

**ORDINANCE NO.: 2015-110**

*Granting an encroachment to Hampton-Taylor-Gregg, LLC for installation and maintenance of a sidewalk/ramp and hand railing within the right of way area of the 1900 block of Hampton Street adjacent to 1919 Hampton Street, Richland County TMS #11407-11-11 (portion)*

ORIGINAL  
STAMPED IN RED

WHEREAS, Hampton-Taylor-Gregg, LLC (hereinafter "Grantees") desires to utilize a portion of the sidewalk right of way area of the 1900 block of Hampton Street adjacent to 1919 Hampton Street, Richland County TMS #11407-11-11 (portion) for installation and maintenance of a concrete sidewalk with ramp approximately seventy-five (75') feet in length six (6') feet six (6") inches in width, four (4) handrails approximately thirty-six (36") 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 5th day of January, 2016, that Grantee, its successors and assigns is hereby granted the right to utilize a portion of the sidewalk right of way area of the 1900 block of Hampton Street adjacent to 1919 Hampton Street, Richland County TMS #11407-11-11 (portion) for installation and maintenance of a concrete sidewalk with ramp approximately seventy-five (75') feet in length six (6') feet six (6") inches in width, four (4) handrails approximately thirty-six (36") 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. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.
3. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.

ORIGINAL  
STAMPED IN RED

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

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

6. Grantee is responsible for all costs associated with repair of the improvements within the right of way and costs associated should the City have to dig in the area or remove any part thereof for maintenance to City water and or sewer lines.

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:

Assistant City Manager Gentry

  
\_\_\_\_\_  
MAYOR

Approved by:

  
\_\_\_\_\_  
City Manager

Approved as to form:

  
\_\_\_\_\_  
City Attorney

ATTEST:

  
\_\_\_\_\_  
City Clerk

Introduced: 12/15/2015

Final Reading: 1/5/2016

**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2015-110**



**1900 BLOCK OF HAMPTON STREET  
ADJACENT TO 1919 HAMPTON STREET  
CORNERSTONE PROJECT  
SIDEWALK WITH RAMP AND RAILING**

<b>Subject Property:</b>	1900 block of Hampton Street adjacent to 1919 Hampton Street
<b>Council District:</b>	2
<b>Proposal:</b>	Request approval for the installation of a sidewalk ramp and iron railings, as shown on the attached drawing.
<b>Applicant:</b>	Cornerstone Project
<b>Staff Recommendation:</b>	Recommend approval.
<b>Conditions:</b>	Standard comments regarding encroachments.

<b>Detail:</b>	<p>The applicant is requesting approval for the installation of a concrete sidewalk with ramp approximately seventy-five (75') feet in length six (6') feet six (6") inches in width, four (4) handrails approximately thirty-six (36") in height, as shown on the attached drawing.</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. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.</li> <li>3. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.</li> <li>4. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.</li> <li>5. All trees shall be protected and no large tree roots shall be removed from any existing trees.</li> <li>6. Grantee is responsible for all costs associated with repair of the improvements within the right of way and any costs incurred by the City to access City water and or sewer lines that may be obstructed by Grantee's encroachment.</li> </ol>
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<b>CITY AGENCY COMMENTS FOR ENCROACHMENT</b>	
<b>Planning</b>	Recommend Approval.
<b>Streets</b>	Recommend Approval.
<b>Utilities &amp; Engineering</b>	Recommend Approval.
<b>Traffic Engineering</b>	Recommend Approval.
<b>Fire Department</b>	Recommend Approval.
<b>Forestry</b>	Recommend Approval.
<b>Land Development</b>	Recommend Approval.



**REQUEST FOR A PERMANENT COMMERCIAL ENCROACHMENT ORDINANCE  
(INCLUDING OUTDOOR DINING/LANDSCAPING/STUDENT HOUSING)**

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. Encroachments must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and are 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 insurance 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, (803) 733-8306 or catimmons@columbiasc.net.

Please complete and submit this form along with photographs and drawings or site plan drawn to scale (including a 8-1/2 x11) to Johnathan Chambers by e-mail at jechambers@columbiasc.net; fax at 803-343-8779; or mail to Johnathan Chambers, Development Services, 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.

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. Property owned, operated and maintained by SCDOT shall comply with SCDOT encroachment requirements.

