

Meeting Minutes of the COMMUNITY DEVELOPMENT COMMITTEE
which took place on Monday, June 8th, 2026 at 6:00 P.M. *circulated 6/17/2026*

FINANCE PRESENT: Chair Tollett, Cerra, Schneider, Van Wormer, Davis

COM DEV PRESENT: Chair Schneider, Mitchell, Doehne, Lipian

UTILITIES PRESENT: Chair Mitchell, Davis, Armstrong

EXCUSED ABSENCE: Rothgery, Oswald

OTHERS PRESENT: Mayor Brubaker, Law Dir Deery, Safety Svc Dir Pyanowski, Finance Dir Pileski, Finance Dir Farrell, Asst Dir Calvert, Planning Dir Schoenig, Engineer Schneider, Public Works Supt Conner, CD Mgr. Almobayyed

1. The matter of approval of meeting minutes from the Community Development Committee Meeting, which took place April 27th, 2026, as *circulated on 5/1/2026*.

Motion made by Mrs. Mitchell and seconded by Mr. Lipian to approve the said Joint Meeting Minutes.

MOTION CARRIES

2. The matter of a rezoning request for 38550 and 38530 Chestnut Ridge Road. (*Traffic Study has been completed and will be presented*).

Referred by: LUV Retail Development

Dir Calvert said LUV Retail is here this evening to give a presentation for what the proposed development is at Chestnut Ridge and Rt 57. She's been working with them for several months, close to a year and a lot of thought and discussion has gone into what will be presented this evening. The City had our own traffic study done and the results of that study will be presented this evening as well.

Mark Lutner, Principal of LUV Retail Development, Naples Florida is here to present details on the proposed project. The purpose of this request is to rezone the property from residential district to commercial district so the site can be developed as a retail and service hub that better reflects the future needs of this corridor of the city. The plan includes a mix of restaurants, service, fueling and convenient uses; Chick Filet, Chipolata, Panda Express, Take 5 Oil Change and Circle K. This will be a planned development with traffic improvements, landscaping, buffering in a site design that will be reviewed and approved by the city's process. The plan will include access, including a new signalized entrance. The property is currently zoned residential one district, which was assigned when it was annexed to the city, but, that designation does not reflect the practical use for long term planning potential of this corner. Given its location at the intersection of Rt 57 and Chestnut Ridge and the surrounding commercial uses. This is a commercial corridor with significant traffic volume, regional access and visibility. Rezoning to commercial would align the zoning with the proposed usage. Rezoning does not eliminate city oversight. Each tenant in each portion of the development would still be subject to the city's sight plan review, access review, landscaping, lighting, buffering, storm water, engineering and other approval requirements.

This evening's requests is to allow the property to move forward under the proper zoning classifications while preserving the city's ability to review all aspects of the project.

The traffic challenges already exist today, the 2026 traffic study has identified significant existing congestion and capacity constraints. There are back-ups that reach Dewhurst Rd and Chestnut Commons Drive. There are already poor levels of service and failing conditions. The traffic is not being created by the development, but, will add some traffic, but, it will create the opportunity to fund and accelerate the improvements already needed.

The proposed development is projected to add a relatively modest share of traffic. The project will add infrastructure improvements which will benefit far more than just the users of this site. It can become the spark that helps fund improvements for the existing residents and the broader public and businesses.

The costs for these improvements are under 20% of the total roadway project. This is not just a private development request, it's an opportunity for a public, private infrastructure partnership and to support a broader modernization of the roadway network. Potential improvements will include capacity expansion along Chestnut Ridge, improvements at Rt 57, a second northbound turn lane, signal optimization and a modern signalized access point serving the development. These improvements will improve traffic flow, reduce queuing, increase safety and address issues that already exist in the corridor. This will help create a funding mechanism and a reason to move these improvements now rather than leaving it for the city to solve these problems later with only using public dollars. The developer will work with the city to include roadway expansion plans and they look forward to continuing these discussions.

The developer can serve as a catalyst for public infrastructure. Without this project the city would still face the need to address traffic and capacity issues in the area. But the city would have fewer tools to fund those improvements. With this project, the city has the opportunity to capture a much higher tax value and use that value to support roadway improvements which is why they are discussing a TIF while remaining open to other funding mechanisms.

