

**LEGISLATIVE SUMMARY**  
**Mayor's Office of Capital Projects**  
**Division of Engineering and Construction**

**Encroachment into the public right-of-way of West 3<sup>rd</sup> Street  
by installing a retaining wall with tieback anchors for a Temporary  
Earth Retention System (TERS).**

Ordinance Number:       757-2022

Description:               Authorizing the Director of the Mayor's Office of Capital Projects to issue a permit to The Sherwin-Williams Company to encroach into the public right-of-way of West 3<sup>rd</sup> Street by installing a retaining wall with tieback anchors for a Temporary Earth Retention System (TERS) for the construction of the Sherwin Williams Headquarters parking garage.

Purpose                       The proposed request is to safely allow for the installation of a retaining wall with tieback anchors for the construction of the below grade parking garage. There will be approximately 19 tie backs installed along the east face of the garage extending perpendicular into West 3<sup>rd</sup> Street between the vacated Frankfort Avenue and St. Clair Avenue.

A consent form acknowledging approval of this request will be forthcoming from the Council Member

Ward:                        Ward 3 Council Member Kerry McCormack


CONSENT TO INTRODUCE LEGISLATION  
BY REQUEST

I hereby consent to introduction of legislation in my name by request for the following:

An Emergency Ordinance .....

Authorizing the Director of the Mayor's Office of Capital Projects to issue a permit to The Sherwin-Williams Company to encroach into the public right-of-way of West 3<sup>rd</sup> Street by installing sheeting and tie backs for a Temporary Earth Retention System (TERS) for the construction of the Sherwin Williams Headquarters parking garage.

July 18th, 2022  
\_\_\_\_\_  
Dated:

  
\_\_\_\_\_  
The Honorable Kerry McCormack  
Councilmember – Ward 3



**SHERWIN-WILLIAMS.**

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July 7, 2022

Mr. Tom Boyer, P.E.  
Commissioner of Engineering and Construction  
City of Cleveland  
601 Lakeside Avenue, Room 518  
Cleveland, Ohio 44114

Re: Sherwin-Williams "Building Our Future" Global Headquarters  
Encroachment Permit for Temporary Shoring at Garage  
HGA Commission Number 4059-009-00

Dear Mr. Boyer:

On behalf of The Sherwin-Williams Company, please accept this letter request regarding an encroachment permit for Temporary Earth Retention System (TERS). The garage is to be located at the intersection of West 3<sup>rd</sup> Street and vacated Frankfort Avenue. A separate letter of request has been submitted for a pedestrian bridge, and another will be submitted in the future for the streetscape elements within the public right-of-way.

A common site plan for buildings at 1400, 1450 and 1475 West 3<sup>rd</sup> Street, including the proposed pedestrian bridges, received conditioned final site plan approval from the City of Cleveland Planning Department on November 30, 2021. Planning assigned the project case number DF2021-016 | LC:21-057. A Joint Design Review Advisory Committee was formed by the Downtown-Flats Design Review Committee and the Historic Downtown Cleveland Design Review Committee. A Joint Commission was formed by the Cleveland Planning Commission and the Cleveland Landmarks Commission. The special Joint Design Review Advisory Committee recommended approval with several design recommendations. The special Joint Commission passed a motion to approve the proposed plan with conditions.

The following information is provided per the City of Cleveland Encroachment Permit Procedure document, dated March 2015, along with the attachments providing specific information on the shoring design:

- i. **The exact address of the property**  
1400 West 3<sup>rd</sup> Street, Cleveland, Ohio 44113
- ii. **Street boundaries directly adjacent to the proposed encroachment area**  
West 3<sup>rd</sup> Street and vacated Frankfort Avenue



- iii. **Describe the type, number, physical nature and extent of the proposed request**  
The proposed request is a for shoring installation to construct the garage
- iv. **Describe the proposed request's impact in relation to the public right of way (Why is the request being made)**  
The proposed shoring design will have tiebacks in the right-of-way

Sincerely,

Timothy R. Muckley  
Director of Corporate Real Estate  
216-515-7415

Attachments:

1. Boundary Survey by Langan Engineering & Environmental Services, dated 10/11/2021
2. Temporary Earth Retention System (TERS) Shop Drawings by Independence Excavating dated 4/22/2022
3. Temporary Earth Retention System (TERS) Design Calculations by Independence Excavating dated 4/22/22
4. Geotechnical Engineer's Letter of Review of Earth Retention System (ERS) Design by David V. Lewin Corp. dated June 1, 2022
5. Geotechnical Engineering Report by Langan Engineering & Environmental Services, dated 09/13/2021
6. Geotechnical Engineering Report Addendum No. 1 dated 10/12/2021 by Langan Engineering & Environmental Services to the report dated 9/13/2021
7. Email regarding Street addresses for permitting, dated 09/21/2021
8. Evacuation Management Plan by Independence Excavating Dated 4/22/22

cc: Jim McKnight – MGAC  
Deb Young – HGA  
Michael Anderson – HGA  
Mark Zevenbergen – HGA  
Jon Ziegan – Osborn  
Rob McAteer – Independence Excavating  
John Kelly - WGJV



# TEMPORARY EARTH RETENTION

## SHERWIN WILLIAMS HEADQUARTERS

### PARKING GARAGE - 1400 WEST 3RD STREET

### CLEVELAND, OHIO



**SHERWIN-WILLIAMS®**

**GENERAL NOTES:**

1. THE PROJECT SHALL BE DESIGNED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:
  - a. THE INTERNATIONAL BUILDING CODE
  - b. OSHA REGULATIONS (STANDARDS - 29 CFR) PART 1910 OCCUPATIONAL SAFETY AND HEALTH STANDARDS AND PART 1926 SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION
  - c. THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION; MANUAL OF STEEL CONSTRUCTION (AISC).

**STRUCTURAL STEEL NOTES:**

1. DESIGN, FABRICATE AND ERECT ALL STEEL IN ACCORDANCE WITH THE LATEST AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC) CODES, STANDARDS AND SPECIFICATIONS.
2. PLATE STEEL SHALL BE MINIMUM ASTM A36 (36 KSI YIELD) OR HIGHER GRADE.
3. TYPICAL ROUND PIPE SHALL BE ERW ASTM A500 GR B (46 KSI YIELD).
4. STRUCTURAL HOT ROLLED SHAPES TO BE MINIMUM A992 GRADE 50 (50 KSI YIELD).
5. STRUCTURAL TUBE STEEL SHALL BE MINIMUM ASTM A500 GRADE B (46 KSI YIELD).
6. ALL WELDING SHALL USE E70XX ELECTRODES AND INCLUDE SURFACE PREPARATION AND PROCEDURES EXECUTED IN ACCORDANCE WITH THE LATEST CODES AND SPECIFICATIONS OF THE AMERICAN WELDING SOCIETY.

**DRAWING NO. DRAWING TITLE**

- 1 - TITLE SHEET
- 2 - OVERALL SITE PLAN WITH EXISTING UTILITIES
- 3 - EARTH RETENTION PLAN - BEAMS & LAGGING WALL
- 4 - EARTH RETENTION SECTION - BEAMS & LAGGING WALL
- 5 - DETAILS - BEAMS & LAGGING TIEBACKS

**REVISION NO.**

REV 1 - ISSUED FOR PERMIT



THE PE STAMP ON THIS SHEET CERTIFIES THE DRAWING SET AS A WHOLE AS INDEXED ON THIS DRAWING.

REVISION 1  
APRIL 22, 2022

MICHAEL G. ORLANDO, P.E.  
INDEPENDENCE EXCAVATING  
216.446.3542  
morlando@indexc.com

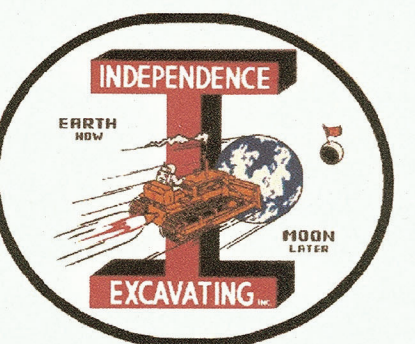
Rev. No.	Rev. Date	Description	Initial
1	4/22/22	ISSUED FOR PERMIT	MGO

