

ORDINANCE NO: 2013-047

Amending Ordinance 2013-024 granting an encroachment to the State of South Carolina Budget and Control Board to include demolition and removal of an existing concrete apron and sidewalk areas, and installation and maintenance of landscaping, sod, an irrigation system, two (2) shepherd style light poles, a ground lighting system and sidewalk in the right of way area adjacent to the Calhoun Building located at 1015 Sumter Street, Richland County TMS #11304-01-01

ORIGINAL
STAMPED IN RED

WHEREAS, Ordinance 2013-024 dated April 16, 2013 granted the State of South Carolina Budget and Control Board (hereinafter "Grantee") the right to utilize a portion of the right of way area adjacent to the Calhoun Building located at 1015 Sumter Street, Richland County TMS #11304-01-01, for installation and maintenance of a driveway approximately twenty-five (25') foot in width and approximately twenty-five feet in length; curbing and gutter bump out; and an ADA compliant handicap ramp; and,

WHEREAS, Grantee desires to amend the encroachment ordinance to allow for the demolition and removal of an existing concrete apron approximately forty-two (42') feet in length and five (5') feet in width located on the west side of the sidewalk and to install landscaping, sod, an irrigation system, two (2) shepherd style light poles, a ground lighting system; and to remove a concrete apron approximately forty-two (42') feet in length and fifteen (15') feet in width on the east side of the sidewalk and to install and maintain landscaping and an irrigation system in the right of way area adjacent to the Calhoun Building located at 1015 Sumter Street, Richland County TMS #11304-01-01; and to install a concrete sidewalk measuring eight (8') feet in width and continuing for a distance of approximately four and one-half (4.5') feet, adjacent to the existing service drive along the south side of the Calhoun Building, 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 4th day of June, 2013, that Ordinance 2013-024 dated April 16, 2013 is hereby amended to allow for the demolition and removal of an existing concrete apron approximately forty-two (42') feet in length and five (5') feet in width located on the west side of the sidewalk and to install landscaping, sod, an irrigation system, two (2) shepherd style light poles, a ground lighting system; and to remove a concrete apron approximately forty-two (42') feet in length and fifteen (15') feet in width on the east side of the sidewalk and to install and maintain landscaping and an irrigation system in the right of way area adjacent to the Calhoun Building located at 1015 Sumter Street, Richland County TMS #11304-01-01; and to install a concrete sidewalk measuring eight (8') feet in width and continuing for a distance of approximately four and one-half (4.5') feet, adjacent to the existing service drive along the south side of the Calhoun Building, 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 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.

PROVIDED FURTHER that the privilege granted hereby is subject to the Grantee complying with the following conditions, restrictions or limitations:

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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. Grantee is responsible for all maintenance of improvements and assuring that all accessibility and ADA requirements are met and maintained.

3. Grantee is responsible for maintenance and upkeep of all landscaping.

4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.

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

6. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.

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

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:

State of South Carolina Budget
and Control Board



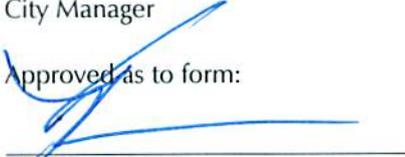
MAYOR

Approved by:



City Manager

Approved as to form:



City Attorney

Introduced: 5/21/2013

Final Reading: 6/4/2013

ATTEST:


City Clerk

**CITY COUNCIL
ENCROACHMENT SUMMARY
2013-047**



**1000 BLOCK OF SUMTER STREET
ADJACENT TO 1015 SUMTER STREET
CONCRETE PATIO, RETAINING WALL, COLUMNS, LANDSCAPING,
LIGHTING AND IRRIGATION**

Subject Property:	Right-of-way adjacent to 1015 Sumter Street, TMS#11304-01-01
Council District:	2 and 3
Proposal:	The applicant is requesting to amend Encroachment No. 2013-024 to make additional improvements (concrete patio, retaining wall, columns, landscaping, lighting and irrigation) to the Calhoun Building
Applicant:	SCBCB Calhoun Building
Staff Recommendation:	Approval

