

From: Ben Latham [<mailto:tblatham@gbrproperties.com>]

Sent: Tuesday, October 16, 2018 2:53 PM

To: Curtis, Larry <LCurtis@brokenarrowok.gov>; Skates, Michael <MSkates@brokenarrowok.gov>; nstephens@brokenarrow.gov; Spurgeon, Michael <MSpurgeon@brokenarrowok.gov>

Cc: Rusty Richardson <rusty@gbrproperties.com>; Kody Still <kstill@gbrproperties.com>; Alicia Nolen <ANolen@gbrproperties.com>

Subject: October 25 hearing on PUD change on old Hobby Lobby at 101st and Elm, Case No. PUD-17B

Good afternoon.

GBR Properties, Inc has concerns regarding the proposed Church that has asked for a major amendment to PUD-17B in order to occupy the previous Hobby Lobby location at 101st and Elm. As the owner of Vandever Acres Shopping Center, the adjacent property, we object to the approval of any changes that will allow a Church in this location.

Our concerns are noted below:

1. A consultant has been hired by the City to prepare a plan of revitalization for this intersection. I understand that study is in process. Any amendment to PUD 17B in the middle of this study seems to be counter-intuitive, as it would cause a major change in the focus of the consultant's study, wouldn't it? As such, I believe it is premature to make any recommendations for any variances until the study is complete. Anything, like this, that makes such a big impact to the whole intersection should wait at least until the study is complete.
2. I also understand the Comprehensive Plan for the City of Broken Arrow designates this intersection as a tax generating intersection. If a church is approved, they will not generate any sales tax or pay any property tax.
3. During the consultant's revitalization meeting on May 31, 2018, concerning the 101st and Elm intersection, none of those in attendance listed a church as a desired business for the intersection.
4. A church will limit specific uses that can occupy any of the surrounding shopping centers and will adversely affect our ability to lease our property. See the attached 1,000 foot map.
5. There is a liquor store in Vandever Acres that falls within 1,000 feet of the proposed Church. Is it grandfathered in? Would The zoning change prohibit them from a future expansion or relocation within the center? Would it also prohibit them from making improvements to the store that would require a permit? Also, if this liquor store owner vacates the location, would we be prohibited from replacing our tenant with another liquor store?
6. The old Cici's 3,900 square foot space comes available in January in our center, and we would be prohibited from leasing to a sports bar, brewery, or other user that has alcohol sales over 50%. This also would deprive the City of related sales tax. This potential type of use, I think, is an important consideration to revitalizing this intersection.
7. Because of the status of this intersection, we have seen very limited leasing activity in 2018. The conversion of the "front space" of the old Hobby Lobby to retail likely will have the same lack of interest. I fear this would lead to a gradual conversion of this "front space" to the Church's use; thus I ask, is that proposed option a red herring? Plus, allow me to draw your attention to the code requirement of having back door exits; are these included in the Church's plans?

In summary, approval of a change to the PUD limits the retail possibilities for this entire intersection and comes close to being an inverse condemnation of Vandever Acres Shopping Center.

We will be present at the October 25 meeting to present our opposition; but if you wish to discuss any of our concerns before then, I would be happy to meet with you.

Respectfully, I ask that you forward this email to the Planning Commission and the City Council.

Sincerely,

Ben Latham
President
GBR Properties, Inc.
3114 E. 81st Street
Tulsa, OK 74137
918-493-2525, ext. 217 Phone
918-493-2588 Fax
tblatham@gbroperties.com



www.gbrproperties.com

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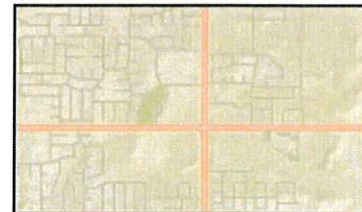
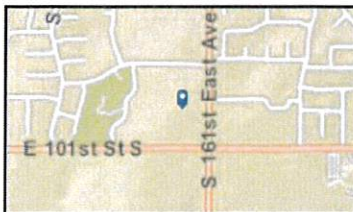


esri

Site Map on Satellite Imagery - 0.8 Miles Wide

720 E 101st St S
720 E 101st St S, Broken Arrow, Oklahoma, 74011
Rings: 0.19 mile radii

Prepared by Esri
Latitude: 36.01887
Longitude: -95.79868



Source: ArcGIS Online World Imagery Basemap

October 08, 2018