

TULSA DEVELOPMENT AUTHORITY

AMENDMENTS TO
THE GREENWOOD-UNITY HERITAGE
NEIGHBORHOODS SECTOR PLAN

FOR THE GREENWOOD-UNITY
HERITAGE NEIGHBORHOODS SECTOR
URBAN RENEWAL PLAN

Approvals:

TDA:	December 6, 2018
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FOR THE GREENWOOD-UNITY HERITAGE NEIGHBORHOODS
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1. Preface

1.1 Description of Plan and Urban Renewal Area

This document contains plan amendments to the Greenwood-Unity Heritage Neighborhoods Sector Plan (the "Plan") for the areas encompassed within the boundaries as defined by the Plan. The previous boundaries are retained for urban renewal purposes. The legal description and street description of the Urban Renewal Area is identical to that of the Plan and is attached hereto as Exhibit 1. Basically, the planning and redevelopment area is the area north of the Inner Dispersal Loop, west of U.S. Highway 75, south of Mohawk Boulevard and/or the Gilcrease Expressway and east of the L. L. Tisdale Parkway.

These Plan Amendments for the Greenwood-Unity Heritage Neighborhoods Sector Plan have been prepared by the Tulsa Development Authority (the "Authority") pursuant to the provisions of Title 11, Sections 101 through 123, Article 38, "Urban Renewal", of the Oklahoma Statutes, as amended ("State Law"). These Plan Amendments are intended to clarify and confirm that the Plan was intended to incorporate and satisfy the provisions and requirements of State Law for establishment of an urban renewal plan.

These Plan Amendments further describe, define and provide for implementation of the statutory authority and powers of the Authority for use in the implementation of public and/or public/private undertakings constituting urban renewal projects (the "Projects") in the areas shown on the land use and future development maps incorporated into the Plan. The Map of the area encompassed by the Plan is also the Map for the Urban Renewal Area and is attached hereto as Exhibit 2 (the "Map" or "Land Use Plan Map").

Those areas shown on the Map attached as Exhibit 2 shall also be defined as the "Urban Renewal Area" or "Area". Except as otherwise provided herein or by any agreement, the administration of the Project and the enforcement of the Plan, as amended, including without limitation the preparation and execution of any implementing documents, shall be performed by the Authority.

1.2 Duration

The duration of the Plan, as amended (and the Urban Renewal Plan components contained therein) for the Greenwood-Unity Heritage Neighborhoods Sector will be until Twenty (20) years from the date of approval of this Amendment by the Tulsa City Council, unless extended.

1.3 History

The Urban Renewal Area is a blighted area within the meaning of the Act. A Blight Study, prepared by the City of Tulsa Working in Neighborhoods and Planning Departments¹, details the blighting conditions that exist in the Urban Renewal Area. The Land Use Map is attached as Exhibit 2. The Urban Renewal Area is also both an enterprise area and reinvestment area within the meaning of the Oklahoma Local Development Act, 62 O.S. §850, et seq.

¹ The Blight Study for Greenwood-Unity Heritage Neighborhoods Urban Renewal Area is attached as Exhibit 3.

The following amendments and modifications to the Plan are the result of or occasioned by the need confirm the intent to adopt an urban renewal plan as a component of the Plan and to ensure that the Plan conforms to the statutory requirements for creation, adoption, content and implementation of an urban renewal plan.

The following amendments to the Plan are intended to clarify and supplement the unclear language and standards of the Plan relating to the creation, adoption, content and implementation of an urban renewal plan. The amendments are in addition to the provisions for redevelopment as contained in the City of Tulsa Comprehensive Plan (and all applicable small area plans thereunder) and as allowed by the City of Tulsa Zoning Code.

2. Urban Renewal Plan Objectives

The Plan, as amended hereby, will be undertaken as approved and authorized by the City Council of the City of Tulsa. The principal activities of the Urban Renewal Plan as a component of the Plan, will consist of acquisition and redevelopment of real property as authorized by law or the Plan, as amended herein, and/or as appropriate action of the City for the redevelopment of existing structures, assembled properties, properties cleared of blighted conditions and upon vacant properties.

