

ORDINANCE NO.: 2015-031

*Granting an encroachment to Congaree Vista Guild for placement of a steel sculpture with concrete foundation within the sidewalk right of way area of the 900 block of Lady Street and adjacent to 912 Lady Street, Richland County TMS #09089-02-01*

ORIGINAL  
STAMPED IN RED

WHEREAS, Congaree Vista Guild (hereinafter "Grantees") desires to utilize a portion of the sidewalk right of way area of the 900 block of Lady Street adjacent to 912 Lady Street, Richland County TMS #09089-02-01 for installation and maintenance of a steel art sculpture approximately sixteen (16') in height and a triangular shaped base approximately six (6') feet in width, 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 21st day of April, 2105, that Grantee, its successors and assigns is hereby granted the right to utilize a portion of the sidewalk right of way area of the 900 block of Lady Street adjacent to 912 Lady Street, Richland County TMS #09089-02-01 for installation and maintenance of a steel art sculpture approximately sixteen (16') in height and a triangular shaped base approximately six (6') feet in width, 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. Sculpture and foundation 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. Business advertising of any type on the sculpture or foundation is prohibited.



**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2015-31**



**900 BLOCK OF LADY STREET  
ADJACENT TO 912 LADY STREET  
ART SCULPTURE**

<b>Subject Property:</b>	Right-of-way adjacent to 900 Block of Lady Street adjacent to 912 Lady Street, TMS#09089-02-01
<b>Council District:</b>	2
<b>Proposal:</b>	The applicant is requesting an encroachment for installation and maintenance of a steel art sculpture
<b>Applicant:</b>	Sarah Lewis, Congaree Vista Guild
<b>Staff Recommendation:</b>	See comments from Forestry and Beautification

<b>Detail:</b>	<p>The applicant is requesting an encroachment for installation and maintenance of a steel art sculpture approximately sixteen (16') in height and a triangular shaped base approximately six (6') feet in width, as shown on the attached drawing</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. Sculpture and foundation are to be maintained by property owner.</li> <li>3. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.</li> <li>4. Business advertising of any type on the sculpture or foundation is prohibited.</li> <li>5. All sharp or jagged edges shall be ground smooth and turned toward the inside center of the sculpture.</li> <li>6. 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.</li> </ol>
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**CITY AGENCY COMMENTS FOR ENCROACHMENT**

<b>Planning &amp; Development Services</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 denial. We do not want to approve placing art or other objects in our landscape beds. This response is consistent with our response to other similar requests.
<b>Land Development</b>	Recommend approval.
<b>Fire</b>	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 homeowners' 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 slardis@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: 02-08-2015 Property Owner: \_\_\_\_\_  
 Applicant's Name if different from Property Owner: Corquaree Vista Blvd  
 Contact Information: Telephone Number: 803-269-3594 Fax Number: NA  
 Mailing address: 701 Germain St Suite 150-110 E-mail address: Sarah@V.V.Columbia.com  
 Encroachment Location (Address): 912 Lady Street  
 (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: Public Art sculpture and concrete pad  
 Dimensions (height/width/length): See Engineering drawing  
 (i.e., 6'x42' 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) \_\_\_\_\_