JOB TITLE: SHERWIN WILLIAMS HEADQUARTERS PARKING GARAGE - 1400 WEST 3RD STREET TEMPORARY EARTH RETENTION		
SCALE: VERTICAL SCALE: N/A HORIZONTAL SCALE: N/A		DATE: 4/22/22
SHEET 1	OF 5	JOB NUMBER: 21-1-172

**Independence Excavating**  
www.indexc.com

5720 Schaaf Rd.  
Independence, OH 44131

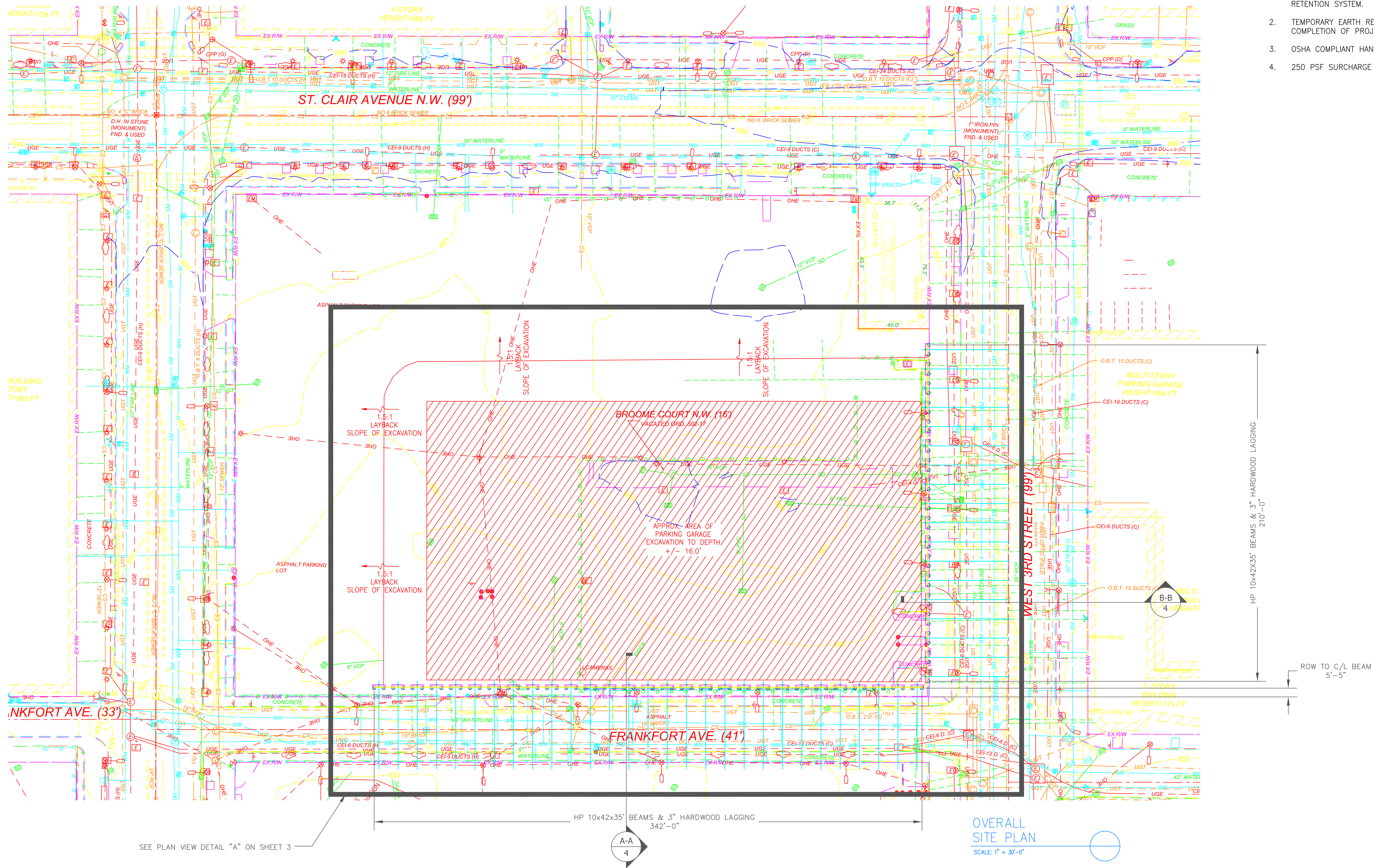
TEL: (216)524-1700  
FAX: (216)524-1701





**INSTALLATION NOTES:**

1. PLAN LOCATION AND ELEVATIONS OF EXISTING UTILITIES WITHIN THE RIGHT OF WAY ARE TO BE VERIFIED PRIOR TO INSTALLATION OF TEMPORARY EARTH RETENTION SYSTEM.