Administrative implementation, planning activities, developer outreach and recruitment for real estate redevelopment, job creation activities, and acquisition and disposition of property will be provided by the Tulsa Development Authority (“TDA”).

The objectives to be achieved through this Urban Renewal Plan are as follows:

- A. Remove those structures that are a blight or hazard to the surrounding neighborhoods;
- B. Acquire and reassemble land into parcels which are of adequate size and shape for economical redevelopment through the use of public funds and/or private funding provided in association with public/private redevelopment agreements;
- C. Rehabilitate suitably located, reparable, or historic structures;
- D. Dramatically increase the supply of a wide range of affordable and/or market rate housing units;
- E. Encourage innovative building techniques to elevate the quality of building and urban design within the Area. To effect a substantial increase in the amount of private investment in the Area and an improvement in the economic viability of commercial corridors throughout the Urban Renewal Area;
- F. Provide for adequate public infrastructure, including, without limitation, utilities, traffic circulation, lighting and public parking. Specific attention should be given to redesigning

the existing pattern of rights-of-way and easements to best serve the proposed land uses; Pursuant to this objective, the Tulsa Development Authority will, wherever necessary acquire easements and right of way for public infrastructure improvements and, with the approval of municipal authorities, close, widen, open and relocate streets, alleys and easements;

- G. Provide for a full and adequate range of community facilities, including schools, parks, churches, public transportation and parking, sites for recreation, festivals, the arts and sports;
- H. Achieve, through the exercise of the provisions and powers of the urban renewal statutes, a pattern of redevelopment which is in accordance with the Plan, the City of Tulsa Comprehensive Plan and Ordinances and which will contribute to the social and economic well-being of the Tulsa Metropolitan Area and, more specifically, the Area as delineated by the Plan;
- I. Assure maximum benefit from public expenditures through effective employment of public, non-profit and private resources;
- J. Increase employment opportunities in the Area and assist in business retention and expansion;
- K. Stimulate the redevelopment of existing residential and commercial properties and new residential and commercial construction;
- L. To support the attainment of plan objectives through application of the tools and benefits available to projects located within land in the Area designated as an Opportunity Zone and/or an Enterprise Zone property.²
- M. Enhance the character and desirability of the Urban Renewal Area by providing land which will be used for general or community-wide purposes;
- N. Accommodate existing uses that are not in conformance with the plan but not encourage their expansion or similar non-conformities; Discourage incompatible land uses Support and reinforce adopted policies of The City outlined in the Comprehensive Plan, Zoning Code and other regulatory documents; and
- O. Wherever feasible, the Tulsa Development Authority should strive to and encourage the location of utilities underground.

² Maps of Opportunity Zone and Enterprise Zone designated land within the Urban Renewal Area are attached as Exhibit 4.

3. Types of Proposed Renewal Actions

Actions within the Urban Renewal Area shall include such undertakings and activities as are in accordance with this Plan and State Law, including without limitation:

- A. Acquisition of certain properties located within the Urban Renewal Area as set forth in the Plan, as amended, and reassembly of acquired properties into parcels which are of adequate size and shape for private resale for economical redevelopment through the use of public funds and/or private or non-profit funding provided in association with public/private redevelopment agreements;
- B. Demolition, clearance and removal of buildings and improvements and the provision of relocation assistance as set forth in the Plan, as amended;
- C. Installation, construction and reconstruction of public improvements as set forth in this Plan, as amended;
- D. Disposition of property within the Urban Renewal Area as set forth in the Plan, as amended;
- E. Rehabilitation, Conservation, and Neighborhood Preservation. Provide assistance to existing residential and commercial structures to facilitate property revitalization so that they can be brought up to standards compatible with objectives of this Plan and meet all applicable requirements of the City codes and ordinances in order to strengthen neighborhoods;
- F. Infill development and redevelopment through the encouragement and promotion of new construction on vacant or cleared parcels;
- G. Action and regulation for the repair, alteration, and rehabilitation of buildings or other improvements in accordance with the Plan, as amended;
- H. Acquisition of any other property where necessary or desirable to eliminate unhealthful, unsanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise remove or prevent the spread of blight or deterioration or to provide land for needed public facilities; and
- I. Offer Incentives for Real Estate Redevelopment and Job Creation. Through the use of tax increment financing (“TIF”) and other financing techniques, provide support through public/private agreements and partnerships to facilitate projects.

