

# **SANTA FE SQUARE ECONOMIC DEVELOPMENT PROJECT PLAN**

## **INCREMENT DISTRICT NO. 8, CITY OF TULSA**

# **ELIGIBILITY REPORT**

**PREPARED BY:**

**THE CITY OF TULSA, OKLAHOMA**



**WITH THE ASSISTANCE OF:**

**CENTER FOR ECONOMIC DEVELOPMENT LAW**

**301 North Harvey, Suite 100  
Oklahoma City, Oklahoma 73102  
(405) 232-4606**

[econlaw@econlaw.com](mailto:econlaw@econlaw.com)



# **SANTA FE SQUARE ECONOMIC DEVELOPMENT PROJECT PLAN ELIGIBILITY REPORT**

## **I. DESCRIPTION OF PROJECT**

The Santa Fe Square Economic Development Project Plan (“Project Plan”) is being undertaken by the City of Tulsa, Oklahoma (“City”) in order to develop two city blocks in Tulsa’s Blue Dome District, achieve the City’s development objectives, improve the quality of life for its citizens, stimulate private investment, and enhance the tax base. At the heart of this project is the development of a mixed-use project including a substantial retail component, apartments, Class A office space, a full-service boutique hotel, and over 1,100 structured parking spaces. The central component of the Project Plan is the support of this private development in the heart of downtown Tulsa that provides a significant public benefit and improves the quality of life for the residents of Tulsa. The Project Plan is a critical element in fostering public-private partnerships to create the type of development that the City seeks but can achieve only by means of the financing tools available under the Oklahoma Local Development Act, 62 O.S. § 850, *et seq.* (“Act”).

An increment district provides funding for public sector costs to stimulate private commercial development and provide improvements to and beautification of the area in order to create the dense, high-quality development that the City contemplates. The project will be financed from a combination of public and private sources, including apportionment of ad valorem and sales tax increments from Increment District No. 8, City of Tulsa (“Increment District”). The principal objectives of the project are:

- A. To achieve development goals and objectives for downtown Tulsa contained in The Downtown Area Master Plan, The Downtown Public Investment Master Plan, The City’s Economic Development Master Plan, and Tulsa Comprehensive Plan.
- B. To preserve and enhance the tax base and make possible investment, development, and economic growth that would otherwise be difficult without the project and the apportionment of incremental ad valorem and sales tax revenues.
- C. To stimulate private commitments to invest in and develop in the Project Area.
- D. To support the creation of an attractive, high-quality, and viable mixed-use development to draw residents and visitors.
- E. To provide a needed public benefit through the construction of a parking structure, in which 400 garage spaces will be allocated to the general public and retail uses.
- F. To restore and rehabilitate the historic Santa Fe Station.
- G. To provide a public benefit through the enhancement of landscaping, streetscaping, and additional on-street parking surrounding the project.



## **II. BOUNDARIES OF PROJECT AREA AND INCREMENT DISTRICTS**

A. Project Area Boundaries. The Project Area is the area in which Project activities will take place and Project Costs will be incurred. The Project Area can be generally described as bound generally on the north by Interstate 244; on the east by Highway 75; on the south by East 8th Street; and then on the west irregularly by sequence: South Cincinnati Avenue, East 6th Street, South Boston Avenue, East Fifth Street, South Cincinnati Avenue, mid-block between East 4th Street and East 3rd Street to Boston Avenue, then up Boston Avenue through the plaza fronting the Performing Arts Center, East Second Street, South Cincinnati Avenue again to the Santa Fe Railroad Tracks, then down the railroad right-of-way to North Elgin Avenue, then up North Elgin Avenue to Interstate 244. The Project Area is shown on Exhibit A-1 (lot and block base map) and Exhibit A-2 (aerial base map). The legal description of the Project Area is contained in Exhibit B.

B. Increment District Boundaries. The Increment District will generate the revenues to assist in paying or financing eligible Project Costs. The boundaries of the Increment District can be generally described as the superblock bound by South Elgin Avenue, East 1<sup>st</sup> Street, South Greenwood Avenue, and East 2<sup>nd</sup> Street. The Increment District is show on Exhibit A-1 (lot and block base map) and Exhibit A-2 (aerial base map). The legal description of the Increment District is contained in Exhibit C.