Date: \_\_\_\_\_ Property Owner: Hampton-Taylor Corp, LLC (Arnold Corp)  
 Applicant's Name if different from Property Owner: Commercial Project  
 Contact Information: Telephone Number: 803-764-3728 Fax Number: 803-764-3734  
 Mailing address: 1919 Hampton St E-mail address: Diane@RMSConstruction.com  
 Business Name/Development Name for Encroachment: \_\_\_\_\_

Encroachment type:  Wall  Fence  Columns  Steps  Irrigation System  Landscaping  Driveway  Pavers  Sidewalk/Walkway  
 Planters  Awning  Underground Utilities Other: Railing

Dimensions (height/width/length):  
 (i.e. 6x42' wooden privacy fence;  
 two 12x4x3' concrete steps)  
32' x 42"

Construction material: Iron & Concrete

**OUTDOOR DINING:** The Fire Marshal's posted capacity allowed within the business at the time of enactment of the outdoor dining encroachment ordinance shall include the total number of patron seating approved for the outdoor dining encroachment area, if not already included in the posted capacity allowance, so that patrons relocating from inside to the outside or from outside to the inside do not cause the posted capacity to be exceeded.

Hours/days of operation for outdoor dining: \_\_\_\_\_  
 Posted Maximum Capacity Allowance (inside/outside combined): \_\_\_\_\_ No. of chairs outdoors: \_\_\_\_\_ No. of Tables Outdoors: \_\_\_\_\_  
 Do you serve:  Wine  Beer  Liquor SCDOR ABL No.: \_\_\_\_\_ If not, do you intend to apply for an ABL license? \_\_\_\_\_

I acknowledge that the adjoining property owners and businesses have been contacted and approve the addition of outdoor dining at this location to include the service of beer, wine and/or liquor if applicable during the business hours noted above, and that any changes made to the business hours, use of the encroachment area or items allowed within the encroachment area will require an amendment to the encroachment ordinance.  
[Signature]  
 Name/Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

I acknowledge that any changes made to the business, hours, use of the encroachment area, or items allowed within the encroachment area, to include obtaining a license to sell beer, wine and/or liquor will require an amendment to the encroachment ordinance.  
[Signature]  
 Name/Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

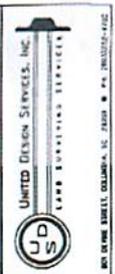
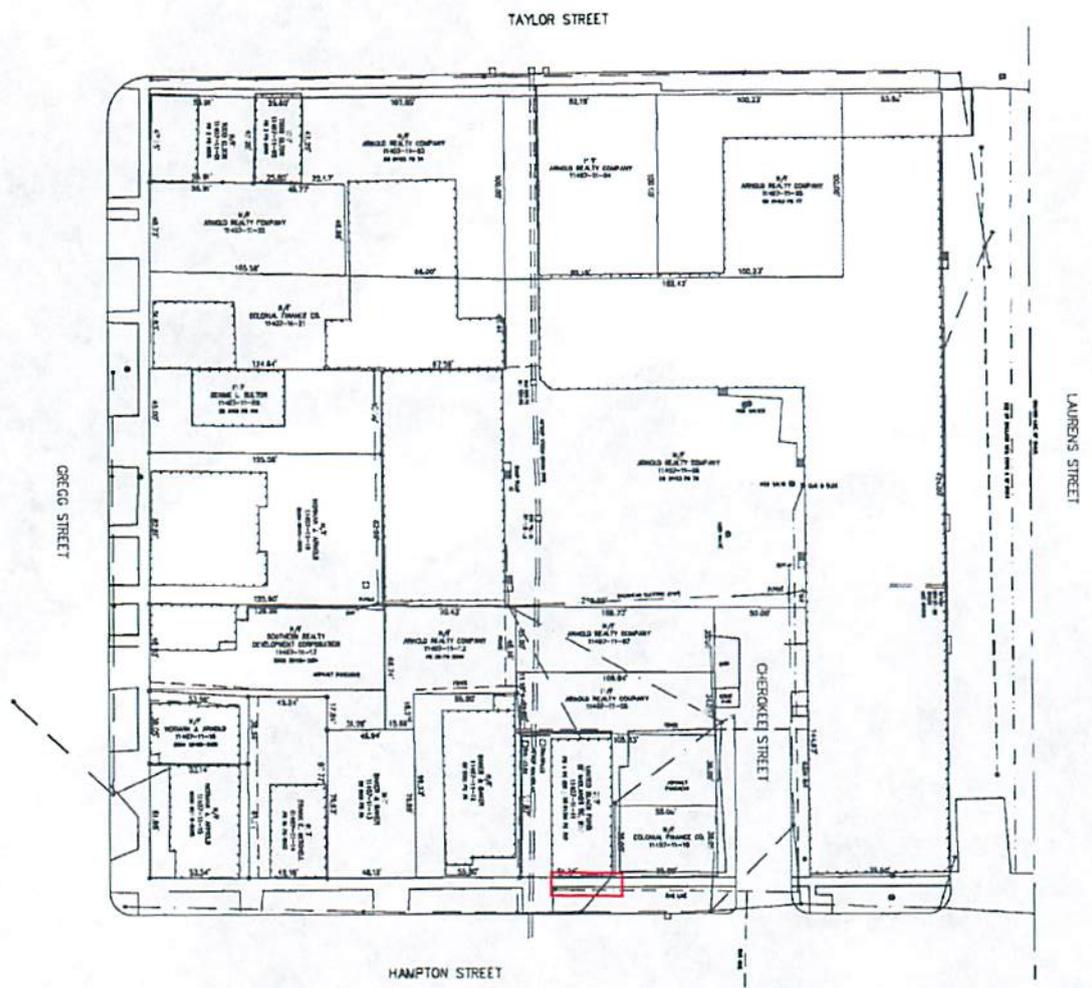
The proposed ordinance will be sent to the requesting party and City offices for review and approval. Johnathan Chambers will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-343-8779	jechambers@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
Fanessa Pinckney	Development Services (Permits)	803-545-3420	803-733-8699	fcpinckney@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	aemoore@columbiasc.net
Robert Harkins	Development Services (Plans Review)	803-545-3420	803-733-8647	rharkins@columbiasc.net
Denny Daniels	Utilities & Engineering (Construction Management)	803-545-3400	803-988-8199	jddaniels@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
Chip Timmons	Risk Management	803-733-8306	803-733-8245	catimmons@columbiasc.net
David Koon	Fire Department	803-545-3701	803-401-8839	cdkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net