Detail:	<p>The applicant is requesting an encroachment to allow for the demolition and removal of an existing concrete apron approximately forty-two (42') feet in length and five (5') feet in width located on the west side of the sidewalk and to install landscaping, sod, an irrigation system, two (2) shepherd style light poles, a ground lighting system; and to remove a concrete apron approximately forty-two (42') feet in length and fifteen (15') feet in width on the east side of the sidewalk and to install and maintain landscaping and an irrigation system in the right of way area adjacent to the Calhoun Building located at 1015 Sumter Street, Richland County TMS #11304-01-01; and to install a concrete sidewalk measuring eight (8') feet in width and continuing for a distance of approximately four and one-half (4.5') feet, adjacent to the existing service drive along the south side of the Calhoun Building, as shown on the attached drawings.</p> <p>The applicant has worked with staff regarding this request. Conditions of the proposed encroachment are as follows:</p> <ol style="list-style-type: none"> 1. All of the previous conditions of Encroachment Ordinance No. 2013-0246. 2. Landscaping to be maintained by property owner. 3. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.
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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.

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 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: April 4, 2013 Property Owner: SC Budget and Control Board

Applicant's Name if different from Property Owner: _____

Contact Information: Telephone Number: 803-737-3880 Fax Number: 803-737-0592

Mailing address: 1200 Senate Street, Ste. 460 E-mail address: _____

Encroachment Location (Address): 1015 Sumter 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: R11304-01-01

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

If Other - specify: _____

Dimensions (height/width/length): Remove concrete apron measuring 42-feet x 15-feet. Install irrigation and landscaping.

(i.e., 6x42' wooden privacy fence; two 12'x4' concrete step; two 12'x12" x24" brick columns; 4x15' brick paver walkway)

Construction material: _____

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

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<input type="checkbox"/> 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) _____ _____ _____	
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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)

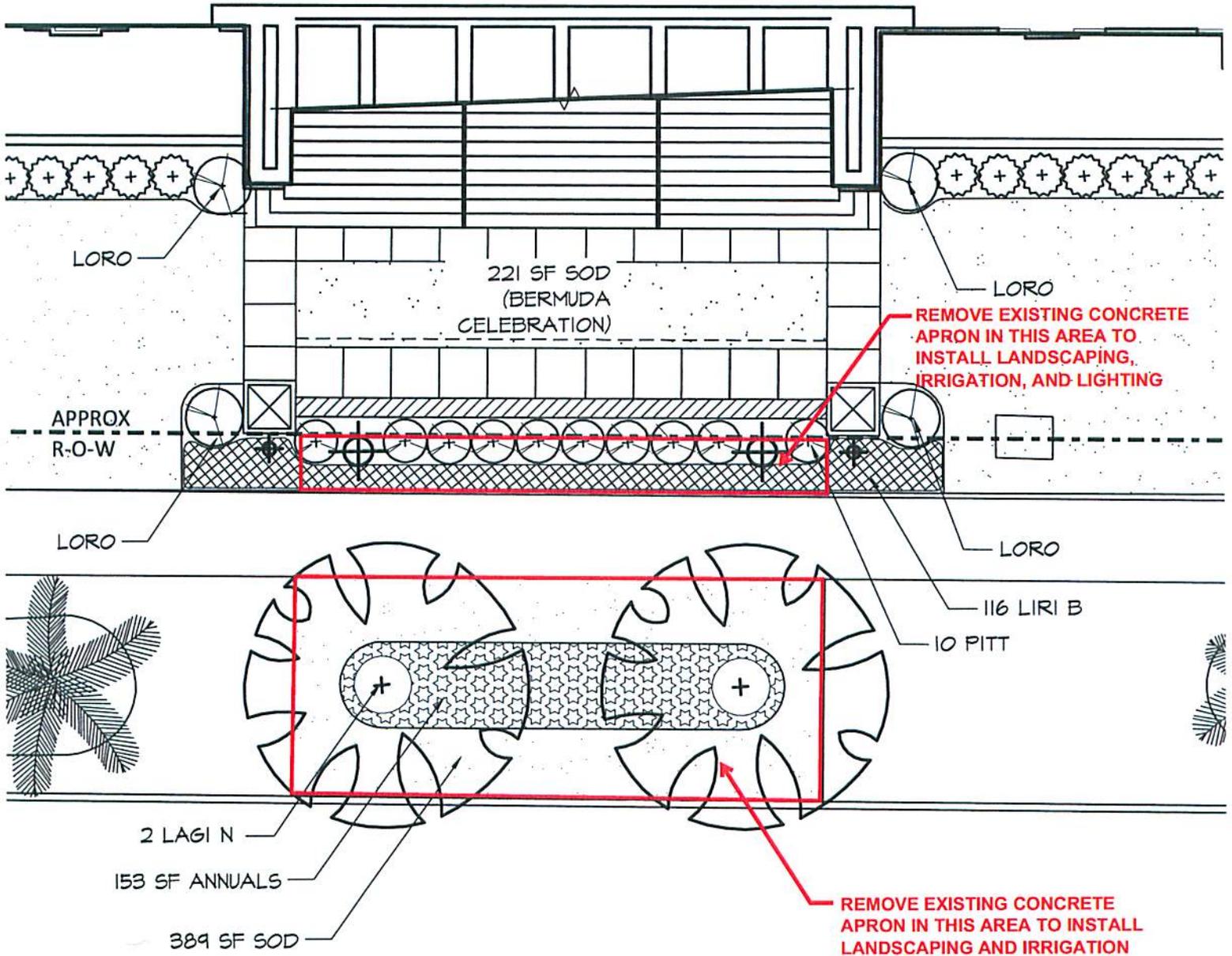
The proposed ordinance will be sent to the requesting party and City offices for review and approval. Krista Hampton will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

