of Columbia

## 900 Block of Gadsden St. - Conduit Encroachment

Monday, August 03, 2015



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS User community

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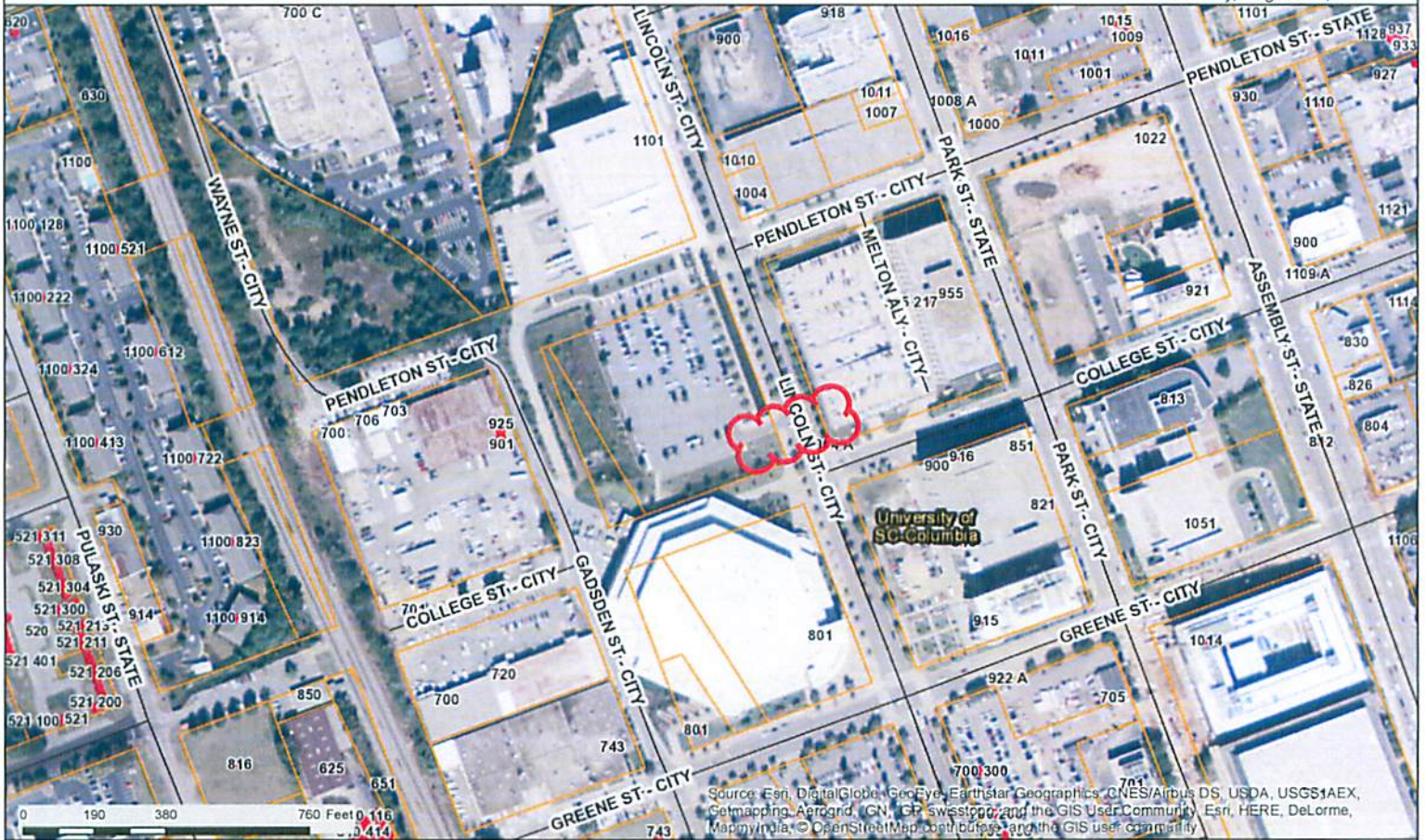


# City of Columbia

## 900 Block of Lincoln St. - Conduit Encroachment



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