

ORDINANCE NO.: 2014-054

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 1300 block of Lincoln Street adjacent to 901 Lady Street, Richland County TMS #09013-12-15

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 and 1300 block of Lincoln Street adjacent to 901 Lady Street, Richland County TMS #09013-12-15 for installation and maintenance of a steel art sculpture approximately ten (10') feet in length, nine (9') feet in width and eight (8') feet in height, 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 10th day of June, 2104 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 and 1300 block of Lincoln Street adjacent to 901 Lady Street, Richland County TMS #09013-12-15 for installation and maintenance of a steel art sculpture approximately ten (10') feet in length, nine (9') feet in width and eight (8') feet in height, 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
2014-054**



**900 BLOCK OF LADY STREET AND 1300 BLOCK OF LINCOLN STREET
ADJACENT TO 901 LADY STREET
ART SCULPTURE**

Subject Property:	Right-of-way adjacent to 900 Block of Lady Street and 1300 Block of Lincoln Street adjacent to 901 Lady Street, TMS#09013-12-15
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of an steel art sculpture
Applicant:	Sarah Lewis, Congaree Vista Guild
Staff Recommendation:	Approval with conditions

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of a steel art sculpture approximately ten (10') feet in length nine (9') feet in width and eight (8') feet in height, 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 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. 5. All sharp or jagged edges shall be ground smooth and turned toward the inside center of the sculpture. 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.
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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.

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 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 ctimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: 04-03-14 Property Owner: City of Columbia
 Applicant's Name if different from Property Owner: Sarah Lewis, Concrete Walk Guild
 Contact Information: Telephone Number: 803-369-5946 Fax Number: N/A
 Mailing address: 701 Kenyon Street Suite 301B Columbia, SC 29205 E-mail address: SARAH@WALKGUILD.COM
 Encroachment Location (Address): East Lincoln - former walkway site (See attached) 690 Wady 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: See attached
 Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other
 If Other - specify: Public art sculpture market stand
 Dimensions (height/width/length): 8x8x4
 (i.e., 6x42" wooden privacy fence; two 12"x4" concrete steps; two 12"x12"x24" brick columns; 4"x15" brick paver walkway)
 Construction material: Steel - See drawing
 Please provide photographs and drawing or site plan drawn to scale - no larger than 8-1/2 x 11.

