



City of Cleveland **Memorandum**

Frank G. Jackson, Mayor

Mayor's Office of Capital Projects

Date: November 24, 2021

To: Barbara Langhenry, Director
Department of Law

From: Matthew L. Spronz, Director *MS*
Mayor's Office of Capital Projects

Re: Request for Encroachment Legislation

We are requesting an Ordinance be prepared authorizing the Director of Capital Projects to a permit to CCA CBD Cleveland, LLC to encroach into the public right-of-way of Euclid Avenue by installing and using approximately twelve (12) micro piles as necessary subsurface support for the crane foundation of the tower crane which will be used in the construction of the City Club Apartments.

An electronic draft copy will be emailed to your Department to facilitate the processing of this request.

If you have any questions please contact Eric Westfall, Survey Department 664-3780, Thank you.

MS/ebw

Cc: Valarie McCall, Chief of Government Affairs
Richard Switalski, Administration Bureau Manager, Division of Engineering & Const.
Eric Westfall, Plats and Surveys Section (Acting)
Meredith Carey, Legislative Liaison
Nancy Lanzola, Department of Law

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

**CCA CBD Cleveland, LLC to encroach into the right-of-way at 776
Euclid Avenue, Cleveland, Ohio 44144**

Ordinance Number:

Description: Authorizing the Director of Capital Projects to issue a permit to CCA CBD Cleveland, LLC to encroach into the public right-of-way of Euclid Avenue by installing and using approximately twelve (12) micro piles as necessary subsurface support for the crane foundation of the tower crane which will be used in the construction of the City Club Apartments project.

Purpose CCA CBD Cleveland, LLC is the developer of the twenty-three (23) story mixed used development of 304 apartments and penthouse units with residential amenities, restaurants and commercial space. A tower crane will be temporary used and subject to a construction permit during construction of the City Club Apartments, once the crane is removed, the micro piles will be severed and remain in place below grade.

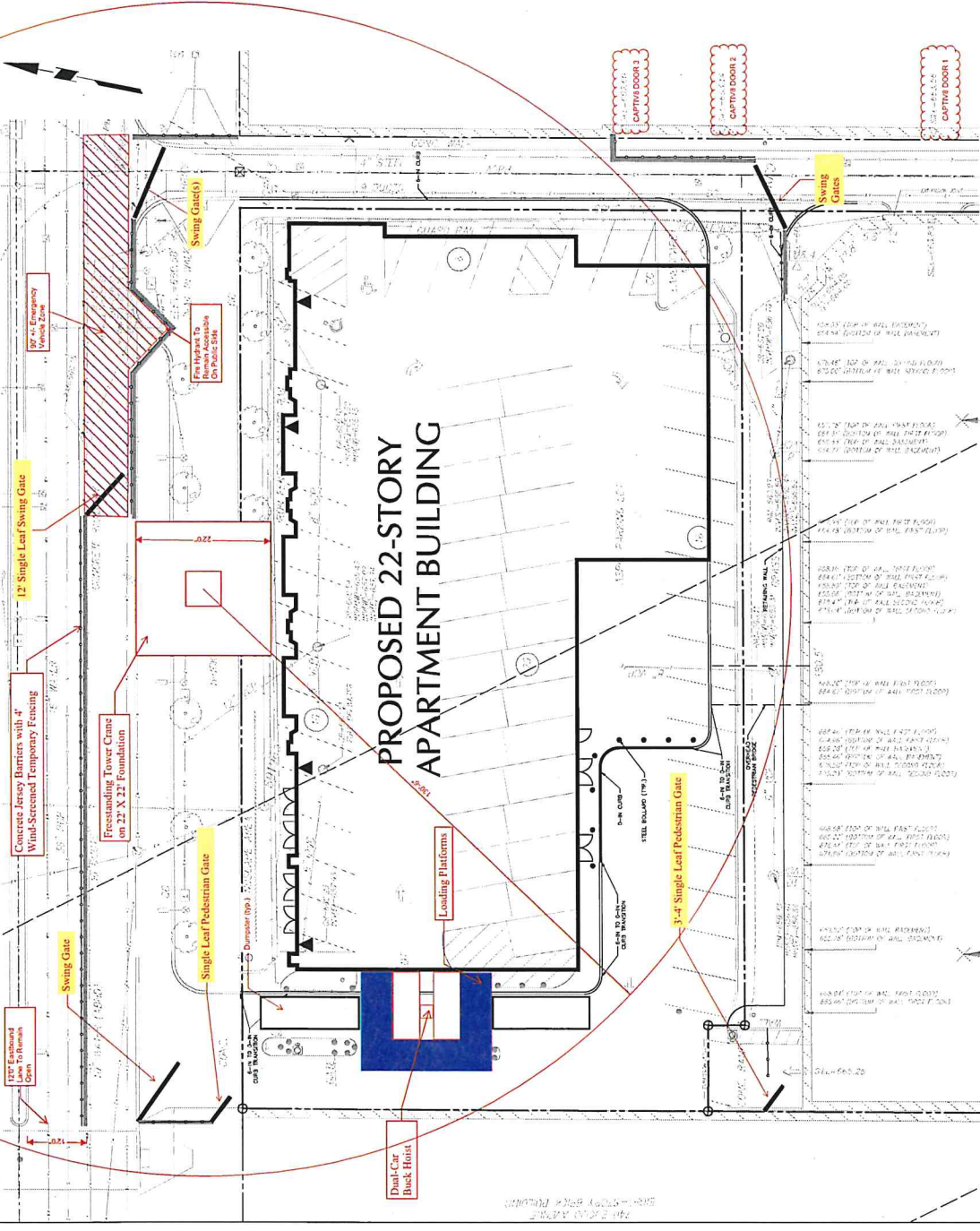
A consent form acknowledging approval of this request will be forthcoming from the Council Member

