

Donna Randall (daughter of Imogene (Tullius) Randall)  
2424 Oxford Street  
Arlington, VA 22206  
May 28, 2013

City of Norman  
City of Norman City Council  
City of Norman Planning Commission  
201 W. Gray St. Bldg. A  
PO Box 370  
Norman, OK 73070

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 5/28/13

Re: Breckenridge Land Acquisition, LP and 18.5 acres in the West Half of the East Half of the Northwest Quarter of Section 9, Township 8 North, Range 2 West of the Indian Meridian

Ladies and Gentlemen:

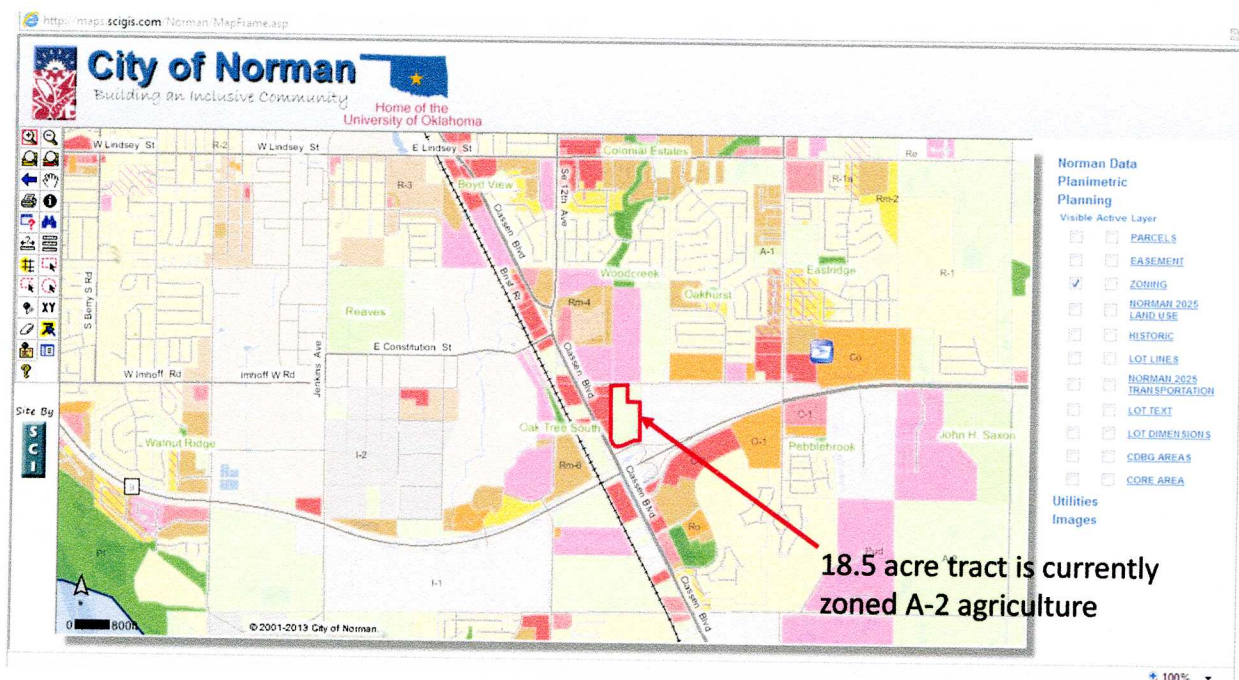
I am Donna Randall, daughter of Imogene (Tullius) Randall one of Georgie Tullius' heirs, and niece of Helen and Olan Todd of 1600 Imhoff Road, Norman, OK. I am writing this letter in support of my Aunt's position as executor of Georgie Tullius' estate to have the 18.5 acres in the West Half of the East Half of the Northwest Quarter of Section 9, Township 8 North, Range 2 West of the Indian Meridian rezoned to allow the family's land to be developed as a cottage-style student housing project. My Aunt and Uncle's property, which is adjacent to this land tract, is not part of said estate.