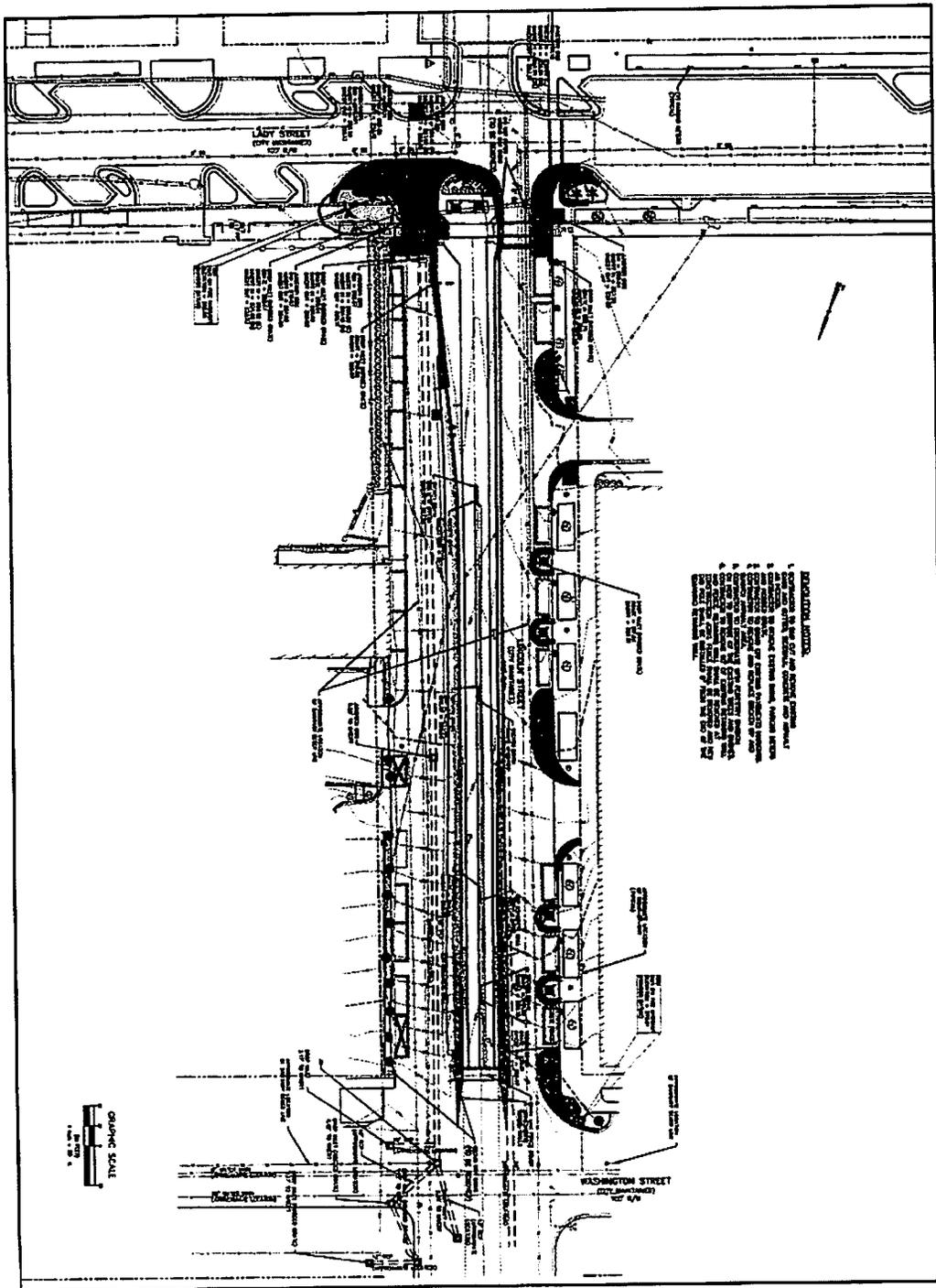
Church Directional Signs (Must provide picture or drawing of proposed signs that reflect dimensions)
 Location(s) signs are to be placed (i.e. Northeast corner of Main Street) _____



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)	803-645-3420	803-733-6847	kmhampton@columbiasc.net
Johnathan Chambers	Development Services (Land Development)	803-645-3333	803-343-8779	jchambers@columbiasc.net
Nancy Lee Trihey	Development Services (Planning)	803-645-3222	803-733-8647	nltrihey@columbiasc.net
John Fellows	Development Services (Planning)	803-645-3222	803-733-8647	jsfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-645-3332	803-733-8647	bcook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-645-3420	803-733-8639	jthompson@columbiasc.net
Fanessa Pinckney	Development Services (Permits)	803-645-3420	803-733-8639	fpinckney@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-645-3222	803-733-8647	amoore@columbiasc.net
Joey Jacob	Utilities & Engineering (Administration)	803-645-3400	803-888-8189	jjacob@columbiasc.net
Dana Higgins	Utilities & Engineering (Construction Management)	803-645-3372	803-545-4130	dnhiggins@columbiasc.net
Robert Anderson	Public Works (Administration)	803-645-3780	803-733-8648	randerson@columbiasc.net
Robert Sweet	Public Works (Street Division)	803-645-3790	803-545-3785	rgsweet@columbiasc.net
David Brewer	Public Works (Traffic Engineering)	803-645-3850	803-733-8648	dbrewer@columbiasc.net
Sara Holtar	Public Works (Forestry & Beautification)	803-645-3860	803-733-8648	sholtar@columbiasc.net
John Hooks	Public Works (Solid Waste)	803-645-3800	803-733-8648	jhooks@columbiasc.net
Fred Dalk	Columbia Development Corporation	803-888-8040	803-888-8039	cdc@columbiasc.net
Chip Timmons	Risk Management	803-733-8306	803-733-8245	ctimmons@columbiasc.net
George Adams	Fire Department	803-645-3701	803-401-8839	gadams@columbiasc.net
Gerald Koon	Fire Department	803-645-3701	803-401-8839	gkoon@columbiasc.net
John David Spade	Parking Services	803-645-3070	803-733-8523	spade@columbiasc.net



