

From: [Barry Berman](#)
To: [Vaughn, Jessica L](#)
Cc: [Vidaver, Regina](#); [Cleveland, Julie](#)
Subject: Flad Development on Smoky's Site 3005 University Ave.
Date: Wednesday, March 30, 2022 1:25:04 PM

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Jessica,

Please share this with the Urban Design Commission.

Bagels Forever continues to oppose the Flad development at the Smoky's site at 3005 University Avenue as it is currently proposed. We have built our business since 1973 using a portion of Smoky's parking lot to back into our loading docks during the day. We have prescriptive easement rights that would be violated if the Flad development proceeds as planned. To my knowledge, there have never been any issues with this use. Without adequate access for trucks it is likely that our business will be forced to close. We have attempted to negotiate a reasonable accommodation with Flad Development without success.

We request that the Urban Design Commission not approve this development until we have an agreement that will allow Bagels Forever and Flad's development to exist together, instead of Flad's project going forward and Bagels Forever closing due to inadequate access.

Regards,

Barry Berman
President
Bagels Forever