2. TEMPORARY EARTH RETENTION SYSTEM WILL BE ABANDONED IN PLACE UPON COMPLETION OF PROJECT AND CUT 5FT BELOW PROPOSED GRADE.
3. OSHA COMPLIANT HANDRAIL WILL BE INSTALLED ON ALL REQUIRED EDGES.
4. 250 PSF SURCHARGE WITH A 5 FT SETBACK IS ALLOWED.



Rev. No.	Rev. Date	Description	Initial
1	4/22/22	ISSUED FOR PERMIT	MGO

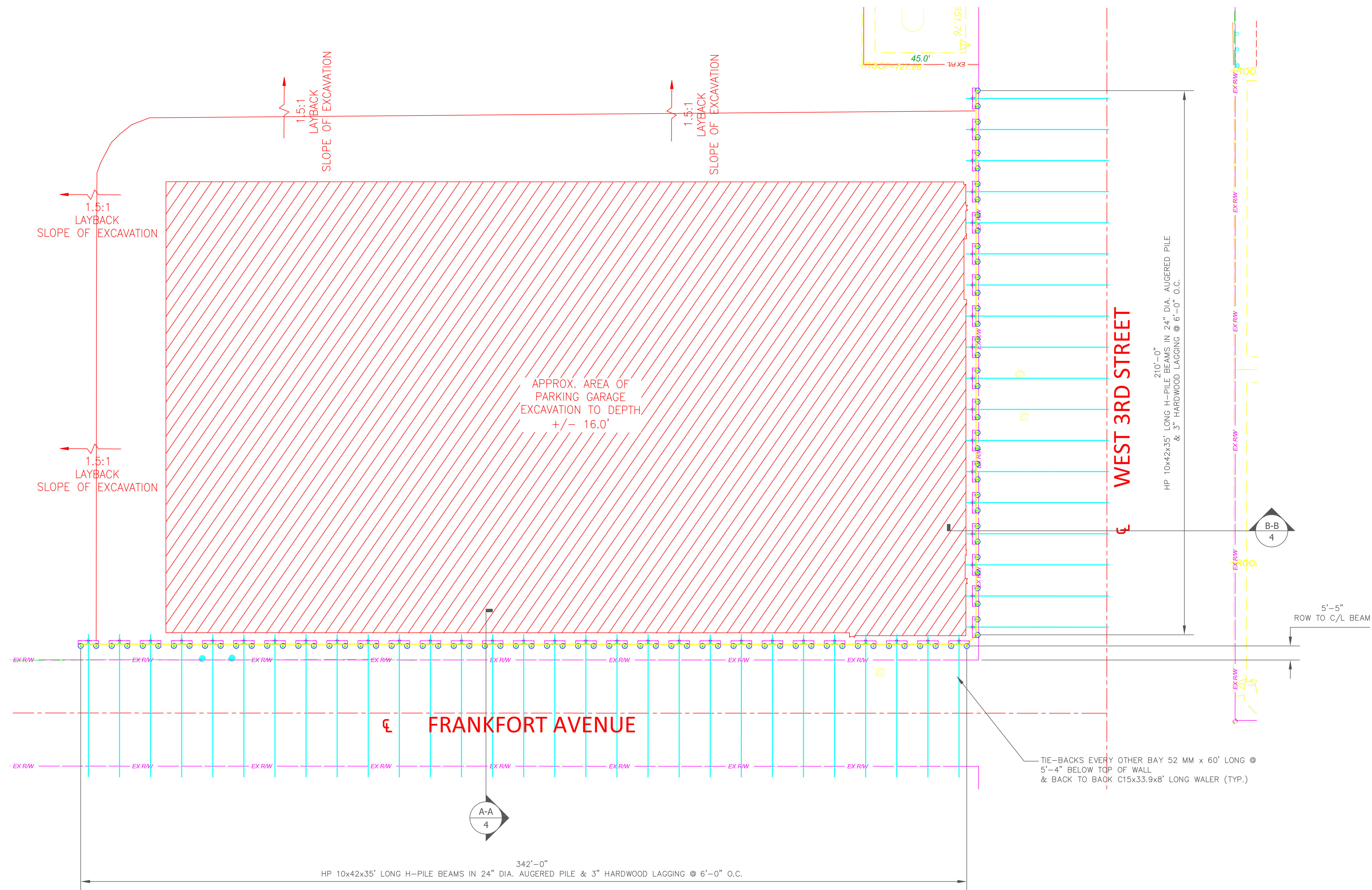
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SHERWIN WILLIAMS HEADQUARTERS PARKING GARAGE - 1400 WEST 3RD STREET TEMPORARY EARTH RETENTION		
SCALE:	DATE:	
VERTICAL SCALE: N/A	4/22/22	
HORIZONTAL SCALE: 1" = 30'		
SHEET	OF	JOB NUMBER:
2	5	21-1-172