The goal is to create future tax value created by the development and direct those funds back into a public infrastructure. The current appraised value of the property is approximately \$1.68 million. The project value upon completion of the development is approximately \$14.2 million, roughly 13 million in taxable value. The annual property tax generation could increase from \$3700 per year to \$260,000 per year. The option under a ten-year TIF, 75% structure, the project could actually generate upwards of \$1.68 million in bondable revenue over a 10-year period. The key point of this project turns underutilized land into a long-term tax engine that will pay for public improvements. They are exploring creating funding options in conjunction with the city. The development will improve the surrounding infrastructure and create benefits for the broader community. In addition to roadway improvements it would create broader economic benefits including construction jobs and service sector positions. It will also represent two and a half million in public benefits; roadways, signal, landscaping and infrastructure enhancements.

The project will also increase commercial activity, generate additional property tax value and contribute to the city's long-term economic health. This rezoning request deserves support for four reasons; it will help address existing traffic failures by creating a funding source for infrastructure improvements that are already needed, it benefits taxpayers by leveraging private development and new tax value to help pay for public improvements, it's an appropriate rezoning for a commercial corridor. The current residential one zoning does not reflect the practical future of this site while commercial district zoning better aligns with the surrounding roadway and developments. It will strengthen Elyria's long-term economic base by adding \$13 million dollars in new property value, attracting high quality national operators, creating jobs and generating future tax revenue.

That concluded the presentation.

Chair Schneider opened the floor for discussion.

Mr. Lipian asked for the chair to clarify as to how public comments are being incorporated on the decision of the project?

Chair Schneider stated that the committee will not hear public comments this evening. There will be three opportunities; Monday, July 6th, Monday, August 3rd and Tuesday, September 8th, which will be a public hearing.

Mr. Doehne said this project is located in Ward 3, which he represents. He grew up in the area and currently lives there and has watched everything that has happened, even before Walmart. As he's watched it grow, he has seen a lot of mistakes with the traffic among other things. The rezoning is just the first piece of this, if the rezoning is approved and there is commercial property in there, the city is stuck with 9.7 acres of commercial sitting there and the traffic issue is still at hand. He lives on Chestnut Ridge Road. He thanked the company for the presentation which sounds nice, but the mention that the traffic occasionally backs up to Defiance during high-peak times, it doesn't just back-up to Defiance, it backs up to Pemberton, Alexis and S. Abbe. He lives on the corner of Pemberton and Chestnut Ridge and every Saturday and Sunday he has traffic in front of his house and in front of Pemberton. He's spoken to hundreds of residents in Ward 3 and the 20 property owners that are adjacent to the property around there are not for this rezoning. They would like it to stay residential. He met with the property owner of the first property after the church site at 38560 Chestnut Ridge and his driveway is along that site, the homeowner is Bill and he's in his 80's. He thanked Mr. Doehne for reaching out and speaking to him, but, he said, he already knows that nothing will change their minds. This is just the beginning of the process and much discussion will take place. Mr. Doehne said the committee needs to consider the fact that if the rezoning happens, it will affect the project and after that, no one has any say in what will happen. Mr. Doehne looks forward to seeing the traffic study.

Mr. Tollett said that Elyria accepted the annexation of this property. Council voted to support the annexation, knowing that the intention of the annexation was to rezone it commercial and for the city to go back on their word and knowing that we had to address the problem in that area, but, this council accepted the annexation knowing it was going to be a commercial property.

President Mitchell asked what would happen if the property stays residential, what could be built on that property?

Mayor Brubaker asked Planning Dir Schoenig to answer that question.

Planning Dir Schoenig said the property is residential-one following the procedure of any annexed property into the city, it will need to go to the most restrictive district and with the new zoning code, that would be residential-one. There is commercial across Chestnut and Rt 57 and an existing non-conforming commercial use south of this property. Requirements for the residential-one district would include; single family, one-unit, two-unit residential uses, residential care housing, small nursing homes, anything that exceeds five individual units would require a conditional use, town home residential, manufactured home parks, religious assembly (which was the previous use of the property), community gardens, cemeteries, playgrounds, parks, pocket parks, preserves, sports fields, accessory dwelling units and accessory uses.

Chair Schneider asked what are the requirements when there is a residential piece that would abut a commercial piece with buffering distances, water retention, etc.

