

ORDINANCE NO: 2013-024

ORIGINAL
STAMPED IN RED

Granting encroachment to the State of South Carolina Budget and Control Board for installation and maintenance of a driveway, curbing and gutter bump-out, raised concrete median, directional signage and a ADA compliant handicap ramp in the right of way area adjacent to the Calhoun Building located at 1015 Sumter Street, Richland County TMS #11304-01-01

WHEREAS, the State of South Carolina Budget and Control Board (hereinafter "Grantee") desires 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, 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 16th day of April, 2013, that Grantee, its successors and assigns, is hereby granted 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, 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:

1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment 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

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hazard.

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

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

4. No large tree roots shall be removed from any of the large existing trees;

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

6. Grantee is to coordinate existing and proposed crosswalks, ramps and curb cuts to insure proper alignment and that materials match the existing sidewalk.

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:

Cheresa Wilson
City Manager

Approved as to form:

[Signature]
City Attorney

ATTEST:

Erika D. Moore
City Clerk

Introduced: 4/9/2013

Final Reading: 4/16/2013

**CITY COUNCIL
ENCROACHMENT SUMMARY
2013-024**



**1000 BLOCK OF SUMTER STREET
ADJACENT TO 1015 SUMTER STREET
DRIVEWAY, CURBING, GUTTER AND RAMP**

Subject Property:	Right-of-way adjacent to 1015 Sumter Street, TMS#11304-01-01
Council District:	2 and 3
Proposal:	The applicant is requesting an encroachment for installation and maintenance of a twenty-five (25') foot driveway, concrete curbing, guttering and a five (5') food ramp
Applicant:	SCBCB Calhoun Building
Staff Recommendation:	Approval

Detail:	<p>The applicant is requesting an encroachment 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 in the right of way area adjacent to the Calhoun Building located at 1015 Sumter Street , as shown on the attached drawings.</p> <p>The applicant has worked with staff regarding the South Carolina Budget and Control Board regarding the proposed driveway. 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 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. 2. Obstructions of more than for (4') feet in height are prohibited within the sight-visibility triangle. 3. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes. 4. No large tree roots shall be removed from any of the large existing trees. 5. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained. 6. Grantee is to coordinate existing and proposed crosswalks, ramps and curb cuts to insure proper alignment.
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CITY AGENCY COMMENTS FOR ENCROACHMENT

Planning	<p>The improvements to the revised plans are better than the first proposal. Planning does understand the necessity of the improvements. However planning cannot recommend approval of these improvements as depicted and described within the encroachment documents. More specifically because of the following:</p> <ol style="list-style-type: none"> 1. A handicap parking space is proposed to be located within a T intersection creating a potentially dangerous situation for drivers going through the intersection as well as those attempting to use this space. Planning suggest two handicap
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	<p>parking spaces to be provided. One space to the north of the intersection and one space to the south of the intersection. This solution will only require some restriping and increase travel distance minimally compared with other handicap parking spaces and access within the city center. The proposed handicap indent could be landscaped providing a pleasant view of the state house grounds.</p> <p>2. The driveway has east bound traffic aligned with the west bound traffic on Senate Street. Although a raised median may deflect drivers to only turn right there is the potential for a conflict between the driver turning from the driveway south without any knowledge of what the three directional traffic lights are signaling to other drivers, pedestrians and cyclist.</p> <p>3. In addition, this section of Sumter Street is planned to be continue be designated as a bike route with sharrow markings similar to the blocks south near the USC horseshoe, with the addition of 900 students on Main Street this will become a heavily used area for bikes. With the vehicular drivers at the driveway not having knowledge of the traffic signals from the other three directions there is potential for conflicts between vehicles making right turns (or disobeying the raised median) and bike conflicts.</p> <p>4. Planning does want to acknowledge the improved sidewalk walk details and driveway details that have been modified will provide for greatly improved pedestrian travel from the original submittals.</p>
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: Feb. 11, 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): 25' wide driveway with concrete curb & gutter and 5' wide ramp.

