

July 26, 2021

1<sup>st</sup> Reading, June 28, 2021

Introduced by: Mayor Britton

## ORDINANCE NO. 21 - 2021

### AN ORDINANCE APPROVING THE FINAL SUBDIVISION AND DEDICATION PLAT OF THE GRAND RIVER GATEWAY SUBDIVISION; AND DECLARING AN EMERGENCY

WHEREAS, the Planning Commission at its regular meeting held on December 21, 2020 approved, with conditions, by a vote of 4/0, the re-subdivision of permanent parcel numbers 02-A-002-0-00-001-0, 02-A-002-0-00-002-0, 02-A-002-0-00-007-0, 02-A-002-0-00-008-0, 02-A-002-0-00-018-0, 02-A-002-0-00-020-0, and 01-A-037-0-00-007-0 to create three (3) commercial building lots and a public right-of-way; and

WHEREAS, the Council, finding that the subdivision and dedication plat is in accordance with all applicable laws, now desires to approve same for recordation, subject to conditions.

NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE VILLAGE OF MADISON, LAKE COUNTY, STATE OF OHIO:

SECTION 1. That upon the subdivider performing all the conditions set forth in Article 20 of the Zoning Code and such conditions set forth in Section 2 of this Ordinance, the final subdivision and dedication plat of three (3) commercial building lots and a dedicated public right-of-way in the Grand River Gateway Subdivision, as shown in Exhibit 1 attached hereto and incorporated herein by this reference, shall be deemed finally approved and the right-of-way accepted. The proper officers of the Village of Madison are hereby authorized to execute all necessary instruments to the end that said plat may be recorded subject, however, to full performance of the conditions set forth herein.

SECTION 2. That the plat is accepted subject however to full compliance with the conditions approved by the Planning Commission, and, the subdivider's full compliance with its financial obligations for the development's impact to existing public infrastructure, as detailed in the approved Traffic Impact Study, and more specifically that subdivider shall provide funding for its share of the costs and expenses of (i) the signalization of the S.R. 528 / I-90 eastbound and westbound ramps, (ii) the restriping of S.R. 528 to accommodate left turn lanes between the new traffic signals, and (iii) a southbound left turn lane to be located south of the interchange, all as detailed in the Village Administration's letter dated May 19, 2021 which is attached hereto as Exhibit 2 (consisting of three (3) pages) and incorporated herein by this reference as if fully rewritten.

July 26, 2021

1<sup>st</sup> Reading, ~~June 28, 2021~~

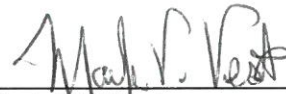
Introduced by: Mayor Britton

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that, except as otherwise provided by § 121.22 of the Ohio Revised Code, all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of the inhabitants of the Village of Madison, and for the further reason that immediate passage is necessary to meet construction deadlines, to ensure that new businesses are timely opened thereby providing new jobs as well as expanding the Village's tax base, and it shall, therefore, take effect and be in full force from and upon its adoption if adopted by the affirmative vote of at least four members of Council and otherwise at the earliest time provided by law.

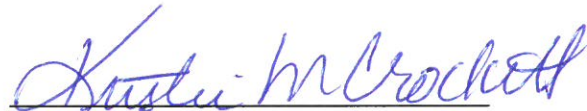
PASSED:

1<sup>st</sup> Reading: 7-26-2021




\_\_\_\_\_  
Mark V. Vest,  
President of Council

Attested:



