

ORDINANCE NO. 2014-043

Granting an encroachment to the University of South Carolina for the use of the right of way areas of the 300 and 400 blocks of Sumter Street adjacent to the University of South Carolina Band and Dance Practice Field, and Band and Dance Building, Richland County TMS Nos. 11302-08-03, 11302-07-02 and 11302-07-01, for installation and maintenance of concrete walkways, striping, landscaping and an irrigation system in conjunction with a covered pedestrian overpass bridge

WHEREAS, the University of South Carolina (hereinafter "Grantee") desires to use a portion of the right of way areas of the 300 and 400 blocks of Sumter Street adjacent to the University of South Carolina Band and Dance Practice Field, and Band and Dance Building, Richland County TMS Nos. 11302-08-03, 11302-07-02 and 11302-07-01, for installation and maintenance of concrete walkways approximately two hundred forty-five (245') feet length and varying between approximately ten (10') feet and forty-five (45') feet in width, striping, landscaping and an irrigation system, in conjunction with a covered pedestrian overpass bridge, 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 20th day of May, 2014, that Grantee is hereby granted the right to use the right of way areas of the 300 and 400 blocks of Sumter Street adjacent to the University of South Carolina Band and Dance Practice Field, Band and Dance Building, Richland County TMS Nos. 11302-08-03, 11302-07-02 and 11302-07-01, for installation and maintenance of concrete walkways approximately two hundred forty-five (245') feet length and varying between approximately ten (10') feet and forty-five (45') feet in width, striping, landscaping and an irrigation system, in conjunction with a covered pedestrian overpass bridge, 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. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets;
2. All trees shall be protected;
3. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained;
4. Grantee is to coordinate existing and proposed crosswalks, ramps and curb cuts to insure proper alignment.

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, 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:

University of South Carolina



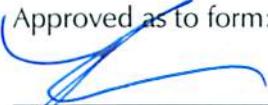
MAYOR

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:


City Clerk

Introduced: 5/6/2014

Final Reading: 5/20/2014

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.

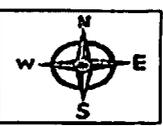
Please complete and submit this form along with any attachment(s) to Shari Ardis by e-mail at slardis@columbiasc.net ; fax at 803-737-4250; or mail to Shari Ardis, Legal Department, POB 147 Columbia, SC 29217, for preparation of an encroachment ordinance. Copies to City departments should be directed 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: _____ Property Owner: University of South Carolina
 Applicant's Name if different from Property Owner: Dwight Cathcart II
 Contact Information: Telephone Number: 803-777-4824 Fax Number: 803-777-8739
 Mailing address: 743 Greene Street Columbia SC 29205 E-mail address: dcathcar@fmc.sc.edu
 Encroachment Location (Address): 300 Sumner Street, University of South Carolina
 (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: TMS # R11302-0K-03 / TMS# R11302-07-02 / TMS# R11302-07-01

Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other
 If Other - specify: Pedestrian Bridge
 Dimensions (height/width/length): 204' elevation Base flood, 13'-8" w, Length = 366'

(i.e., 6x42' wooden privacy fence; two 12x4' concrete step; two 12x12" x24" brick columns; 4x15' brick paver walkway)
 Construction material: Cast in Place concrete footings and bridge deck. Decorative brick columns + fancy
 Please provide photographs and drawing or site plan drawn to scale - no larger than 8-1/2 x11.

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. 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 Gentry | 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 |



**CITY COUNCIL
ENCROACHMENT SUMMARY
2014-043**



**300 AND 400 BLOCKS OF SUMTER STREET
ADJACENT TO THE UNIVERSITY OF SOUTH CAROLINA BAND AND DANCE
PRACTICE FIELD AND BAND AND DANCE BUILDING
CONCRETE WALKWAYS, STRIPING, LANDSCAPING AND AN IRRIGATION
SYSTEM IN CONJUNCTION WITH A
COVERED PEDESTRIAN OVERPASS BRIDGE**

| | |
|------------------------------|---|
| Subject Property: | Right-of-way adjacent to 300 and 400 blocks of Sumter Street adjacent to the University of South Carolina Band and Dance Practice Field, and Band and Dance Building |
| Council District: | 3 |
| Proposal: | Request approval for the installation and maintenance of concrete walkways, striping, landscaping and an irrigation system in conjunction with a covered pedestrian overpass bridge |
| Applicant: | University of South Carolina |
| Staff Recommendation: | Approval |

| | |
|----------------|---|
| Detail: | <p>The applicant is requesting an encroachment ordinance to installation and maintenance of concrete walkways approximately two hundred forty-five (245') feet length and varying between approximately ten (10') feet and forty-five (45') feet in width, striping, landscaping and an irrigation system, in conjunction with a covered pedestrian overpass bridge, as shown on the attached drawings.</p> <p>Conditions of the proposed encroachment are as follows:</p> <ol style="list-style-type: none"> 1. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets; 2. All trees shall be protected; 3. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained; 4. Grantee is to coordinate existing and proposed crosswalks, ramps and curb cuts to insure proper alignment. |
|----------------|---|

CITY AGENCY COMMENTS FOR ENCROACHMENT

| | |
|--|---------------------|
| Planning & Development Services | Recommend approval. |
| Streets | Recommend approval. |
| Utilities and Engineering | Recommend approval. |
| Traffic Engineering | Recommend approval. |
| Forestry | Recommend approval. |
| Land Development | Recommend approval. |
| Fire | Recommend approval. |