Planning Dir Schoenig said if there is a drive thru, accessory use, which is proposed, there are buffering distance requirements, example would be 50 feet from a residential unit ensuring that screening is provided on the site as well and further restrictions applied in the form of hours of operation, which would include the time from 10:00 P.M. to 6:00 A.M. the drive-thru would not be allowed to be used during those hours. That would have to abide by the city's noise ordinance as well. There will be requirements for screening that abuts a residential use, yearlong plants and landscaping and fencing which will provide a buffer between commercial and residential uses.

Chair Schneider asked if Dir Schoenig can provide a schematic of what the plan is?

Dir Schoenig said the preliminary subdivision is a function of the Planning Commission. If the applicant moves forward they need to go to PC for that preliminary subdivision.

Law Dir Deery said in speaking with Dir Schoenig, based on the size of this subdivision, it would likely not come back before council, but it would still need to be approved by PC.

Dir Schoenig said it would be classified as a major subdivision and once it's approved by PC then the applicant would have to proceed with the detailed subdivision plan and the Final Plat is what would need to be approved by City Council, which would be a later stage in the game.

Mr. Lipian said in reference in passage of the annexation, Mr. Tollett is correct, it was passed for commercial development. The previous tenant of Ward 3 council seat opposed this, though she wasn't on the committee and at the time, she said additional commercial development would exacerbate traffic. She said she doubted that any traffic study would provide any real insight or solution and she was hopeful that the new property owners do not put in a commercial subdivision unless someone has a magic wand to fix the traffic, which would be a nightmare. The annexation was passed by council by an 8 to 2 vote, with Mrs. Siwierka and Mr. Lipian voting against it.

Mr. Lipian asked who is the best person to address questions about the traffic study?

Chair Schneider asked Mr. Lipian if he can hold his questions about the traffic study until that part of the discussion takes place, Chair Schneider wanted to keep the rezoning issue and the traffic study separate.

Mr. Doehne asked Dir Schoenig what recourse do we have going back to PC, say the developers want to put in landscape buffers, which are not going to protect from the drive-through, the headlights, etc, what recourse do we have once it's already been rezoned and they're allowed to be there?

Dir Schoenig said each of the parcels would need to go through the Design Review process for a detailed evaluation for planning purposes, to look at parking, lighting, dumpster location, screening requirements, fencing, etc. They would analyze all of that and determine if it meets the intent of the zoning code. It gets description as to height requirements, etc. It also includes the DR Guidelines, which are also in the process of being updated. Staff would take a look at this and if it does not meet the intent of those guidelines, the applicant would either revise or seek a variance through Board of Zoning Appeals and it would be up to the determination of that board whether to approve a variance of those requirements.

Mr. Doehne asked what happens if the applicant comes up with a plan that the residents aren't happy with, do the residents have any more say after this? The resident next to Chipotle's drive-thru and the drive-thru is open until 10:00 and that resident has to listen to Chipotle orders.

Dir Schoenig said yes, the residents would be notified of the meeting, all of the adjacent property owners as well as across the street and they would have the opportunity to speak on the variance and any opposition they have, but that would be later in the game following any sort of approval for rezoning or final plat. These concerns of buffering requirements would be discussed at the meeting and those residents would be able to speak. The developer would have the opportunity to revise their plans to meet the city's code.

Law Dir Deery said this application was submitted in March and the city's overhaul of the zoning code went into effect on May 1st, is there any insight as far as the new zoning or the proposed zoning classification would be based upon the rezone or is there not that much of a rebrand?

Dir Schoenig said the applicant indicated not only the existing code at the time, RLD and they indicated Residential-one is existing, it's an unusual time with the new zoning code going into effect during this application was in process. They have indicated that the intended zoning district could be either BAO (Business-Automotive Oriented) or commercial under the old code. Both were shown on the application. The difference between the old and the new code, the new is similar in nature, the commercial zoning district is similar in nature to the business-automotive oriented, which was the original intent of the applicant, under the old zoning code. All uses that are still proposed in this application were permitted in the BAO zoning district under the old zoning code and they are all permitted under the commercial zoning district in the new zoning code effective May 1st.

Mark Lutner said he began discussions with Dir Calvert and the Mayor and he understood the sensitivity surrounding the traffic in this area. They are here to help mitigating the issues and the development to help that. And the property was annexed into the City with the intent that it was going to be zoned commercial. They will do what they can to create the appropriate buffers for residents. They don't want to bring in a development to upset residents. They're in the process of finalizing a development agreement and will intend to make it as respectful as possible.

Chair Schneider said they will now proceed with the traffic study portion of this evening's discussion.

