

ORDINANCE NO. : 2017-032

Granting an encroachment to the University of South Carolina for the use of the right of way areas of the 1300 and 1400 blocks of Pickens Street for installation and maintenance of high density polyethylene (HDPE) conduit for the Korn Building adjacent to Richland County TMS # 11402-11-01, 11402-11-01-05, 11402-11-20A, 11402-11-19, 11402-11-18, 11402-11-21, 11402-11-16, 11402-11-14, 11402-11-13, 11402-11-11 and 11402-11-10

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 1300 and 1400 blocks of Pickens Street for installation and maintenance of high density polyethylene (HDPE) conduit measuring approximately nine hundred and fifty (950') feet for the Korn Building adjacent to Richland County TMS # 11402-11-01, 11402-11-01-05, 11402-11-20A, 11402-11-19, 11402-11-18, 11402-11-21, 11402-11-16, 11402-11-14, 11402-11-13, 11402-11-11 and 11402-11-10; 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 2nd day of May, 2017, that Grantee is hereby granted the right to use the right of way areas of the 1300 and 1400 blocks of Pickens Street for installation and maintenance of high density polyethylene (HDPE) conduit measuring approximately nine hundred and fifty (950') feet for the Korn Building adjacent to Richland County TMS # 11402-11-01, 11402-11-01-05, 11402-11-20A, 11402-11-19, 11402-11-18, 11402-11-21, 11402-11-16, 11402-11-14, 11402-11-13, 11402-11-11 and 11402-11-10, 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.
4. Must be installed at a minimum of depth of thirty -six (36") inches.

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:


Cheryl Wilson
City Manager

Approved as to form:


City Attorney

Introduced: 4/18/2017
Final Reading: 5/2/2017

ATTEST:

Eukaw D. Meow
City Clerk

**CITY COUNCIL
ENCROACHMENT SUMMARY
2017-032**



**1300 AND 1400 BLOCKS OF PICKENS STREET
UNIVERSITY OF SOUTH CAROLINA FACILITIES DEPARTMENT
HDPE CONDUIT**

Subject Property:	Right-of-Way within the 1300 and 1400 Blocks of Pickens Street, TMS#11402-11-11402-11-01, 11402-11-05, 11402-11-20A, 11402-11-19, 11402-11-18, 11402-11-21, 11402-11-16, 11402-11-14, 11402-11-13, 11402-11-11 and 11402-11-10
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of High Density Polyethylene (HDPE) conduit
Applicant:	University of South Carolina – Facilities
Staff Recommendation:	Approval

Detail:	<p>The applicant is requesting an encroachment for the installation and maintenance of conduit and fiber optic cable approximately nine hundred and fifty (950') feet in length, as shown on the attached drawing.</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 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. 4. Must be installed at a minimum of depth of 36 inches.
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CITY AGENCY COMMENTS FOR ENCROACHMENT	
Planning & Development Services	Recommend approval.
Streets	Recommend approval. Must be installed with a minimum depth of 36 inches.
Utilities and Engineering	Recommend approval.
Traffic Engineering	Recommend approval.
Forestry	Recommend approval.
Land Development	Recommend approval.
Fire	Recommend approval.

City of Columbia

USC Pickens Street Encroachment

Thursday, April 06, 2017



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.



**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: 3/13/2017 Property Owner: University of South Carolina
 Applicant's Name if different from Property Owner: _____
 Contact Information: Telephone Number: 803-777-8478 Fax Number: _____
 Mailing address: 743 Greene St. Columbia, SC 29208 E-mail address: ymodesto@fmc.sc.edu
 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): Proposed D-bore 69' across Pickens St. from existing USC HH 0079 to East (i.e. 6'x42' wooden privacy fence; side of Pickens. New 24x36x36 HH to be placed 17' from EOP. Minimum depth two 12'x4'x3' concrete steps) of D-bore will be 48" under Pickens St. (aprox. 155'N of Lady St. inter.)

Construction material: 4-way OSP HDPE 12.7mm innerduct with trace wire. Channell Tier 22 HH 24x36x36

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.
Yancy Modesto
 USC Campus Developer
 Name/Title: _____
 Date: 3-13-17

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.
Yancy Modesto
 USC Campus Developer
 Name/Title: _____
 Date: 3-13-17

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	amoore@columbiasc.net
Robert Harkins	Development Services (Plans Review)	803-545-3420	803-733-8647	rharkins@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	rsweatt@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



City of Columbia APPLICATION for TEMPORARY ENCROACHMENT

Date: 3/13/2017 Permit Number: _____

Location of Work: Pickens St. approximately 150' North of Lady St. intersection

Applicant Name: University of South Carolina - Facilities Dept.

Applicant Address: 743 Greene St., Columbia, SC 29208

Applicant Telephone # 803-777-8478 Fax #: _____

Start Date: 3/31/2017 Completion Date: 4/30/2017

Closure Times: None (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 _____ Lineal Feet Width (Including curb) _____

Other Directional Boring Across Pickens St. approximately 69'

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.)

Proposed Directional Bore approximately 69' from existing USC HH 0079 to new HH (36x24x36) location to be placed approximately 17' from EOP on the East side of Pickens St. Minimum depth of Directional bore will be 48" under Pickens St. Existing USC HH 0079 is located approximately 155' North of Lady St. intersection.