EXPLANATION

1. SHOWN IN THE CITY OF COLUMBIA ZONING ORDINANCE AND CITY OF COLUMBIA ZONING MAP.

2. SHOWN IN THE CITY OF COLUMBIA ZONING ORDINANCE AND CITY OF COLUMBIA ZONING MAP.

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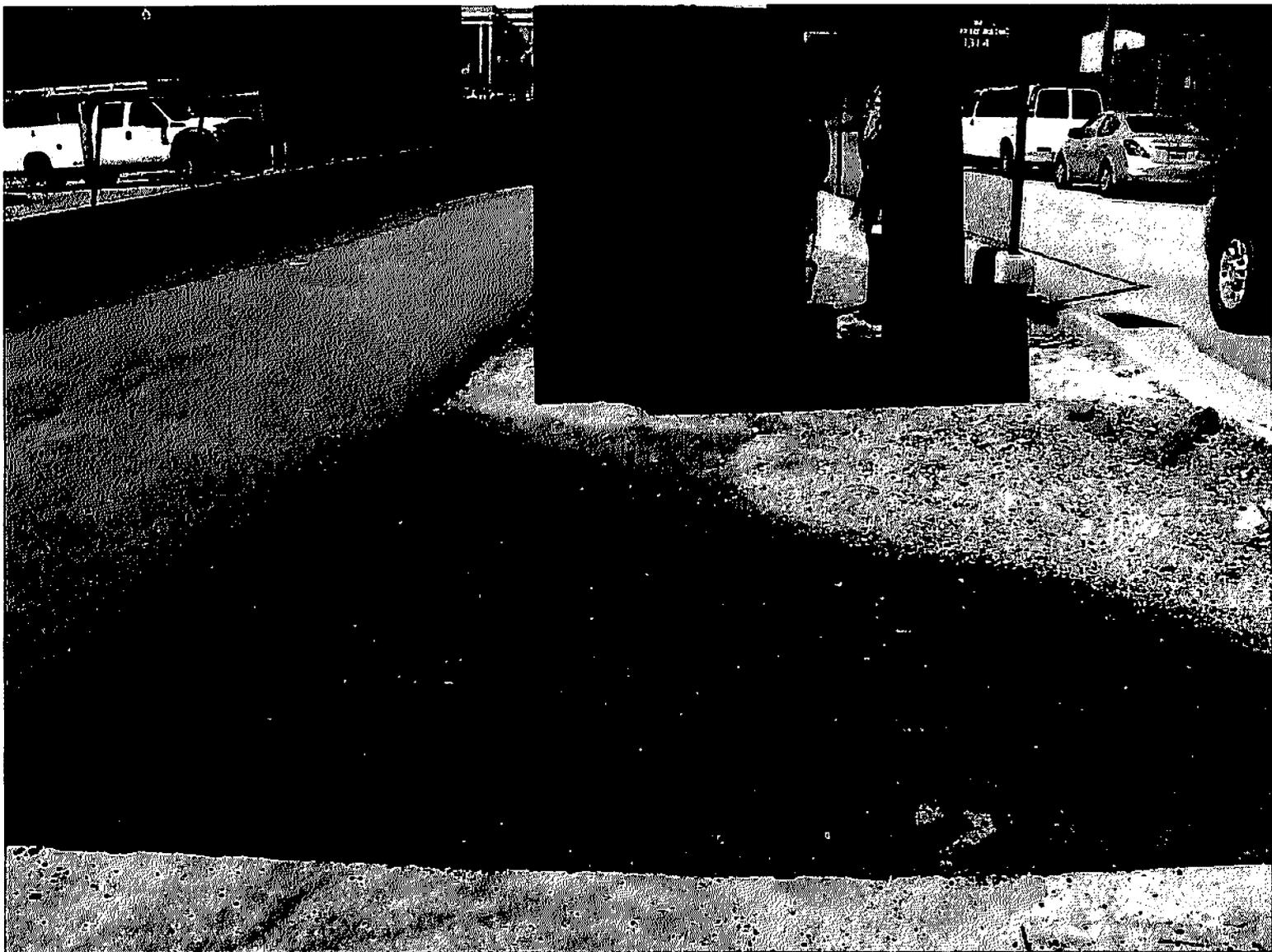