VICINITY MAP



ARNOLD COMPANIES  
 1400 JAMES EARL RAY BLVD. COLUMBIA, SOUTH CAROLINA

NO.	DATE	REVISION / DESCRIPTION	BY



SCALE: 1" = 30'

DATE: 12 APRIL 2001

L.S. : P.

CWG, P. US-888-880

SHEET

## **Encroachment Justification – 1919 Hampton Street**

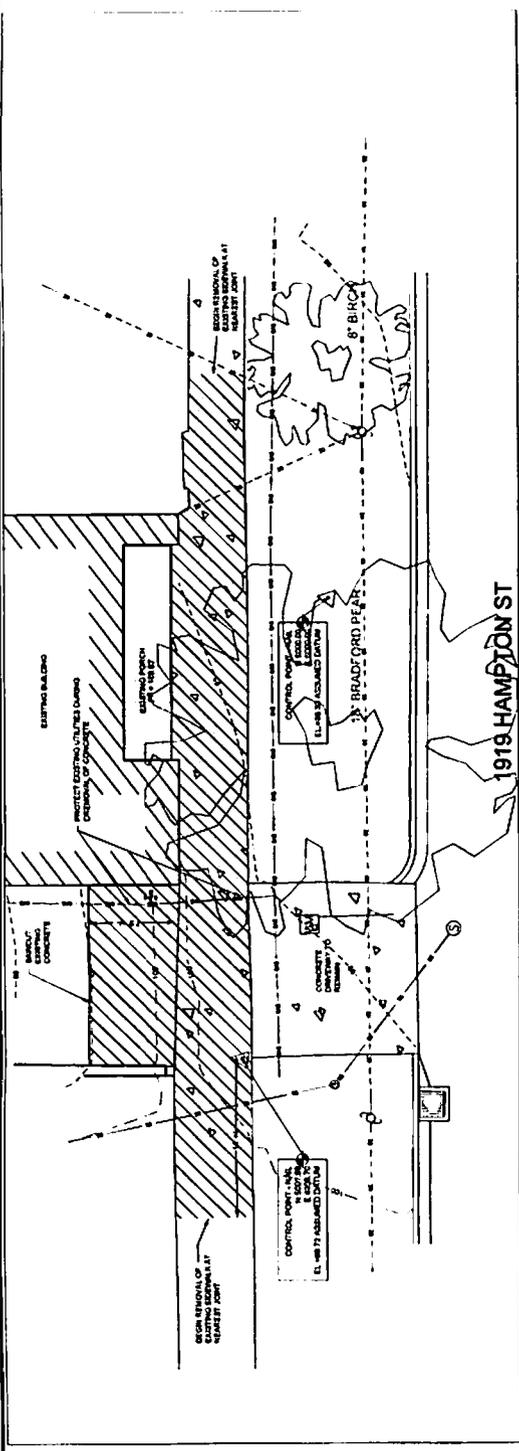
Cornerstone Project offers a wide range of emotional and behavioral services. The company creates comfortable and supportive atmosphere to conduct a series of counseling and support initiatives to combat addictions, stress, relationship and grief disorders. Using highly personalized strategies and approaches tailored to each of their client's individual needs, Cornerstone is able to help each client attain the personal growth they're striving towards in personal recovery goals.

