

ORDINANCE NO. 2013-079

*Granting encroachment to the Columbia Urban League for installation and maintenance of landscaping and an irrigation system within the right of way areas of the 1400 block of Barnwell Street and 1800 block of Washington adjacent to its building at 1400 Barnwell Street, Richland County TMS #11406-01-12*

WHEREAS, Columbia Urban League (hereinafter "Grantee") desires to use a portion of the right of way area of the 1400 block of Barnwell Street and 1800 block of Washington Street adjacent to its building at 1400 Barnwell Street, Richland County TMS 11406-01-12 for installation and maintenance of landscaping and an irrigation system, 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 3rd day of September, 2013, that Grantee is hereby granted the right to install and maintain landscaping and an irrigation system, 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 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

ORIGINAL  
STAMPED IN RED

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. Landscaping to be maintained by property owner.

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

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

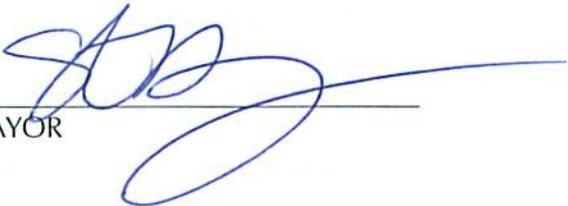
6. Tree species must be reviewed and approved by Forestry and Beautification.

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:

Columbia Urban League, Inc.

  
\_\_\_\_\_  
MAYOR

Approved by:

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

Approved as to form:

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

ATTEST:  
  
\_\_\_\_\_  
City Clerk

Introduced: 8/13/2013  
Final Reading: 9/3/2013

**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2013-079**



**1400 BLOCK OF BARNWELL STREET AND  
1800 BLOCK OF WASHINGTON STREET  
ADJACENT TO 1400 BARNWELL STREET  
LANDSCAPING AND IRRIGATION**

<b>Subject Property:</b>	Right-of-way adjacent to 1400 block of Barnwell Street and 1800 block of Washington adjacent to its building at 1400 Barnwell Street, TMS#11406-01-12
<b>Council District:</b>	2
<b>Proposal:</b>	The applicant is requesting an encroachment for installation and maintenance of landscaping and irrigation
<b>Applicant:</b>	Columbia Urban League
<b>Staff Recommendation:</b>	Approval

<b>Detail:</b>	<p>The applicant is requesting an encroachment for installation and maintenance of landscaping and an irrigation system, as shown on the attached drawings.</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 existing 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. Landscaping to be maintained by property owner.</li> <li>4. Irrigation must be designed to avoid spraying walkways, sidewalk and streets and/or creating hazardous conditions upon walkways, sidewalks and streets.</li> <li>5. All trees shall be protected and no large tree roots shall be removed from any existing trees.</li> <li>6. Tree species must be reviewed and approved by Forestry and Beautification.</li> </ol>
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**CITY AGENCY COMMENTS FOR ENCROACHMENT**

<b>Planning</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 approval.
<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 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 catimmons@columbiasc.net ) should be contacted regarding the insurance requirements.

Date: 5/13/13 Property Owner: Columbia Urban League, Inc.  
 Applicant's Name If different from Property Owner: Enviro AqScience, Inc.

Contact Information: Telephone Number: (803) 714-7290 Fax Number: (803) 714-7990

Mailing address: PO BOX 23285 Columbia, SC 29224-3285 E-mail address: info@enviroaqb.com

Encroachment Location (Address): 1400 Barnwell Street and 1800 block of Washington 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: TMS # 11406-1-12

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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): \_\_\_\_\_

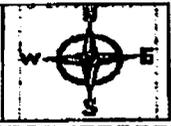
(i.e., 6'x4' wooden privacy fence; two 12"x4' concrete step; two 12"x12" x24" brick columns; 4'x15' brick paver walkway)

Construction material: \_\_\_\_\_

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

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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)