Engineer Schneider said he has the consultants who have worked with him on the traffic issue; GFT. They not only looked at the area at Chestnut & Rt 57, they also looked at the entire area as a whole. They don't just go out there and look at just today's traffic, they forecast it out for a 20-year cycle. It was looked at comprehensively on the city's side. He introduced Susan Patterson who will give a presentation as well as Allen Biehl.

Allen Biehl of GFT, 1100 Superior Ave., Cleveland said their firm's previous name was Trans Systems and it has a rich history doing business with Elyria including the Ford Road bridge replacement and the project at Cleveland Street and East Bridge Street into a multimodal facility with the three-lane section and bike lanes. Mr. Biehl previously worked in District 3 of ODOT. Whether this development comes in or not, they were scoped to look at the traffic conditions as they currently are. Everyone recognizes that there are improvements that need to be made out there. If the city is seeking federal funding, they will approach this on the premise of going after federal dollars, therefore they have followed ODOT's criteria on how to do these studies as a potential conversation with either ODOT or NOACA in seeking out federal funds for the needed infrastructure improvements.

Susan Patterson, Traffic Engineer with GFT, 1100 Superior Ave., Cleveland. Their objective in the traffic study was to provide an independent look at what is really happening there today and what it might look like in 20 years, which is the standard future horizon that ODOT requires for studies that they are going to have a part in funding. They look at the opening year of 2027 and what happens without the development and what happens with the development and provide recommendations and they also looked at 2047. They look at crash history for the last 3 years, types of crashes they mostly found were rear-end crashes and angle crashes. They also looked at the operations and keeping with ODOT's practices and national standards, they use a letter grade system for the level of service with level A is the best and level F is failure. They also look at present day and future years and yes, they are seeing congestion and see additional congestion due to more traffic regardless of any future development.

Ms. Patterson discussed the sheet which was passed out to everyone, she called the first sheet the no-build schematic which is an outline of lane types and the second sheet shows in red, the locations that they are recommending additional or changed lane use. The main gist of the study is that they are seeing congestion and the primary movements they have seen in the traffic data they collected with video cameras.

They looked at the number of vehicles, projected into the future and that's where the data came from. One of the primary movements is in and out of Chestnut Commons to get to and from Rt 57. That's the primary area of congestion that they are seeing. They are projecting an increase of traffic on Rt 57, north and south and Chestnut Ridge.

Some of the recommendations that are shown on the second page involve widening Chestnut Ridge Road and providing some additional turn lanes throughout the project area. They also recommend changing some of the signal timings at Chestnut Commons Dr, right now the southbound direction coming out of the shopping center operates on its own phase of the cycle, each turn is a phase. And the northbound operates on a separate phase so they don't enter the intersection at the same time. That condition, causes to lose some efficiency in the cycle and part of that is based on how the lanes are configured. One of the recommendations is additional or changes to that exit from Chestnut Commons onto Chestnut Ridge Road to free up the signals for changes. Mostly adding some lanes and an additional northbound left turn lane on 57 and there was a graphic from the original developer study which they were provided for reference, and there were some differences, but, widening and adding additional turn lanes were the best options. When they were preparing the study, they were trying to find as many unique ways to resolve some of these issues unfortunately, things like roundabouts or restricting left turns, were beyond the point of traffic capacity where those solutions would help, which is why they recommend the additional lanes.

These recommendations were what they found to resolve most of the issues in terms of level of service and ODOT criteria. This is just in the planning stages and some aspects of the study haven't been addressed, such as when they merge those lanes back down and how far they may reach east and west.

Chair Schneider thanked Ms. Patterson and Mr. Biehl and opened the floor for discussion.

Mr. Doehne said this addresses how this development is going to help the current traffic, but, one concern is, we start with 6 lanes on Rt 57 and we bottleneck down, before we get to Defiance, to 2 lanes, which is what we already have. So how is this new traffic infrastructure really helping if we're just going back down to 2 lanes of traffic and those lanes will cut in to Mr. Bill's property and he will lose part of his front yard.

Ms. Patterson said the traffic study ended between Defiance Ave and Stillwater. The decision about how and where those lanes merge back down would have to be looked at in future studies if this moves forward.

Mr. Doehne said that's 750 feet from Rt 57 to before Defiance. This is no different than when Walmart went in and we were narrowing lanes and add a lane one year and then the next year there was another problem and another solution. He feels 6 lanes going down to 2 lanes in the matter of 750 feet will not solve any problem. It shouldn't be proposed as the developer saying that this is a great thing to resolve the issue.