## **III. GUIDELINES FOR USE OF DEVELOPMENT TOOLS**

The Act expresses the intent of the Oklahoma Legislature that the development tools established by the act be used in accordance with certain guidelines:

- A. In accordance with the legislative guideline found in Section 852(1) of the Act, the Act's tools will be used in a case where investment, development, and economic growth is difficult, but possible if the Act's provisions are used.
- B. In accordance with the legislative guideline found in Section 852(2) of the Act, areas where investment, development, and economic growth would occur anyway have been excluded from the Increment District.
- C. In accordance with the legislative guideline found in Section 852(3) of the Act, the Act's tools will be used to supplement and not supplant or replace normal public functions and services.
- D. In accordance with the legislative guideline found in Section 852(4) of the Act, the Project Area and Increment Districts lie within a state-designated Enterprise Zone.
- E. In accordance with the legislative guideline found in Section 852(6), the Tulsa City Council recognizes the need for commercial development within the Project Area.

## **IV. ELIGIBILITY OF PROJECT AREA AND INCREMENT DISTRICT**

In order to establish a tax increment finance district, Section 856(B)(4)(a) of the Act requires that the governing body adopt an ordinance that contains a finding that the Project Area meets one of the following criteria: (1) is a reinvestment area, (2) is a historic preservation area, (3) is an enterprise area,



or (4) is a combination of the areas specified in divisions (1), (2) and (3) of this subparagraph. The Project Area qualifies as a combination of areas.

A. Enterprise Area. The Project Area qualifies as an enterprise area under the Act. The Project Area is located completely within United States Census Tract 25 in Tulsa County. This Census Tracts has been designated Enterprise Zone by the Oklahoma Department of Commerce effective July 1, 2015 through June 30, 2016. Therefore, the area meets the relevant ground for eligibility for the Project Area as an enterprise area. Sections 853(5)–(6) of the Act define an “enterprise area” as “an enterprise zone as designed by the Department of Commerce pursuant to the provisions of Section 690.3 of this title or as designated by the federal government.” A current map of Oklahoma Department of Commerce Enterprise Zones in the vicinity of the Project Area for the period effective July 1, 2015 through June 30, 2016, is attached as Exhibit D.

B. Factors Reflecting Additional Eligibility. The Project Area also qualifies as a reinvestment area under the Act. 62 O.S. §853(17) defines “reinvestment area” as:

any area located within the limits of a city, town or county requiring public improvements, including but not limited to transportation-related projects identified by any transportation authority pursuant to Section 1370.7 of Title 68 of the Oklahoma Statutes, to reverse economic stagnation or decline, to serve as a catalyst for retaining or expanding employment, to attract major investment in the area or to preserve or enhance the tax base or in which fifty percent (50%) or more of the structures in the area have an age of thirty-five (35) years or more. Such an area is detrimental to the public health, safety, morals or welfare. Such an area may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. Such an area includes a blighted area as defined in Section 38-101 of Title 11 of the Oklahoma Statutes [“Oklahoma Urban Renewal Law”] at the time of approval of the project plan.

The Project Area qualifies as a reinvestment area because it lies in an area requiring public improvements to serve as a catalyst for expanding employment, to attract major investment in the area, and to enhance the tax base.

## **V. EXHIBITS**

### **A. Project Area and Increment District Boundaries Maps**

A-1 Lot and Block Base Map

A-2 Aerial Base Map

### **B. Project Area Legal Description**

### **C. Increment District Legal Description**

### **D. Project Area Enterprise Zone Map**







# Exhibit A-2

## PROJECT AREA AND INCREMENT DISTRICT

### LEGEND

- Increment District Boundary
- Project Area Boundary



Source: Planning & Development  
Department  
City of Tulsa, Oklahoma

Date: 02.14.2016  
Design: sdc



## **EXHIBIT B**

### **Legal Description of Project Area Boundaries**

February 11, 2016

A tract of land being a part of the Northwest Quarter (NW/4), Northeast Quarter (NE/4), Southeast Quarter (SE/4) and Southwest Quarter (SW/4) of Section One (1), Township Nineteen (19) North, Range Twelve (12) East of the Indian Base and Meridian, City of Tulsa, Tulsa County, Oklahoma, being more particularly described as follows:

Beginning at a POINT OF BEGINNING (P.O.B.) at the intersection of the western North Elgin Avenue Right-of-Way line with the northern Oklahoma State Department of Transportation Right-of-Way line;

THENCE eastward along the northern Oklahoma State Department of Transportation Right-of-Way line extending to a point of intersection with the southeast corner of Lot 2, Block 48, Original Townsite, City of Tulsa, Tulsa County, Oklahoma;

THENCE northeastward 80 feet +/- to the southwest corner of Lot 2, Block 49, Original Townsite, City of Tulsa, Tulsa County, Oklahoma;

THENCE southward across the Burlington Northern Right-of-Way to the point with the northwestward corner of Lot 5, Block 80, Original Townsite, City of Tulsa, Tulsa County, Oklahoma;

THENCE northeastward along Lots 4 and 5, Block 80, Original Townsite, City of Tulsa, Tulsa County, Oklahoma to the northernmost corner of Lot 4, Block 80, Original Townsite, City of Tulsa, Tulsa County, Oklahoma;

THENCE southeastward along Block 80 and Block 81, Original Townsite, City of Tulsa, Tulsa County, Oklahoma to the northeast corner of Lot 7, Block 81, Original Townsite, City of Tulsa, Tulsa County, Oklahoma;

THENCE southward along the east property lines of Lot 7 and Lot 12, Block 81, Original Townsite, City of Tulsa, Tulsa County, Oklahoma to the point of intersection of the southeast corner of Lot 12, Block 81, Original Townsite, City of Tulsa, Tulsa County, Oklahoma with the northern East First Street Right-of-Way line;

THENCE southward 60 feet +/- across the East First Street Right-of-Way to the point of intersection of the northeast corner of Lot 1, Block 4, Hodge Addition, City of Tulsa, Tulsa County, Oklahoma with the southern East First Street Right-of-Way line;



THENCE southward across the East First Place Right-of-Way to a point of intersection of the southern East First Place Right-of-Way line with the northeastward corner of Lot 1, Block 4, Hodge Addition, City of Tulsa, Tulsa County, Oklahoma;

THENCE east 60 feet +/- across the Lansing Avenue Right-of-Way to a point of intersection with the eastern boundary of South Lansing Avenue Right-of-Way line;

THENCE southward along the East Lansing Avenue Right-of-Way line to a point 41.54 feet +/- east of the northeast corner of Lot 24, Block 7, Burnett Addition, City of Tulsa, Tulsa County, Oklahoma;

THENCE southward across Oklahoma State Department of Transportation Right-of-Way to the eastern corner point of Lot 1, Block 10, Burnett Addition, City of Tulsa, Tulsa County Oklahoma;

THENCE southward along Block 10, Burnett Addition, City of Tulsa, Tulsa County Oklahoma to the southeast corner of Lot 24, Block 10, Burnett Addition, City of Tulsa, Tulsa County, Oklahoma;

THENCE westward to the northern most point of intersection of Lot 1, Block 1, Home Depot North Tulsa Addition, City of Tulsa, Tulsa County, Oklahoma with the southern East Eighth Street Right-of-Way line;

THENCE westward along the southern East Eighth Street Right-of-Way line to the point of intersection with the western South Cincinnati Avenue Right-of-Way line;

THENCE northward along the western South Cincinnati Avenue Right-of-Way line to the point of intersection with the southern East Sixth Street Right-of-Way line;

THENCE westward along the southern East Sixth Street Right-of-Way line to the point of intersection with the eastern South Boston Avenue Right-of-Way line;

THENCE northward along the eastern South Boston Avenue Right-of-Way line to the point of intersection with the southern East Fifth Street Right-of-Way line;