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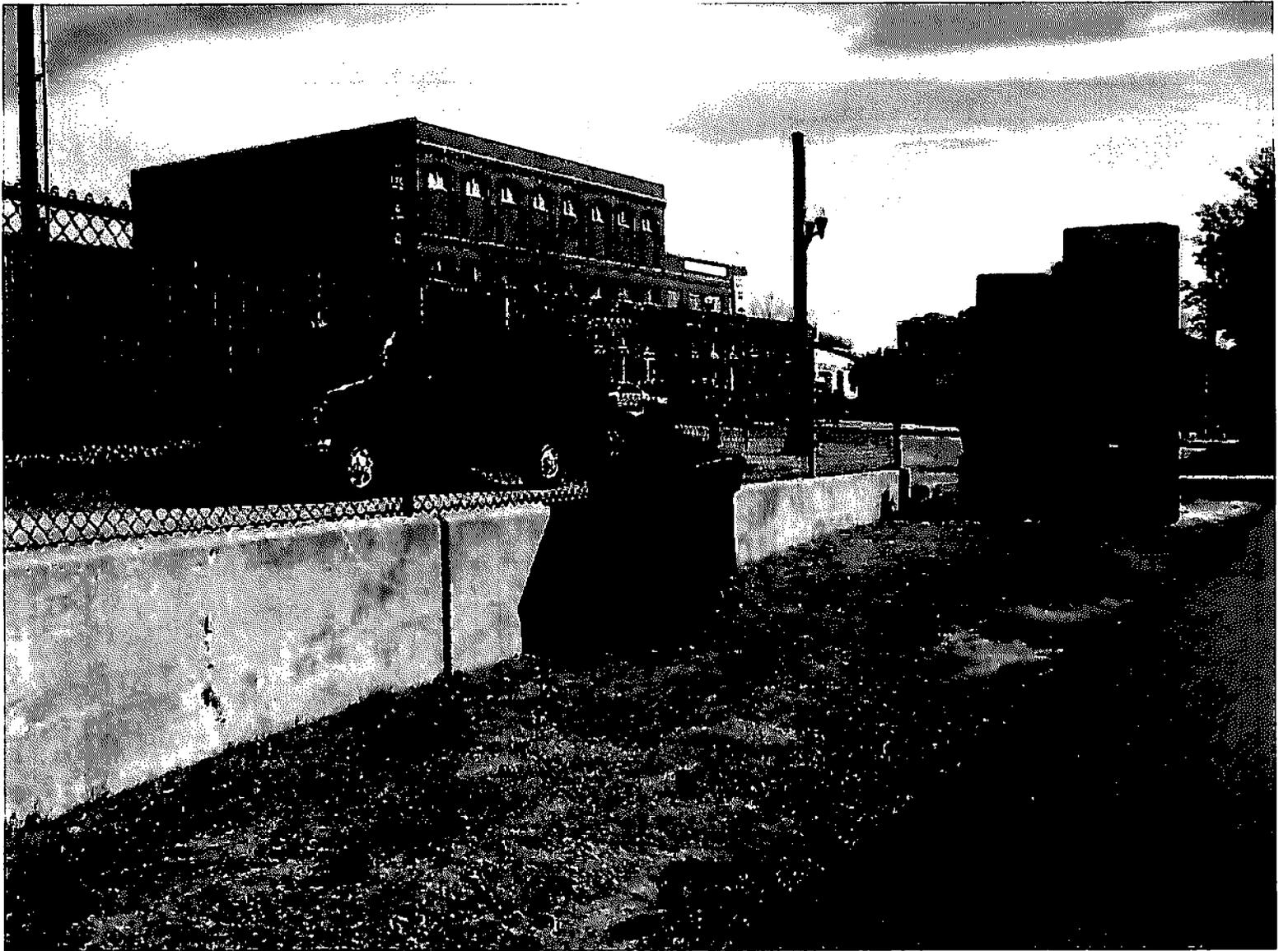
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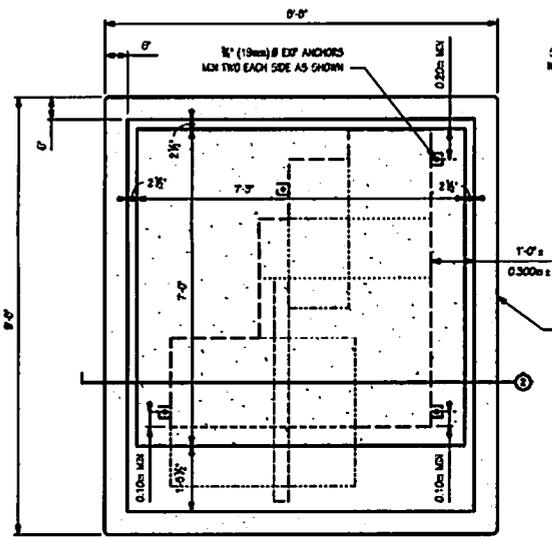
10. SHOWN IN THE CITY OF COLUMBIA ZONING ORDINANCE AND CITY OF COLUMBIA ZONING MAP.