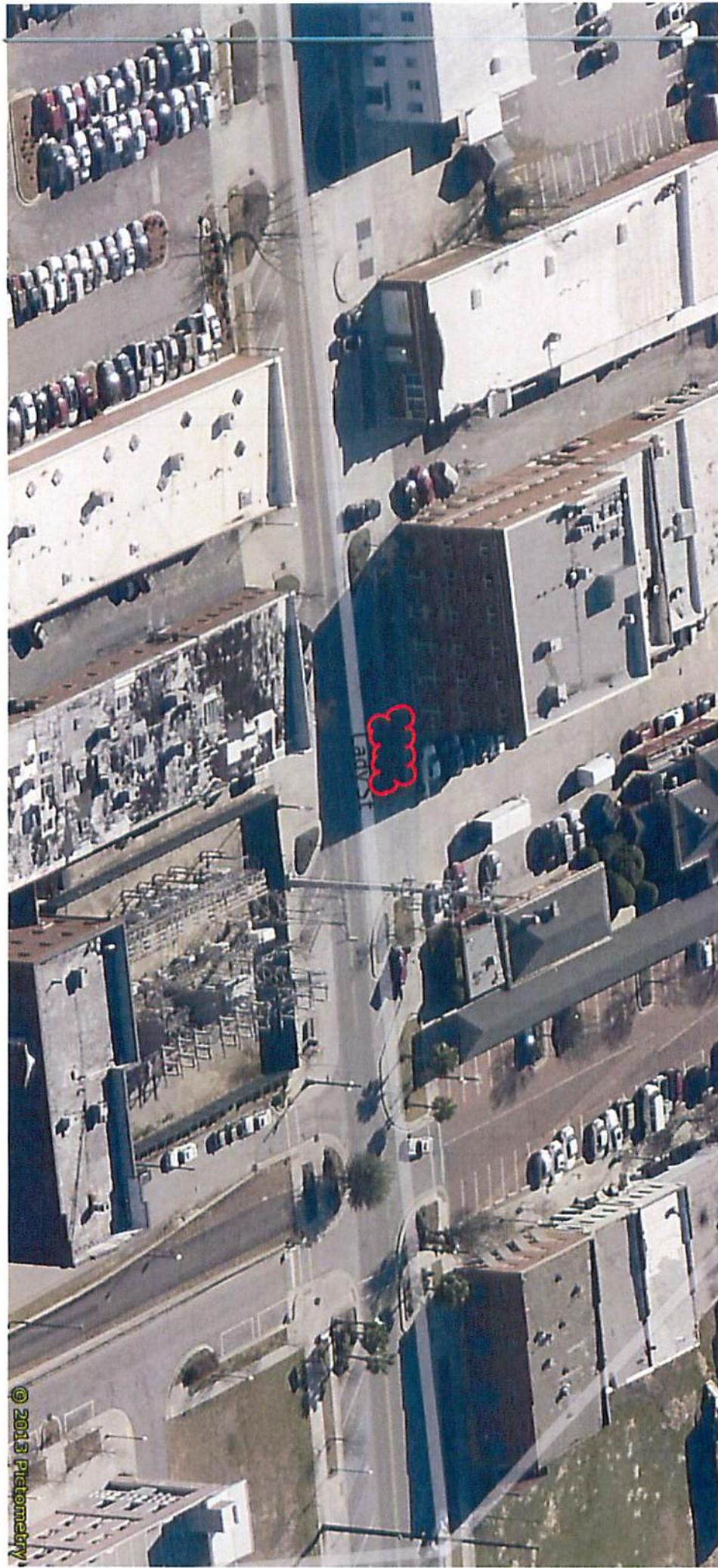


Businesses only:  Outdoor dining No. of chairs: \_\_\_\_\_ No. of Tables \_\_\_\_\_  
 Hours of operation for outdoor dining: \_\_\_\_\_  
 Number of planters: \_\_\_\_\_ Awning: \_\_\_\_\_ (dimensions - size/material) \_\_\_\_\_  
 Other: \_\_\_\_\_ (or complete applicable "Encroachment type" section 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	803-733-8647	kmhampton@columbiasc.net
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-343-8779	jchambers@columbiasc.net
Nancy Lee Trihey	Development Services (Planning)	803-545-3222	803-733-8647	nltrihey@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
<del>Fanessa Pinckney</del>	<del>Development Services (Permits)</del>	<del>803-645-3420</del>	<del>803-733-8699</del>	<del>fepinckney@columbiasc.net</del>
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	aemoore@columbiasc.net
Joey Jacob	Utilities & Engineering (Administration)	803-545-3400	803-988-8199	jdjacob@columbiasc.net
Dana Higgins	Utilities & Engineering (Construction Management)	803-545-3372	803-545-4130	drhiggins@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
Fred Delk	Columbia Development Corporation	803-988-8040	803-988-8039	cdc@columbiasc.net
Chip Timmons	Risk Management	803-733-8306	803-733-8245	catimmons@columbiasc.net
George Adams	Fire Department	803-545-3701	803-401-8839	cfgdadams@columbiasc.net
Gerald Koon	Fire Department	803-545-3701	803-401-8839	cfdgkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net