The sale and development of the 18.5 acres owned by the family must not be held hostage to Hitachi or other developers saying that my Aunt and Uncle are required to sell their own property as part of any deal or development. As indicated in my Aunt's letter filed in the office of city clerk on 4-18-13, they have lived in their home for more than fifty years. I have lived and visited with them in their home over those fifty years and have no plan to influence them to sell their property just so the adjacent family land can be sold. The position of my mom (Helen Todd's sister) and my siblings is also quite the reverse of Hitachi's, we want my Aunt and Uncle to be able to live in their beloved home as long as they are able. Their home contains over 50 years of loving care and memories, and includes a backyard and garden on land not only my Aunt has cared for all her life but on land that was once also cared for by my grandparents. As stated in the 4-18-13 letter filed by my Aunt she was born in a house that used to exist where the Hitachi plant now resides, like my mother. I have pictures of my mom beside that house picking cotton and my Aunt Helen being held by my grandmother by the house. My Aunt and mom helped to farm the land there until WWII. My Aunt and Uncle designed and built their current house to enable them to live out their life there, including in-home care when the time comes. Our family wants them to continue to be able to go to bed in their bedroom, get up and go to their kitchen for their morning coffee, go and sit on the chairs in the backyard and sip a glass of wine like they have for over 50 years surrounded by the comforts called home. It was generous in the extreme that my Aunt and Uncle were willing to consider including their property to aid the family in selling the 18.5 acres, but this would have egregiously hurt the family ties and spirit that such an act of sacrifice was required on their part. The land my Aunt and Uncle own is not part of the family estate.

My Aunt and Uncle should not be penalized for my Aunt being executor of my grandmother Georgie Tullius' estate. If my mom or I were executors of the property such a request to include my Aunt and Uncle's property in any sale agreement of the 18.5 acre tract would have been an ardent and

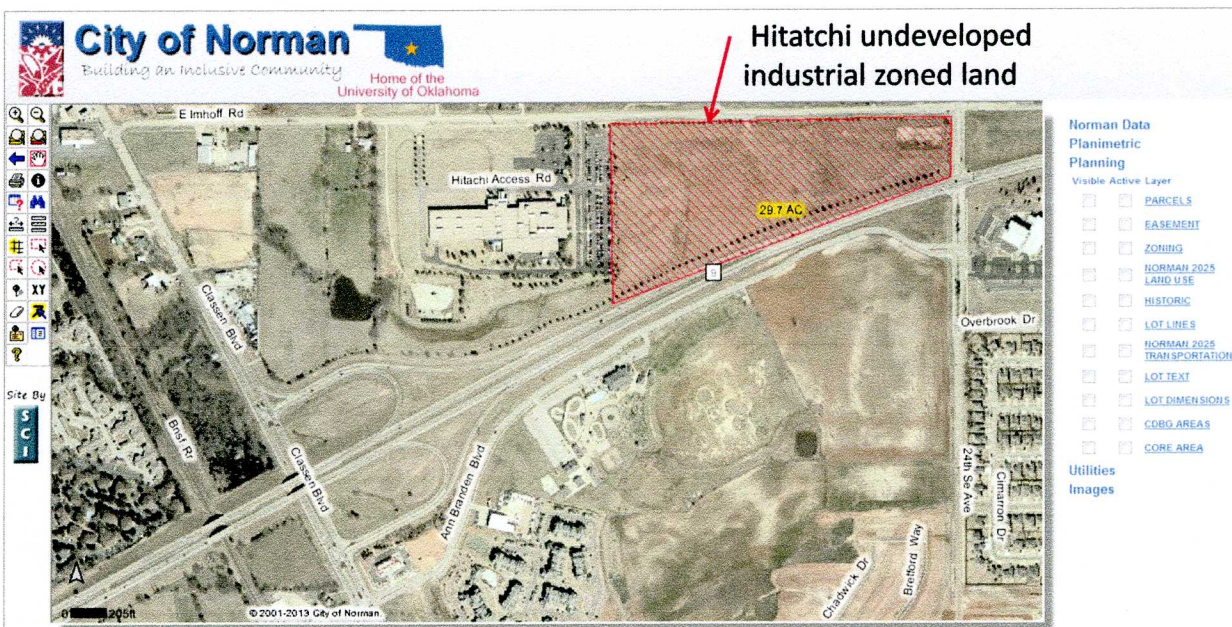
unequivocal NO. It is neither equitable nor appropriate that the family is being asked to try and force or persuade any adjacent property owner(s) to include their property along with the 18.5 acre tract before the 18.5 acre tract can be sold and developed. Is the family going to be required by the city to get the adjacent commercial properties to also include their properties in any sale along with this 18.5 acre tract before the 18.5 acre tract can be sold, or to include Hitachi's property? How is such a financial burden or requirement reasonable or just?