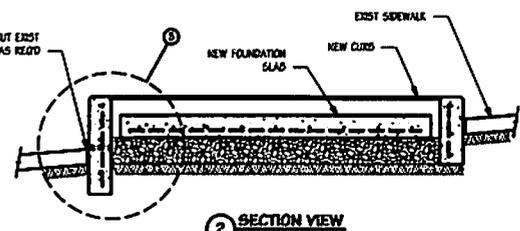
SHEET TITLE EXISTING CONDITIONS AND DEMOLITION PLAN	PROJECT TITLE LINCOLN STREET ROAD REALIGNMENT AND PLAZA	CITY ENGINEER	CITY OF COLUMBIA DEPARTMENT OF UTILITIES AND ENGINEERING ENGINEERING DIVISION P.O. BOX 107 COLUMBIA, SOUTH CAROLINA 29207
		APPROVED BY:	



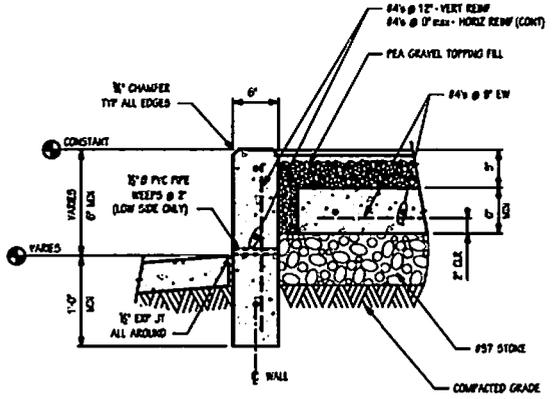




1 PLAN VIEW
SCALE 1/4" = 1'-0"



2 SECTION VIEW
SCALE 1/4" = 1'-0"



3 SECTION
SCALE 1/4" = 1'-0"

- NOTES:
1. ALL CONCRETE SHALL BE 4000-PSI NORMAL WEIGHT w/5% AIR ENTRAINMENT AND BLENDED MACROFIBERED SYNTHETIC FIBER MESH (PROPER NOMINENH 990, OR EQUAL) AT A DOSAGE RATE OF 5-PCT (4-4.5% MACRO + 1-0.5% MICRO ±).
 2. ALL REINFORCING STEEL SHALL BE ASTM A615, GRADE 60.
 3. CHAMFER ALL EXPOSED EDGES 1/2".
 4. USE 90° CORNER BARS w/18" LAP WITH HORIZONTAL REINFORCING.
 5. SECURE SCULPTURE TO FOUNDATION SLAB w/1/2" DIA. DOLT 3 EXPANSION ANCHORS - 1/2" #8 HOT-DIP GALVANIZED, 3/8" DIA. EMBEDMENT. USE A MINIMUM OF 2 ANCHORS EACH SIDE (4 TOTAL).
 6. DRILL EXPANSION ANCHOR HOLES COMPLETELY THROUGH FOUNDATION SLAB TO ALLOW FOR DRAINAGE.
 7. AFTER SCULPTURE IS SECURED IN PLACE, TOP OFF INSIDE CURB AREA WITH DOWM STONE OR PEA-GRAVEL RIVER STONE TO WITHIN 1 1/2" INCHES OF TOP.
 8. PROVIDE A GROUT-KURBED FINISH TO ALL EXPOSED CONCRETE SURFACES.