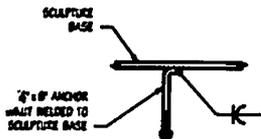
*zach kay* *Permits*



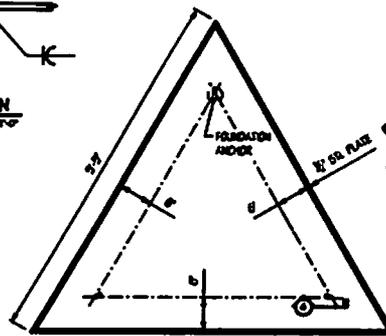
© 2013 Pictometry

**NOTES:**

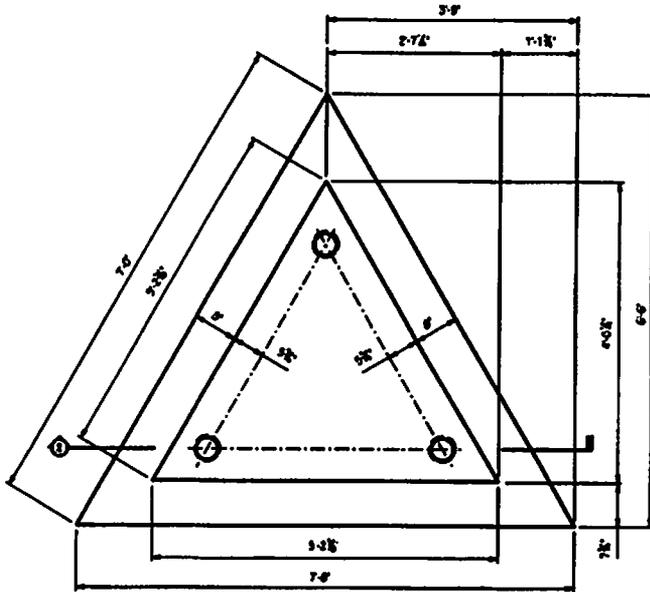
- 1 PROJECT LOCATION: LATITUDE = 34.00° E, LONGITUDE = 81.0366
- 2 BEARING:  $\Delta = 0.408$  g;  $\Delta = 0.212$  g
- 3 DESIGN WIND SPEED = 105 mph (ASCE 7-10)
- 4 WIND RISK CATEGORY = 1
- 5 CONCRETE REINFORCING STEEL (REBAR) SHALL MEET ASTM A615, GR 60
- 6 CONCRETE SHALL BE 4000-PSI NORMAL WEIGHT w/ 5% AIR ENTRAINMENT.
- 7 CONCRETE MIX SHALL CONTAIN 4-PCY MARCH SYNTHETIC FIBERS PLUS 1-PCY MICRO SYNTHETIC FIBERS
- 8 SCULPTURE MAY BE SET AFTER FOUNDATION CONCRETE HAS ADVERTED A COMPRESSIVE STRENGTH OF NOT LESS THAN 3000-PSI.
- 9 NON-SHORE GROUT SHALL BE NON-METALLIC, 4000-PSI min. MIXED TO A FLOWABLE CONSISTENCY (MILASHAK) FILL BLOCKS COMPLETELY



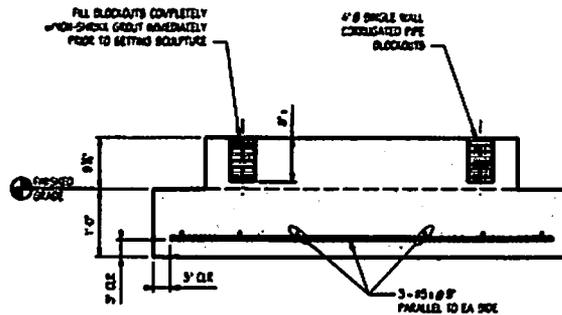
4 SECTION  
SCALE 1" = 1'-0"



3 UNDERSIDE OF SCULPTURE BASE  
SCALE 1" = 1'-0"



1 PLAN VIEW  
SCALE 1" = 1'-0"



2 SECTION  
SCALE 1" = 1'-0"



**BURKE ENGINEERING, LLC**  
Professional Design & Consulting  
1033 Indian St., Columbia, SC 29201  
(803) 733-2727 Fax: (803) 733-2728