Mr. Armstrong asked why Dewhurst isn't on these print outs that were passed out? Was the traffic at Dewhurst taken into consideration? Are there plans for Dewhurst?

Ms. Patterson said that was considered outside the scope of the study. It can be added.

Engineer Schneider said they did not look at Dewhurst Road as a traffic signal because they cannot have too many traffic signals in that one area, so it was looked at as a stop condition only, we cannot have three signal intersections within 500 feet.

Mr. Schneider said he sees there is a proposed light at the main access point into the development and there's a neighborhood plaza across the street on the south that is not mentioned and asked if it will line up with the traffic light? He's concerned that the traffic coming out of that will interfere with the light that's proposed.

Engineer Schneider said during the initial traffic study by the developer, that was exactly an issue he had. They looked to move it a little closer and to move the driveway to the plaza and ultimately, they decided to move it back. What they looked at was they wanted to run two lanes up to Defiance.

Mrs. Mitchell asked if specific times of the day were identified for the traffic study?

Ms. Patterson said yes, that is what they used to design and analyze it, they looked at AM peak, which was 7:15 and PM peak, which was 4:30. The operational information is based on those peak times and the PM peak is the heaviest time.

Mr. Lipian answered Mr. Armstrong's question about Dewhurst, it's on the map. He would like to clarify that when he voted against the annexation, it didn't necessarily mean he's opposed to this project. He has heard from Ward 1 residents and it's important to protect Ward 1 safety in transit. The Abbe Road corridor to reach Rt 57 goes thru Chestnut Commons and ensuring that the gridlock at the Chestnut Ridge intersection doesn't spill back into the Ward 1 neighborhoods. So that could cause speeding on side streets in Ward 1 and therefore increase risk that the police would have to clean up. Abbe Road is a vital Ward 1 bypass and this project will affect it. Residents in his ward have reached out to him, question, if post construction traffic conditions are materially worse than projected what mechanism exists to require additional mitigation or improvements and who would be responsible?

Mayor Brubaker said the city would be responsible for any adjustments that would have to be made on any failures of the proposed plan.

Mr. Lipian said the LUV Retail mentioned a \$500,000 contribution for infrastructure for the right in and right out improvement, is that correct?

Mark Lutner of LUV came back to the microphone and said, yes, they have agreed to a half million-dollar special assessment to be utilized toward roadway improvements.

Mr. Lipian said he saw an area in the traffic study that recommends reconsidering the right-in in the eastern access due to safety concerns, is that the same as the right in and right out?

Ms. Patterson said the plan they have, shows it's illustrated as a right-in only for the Circle K, a right-in drive at the southeastern corner of the proposed development.

Mr. Lipian said the traffic study recommends reconsidering the eastern access due to safety concerns and will the site plan be modified to address that recommendation before approval?

Law Dir Deery said these are very preliminary discussions. As far as the public infrastructure, so these roadway improvements, and the city is looking at how those could be funded; by federal earmarks, state money, TIF money and special assessments, we really haven't gotten that far as to what the percentages would be.

Mr. Lipian said he was looking specifically at the right in and right out improvements.

Mr. Lutner said he is not aware of the right-out. There is a right-in by the Circle K.

Mr. Lipian asked if that is the same right-in that would be funded?

Finance Dir Pileski said there was discussion about a right-in or right-out and that cost was around \$2 million and the TIF projection was only \$1.7 million so there was talk about the city picking up half of the shortfall with the project. But, now with this latest study and the comprehensive discussion to fix the entire region the cost is much more. The financial plan is not set yet and we don't know where the city's share will come from, whether it will be bond proceeds, grants from ODOT or NOACA. There was some discussion that the city would kick in \$500,000 and \$500,000 the developer would kick in to get the project moving, and he believes that was for the right-in at Circle K.

Mr. Lipian said he brought that up, because the traffic study recommends reconsidering the right-in eastern access due to safety concerns. He's confirming that the site plan will be modified to address that recommendation before approval.

Dir Deery asked to what extent is this roadway expansion proposal, does it hinge on this new development and to what extent is it being proposed, regardless of this new proposed development. Much of this expansion on all sides of the intersection at 57 & Chestnut Ridge is being recommended whether or not LUV retail moves forward.