(i.e., 6'x42' 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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<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 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

Ardis, Shari

From: Justin Smith <justins@chaoinc.com>
Sent: Wednesday, March 13, 2013 2:56 PM
To: Chambers, Johnathan; Ardis, Shari
Cc: John Hansen; Gerald Lee
Subject: Encroachment Ordinance No. 2013-024 - 1015 Sumter Street (Calhoun Building)
Attachments: C200 Site Layout Plan - Calhoun Building.pdf; Concrete Median Detail - Calhoun Building.pdf

Johnathan and Shari,

Good afternoon. This email is in response to our March 7th meeting with you and other city officials regarding the proposed driveway access onto Sumter Street to serve the new drop-off loop for the Calhoun Building. During the meeting, several points were raised to address safety concerns for protecting both pedestrians and motorists that may use this area. These points are listed below. We have attached a revised site plan for your review.

Driveway exit to allow right turn only – It was always intended that the proposed driveway be right turn only for vehicles exiting onto Sumter Street. We have incorporated two design modifications to help deter otherwise unsafe movements through the intersection. First, we have proposed the use of a 'right turn only' sign to be located on the right-hand column in view of vehicles exiting the driveway. Also, we have provided a raised concrete median to prevent possible straight and left-hand turn movements. Typical detail attached.

Bump out for crosswalk at northern side of driveway – To promote better visibility and safety for pedestrians crossing Sumter Street, we have provided a curb and gutter bump-out that will allow the pedestrian ramp and safe zone to move closer to the line-of-sight of oncoming vehicles.

Driveway in general – We have made design modifications to some features of the driveway so that it is presented and appears as private driveway rather than an extension of Senate Street. First, we have proposed to hold the elevation of the crossing public sidewalk along Sumter Street while adjusting the slope of the driveway to meet these elevations rather than the reverse. We have also proposed to install contrasting concrete for the sidewalk along Sumter Street and the normal riding surface of the driveway.

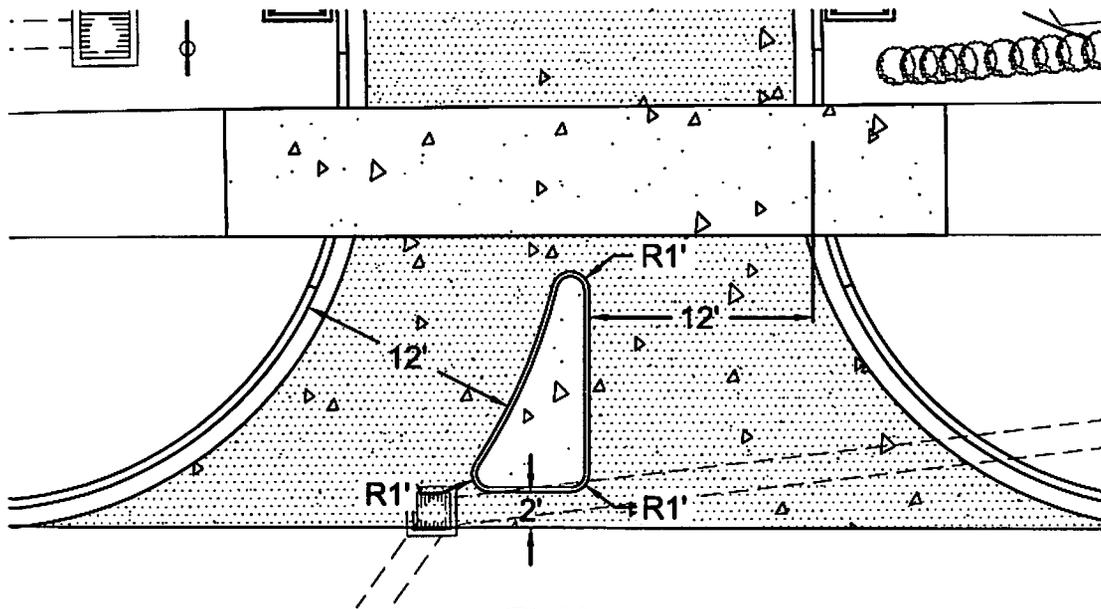
Lastly, it should be noted that for most of the time, especially after hours of building operation, the proposed driveway access will be closed to the public by the use of swing gates or a large chain barrier. The style and method of barricade has not yet been determined.

We hope these design changes have sufficiently addressed the concerns discussed in the meeting as well as any future concerns. Please let us know if you have any questions or if we might provide additional information. We look forward to hearing from you.