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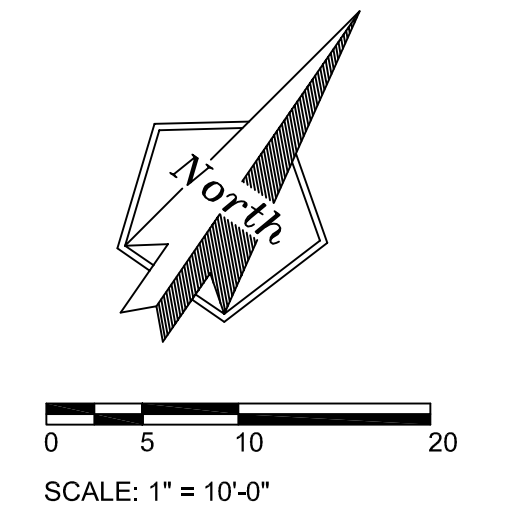
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PLAN VIEW  
 SCALE:  
 1" = 20'-0"

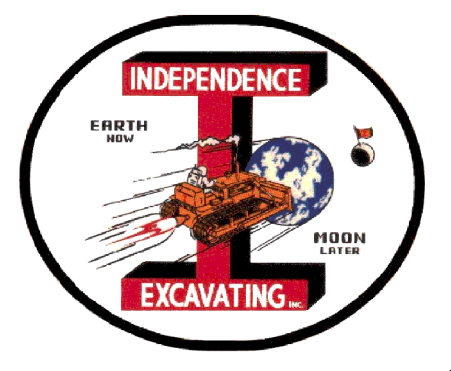
NOTES:  
 1. MAXIMUM CUT 16'-0"