THENCE eastward along the southern East Fifth Street Right-of-Way line to the point of intersection with the western South Cincinnati Avenue Right-of-Way line;

THENCE northward along the western South Cincinnati Avenue Right-of-Way line to the point of intersection with the southeastern corner of Lot 2, Block 118, Original Townsite, City of Tulsa, Tulsa County, Oklahoma;

THENCE westward to the southwestern corner of Lot 7, Block 118, Original Townsite, City of Tulsa, Tulsa County, Oklahoma;



THENCE northward along the eastern South Boston Avenue Right-of-Way line to the point of intersection with the southern East Third Street Right-of-Way line;

THENCE westward along southern East Third Street Right-of-Way line to the point of intersection with northeastern corner of Lot 7, Block 119, Original Townsite, City of Tulsa, Tulsa County Oklahoma;

THENCE northward to the point of intersection with the northeastern corner of Lot 7, Block 105, Original Townsite, City of Tulsa, Tulsa County, Oklahoma;

THENCE eastward along the southern Second Street Right-of-Way line to the point of intersection with the western South Cincinnati Avenue Right-of-Way line;

THENCE northward along the western South Cincinnati Avenue Right-of-Way line to the point of intersection with the southeastern corner of Lot 3, Block 58, Original Townsite, City of Tulsa, Tulsa County, Oklahoma;

THENCE eastward along the northern Burlington Northern Santa Fe Frisco (BNSF) Rail Road Right-of-Way line to the point of intersection with southeastern corner of Lot 3, Block 56, Original Townsite, City of Tulsa, Tulsa County, Oklahoma;

THENCE northward along the western North Elgin Avenue Right-of-Way line to the POINT OF BEGINNING (P.O.B.).

The legal description recognizes that the Original Townsite, City of Tulsa, Tulsa County Oklahoma is a grid system that is not on the true north, and therefore eastward, southward, westward and northward is used to indicate the general direction of the designated streets and highway right-of-way lines and southeastern, southwestern, northeastern and northwestern are used to indicate the general location of points of intersection. Said described Project Area boundary includes the area of Increment District No. 8 and includes all street right-of-way, vacated right-of-way, railroad right-of-way, highway right-of-way, and all lots and blocks contained within the described Project Area boundary.



## **EXHIBIT C**

### **Legal Description of Increment District Boundaries**

February 10, 2016

A tract of land being a part of the Northwest Quarter (NW/4), Northeast Quarter (NE/4), Southeast Quarter (SE/4) and Southwest Quarter (SW/4) of Section One (1), Township Nineteen (19) North, Range Twelve (12) East of the Indian Base and Meridian, City of Tulsa, Tulsa County, Oklahoma, being more particularly described as follows:

Beginning at a POINT OF BEGINNING (P.O.B.) at the intersection of the western Elgin Avenue Right-of-Way line with the northern First Street Right-of-Way line;

THENCE eastward along the northern First Street Right-of-Way line a distance of 840 feet +/- to the point of intersection of the northern First Street Right-of-Way line with the eastern Greenwood Avenue Right-of-Way line;

THENCE southward along the eastern Greenwood Avenue Right-of-Way line a distance of 460 feet +/- to the point of intersection of the eastern Greenwood Avenue Right-of-Way line with the southern Second Street Right-of-Way line;

THENCE westward along the southern Second Street Right-of-Way line a distance of 840 feet +/- to the point of intersection of the Second Street Right-of-Way with the western Elgin Avenue Right-of-Way line;