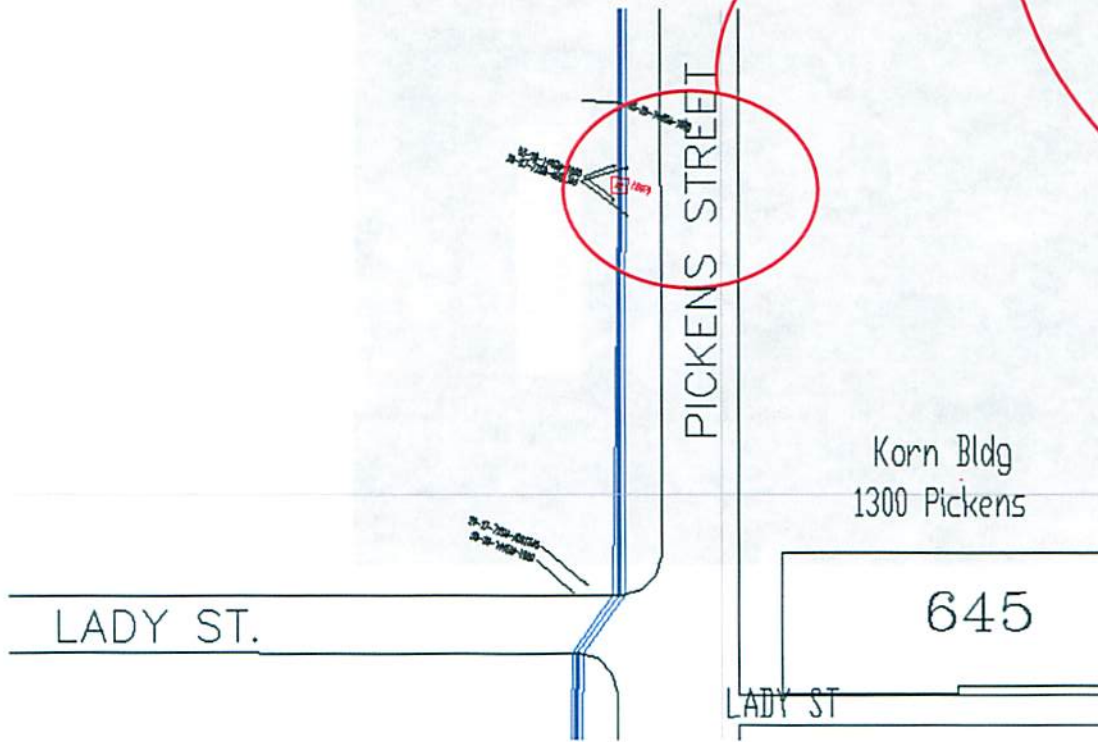
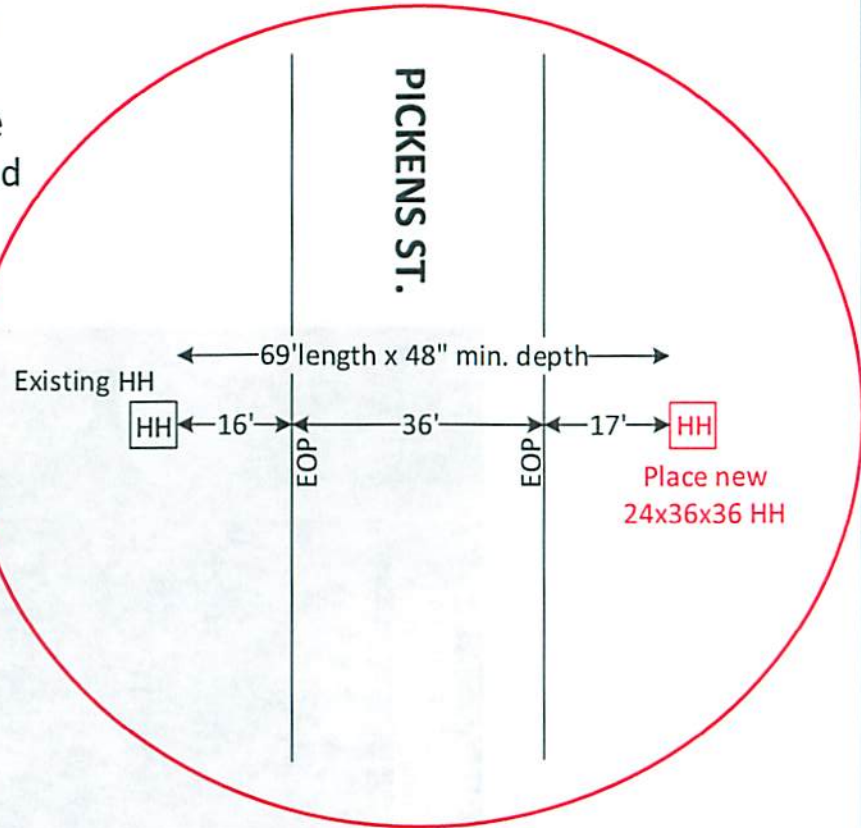
I have read, understand and agree to comply with the permit conditions that are a part of this permit. I further agree to comply with the City of Columbia Code of Ordinances regarding working in the City right away.


Signature 

Date 3-13-17



Proposed D-bore approximately 69' from existing HH USC 0079 to new HH location to be placed approximately 17' off EOP. Minimum depth of D-bore will be 48" under Pickens St. Existing HH 0079 is located approximately 155' North of Lady St. intersection.



 <p>UNIVERSITY OF SOUTH CAROLINA Division of Information Technology</p> <p>514 S. Main St. Columbia, SC 29208</p>	REVISED	DATE	DESCRIPTION	DATE:	3/13/2017
				PLANNER:	Rich Sypolt
				DRAWING#	