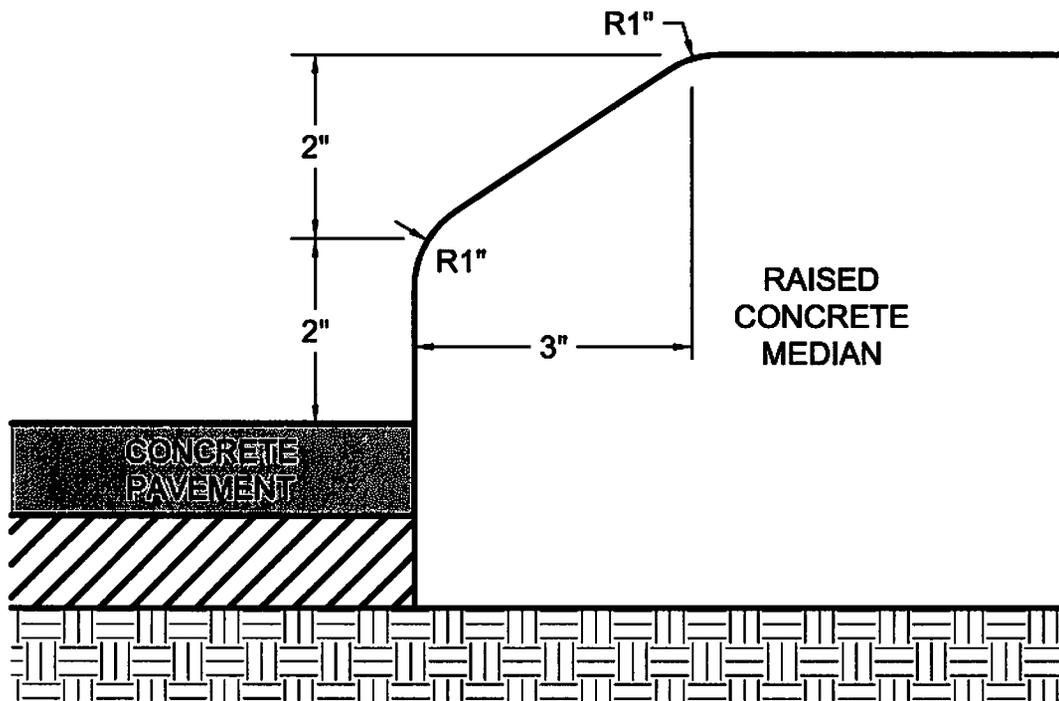
Respectfully,
Justin Smith, PE, LEED AP
Project Engineer
Chao and Associates



7 CLUSTERS COURT
COLUMBIA, SC 29210



PLAN
Scale: 1"=10'

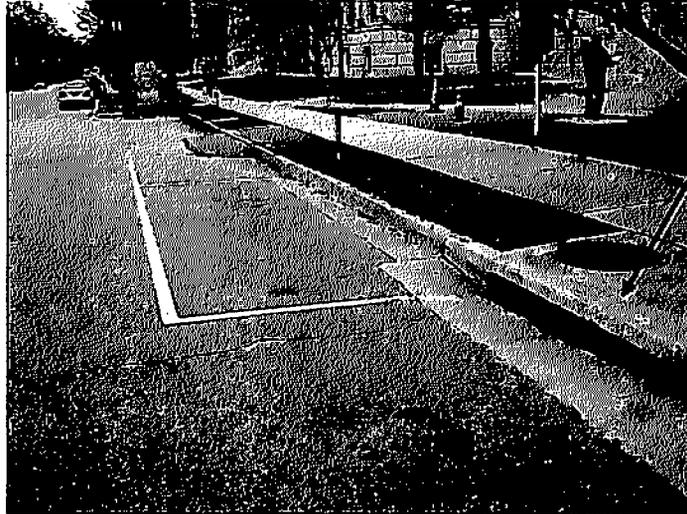


RAISED CONCRETE MEDIAN
TYPICAL DETAIL
Scale: NTS



**Photograph of Encroachment Area & Narrative
For
Calhoun Building Entrance & Ground Level Renovations in City Of Columbia**

February 11, 2013



Convert
existing curb
inlet to grate
inlet

Photo 1



Proposed
location of
driveway

Photo 2

Narrative:

The scope of this project is to install a proposed 25ft wide drop-off driveway and 5' wide ramp for John C. Calhoun building (1015 Sumter Street) and remove four existing street parking spaces on west side of Sumter Street . The driveway is located on the west side of the intersection of Sumter Street and Senate Street.

