

ORDINANCE NO.: 2014-083

Granting an encroachment to CEO Staffing and Executive Search for installation and maintenance of two red bud trees within the right of way areas of the 1300 block of Richland Street adjacent to its building at 1830 Sumter Street, Richland County TMS #09015-09-01

WHEREAS, CEO Staffing and Executive Search (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 1300 block of Richland Street adjacent to its building at 1830 Sumter Street for installation and maintenance of two (2) red bud trees, as shown on the attached drawing; 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 16th day of September, 2014 that Grantee, its successors and assigns is hereby granted the right to utilize a portion of the right of way area of the 1300 block of Richland Street adjacent to its building at 1830 Sumter Street for installation and maintenance of two (2) red bud trees, as shown on the attached drawing.

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. Trees are to be maintained by property owner.
3. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.
4. Grantee is responsible for all costs and repair of the improvements within the right of way should the City have to dig in the area or remove any part thereof for maintenance to City water and or sewer lines.

ORIGINAL
STAMPED IN RED

ORIGINAL
STAMPED IN RED

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:

CEO Staffing and Executive Search



MAYOR

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 8/19/2014

Final Reading: 9/16/2014

**CITY COUNCIL
ENCROACHMENT SUMMARY
2014-083**



**1300 BLOCK OF RICHLAND STREET
ADJACENT TO 1830 SUMTER STREET
LANDSCAPING AND IRRIGATION**

Subject Property:	Right-of-way adjacent to 1300 block of Richland Street adjacent to its building at 1830 Sumter Street, TMS#09015-09-01
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of landscaping and irrigation
Applicant:	CEO Staffing and Executive Search
Staff Recommendation:	Approval

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of two red bud trees 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 existing 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. 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.
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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 with the condition that the existing tree roots are not disturbed and the new trees do not impede any sight visibility.
Land Development	Recommend approval.
Fire	Recommend approval.

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 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.* 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. 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 homeowner's 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.

Please complete and submit this form along with any attachment(s) to Shari Ardis by e-mail at sardis@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 catimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: 5-8-2014 Property Owner: CEO Staffing and Executive Search

Applicant's Name if different from Property Owner: Interiors Group of SC, Inc. Ginger Pickens

Contact Information: Telephone Number: 803-309-1224 Fax Number: 803-359-3012

Mailing address: PO Box 211934 Columbia SC 29221 E-mail address: interiorsgroupwindstream.net

Encroachment Location (Address): 1830 Sumter St Columbia SC Corner of Sumter and Richland St
(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: _____

Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other

If Other - specify: Need to plant two new trees on Richland St side of property

Dimensions (height/width/length): Trees to be Red Oak - see site sketch

(i.e., 6'x4' wooden privacy fence; two 12'x4' concrete step; two 12'x12' x24' brick columns; 4'x15' brick paver walkway)

Construction material:
Please provide photographs and drawing or site plan drawn to scale - no larger than 8-1/2 x 11.