3.1 Land Acquisitions

The property proposed to be acquired by the Authority within the Urban Renewal Area shall be any or all of those parcels (or interest therein) located within the Plan Area, as shown on the Map attached hereto, which may be amended from time to time as provided by state law.

3.2 Land Use Plan, Land Use Provisions, and Building Requirements

The Land Use Plan will be consistent with the City's Comprehensive Plan and the Land Use Provisions and Building Requirements of the Plan, as amended.

a. Permitted Land Use Categories

Specific land uses will be controlled by applicable zoning approved by the City. The Land Use Plan Map attached as Exhibit 2 is a general guide subject to specific adjustment and modification by the City without requiring an amendment of this Plan.

b. Specific Regulations, Controls, and Restrictions to Be Imposed by the Urban Renewal Plan on the Sale, Lease, or Other Disposition of All Real Property Acquired

In order to achieve the objectives of the Plan and in order to assist redevelopers in property renovation or new construction, TDA, acting on behalf of the City, may subject property to be redeveloped to specific regulations and controls at the time of property disposition to reflect unique site conditions. Such specific regulations and controls may include, but are not limited to, floor area ratio, building coverage, height, setback, building envelope, open areas, off-street parking and loading, green building and land development technologies, and architectural design standards and shall be effective for the duration of the Plan, as amended.

TDA shall review the proposals and plans for redevelopment, and it shall prescribe such controls, regulations, restrictions and obligations in the redevelopment contract, deeds of disposition, and other related documents as it determines to be appropriate to carry out the objectives of the Plan.

3.3 Relocation Assistance

The Authority shall assist all persons, families and business concerns displaced by Project activities in finding other decent, safe and sanitary accommodations within their means and without undue hardship. The Authority may make relocation payment to eligible residents and business concerns in such amounts and under such terms and conditions as may be determined by the Authority and in conformance with applicable law and the relocation assistance policies of the Authority.

3.4 Demolitions, Clearance and Site Preparation

The authority may demolish and clear those buildings, structures and other improvements from property it acquires, or upon agreement with any property owner, pursuant to this Plan if such buildings, structures and other improvements are not to be rehabilitated nor incorporated into a redevelopment of the property in accordance with this Plan.

3.5 Property Management

During such time as any property is owned by the Authority, such property shall be under the management and control of the Authority and may be rented or leased by it pending disposition for redevelopment or rehabilitation or retained by the Authority for use in accordance with this Plan.

3.6 Property Disposition

Any property acquired by the Authority may be sold, leased or otherwise transferred for redevelopment and/or rehabilitation in accordance with the provisions of this Plan and applicable state and local laws. Any sale or lease to a private entity shall be at market value taking into consideration the conditions imposed on the purchaser or lessee by this Plan and a redevelopment agreement or lease, as determined by the Authority. Any sale or lease to a public or non-profit entity may be at less than market value where it is determined by the Authority that such sale, lease or donation contributes to implementation of the Plan and furthers goals and objectives and public purposes embodied by the Plan as determined by the Authority. Any sale, lease or other transfer shall be subject to such covenants, conditions and restrictions as may be contemplated by the terms of any Redevelopment Agreement relating thereto or as may otherwise be necessary to carry out the purposes of this Plan, including without limitation covenants, conditions and restrictions requiring redevelopment in accordance with the provisions of this Plan, requiring the commencement and completion of redevelopment within a reasonable period of time, prohibiting discrimination upon the basis of race, color, creed, sex or national origin, providing security for payment of bonds or other obligations issued or incurred by the Authority, or other requirements deemed necessary or appropriate to the objectives of this Plan. Such covenants may be required to run with the land for a period as may be reasonable required by the Authority.