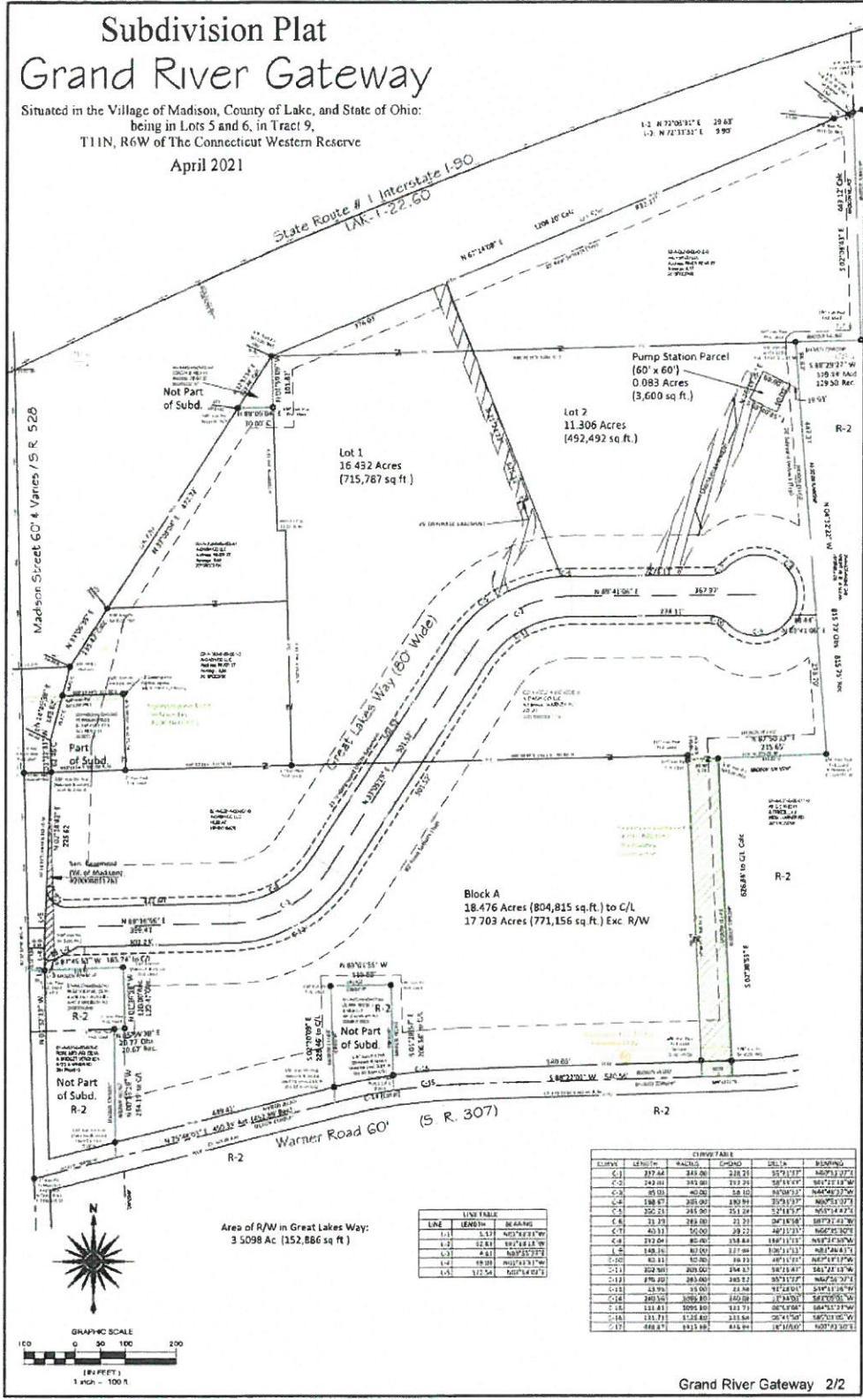
\_\_\_\_\_  
Kristie M. Crockett,  
Fiscal Officer / Clerk of Council

Approved:

  
\_\_\_\_\_  
Sam Britton, Jr.,  
Mayor

7/26/2021  
Date

EXHIBIT 1



Grand River Gateway 2/2



## Village of Madison

**Mayor**

Sam Britton Jr.

**Council Members**

H.O. Jay Adams

Daniel L. Donaldson

Duane H. Frager

Robert F. Lee

Mark V. Vest

**Village Administrator**

Dwayne Bailey

**Law Director**

Joseph P. Szeman

**Chief of Police**

Troy A. McIntosh

**Fiscal Officer**

Kristie M. Crockett

**Engineer**

Eric Haibach

33 E. Main Street

Madison, Ohio

44057

Phone: 440-428-7526

Fax: 440-428-6703

**Website:**

[www.madisonvillage.org](http://www.madisonvillage.org)

May 19, 2021

CESCO (Love's)  
175 Montrose West Avenue, Suite 400  
Akron, Ohio 44321

ATTN: Ms. Sara Harville

RE: Madison Village Traffic Impact Study

Madison Village in collaboration with ODOT District 12 has completed review of your Traffic Impact Study. Madison Village accepts and approves the study subject to the required conditions noted in the attached analysis. Funding details for required improvements will be memorialized in a development agreement between Madison Village and both developers to be drafted by the Madison Village Law Department.

Feel free to contact this office should you have any questions.