Contact	Department	Telephone Number	Fax Number
Joey Jaco	Utilities & Engineering	545-3400	988-8199
Missy Centry	Public Works	545-3780	733-8648
Krista Hampton	Planning and Development Services	545-3420	733-8647
Jerry Thompson	Building Official	545-3442	733-8699
Sara Hollar	Forestry & Beautification	545-3860	733-8648
Amy Moore	Historic Preservation	545-3222	733-8647
Fred Delk	Columbia Dev. Corporation	988-8040	988-8039
Chip Timmons	Risk Management	733-8306	733-8245
Dana Higgins	Construction Management	545-3372	545-4130
David Brewer	Traffic Engineering	545-3850	733-8648
Robert Sweatt	Street Division	545-3790	545-3785
Jonathan Chambers	Planning and Development Services	545-3206	343-8779
Carmen Floyd	Fire Marshall	545-3703	401-8839
Nancy Lee Trihey	Planning and Development Services	545-3218	733-8647
John Fellows	Planning and Development Services	545-3222	733-8647



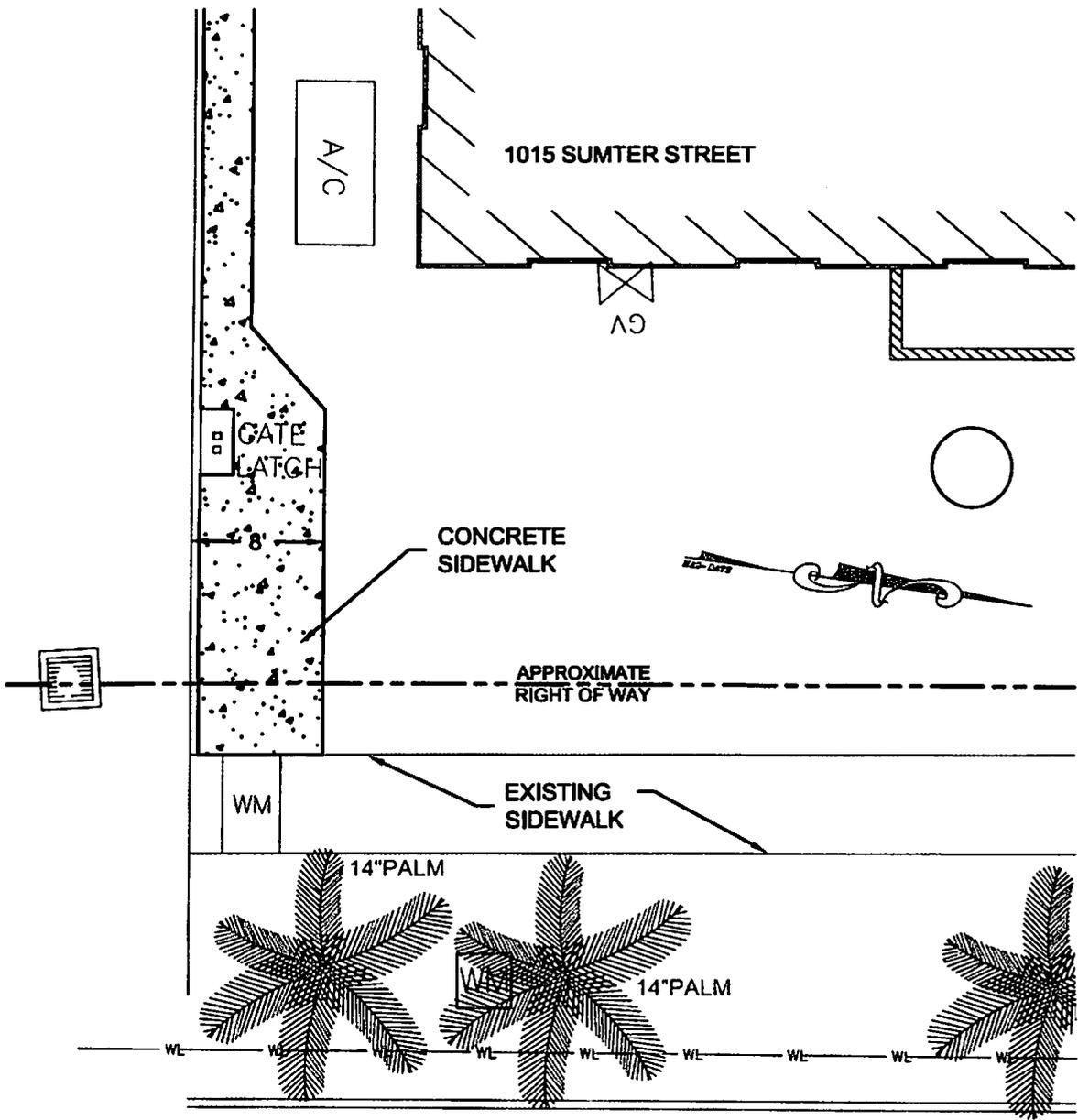
Encroachment Area

1015 SUMTER STREET



SUMTER STREET

SCALE: 1"=10'



SUMTER STREET
100' RW

SCALE: 1" = 10'

**Photograph of Encroachment Area & Narrative
For
Calhoun Building Site Safety Improvements Project
Located at 1015 Sumter Street
City Of Columbia**