Mr. Biehl, GFT and formerly from ODOT said when they followed ODOT's standards for looking at a 20-year traffic horizon, they assume, based on regional growth, there would be a 1% growth and a 1% increase in traffic per year. The traffic study is not just taking in the consideration the subject of the development, but basically all the growth that could occur over the next 20 years.

The recommended improvements, as far as additional lanes for additional capacity are going to be needed, even if the development doesn't happen. The improvements are focused on improving the intersection of Rt 57 & Chestnut Ridge. At some point, there could be a need to widen Chestnut Ridge west of the study area, but there are dollars and cents that go with it. The improvements they are recommending are focused on making the intersection operate efficiently.

That intersection is the choke point and it creates all the problems that occur everywhere else in and around the vicinity. If they look to improve the traffic flow and the traffic operation at that intersection, the back-ups will be alleviated up to the 20-year horizon. The intersection is beyond a typical growth expectation of how these intersections should operate during rush hour. There isn't the capacity at this intersection to handle all that traffic and growth. When you build this, you want to know it's going to operate, not just on opening day, but as expected 20 years in the future.

They are here today because of the proposed development, but the need is here whether that happens or not.

Dir Deery wanted that information to be in the minds of the committee and council because it gives a global picture of the problem. One of the potential opportunities is that the city has, whatever type of project could potentially be at this site, if there were to be a TIF, that would be used for public infrastructure. They have had conversations with Economic Dev that yes, TIF proceeds for this parcel could be used for the entire intersection. As far as money being brought to the table by the city, proceeds from the original Walmart TIF could be brought to the table and that would fund the infrastructure, because, that is a global traffic situation.

Mr. Doehne said there was talk at one time of the construction taking two to three years, do we have a date on the infrastructure part of the project, which is the main concern? He was saying that the right-in and right-out was going to be put in temporarily until all the traffic signals get put in. His concern is with the right-in and right-out, it's going to dump all the traffic down to South Abbe and now at that stop light at S. Abbe, it will back up to Defiance.

Engineer Schneider said in regards to the right-in and right-out, they were looking at it before it was zoned without the improvements on Chestnut Ridge, he would not allow to turn left out of there, because it would be a safety issue and they were not going to allow vehicles to block the lane and then it would back up onto Rt 57. That was the intent with the left or right in right out.

Mr. Lipian said that might be why the traffic study recommended against that. He's ensuring tax payers dollars aren't used to fund infrastructure professional engineers flagged as a safety hazard. Mr. Lipian stated that the study identifies existing congestion at Rt 57 & Chestnut and projects a loss of service 'F' for failure conditions even with improvements. What specific elements of the study are actually being funded thru the TIF? And what recommendations are not being funded and who's responsible for the remaining corridor wide improvements between the developer and the city?

Engineer Schneider said they do not have anything in place for funding at this time, so he cannot answer that. The overall project would have all these improvements done. The only thing that would not be that the developer is looking to install, is the traffic light. Everything else is warranted as it is.

Mr. Lutner asked if in the event that the development would open without the roadway improvements being completed, was that the question being asked? He said they won't anticipate opening until all the road work is done.

Mr. Lipian said there are roadway improvements specific to the development and then there's the \$5 million in roadway improvements that are estimated to remain largely unfunded to solve traffic issues at large. The improvements that would be made to accommodate the project would be mainly for the project, but not necessarily the traffic concerns in the Chestnut Ridge area. We need to be able to distinguish between improvements tied to the development, itself and improvements tied to the broader long-term improvements.

Mr. Tollett speaks on behalf of the Finance Committee, which he hopes this gets to his committee for different types of funding mechanisms. Everyone knows there is a problem. The two 'nay' votes on the annexation, neither offered a solution. Now we have a development that offers a solution. He disagrees with Mr. Lipian that all these improvements won't affect the entire intersection and the speed and safety of the traffic. If we don't move forward with this project, it will cost the city \$5 million out of the general fund that we don't have. Our repairing the Chestnut intersection is dependent on this project, so the choice is clear, if we vote against the rezoning without a plan to fix the intersection or you vote yes, for the rezoning with a long-term plan in place to fix that intersection and get the traffic moving better.

Mr. Doehne said he respectfully disagrees, if the development doesn't go through, that means we wait and we that doesn't mean that we have to go into the coffers that we have. It doesn't mean just because the development doesn't go through, that it doesn't get done, it just won't happen today, maybe when a residential developer goes in there and they want to put in a nice development and we can use the TIF for that. We have \$1 million dollars on the Walmart TIF and ready to be used. We can use that to add a lane to help make the situation better. We shouldn't feel pressured to push the development through just because it's here.