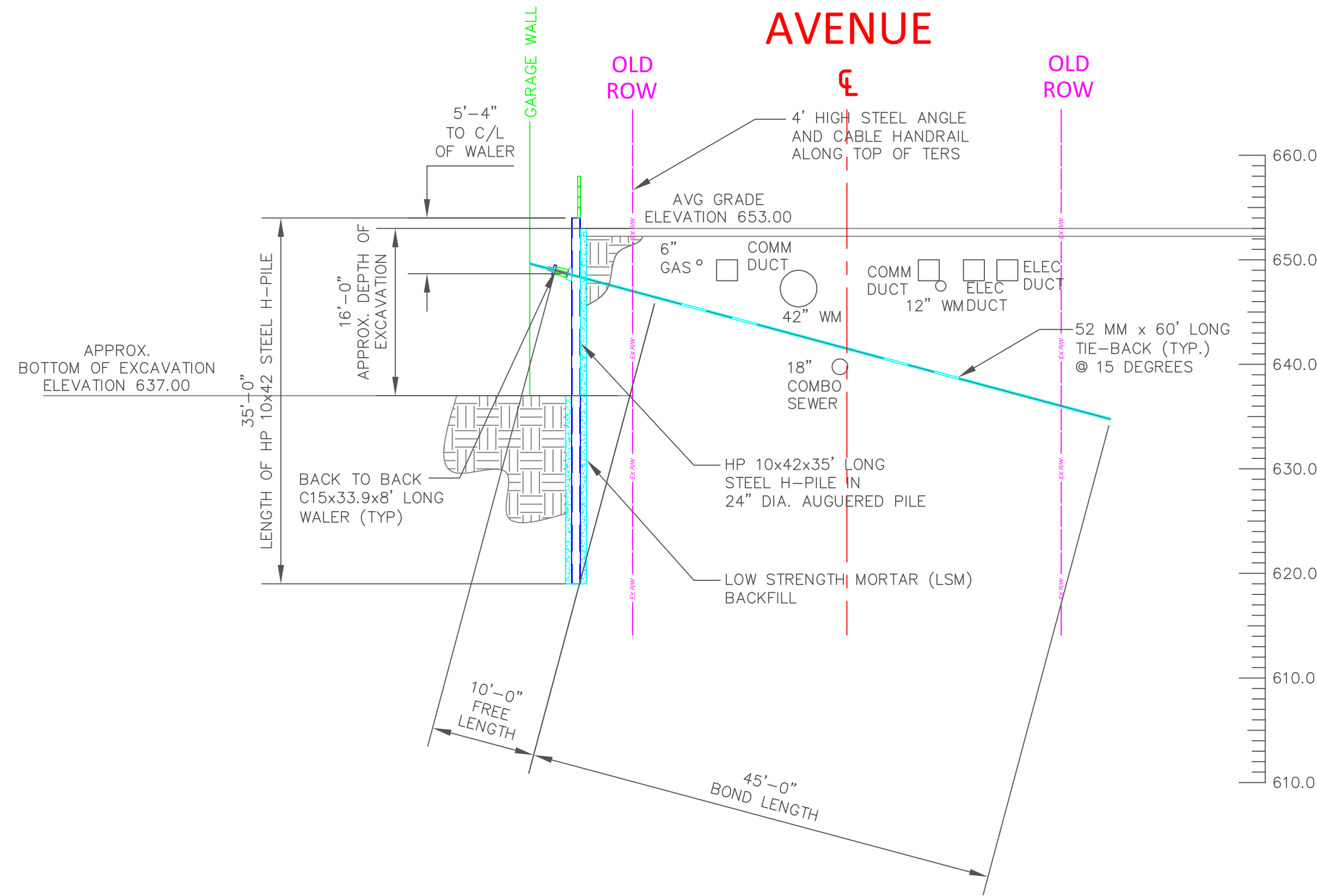
Rev. No.	Rev. Date	Description	Initial
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SCALE: VERTICAL SCALE: N/A HORIZONTAL SCALE: 1" = 10'	DATE: 4/22/22	
SHEET 3	OF 5	JOB NUMBER: 21-1-172