My Aunt as executor has found a buyer for the 18.5 acre tract in the West Half of the East Half of the Northwest Quarter of Section 9, Township 8 North, Range 2 West of the Indian Meridian, who will develop the land in way that provides continuity with similar land development in the area and adjacent land use as summarized in the Aspen Heights project overview (see slide 16 of the overview)—my Aunt and Uncles residence, a multifamily residential PUD (Crimson Cottages), and multifamily residential apartment complex (Crimson Park Apartments) to the north and northwest, Oakhurst to the northeast, commercial property to the west surrounding highway 77 on both sides and the residential areas of the Commons, Hampton Woods, and Forest Pointe to the west of this. While the 2025 plan identifies this tract of land as future industrial, currently it is zoned agriculture (see Figure 2001-2013 current City of Norman zoning map below), the recent changes in economics of the area, and growth in the need and expansion of university housing, and development of adjacent land merit the land being rezoned to allow the cottage style student housing rather than industrial zoning.



As pointed out in the Aspen Heights project overview, the acreage identified in the 2025 plan for industrial use in the City of Norman is 5.56 times over the absorption rate (slide 23 "...2025 planned 110 years quantity of industrial land"). Additionally, as pointed out the focus of industrial development for the city has shifted to the north (see slide 27) for various commuting and economic development reasons. Hitachi which moved to the adjacent property in 1986 only developed a small portion of their property and it was not until about 24 years after their initial build, in 2010 that they added on 200,000 square feet (4.6 acres) of warehouse and office space, which more than doubled their use of their

property<sup>1</sup>. This is on average a need of 0.19 acres of expansion per year for Hitachi. They already own over 30 acres of undeveloped industrially zoned land that contains no development (see slide 30 of the Aspen Heights project overview and the City of Norman Figure below outlining about 30 acres to the east of existing buildings and parking), which means they have around 150 years worth of expansion space at their current build/expansion rate. Hitachi will only buy the 18.5 acre tract if my Aunt and Uncle will include their property at lower than fair market value for a similar residential property with improvements, however, as indicated earlier the family in no way, shape or form is going to make the sale of my Aunt and Uncle's property a part of any land deal for the 18.5 acre tract. My Aunt as executor has been diligent at trying to find offers for the 18.5 acre tract that provides fair market value since my Grandmother passed away in 2002, which is over 12 years, but these have been few and far between and those viable offers which have gone forward have fallen through for economic reasons as indicated in her 4-18-13 letter.



From the discussions Hitachi has had with my Aunt while they have said that the tract of land the family is trying to sale cannot be zoned other than for industrial for which it is down in the 2025 plan, Hitachi does not believe they should be held to the same standard for their property. Hitachi would plan on rezoning some of their currently zoned industrial property adjacent to their plant and warehouse to commercial to finance a build on our family's tract of land (see my Aunt's 4-18-13 letter). They too obviously believe that there is merit in not needing all the industrial area in the 2025 plan, but desire that they benefit from that fact rather than our family, especially my Aunt and Uncle. Commercial land value in this area is obviously at a premium. From advertisements the asking price for the undeveloped commercial zoned land at the corner of Classen Blvd and Imhoff Rd is 1.03 million dollars for 1.75 acres (equivalent to about \$13.51 per square foot)<sup>2</sup>. I can see why Hitachi would like to keep the family from rezoning our currently zoned agriculture land to industrial rather than residential so that they can try to force us to sale to them. If the family is denied rezoning to residential and Hitachi later on changes part of their currently zoned industrial property to commercial, such an act would be arbitrary and capricious

<sup>1</sup> [www.korteco.com/construction-projects/hitachi-international-distribution-center](http://www.korteco.com/construction-projects/hitachi-international-distribution-center)

<sup>2</sup> <http://www.loopnet.com/Listing/16665834/2721-Classen-Blvd-Norman-OK/>

on the part of the city. Unlike Hitatchi, the family has no access to state employee taxes to use to develop this 18.5 acre tract, as Hitatchi had when they financed their 200,000 square foot expansion by the use of employees' state taxes<sup>1</sup>, or access to state incentives like Hitatchi to make up for a difference in development of the family's 18.5 acre tract.

I believe the Aspen Heights Project Overview provides an in-depth account of the merits for rezoning the 18.5 acre tract to residential. In addition to the merits that are provided in that overview I believe there are some additional merits as discussed below.