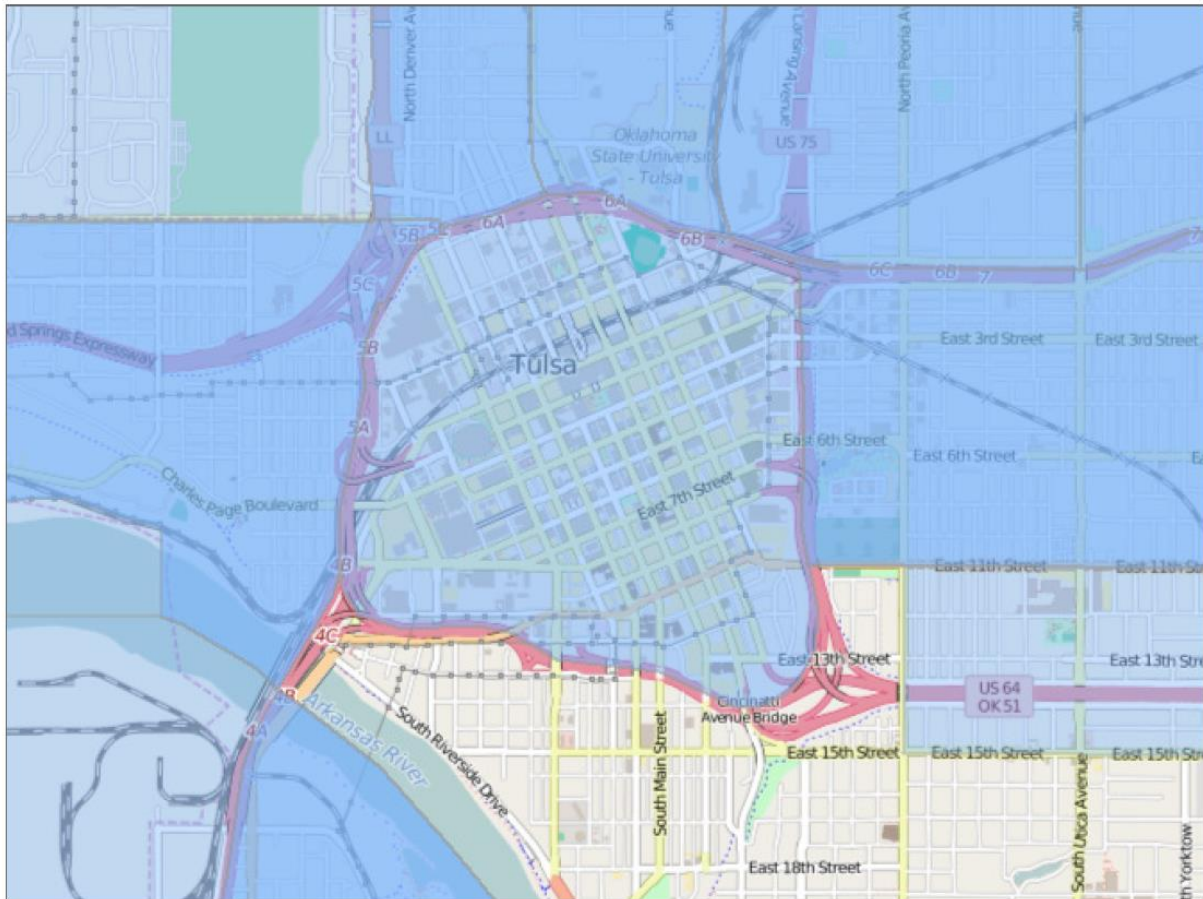
THENCE northward along the western Elgin Avenue Right-of-Way line a distance of 460 feet to the POINT OF BEGINNING.

The legal description recognizes that the Original Townsite, City of Tulsa, Tulsa County Oklahoma is a grid system that is not on the true north, and therefore eastward, southward, westward and northward is used to indicate the general direction of the designated streets right-of-way lines. Said described boundary includes the area of Increment District No. 8 and includes all street right-of-way, vacated right-of-way, and lots and blocks contained therein including Blocks 84 and 85, Original Townsite, City of Tulsa, Tulsa County, Oklahoma.



**EXHIBIT D**  
**PROJECT AREA ENTERPRISE ZONES**

Enterprise Zones effective July 1, 2015 through June 30, 2016. Please contact Lesli Walsh at [Lesli\\_walsh@OKCommerce.gov](mailto:Lesli_walsh@OKCommerce.gov) 405.815.5120 for additional information.



Map data © OpenStreetMap contributors, CC-BY-SA

Shaded blue areas = enterprise zones.