Very Respectfully,



Dwayne Bailey  
Administrator

DB:kg  
Attachment

EXHIBIT 2

pg 1

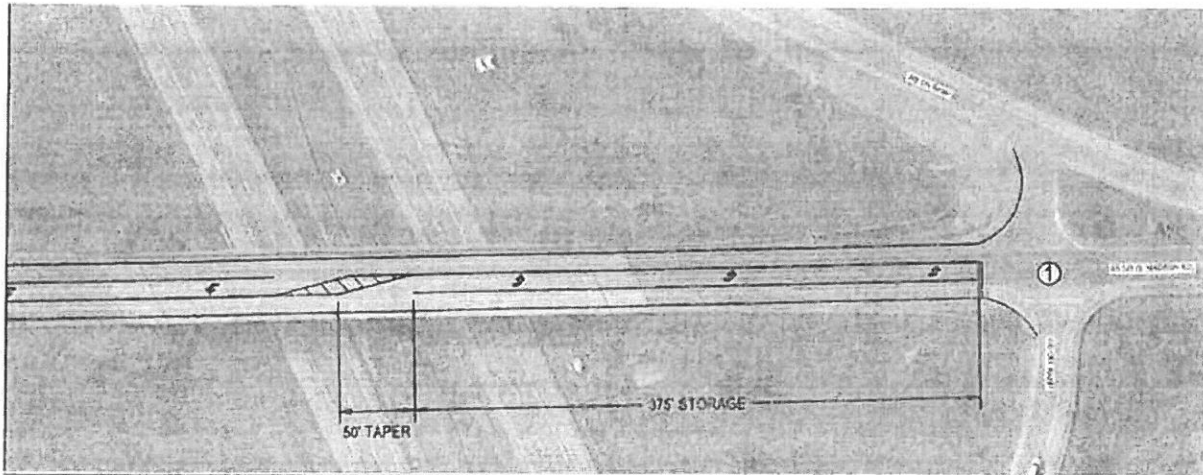
## Love's Development

### 14 passenger car fueling and 9 Truck Fueling positions

The Traffic Impact Study submitted for the proposed Love's development has been reviewed by ODOT and CT Consultants and has been approved by the Village of Madison. The TIS highlighted the need for traffic signals at the I-90 Eastbound and Westbound ramps. The Village of Madison will require a partnering agreement between Love's and Sheetz to fund implementation of the traffic signals, which shall include signal design by CT Consultants, all construction costs and ODOT construction engineering and supervision.

#### Required Improvements

1. **Signalization of SR 528 at I-90 EB and WB Ramps**  
Love's and Sheetz shall enter a partnering agreement for funding of the traffic signal improvements and turn lane restriping between the I-90 Ramps.
2. **Construct a SB Left turn lane on SR 528 at I-90 EB Ramps**  
325' storage + 50' taper – The turn lane restriping shall be completed prior to opening of the Sheetz and/or Love's. Turn lane restriping is subject to ODOT approval.
3. **Construct a NB left turn lane at SR 528 and I-90 WB Ramps**  
375' Storage + 50' Taper – The turn lane restriping shall be completed prior to opening of the Sheetz and/or Love's. Turn lane restriping is subject to ODOT approval.



4. **Construct Full Access Driveway (West Public Drive) onto SR 528**  
West Public Drive will service Love's, Great Lakes Power, and future out-lot development.
5. **Construct SB Left turn lane on SR 528 at West Public Drive**  
175' + 50' taper - This turn lane will be constructed with the proposed development.

Cost Sharing for Roadway Improvements

Sheetz

Northbound left turn lane north of the interchange – 100%

Traffic signal construction at Eastbound and Westbound ramps – 38%

Restriping to accommodate left turn lanes between the new signals – 38%

Love's

Southbound left turn lane south of the interchange – 100%

Traffic signal construction at Eastbound and Westbound ramps – 62%

Restriping to accommodate left turn lanes between the new signals – 62%

Estimated Cost Breakdown for traffic signals and restriping of Bridge for left turn lanes

Traffic signal construction on SR 528 at I-90 EB Ramps:

\$275,000

Traffic signal construction on SR 528 at I-90 WB Ramps:

\$275,000

Modifications of Pavement Markings on SR 528 between I-90 EB and WB ramps: \$ 22,500

Sub Total \$572,500

10%Contingency \$57,250

Total Construction \$629,750

(ODOT) Construction Engineering at 10 Percent:

\$ 62,975

Design Engineering at 15 Percent:

\$ 94,462

Grand Total \$787,187

Contribution Breakdown

Sheetz - 38 percent

Love's - 62 percent

Estimated Sheetz Contribution:  $0.38 \times \$787,187 = \$299,131$

Estimated Love's Contribution:  $0.62 \times \$787,187 = \$488,056$

\* The costs above are estimates only, the final cost shares for Sheetz and Love's shall be based on the actual total cost.

The Village of Madison will prepare a development agreement for funding of the signals and shared turn lanes for signature by both parties. Please feel free to contact me with any questions or concerns.