In this process, the Opioid addiction clients with methadone and naltrexone history are provided the less, addictive Suboxone (Buprenorphine). As a medication-assisted treatment, it suppresses withdrawal symptoms and cravings for opioids, does not cause euphoria in the opioid-dependent patient, and it blocks the effects of the other (problem) opioids for at least 24 hours. Success rates, as measured by retention in treatment and one-year sobriety, have been reported as high as 40 to 60 percent in some studies. Treatment does not require participation in a highly-regulated federal program such as a methadone clinic. Since buprenorphine does not cause euphoria in patients with opioid addiction, its abuse potential is substantially lower than methadone.

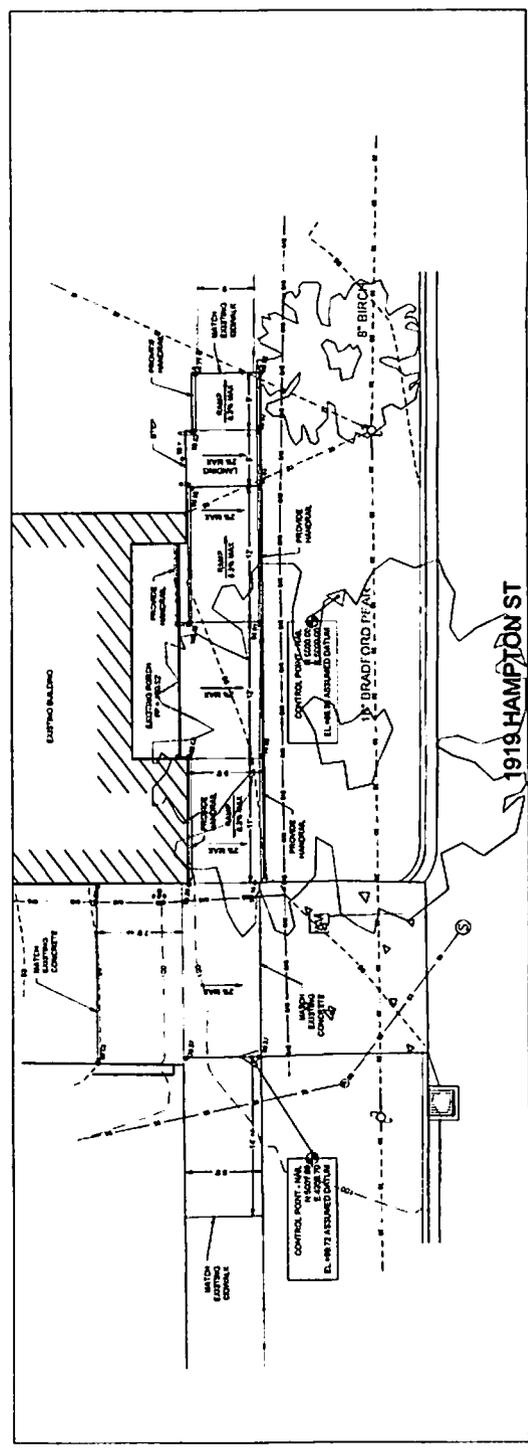
In an effort to bring these services to South Carolina, DHEC requires certain ADA up fits to newly acquired property through either lease or purchase. After review of the 1919 Hampton facility it was determined that a couple of renovations were necessary to meet the current ADA Standards. One of those was to develop an ADA Handicap ramp for the front entrance. In order to complete this task, it would require the expansion of the front step area to approximately 3 feet into the easement of the property. However, the front sidewalk is extremely un-level with cracks and humps that already provide an unsafe passageway for general pedestrians, and potential handicap citizens. In an effort to provide a both safe and cosmetically acceptable passageway, we have proposed to Public Works that we be granted an additional 3 foot encroachment, that would allow us to repair the sidewalk area and make it comfortable for both behavioral clients and common citizens to pass in that section. The use of the additional 3 feet would even include safety railing for the proposed 7 inch rise to level the area with a wheelchair access ramping that could be used by all passing in that area. Currently if any persons traveling through that section of Hampton Street were to attempt to use a wheelchair, they would be presented with challenges and potential hazardous conditions with the slope and the cracks one major section. Public Works has concurred with the modification and referred our efforts to Development Services for final approval.

The cost and liability for meeting the DHEC approved design would clearly rest with Cornerstone and will still be reviewed following the completion of the improvements by DHEC Architects. The approved construction design is attached with this correspondence for review and approval.

This approval will assist both in the implementation of safer & attractive conditions, along with commencement of the innovative addictive treatment services much needed for many of our veterans and homeless citizens throughout Columbia.



**DEMOLITION PLAN**



**SIDEWALK PLAN**

Hatched areas indicate existing concrete.