Ward: Ward 3, Council Member Kerry McCormack

| NO. | DATE | DESCRIPTION |
|-----|------------|-------------------|
| 1 | 10/20/2023 | ISSUED FOR PERMIT |
| 2 | 10/20/2023 | ISSUED FOR PERMIT |
| 3 | 10/20/2023 | ISSUED FOR PERMIT |
| 4 | 10/20/2023 | ISSUED FOR PERMIT |
| 5 | 10/20/2023 | ISSUED FOR PERMIT |
| 6 | 10/20/2023 | ISSUED FOR PERMIT |
| 7 | 10/20/2023 | ISSUED FOR PERMIT |
| 8 | 10/20/2023 | ISSUED FOR PERMIT |
| 9 | 10/20/2023 | ISSUED FOR PERMIT |
| 10 | 10/20/2023 | ISSUED FOR PERMIT |

GENERAL SITE NOTES

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City Club Apartments - Proposed Revision To Approved MOT - Permit # STP2101030



CITY CLUB APARTMENTS
By CCA CBD Cleveland, LLC

July 6, 2021

Director of Capital Projects
Commissioner of Engineering & Construction
Survey Manager
601 Lakeside Avenue, Rooms 518 and 113
Cleveland, Ohio 44114

Re: Encroachment Permit Application

Dear Director, Commissioner and Manager:

Please allow this letter to serve as the formal application for consideration and approval of the encroachment permit described herein and necessary to the construction and development of the City Club Apartments project on the property now known as 776 Euclid Avenue (formerly part of 720 Euclid Ave.) (the "Encroachment Permit"). CCA CBD Cleveland, LLC is the developer of the twenty-three (23) story mixed use development of 304 apartments and penthouse units with residential amenities, restaurants and commercial space (the "Project"), which received Final Approval from the City Planning Commission on August 21, 2020.

CCA CBD Cleveland, LLC requests the consent of the Director of Capital Projects to the advancement of the Encroachment Permit for consideration and preparation of legislation by the City Law Department for the issuance of the Encroachment Permit and related Agreement.

The Encroachment Permit will facilitate and enable the placement and construction of the following improvements which encroach of the right of way of Euclid Avenue, further described as:

1. To permit the continuing location, construction, maintenance and replacement of three (3) manholes and related piping and improvements to be placed in the locations as shown on Exhibit 1 enclosed with this application. Storm water, sewer and utility connections are an integral part of the Project; and
2. Approximately twelve (12) micro piles to the approximate depth of eighty-two feet (82') below surface grade to serve as the necessary subsurface support for the crane foundation of the tower crane which will be used in the construction of the Project, which micro piles (and tower crane) are depicted, located and described on the Exhibit 2 enclosed with this application ("Micro Pile Area"). While the tower crane will be temporary and subject to a construction permit, once the crane is removed, the micro piles will be severed and remain in place below grade.