DR. S. BLUM  
S. BLUM  
No. 10230  
S. BLUM

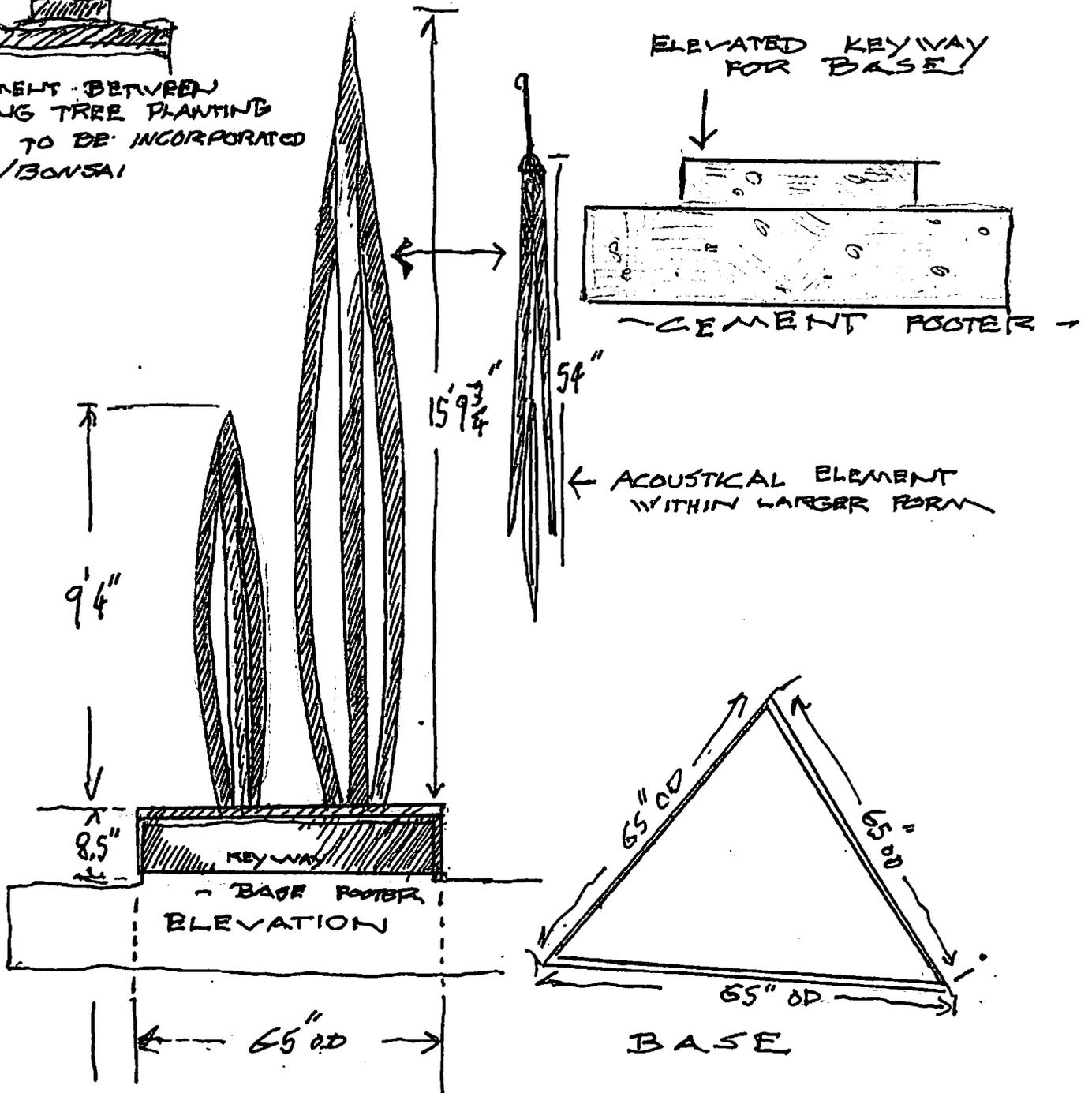
DESIGNED FOR BY STEPHEN CHESLEY  
Landscape Architect, Columbia, SC 29201  
SC 10000  
SCULPTURE FOUNDATION