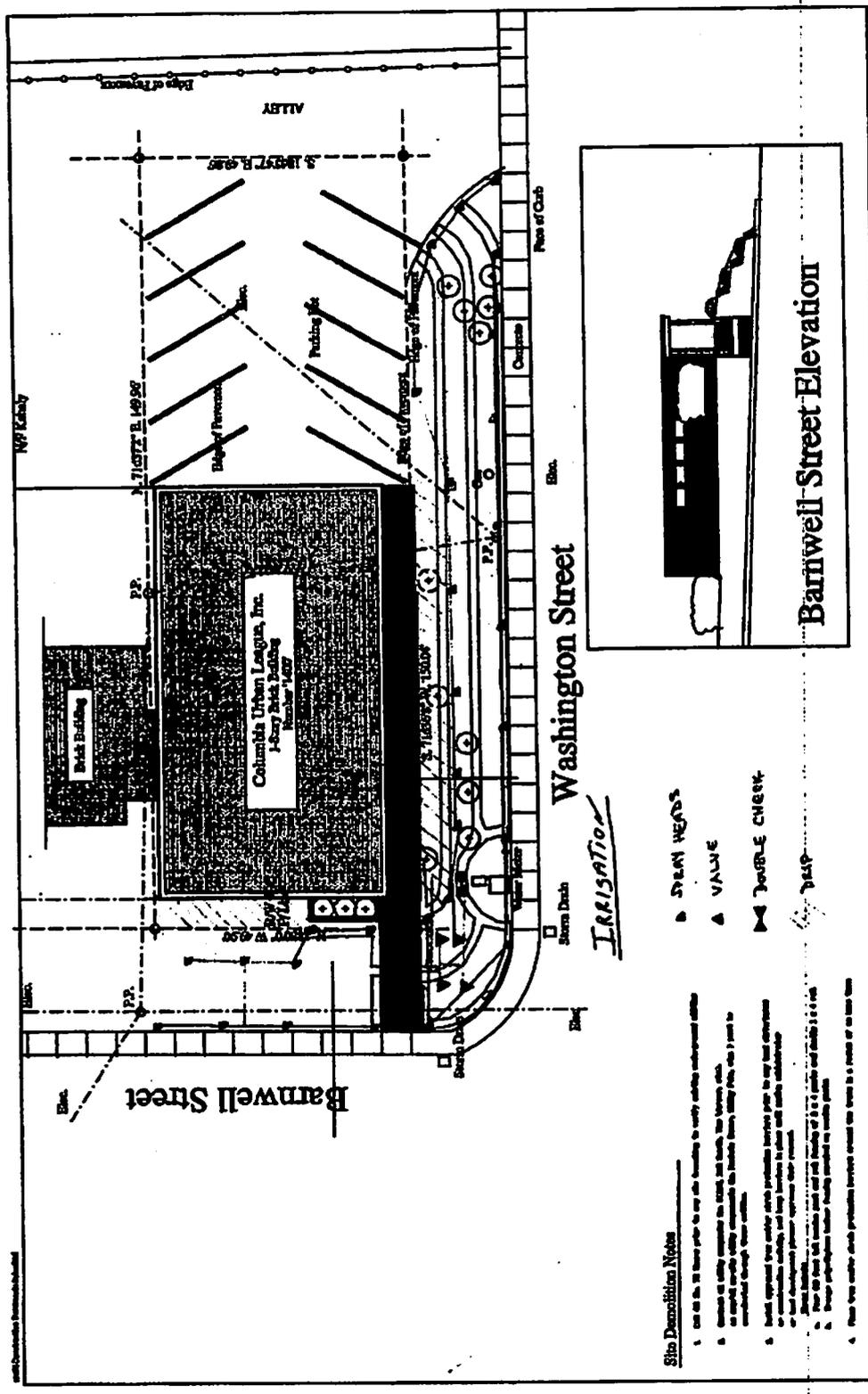
The proposed ordinance will be sent to the requesting party and City offices for review and approval. Krista Hampton will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

Contact	Department	Telephone Number	Fax Number
Jocely 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 Trilhey	Planning and Development Services	545-3218	733-8647
Arthur Studwick	Forestry & Beautification	545-3860	733-8640
John Fellows	Planning and Development Services	545-3222	733-8647

DATE	BY
05/22/2013	ML

Landscape Improvements - Columbia Urban League  
 1400 Barnwell Street, Columbia, SC 29201  
 P: 803.799.8150; C: 803.391.5264  
 Landscape Plan - Demolition  
 email: [ed@cdm.com](mailto:ed@cdm.com)

Project No. 2013-02  
 Date: 05/22/2013  
 Scale: as indicated  
 Lr2  
 Sheet No. 3 of 6



- Site Demolition Notes**
1. Use all the 30' lines prior to any site building to verify existing underground utilities.
  2. Confirm all utility companies (SCE&G, SCANA, and South Carolina Electric & Gas) are notified and all utility lines are marked with paint or flags. Verify that all 3' lines to all marked utility companies are marked with paint or flags.
  3. Before any work begins, verify all utility lines are marked with paint or flags. Verify that all utility lines are marked with paint or flags.
  4. Prior to any work, verify that all utility lines are marked with paint or flags. Verify that all utility lines are marked with paint or flags.
  5. Prior to any work, verify that all utility lines are marked with paint or flags. Verify that all utility lines are marked with paint or flags.

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The Council/Owner is to be responsible for verifying all data, dimensions, etc. prior to the commencement of construction. In case of any discrepancy, notify the Architect as soon as possible to the right immediately. One is reproduction available. Do NOT remove this.



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Barnwell Street

Washington Street



Barnwell Street

WASHINGTON STREET