I believe the Aspen Heights build of student housing provides an environmentally greener solution than similar builds that would have to occur further away from campus. First the build as proposed contains 58% green space, a higher than required city ordinance amount for multifamily housing. Second the University of Oklahoma South Campus is under 1 mile away (see Figure below), the intramural fields are a little over 1.25 miles. The closeness to campus means residents of the proposed Aspen Heights build can take advantage of being able to commute by bike to the University and to commercial properties along Classen Blvd. For example, the ENCOMPASS 2035 plan<sup>3</sup> calls for on-street bike routes for Imhoff Rd. from Classen Blvd. to 24th Ave. E and from Lindsey St., from 24th Ave. E to 36th Ave. E which links to other bike routes in- and on-route to campus. These are amenities that have or are being built to allow residents in the adjacent Crimson Cottage PUD and Crimson Park Apartment complex to commute to campus and the City of Norman. This is also another way that the proposed rezoning to allow student housing on this 18.5 acre tract is in-line with surrounding land uses and goals of the city transportation plan to improve the way people move around the city. But additionally this closeness to campus means that the commute to and from campus is reduced from similar builds that would have to occur further away. At 528 planned residents, this means a substantial reduction in commute time—and therefore less impact to city air quality and traffic congestion. For example, for every one mile taken off the road there is about a 1 pound decrease of air pollution<sup>4,5</sup>. If all the residents drove daily, just a 1 mile increase in distance of a similar build can mean an increase of around 385,440 pounds of air pollutants added annually to the city air.

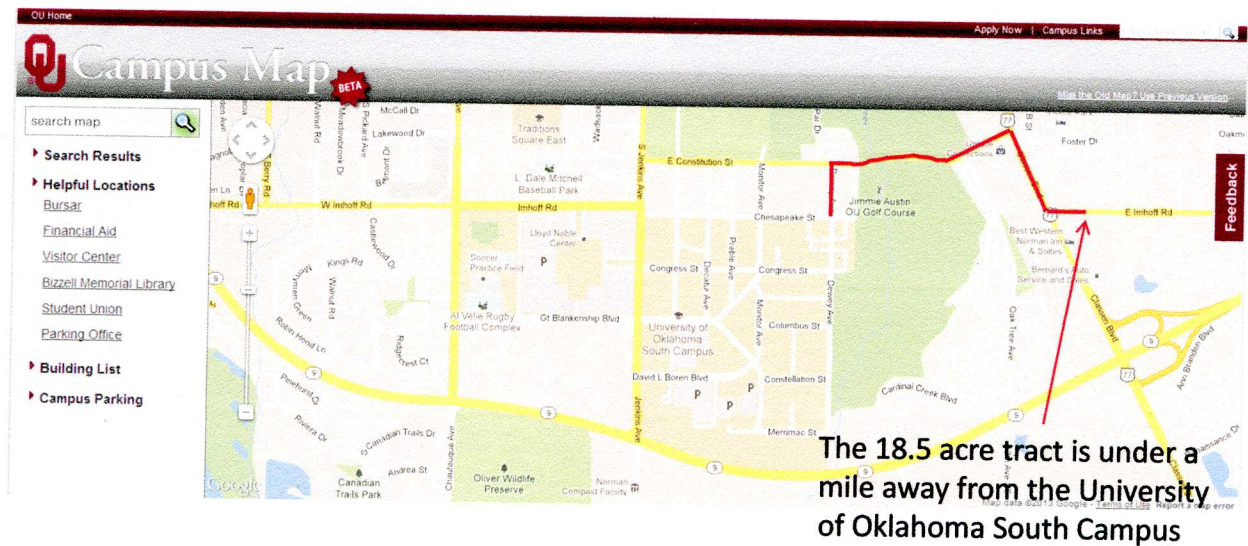
I also believe this build would provide substantial revenue to the ward and city from sales taxes that would be collected from residents and/or their visiting relations using the adjacent commercial enterprises and hotel services. This build would aid in ensuring that the commercial corridor along Classen Blvd would have an additional sustaining use base, sustaining maintenance of commercial property values and the aesthetics of this corridor.

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<sup>3</sup> <http://www.acogok.org/Newsroom/Downloads11/Encompass2035DraftPlanSummary.pdf>

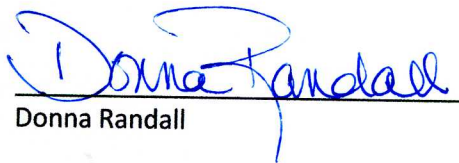
<sup>4</sup> U.S. Department of Energy: Technical Guidelines Voluntary Reporting of Greenhouse Gases (1605(b)) Program. (March 2006).

<sup>5</sup> U.S. Environmental Protection Agency: Light-Duty Automotive Technology and Fuel Economy Trends: 1975 through 2007. (September 2007).



Please approve the request to rezone the 18.5 acre tract from agriculture to multifamily residential. As presented above and in the Aspen Heights overview, rezoning to multifamily rather than industrial is merited.

Respectively,

  
Donna Randall