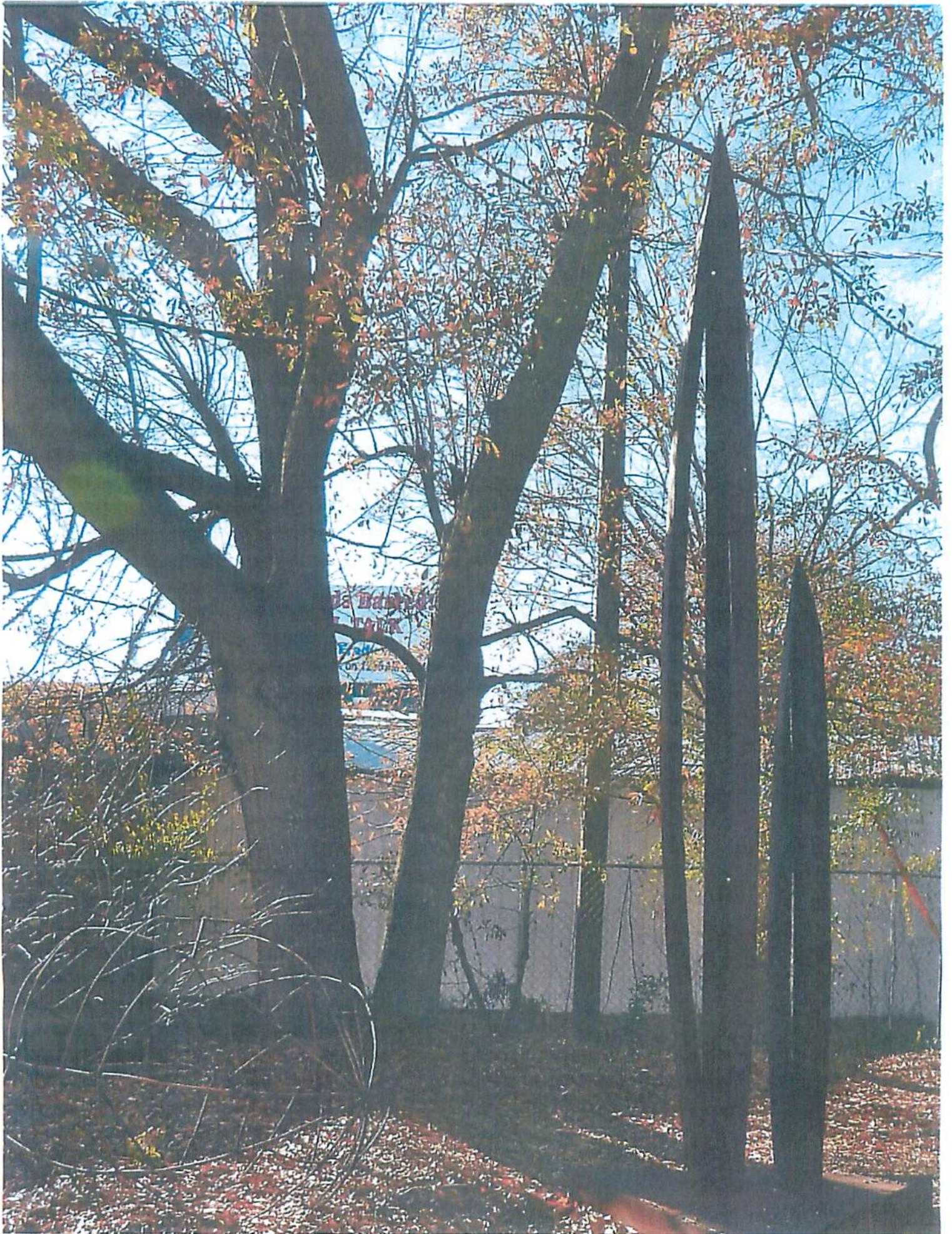
DATE: 5-1-10  
PROJECT: 1000002  
BY: SC PD 2010

SK-1



PLACEMENT BETWEEN  
EXISTING TREE PLANTING  
TREES TO BE INCORPORATED  
TRIM/BONSAI









# City of Columbia APPLICATION for TEMPORARY ENCROACHMENT

Date: 02/09/15 Permit Number: \_\_\_\_\_  
Location of Work: 912 Lady Street (Bump-out, bedding plant beds)  
Applicant Name: Corgaree Vista Guild  
Applicant Address: 701 Gervais Street Suite 150-118, Columbia SC 29201  
Applicant Telephone # 803-269-5946 Fax #: N/A  
Start Date: April 16 2015 Completion Date: April 23 2015  
Closure Times: \_\_\_\_\_ (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 Public Art sculpture w/ concrete pad - see engineering drawings

**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.)

See Columbia Development Corporation

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 Dr. Lewis

Date 02/08/15