April 05, 2013

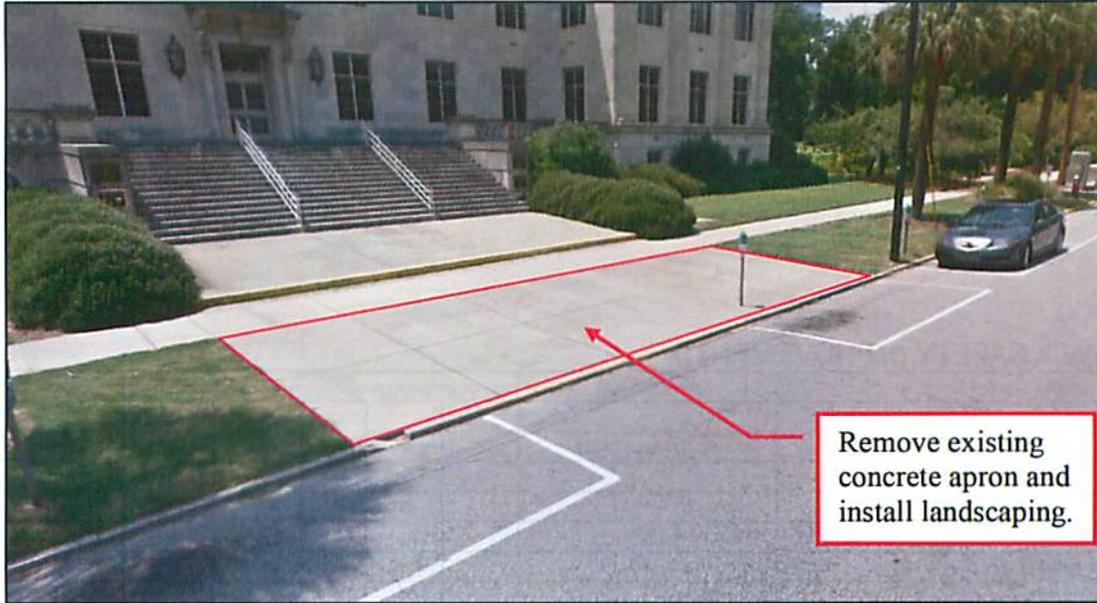


Photo 1

Narrative:

The scope of this project is to remove an existing concrete apron located directly in front of the east entrance of the Calhoun Building along Sumter Street. The existing concrete apron is approximately 42-feet long and 15-feet wide. Following removal, a mixture of crepe myrtles, annual flowers, and vegetative ground cover is proposed for the area. The proposed encroachment is located on the west side of Sumter Street, approximately 200-feet south of its intersection with Senate Street.



PLANT LIST SMALL SAFETY IMPROVEMENTS

ABBR.	BOTANICAL NAME	COMMON NAME	MINIMUM					COMMENTS	QTY.
			CALIPER	SPREAD	HEIGHT	BALL DIA.	NO. CANES		
LASI N	LAGERSTROEMIA 'NATCHEZ'	'NATCHEZ' Crape Myrtle	1'	6'	8'-10'	24"	3 MIN	MATCHING, SPECIMEN	5
ABEL S	ABELIA X GRANDIFLORA 'SHERWOOD'	'SHERWOOD' ABELIA		15'	12'	3 GAL.	3-5	PLANT 3' O.C.	11
AZAL	AZALEA INDICA	INDICA AZALEA		24"	24"	3 GAL.	3-5	PLANT 4' O.C.	8
ILEX G	ILEX CORNUTA 'CARISSA'	CARISSA HOLLY		15'-18"	12'	3 GAL.	3-5	PLANT 3' O.C.	58
LORO	LOROPETALUM CHINENSE	LOROPETALUM		24"	24"	3 GAL.	3-5	PLANT 5' O.C.	6
PITT	PITTOSPORUM TOBIRA 'WHEELER'S DWARF'	DWARF PITTOSPORUM		15'	12'	3 GAL.	3-5	PLANT 3' O.C.	10
ANNUALS	ANNUAL FLOWERS	(VARIETY TO BE SELECTED)							141 SF
LIRI	LIRIOPE MUSCARI 'EVERGREEN GIANT'	'EVERGREEN GIANT' LIRIOPE				PINT	5-7		50
LIRI B	LIRIOPE MUSCARI 'BIG BLUE'	'BIG BLUE' LIRIOPE				PINT		PLANT 12' O.C.	165
TRAC	TRACHELOSPERMUM ASIATICUM	ASIATIC JASMINE				PINT	5-7	PLANT 18' O.C.	148
SOD	EREMOCHLOA OPHUROIDES	CENTPEDE GRASS						WELL ROOTED	3,060 SF