Director of Capital Projects
Commissioner of Engineering & Construction
Survey Manager
July 6, 2021
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Exhibit 3 enclosed with this application contains the legal descriptions of the Micro Pile Area and Sewer Area for your review and use by the City Law Department for enabling legislation.

Please direct any questions regarding this application letter to:

Mara Cushwa
Calfee, Halter & Griswold LLP
The Calfee Building
1405 East 6th Street
Cleveland, OH 44114
216-622-8849

Communications to the Project developer may be directed to:

CCA CBD Cleveland, LLC
Attn: John Schlitter
328 S. Jefferson Street, Suite 570
Chicago, IL 60661

[Remainder of Page Intentionally Left Blank; Signature Page Follows]

CITY CLUB APARTMENTS
By CCA CBD Cleveland, LLC

We appreciate your consideration of this application for Encroachment Permit.

Sincerely,

CCA CBD Cleveland, LLC

By: John Schmitter
Name: John Schmitter
Its: Authorized signatory

Director of Capital Projects
Commissioner of Engineering & Construction
Survey Manager
July 6, 2021
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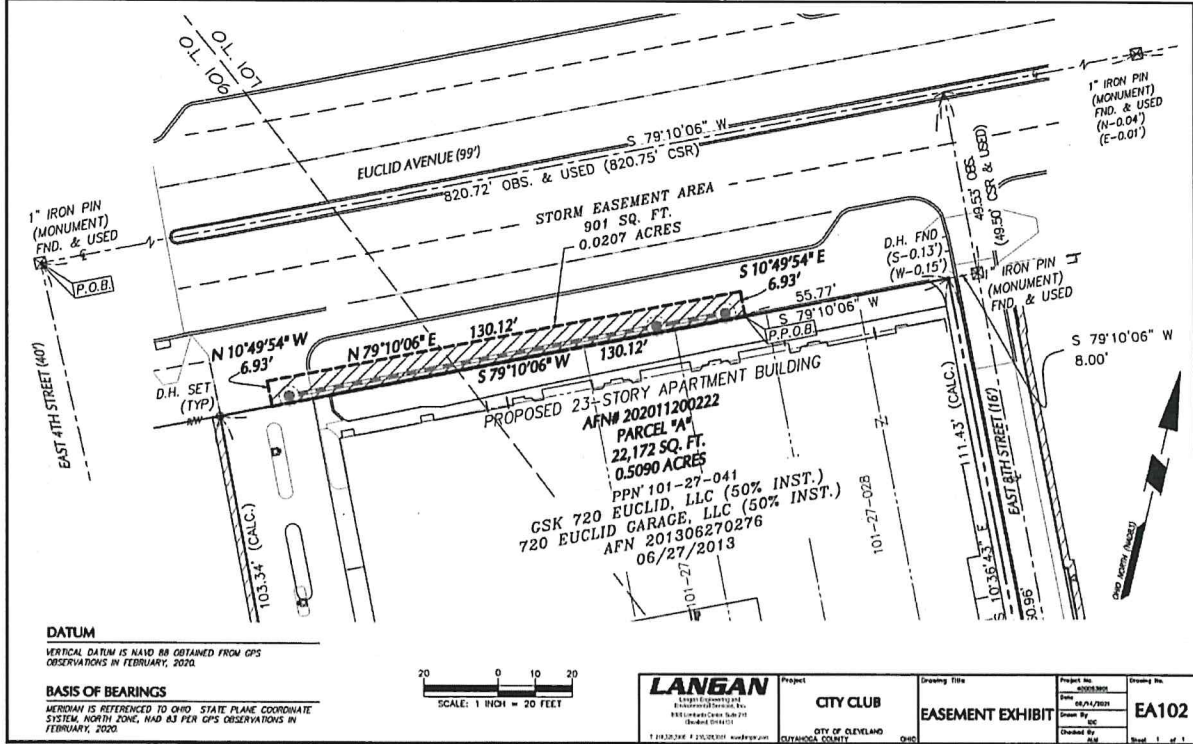
I hereby approve the advancement of the Encroachment Permit Application for legislation and processing by Dept. of Law effective as of the _____ day of July, 2021