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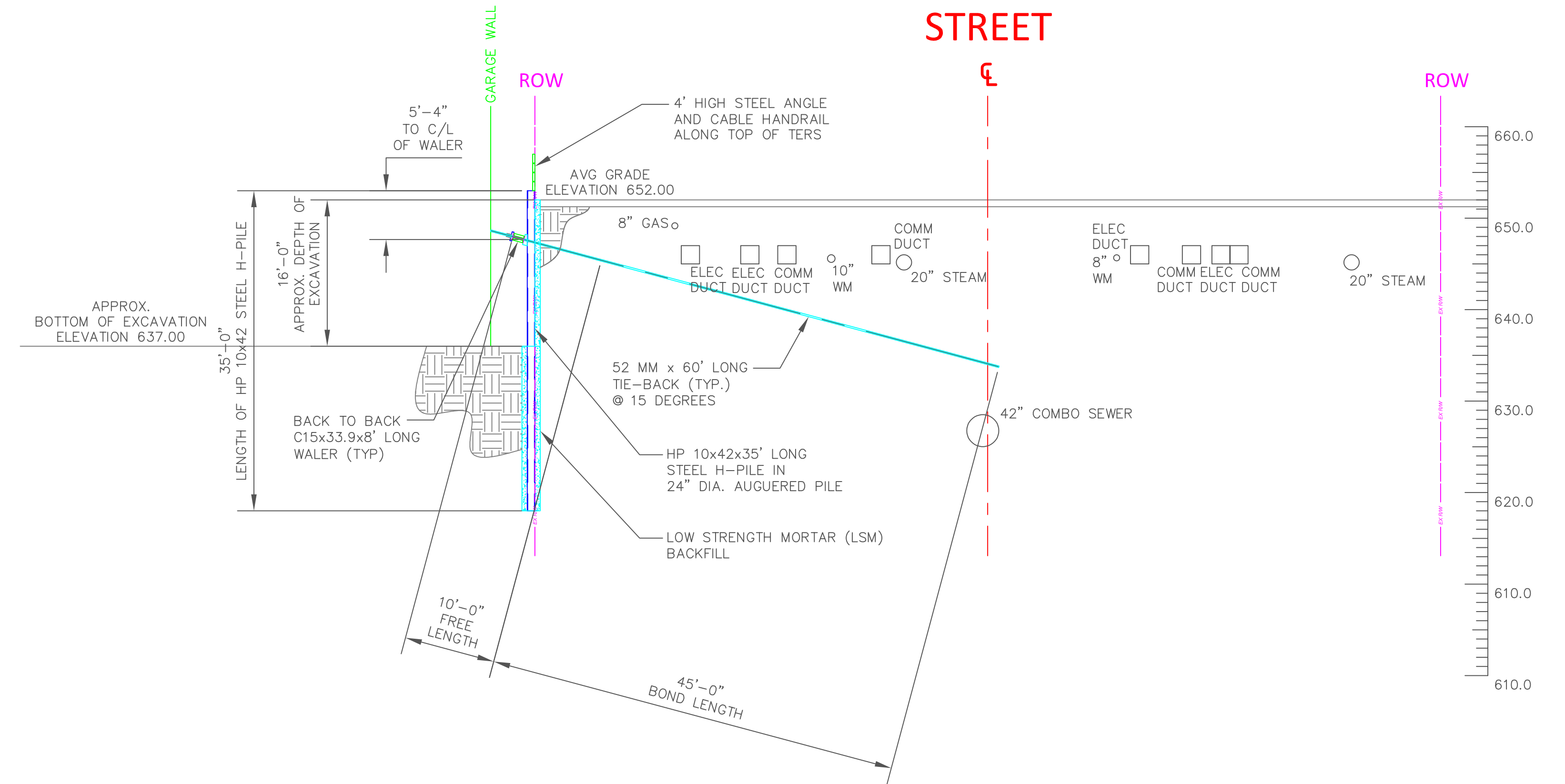


# FRANKFORT AVENUE



SECTION VIEW A-A  
SCALE: 1" = 10'-0"

# WEST 3RD STREET



SECTION VIEW B-B  
SCALE: 1" = 10'-0"

**NOTES:**

1. MAXIMUM CUT 16'-0"

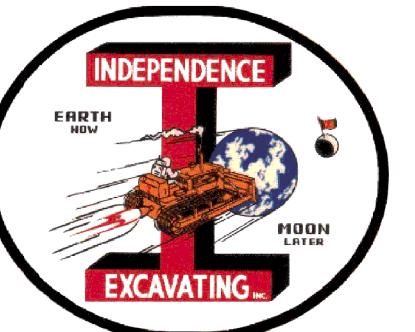
Rev. No.	Rev. Date	Description	Initial
1	4/22/22	ISSUED FOR PERMIT	MGO