Mr. Tollett asked where does the other four million come from?

Mr. Doehne said we wait.

Mr. Lipian said with the traffic study identifying existing congestion in projects with the conditions, even with the improvements, what specific elements of the study are being implemented and which recommendations are not included in the current plan?

Ms. Patterson said the study provided recommendations for elements that they think might help throughout the study area. They have not drafted any plans for how it will be implemented, it's purely a high-level initial study. Ms. Patterson cannot answer what will and what will not make the final cut from the recommendations.

Chair Schneider asked if there were any further comments and specified that this is for rezoning only.

Mr. Lipian asked if there was going to be a conversation about the TIF tonight?

Chair Schneider said no, not at this time. The rezoning would have to occur in order to create a TIF which will fund part of the project and we're not that far along.

Law Dir Deery asked Dir Calvert if we have not yet finalized proposed development agreement or draft as yet, is that correct. She is under the assumption that the city is still in the process of negotiations and there are some initial financial projections that have gone between the economic development attorneys but nothing further.

Dir Calvert agrees with what Dir Deery said that they are working to see what the financial plan is and to identify all possible sources to pay for the project if council approves the rezoning and that will allow to move forward with the planning for the project. As discussed, there will be a TIF agreement in place with LUV Retail, but that is for only a portion of the project. It would not be inclusive of all the improvements that need to be made. It would be a funding source to go toward the total improvement cost. There will most likely be different revenue sources that they will look to identify and confirm which would go into the total cost of the roadway improvements.

Mr. Lipian said they have acknowledged that the infrastructure to improve the traffic probably wouldn't be funded unless there is a TIF. That is to say is the TIF is projected to generate roughly \$1.9 million dollars over 30 years, while the full traffic solution, which is the principal point of what we're discussing today, is estimated to cost more than \$5 million dollars. He is trying to determine if the public benefit justifies the city's participation in the project.

Mr. Tollett said this vote is only on the rezoning, not the TIF. But, we have old TIF funds available to the tune of roughly \$250,000 per year, he asked Fin Dir Pileski if that is an accurate figure?

Dir Pileski asked if Mr. Tollett is referring to the original Chestnut Commons TIF?

Mr. Tollett said yes.

Dir Pileski said the 15-year bonds are completely paid off. It's a 30-year TIF, so we entered into a new agreement with Midview Schools, so we are sharing, not equally sharing, but, we are sharing the TIFs that are coming in over the next 12 years with Midview Schools and we are able to keep a portion of that. Currently we have roughly one million dollars that belongs to us in that fund, which is about \$400,000 per year.

Mr. Tollett said we could do a 10-year TIF bond and pay off the additional 4-million with a 10-year TIF bond, paid for by the old Chestnut Commons. And then we would be in excess of one million dollars because we know we are getting 1.87 million from this TIF plus \$500,000 and we would be in excess of \$6 million dollars.

Dir Pileski said that is a possibility. The estimated cost of the project is 5.2 million, not including design and not including right-of-way acquisition, not including utility relocation. It will cost more than 5.2 million. He hopes we can do some investigation and hopefully be awarded NOACA and or ODOT grants to help the 4.2 shortfall. But, that remains to be seen and that is further down the road.

Mr. Lipian said he doesn't know if he can support rezoning a development that increases congestion at this site.

There were no further comments and Chair Schneider read the committee report and asked for a motion.

Mrs. Mitchell moved and Mr. Schneider second the motion to approve the 'said' rezoning request.

(2) Ayes = Mitchell, Schneider

(2) Nays = Doehne, Lipian

(1) Absent = Rothgery

MOTION CARRIED AS MINORITY REPORT

COMMITTEE REPORT WRITTEN

Chair Schneider stated this will move forward to Council as a Minority Report and there will be three readings and a tentative Public Hearing will be scheduled for September 8th.

Chair Schneider called a 5-minute recess at 7:20.

The evening's meetings continued with the JOINT Community Development with Finance Committee and Chair Tollett called Finance to order at 7:27 P.M.

The next Community Development Committee Meeting is scheduled for Monday, July 13th, 2026 at 6:00 P.M.

*Respectfully submitted by, Colleen Rosado,
Council Clerk Secretary/Administrative Assistant*