Matthew Spronz
City of Cleveland, Director of Capital Projects

CITY CLUB APARTMENTS

By CCA CBD Cleveland, LLC

Exhibit 1 Sewer Area



CITY CLUB APARTMENTS

By CCA CBD Cleveland, LLC

Exhibit 3

Legal Descriptions

Micro Pile Area:

Situated in what is now the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original Two Acre Lot Nos. 105, 106, and 107, and also being known as a portion of a consolidated parcel of land for 720 Euclid Limited Liability Company as recorded in Volume 271, Page 22 of the Cuyahoga County Map Records, of being more fully bounded and described as follows;

Beginning at the centerline intersection of Euclid Avenue, 99 feet wide, and East 4th Street, 40 feet wide, being referenced by a 1" iron pin found in a monument box assembly, thence North 79°10'06" East along the centerline of said Euclid Avenue, a distance of 820.72 feet to a point at the centerline intersection of East 8th Street, 16 feet wide, thence South 10°36'43" East along the centerline of said East 8th Street, a distance of 49.50 feet to a 1" iron pin found in a monument box assembly at the southerly right of way of said Euclid Avenue, thence South 79°10'06" West, a distance of 8.00 feet to the westerly right of way of said East 8TH Street being referenced by a drill hole found South 0.13 feet and West 0.15 feet thereof, thence South 79°10'06" West along the southerly right of way of said Euclid Avenue a distance of 75.42 feet to the Principal Place of Beginning for the area herein described;

Course No.1 Thence South 79°10'06" West, a distance of 21.21 feet to a point;

Course No.2 Thence North 10°49'47" West, a distance of 18.59 feet to a point;

Course No.3 Thence North 79°10'13" East, a distance of 21.21 feet to a point;

Course No.4 Thence South 10°49'47" East, a distance of 18.59 feet to the Principal Place of Beginning, said parcel containing 394 square feet or 0.009 acres of land and being the same more or less and being subject to all legal highways and easements. The basis of bearings of this survey is based on the Ohio State Plane Coordinate System, NAD 83 derived from GPS observations and bearings are to denote angles only.

Sewer Area:

Situated in what is now the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original Two Acre Lot Nos. 105, 106, and 107, and also being known as a portion of a consolidated parcel of land for 720 Euclid Limited Liability Company as recorded in Volume 271, Page 22 of the Cuyahoga County Map Records, of being more fully bounded and described as follows;

Beginning at the centerline intersection of Euclid Avenue, 99 feet wide, and East 4th Street, 40 feet wide, being referenced by a 1" iron pin found in a monument box assembly, thence North 79°10'06" East along the centerline of said Euclid Avenue, a distance of 820.72 feet to a point at the centerline intersection of East 8th Street, 16 feet wide, thence South 10°36'43" East along the

Director of Capital Projects
Commissioner of Engineering & Construction
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centerline of said East 8th Street, a distance of 49.50 feet to a 1" iron pin found in a monument box assembly at the southerly right of way of said Euclid Avenue, thence South $79^{\circ}10'06''$ West, a distance of 8.00 feet to the westerly right of way of said East 8th Street being referenced by a drill hole found South 0.13 feet and West 0.15 feet thereof, thence South $79^{\circ}10'06''$ West along the southerly right of way of said Euclid Avenue a distance of 55.77 feet to the Principal Place of Beginning for the area herein described;

Course No.1 Thence South $79^{\circ}10'06''$ West, a distance of 130.12 feet to a point;

Course No.2 Thence North $10^{\circ}49'54''$ West, a distance of 6.93 feet to a point;

Course No.3 Thence North $79^{\circ}10'06''$ East, a distance of 130.12 feet to a point;

Course No.4 Thence South $10^{\circ}49'54''$ East, a distance of 6.93 feet to the Principal Place of Beginning, said parcel containing 901 square feet or 0.0207 acres of land and being the same more or less and being subject to all legal highways and easements. The basis of bearings of this survey is based on the Ohio State Plane Coordinate System, NAD 83 derived from GPS observations and bearings are to denote angles only.