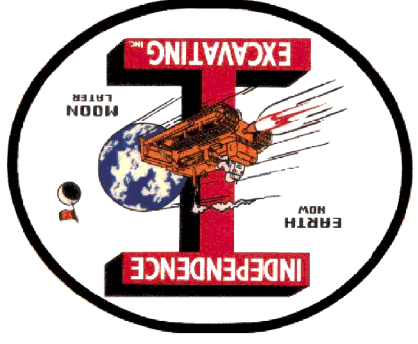
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SCALE: VERTICAL SCALE: N/A HORIZONTAL SCALE: 1" = 10'	DATE: 4/22/22	
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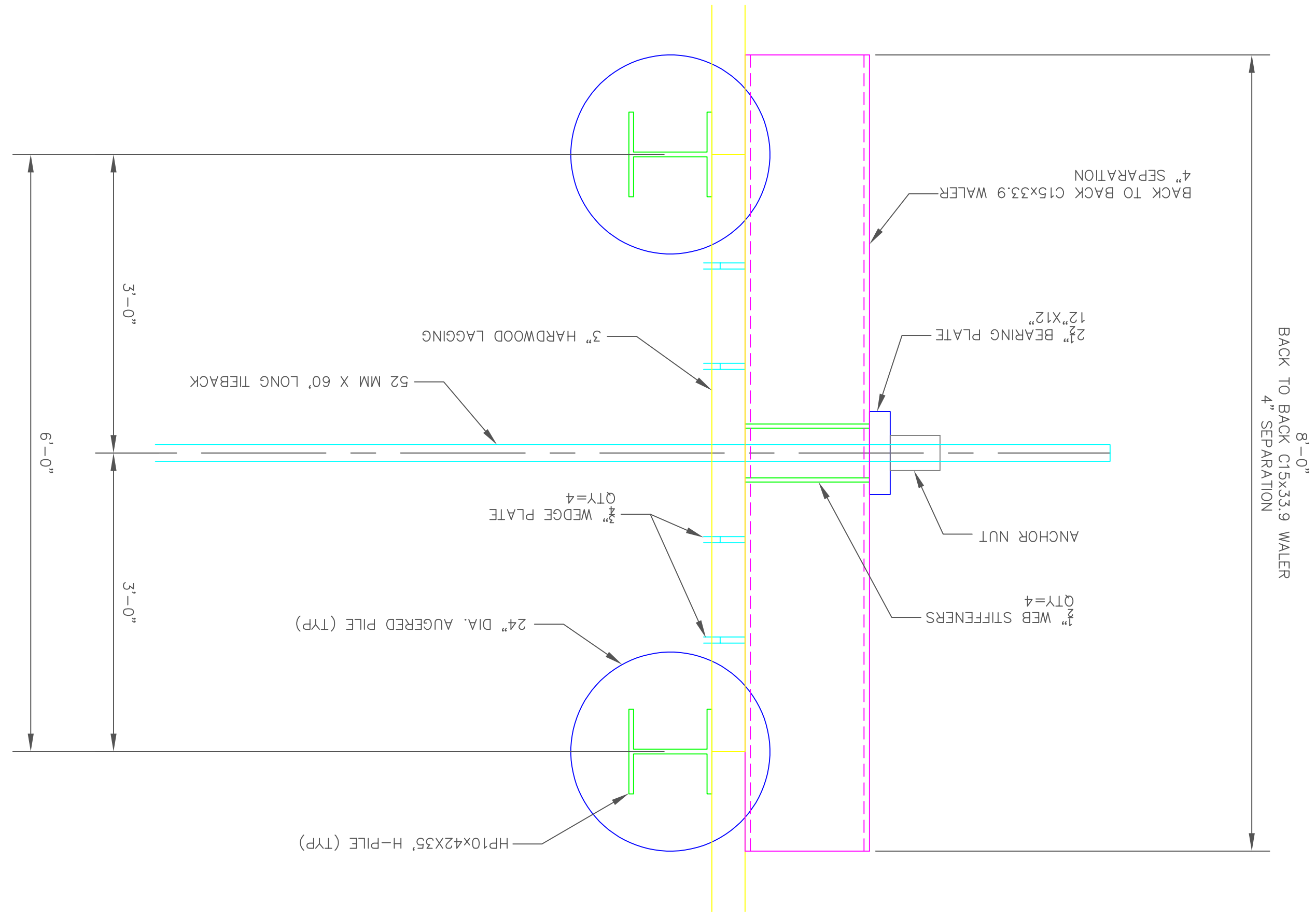


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DATE: 4/22/22	VERTICAL SCALE: N/A HORIZONTAL SCALE: 1" = 10'	
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Rev. No.	1	4/22/22	ISSUED FOR PERMIT
Rev. Date			
Description			
Initial			
MGO			

WATER/TIEBACK  
 PLAN (TYP)  
 SCALE: N/A  
 6  
 B



WATER/TIEBACK  
 ELEVATION (TYP)  
 SCALE: N/A  
 6  
 A