3.7 Property Rehabilitation and Conservation

It is anticipated that the redevelopment and rehabilitation of property within the Urban Renewal Area will be for the purpose of promoting residential, retail, commercial, public and related support facilities within the Urban Renewal Area and shall, to the maximum extent feasible, be undertaken pursuant to the terms of a Redevelopment Agreement; provided that in the absence of any such Redevelopment Agreement, redevelopment and rehabilitation within the Urban Renewal Area shall be undertaken in accordance with the applicable planning, building and zoning regulations of the City.

3.8 Public Improvements and Facilities

Public improvements to be provided may include:

- A. Existing streets, access thereto and pedestrian walkways may be modified in order to support the redevelopment objectives of the Plan. New streets, parking facilities, overpasses, underpasses and pedestrian walkways may be constructed;

- B. Project activities may include the placing of utility lines underground, and the abandonment, removal, relocation, addition, reconstruction or other improvement of existing utilities whenever necessary or desirable to support the redevelopment objectives of this Plan;
- C. Public buildings and other facilities may be constructed in support of governmental functions serving the project area and community as a whole;
- D. Attractive landscaping of all open areas, plazas, pedestrian ways, and, whenever appropriate, areas within public street rights-of-way, will be provided;
- E. The installation, replacement and modernization of street lighting and "street scaping" items, such as benches, trash receptacles, tree grates / protectors, parking meters and public signs, to support the objectives of the Plan; and
- F. Public open spaces may be provided in order to achieve the redevelopments objectives of the Plan.

4. Project Financing

4.1 Financing Methods

The Authority is authorized to finance urban renewal clearance, rehabilitation, development or redevelopment project or other legally authorized undertaking with grants, donations, property tax increments, sales tax increments, interest income, parking revenue, property leases, supplemental sales taxes, or any other available source of revenue with may be provided to the city, other units of government or private sector entities. The Authority is authorized to issue bonds or other obligations contemplated by state law in an amount sufficient to finance all or part of any undertaking and to lend funds for the rehabilitation or redevelopment in the project area. The Authority is authorized to borrow funds and create indebtedness in implementing this Plan or any related undertaking in a manner contemplated or permitted by state law. The principal and interest, if any, on such indebtedness will be paid from any other funds legally available to the Authority including funds generated by a tax increment district. Potential methods and sources of funds are set forth in the Implementation Action Matrix in the Plan.

4.2 Tax Increment Financing

This Plan contemplates that Authority obligations may be financed by the issuance of bonds or other obligations payable from certain incremental increases in sales, property or other locally generated fees as allowed by state law and city ordinance.

5. Minor Variations of the Plan

In specific cases, where a literal enforcement of the provisions contained in the Plan constitutes an unreasonable limitation beyond the intent and purpose of these provisions, the Authority may allow minor variances from these provisions.