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) _____

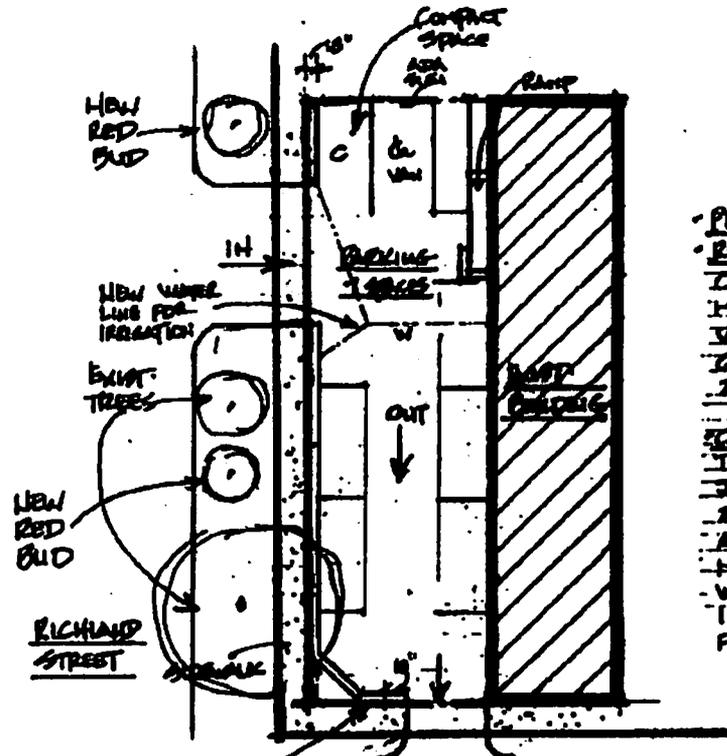


Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____
Hours of operation for outdoor dining: _____
Number of planters: _____ Awning: _____ (dimensions - size/material) _____
Other: _____ (or complete applicable 'Encroachment type' section above)

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	803-733-8847	kmhampton@columbiasc.net
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-343-8778	jchambers@columbiasc.net
Nancy Lee Trihey	Development Services (Planning)	803-545-3222	803-733-8847	ntrihey@columbiasc.net
John Fellows	Development Services (Planning)	803-545-3222	803-733-8847	jfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-545-3332	803-733-8847	bcook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8899	jthompson@columbiasc.net
Fanessa Pinckney	Development Services (Permits)	803-545-3420	803-733-8899	fcpinckney@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8847	amoore@columbiasc.net
Joey Jaco	Utilities & Engineering (Administration)	803-545-3400	803-888-8189	jjaco@columbiasc.net
Dana Higgins	Utilities & Engineering (Construction Management)	803-545-3372	803-545-4130	dhiggins@columbiasc.net
Robert Anderson	Public Works (Administration)	803-545-3780	803-733-8848	randerson@columbiasc.net
Robert Sweet	Public Works (Street Division)	803-545-3780	803-545-3785	rsweet@columbiasc.net
David Brower	Public Works (Traffic Engineering)	803-545-3850	803-733-8848	dbrower@columbiasc.net
Sara Heller	Public Works (Forestry & Beautification)	803-545-3860	803-733-8848	seheller@columbiasc.net
John Hooks	Public Works (Solid Waste)	803-545-3800	803-733-8848	jphooks@columbiasc.net
Fred Deak	Columbia Development Corporation	803-688-8040	803-888-8039	cdc@columbiasc.net
Chip Timmons	Risk Management	803-733-8308	803-733-8245	catimmons@columbiasc.net
George Adams	Fire Department	803-545-3701	803-401-8839	gadams@columbiasc.net
Gerald Koon	Fire Department	803-545-3701	803-401-8839	ckoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	jspade@columbiasc.net

SITE SKETCH
1890 SUMNER STREET
 APRIL 30, 2014 1" = 20' E
 REVISED - MAY 1, 2014



- PLANT LIST**
- RED BUD (TOTAL 2)**
 - CERCIS CANADENSIS**
 - 1 1/2" INCH AROUND BASE WITH ORGANIC MATERIAL
 - GENE BAG IRRIGATION
 - 2" CAL. - 8' TALL
 - SCAFFOLDING JASMINE**
 - TRACHINOTAXIS**
 - JASMINE**
 - 2' ON CENTRE BERING
 - ALONG WIRE FENCE
 - MULCH AROUND BAG WITH ORGANIC MATERIAL
 - IRRIGATION ALONG FENCE LINE TO JASMINE

CUT OUT 18' OF ASPHALT NEXT TO DRIVEWALK AND 30'-36" HIGH METAL PICKET FENCE AND PLANT JASMINE

SUMNER STREET

NOTES:

- 1) After removal of asphalt for planting Cercis canadensis jasmine, amend soil by adding organic matter (such as mushroom compost) as recommended by manufacturer to a depth of one foot;
- 2) Container size of jasmine plants must be minimum one-gallon;
- 3) Provide drip irrigation system for trees and mulch to ensure water supply is sufficient for healthy growth;
- 4) Maintain trees by pruning to keep in bounds once they mature.



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