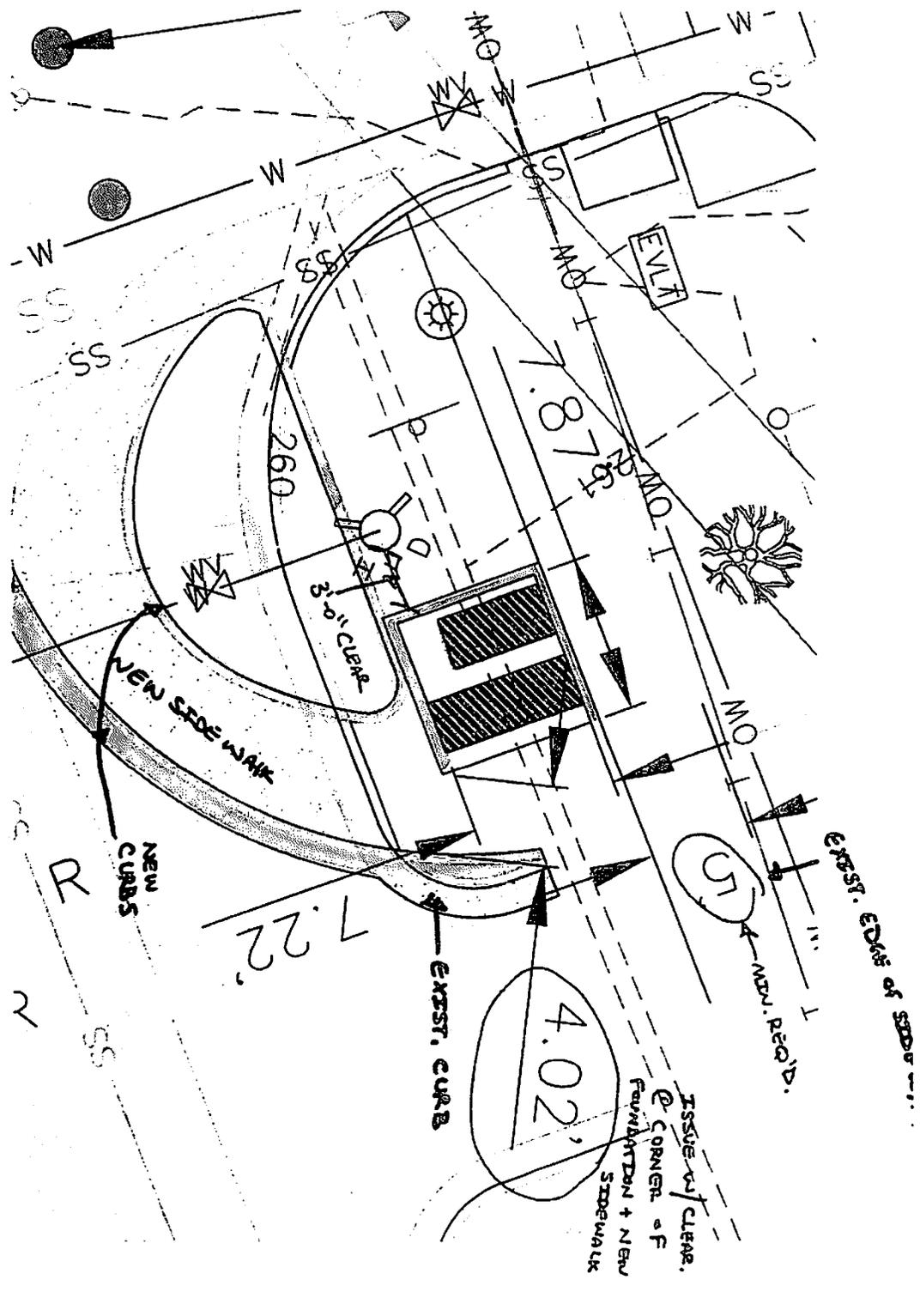


BURKE ENGINEERING, LLC
Structural Design & Consulting
1112 Dunbar St., Columbia, SC 29204-1400
Phone: 803-733-8888 Fax: 803-733-8887

WESTA SCULPTURE
LADY ST. & LINCOLN ST., COLUMBIA, SC 29201
140400
16 APRIL 2014

FOUNDATION PLAN & DETAILS

SK-1



EXIST. EDGE OF SIDEWALK

ISSUE w/ CLEAR.
@ CORNER OF
FOUNDATION + NEW
SIDEWALK

MIN. REQ'D.

EXIST. CURB

NEW CURBS

NEW SIDEWALK

7.22'

4.02'

7.87'

260

3'-0" CLEAR

ENT