EXHIBIT 1

Legal Description and Street Boundaries of Sector Plan

GREENWOOD-UNITY HERITAGE NEIGHBORHOODS SECTOR PLAN

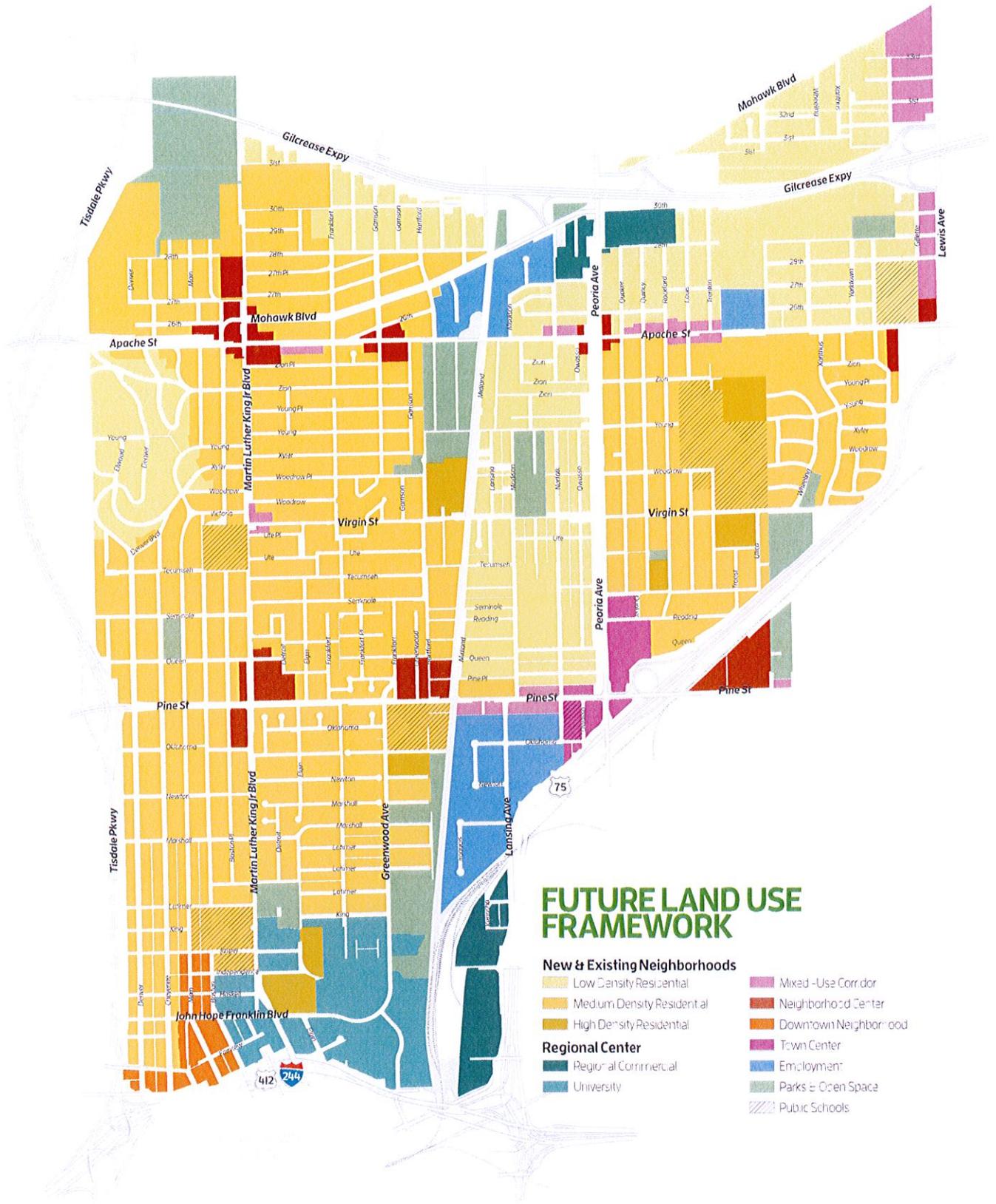
LEGAL DESCRIPTION AND STREET BOUNDARIES OF SECTOR PLAN:

The Greenwood-Unity Heritage Neighborhoods Plan boundary is primarily I-244 on the south, Tisdale Expressway and Osage Drive on the west, Gilcrease Expressway on the north and the east boundary starting with Lewis Avenue between Gilcrease Expressway and Highway 75, and following the north side of the Highway 75 right-of-way to the south boundary of I-244, along with all properties contained within the boundary more particularly described as follows:

Beginning at the North Side of the ROW of I-244 and the East Side of the ROW of the Tisdale Expressway; thence north along the east side of the Tisdale Expressway until it crosses west of Osage Drive, at that point the boundary becomes the East Side of the Osage County section line and continues north until the Tisdale Expressway enters back into Tulsa County at which point the boundary again becomes the East Side of the ROW of the Tisdale Expressway to the intersection of the Gilcrease Expressway; thence Easterly along the South Side of the Gilcrease Expressway ROW along with that portion of the SE NE, Sec. 23, T20N, R12E, above the expressway, and continuing along Easterly along the South Side of the Gilcrease Expressway ROW to the intersection of Mohawk Boulevard; thence, Northeasterly along the South ROW line of Mohawk Boulevard to the intersection of North Lewis Avenue; thence South along the West ROW line of Lewis Avenue to the intersection of State Highway 75; thence Southwesterly along the North ROW line of State Highway 75 to the extended line of North Victor Avenue; thence South to Pine Street; thence West along the North ROW line of Pine Street to the intersection of State Highway 75; thence Southwesterly along the Northwest ROW line of State Highway 75 to the intersection of I-244; thence Easterly along the North ROW line of I-244 to the point of beginning.

EXHIBIT 2

Future Land Use Framework Map



FUTURE LAND USE FRAMEWORK

New & Existing Neighborhoods

- Low Density Residential
- Medium Density Residential
- High Density Residential

Regional Center

- Regional Commercial
- University

- Mixed-Use Corridor
- Neighborhood Center
- Downtown Neighborhood
- Town Center
- Employment
- Parks & Open Space
- Public Schools

EXHIBIT 3

Blight Study Data

BLIGHT STUDY
FOR
GREENWOOD-UNITY
HERITAGE
NEIGHBORHOODS URBAN
RENEWAL AREA

**Prepared by the City of Tulsa Working in Neighborhoods
And Planning Departments
And
The Tulsa Development Authority
For
The City of Tulsa**

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INTRODUCTION

The purpose of this study is to document blighting conditions that support the formation of a Greenwood-Unity Heritage Neighborhoods Urban Renewal Area (GUHN-URA) in the City of Tulsa. Generally, the boundaries of the proposed GUHN-URA are located the area north of the Inner Dispersal Loop, west of U.S. Highway 75, south of Mohawk Boulevard and/or the Gilcrease Expressway and east of the L. L.Tisdale Parkway.

The study area has a variety of land uses. Over 30% of the study area is vacant. A majority of the developed square footage is residential, primarily single family detached structures. Commercial uses are prominent along Pine Street, Apache Street and major north/south corridors such as Martin Luther King Boulevard and N Peoria Avenue. The area is also home to tax exempt properties. These properties include various churches, government agencies and health organizations, and other non-profit organizations.

METHODOLOGY OF ANALYSIS

This blight study used a variety of local data including building permit records, brownfield inventories, police data, and Public Works and Utilities infrastructure data from the City, including the Vacant and Abandoned Buildings Study completed for the City. Assessor Account and Improvement Records were used from Tulsa County, and various aerial photographs and field surveys of properties were taken by City and TDA staff.

BLIGHT STUDY AREA

A boundary that was co-existent with the boundary of the Greenwood-Unity Heritage Neighborhoods Sector Plan was selected in order to create an area of analysis for this blight study. The data accumulated and analyzed for the Greenwood-Unity Heritage Neighborhoods Sector Plan and the tables and mapping contained therein was also considered for this study.

EVIDENCE OF BLIGHT

According to Oklahoma Urban Renewal law, found at 11 O.S. § 38-101(8), a “Blighted Area” shall mean an area in which there are properties, buildings, or improvements, whether occupied or vacant, whether residential or nonresidential, would be considered “blighted” by reason of:

- x dilapidation, deterioration, age or obsolescence,
- x inadequate provision for ventilation, light, air, sanitation or open spaces;
- x population overcrowding;
- x improper subdivision or obsolete platting of land, inadequate parcel size;
- x arrested economic development;
- x improper layout in terms of existing or projected traffic needs, traffic congestion or lack of parking or terminal facilities needed for existing or proposed land uses in the area, predominance of defective or inadequate street layouts;
- x faulty lot layout in relation to size, adequacy, accessibility or usefulness;
- x unsanitary or unsafe conditions,
- x deterioration of site or other improvements;
- x diversity of ownership, tax or special assessment delinquency exceeding the fair value of land; defective or unusual conditions of title;

any one or combination of such conditions which substantially impair or arrest the sound growth of municipalities, or constitutes an economic or social liability, or which endangers life or property by fire or other causes, or is

conducive to ill health, transmission of disease, mortality, juvenile delinquency, or crime and by reason thereof, is detrimental to the public health, safety, morals or welfare;

It is further noted that according to the United States Supreme Court in *Berman v. Parker*, 348 U.S. 26 (1954), it is not required that every parcel or property in an area need exhibit characteristics of blight in order for the area as a whole to be considered blighted.

In general, this study focuses on the following four components to determine blight for the GUHN-URA:

- x *dilapidation, deterioration, age or obsolescence,*
- x *arrested economic development;*
- x *unsanitary or unsafe conditions,*
- x *deterioration of site or other improvements.*

1. DILAPIDATION AND DETERIORATION

1A: Property Vacancy

Housing unit vacancy – taken as the gap between households and housing units – has declined over the past twenty years but remains a very high. The study area experienced increases in vacancy between 2000- 2014, with the study area staying above City-wide vacancy at any given time.

1B: Property Values

Between 2000 and 2014, taxable market value for the study area declined and the net assessed value, which is the total assessed value less exemptions, also declined in the study area and grew for the City as a whole. The percentage of exempt properties remained consistent, meaning that private property values show notable stagnation when compared with city-wide trends.

1C: Property Condition

The table shown below has been compiled from a spreadsheet report prepared by the City of Tulsa Working In Neighborhoods Department (WINS) and is available for inspection at the offices of the TDA. The report lists numerous properties within the study area were rated as below average condition:

<u>CONDITION OF PROPERTY</u>	<u>NUMBER OF PROPERTIES</u>	<u>PERCENTAGE</u>
VACANT	2201	30.3%
VERY POOR/POOR/UNSOUND	95	1.3%
FAIR/FAIR+	1597	22.0%
AVERAGE/AVERAGE+	3091	42.6%
GOOD/GOOD+/VERY GOOD	285	3.6%
EXCELLENT	23	0.003%

Improvements with a condition of “very poor” to “unsound” do not meet the current building codes; as such they, together with the extensive vacant properties within the study area pose a threat to the safety of the study area.

1D: Infrastructure Condition

The sidewalk network is also in disrepair or is nonexistent in parts of the study area. A minority of the existing infrastructure within the study area would meet City subdivision regulation standards required for residential and non-residential streets by, which call for sidewalks, curbs and gutters.

2. ARRESTED ECONOMIC DEVELOPMENT

2A: Construction Activity

Between 2010 and 2014, a significantly fewer number of building permits were issued for the study area by the City of Tulsa compared to the remainder of the City.

2B: Population

Population loss within the study area is documented in the Greenwood-Unity Heritage Neighborhoods Sector Plan Report. This Blight Study supplements that Report.

2C: Employment & Jobs

Employment within the study area is documented in the Greenwood-Unity Heritage Neighborhoods Sector Plan Report. This Blight Study supplements that Report. The Report documents the lack of employment opportunities within the study area and the disparity in income earned by residents of the study area.

3. UNSANITARY OR UNSAFE CONDITIONS

3A:

Crime

The study area has rated higher than the remainder of the City of Tulsa in virtually every crime type tracked by the Police Department. Especially high is Assault, Narcotics, Weapons, and Robbery.

3B: Environmental Conditions

There is no record that soil or groundwater sampling has been done in this area to date. However, environmental databases indicate the study area contains numerous historical gas stations, and documented releases from a number of underground storage tanks. There are also salvage yards in the area, and dry cleaners. These types of industries are frequently associated with petroleum, metals and solvent contamination which have the potential to create safety and health hazards and harmful site conditions.

Potential brownfields in the area pose a negative impact to public health and safety through possible human exposure pathways with contaminated soil and groundwater. In addition to a potential health hazard, Brownfield sites can cause a negative impact to property values and redevelopment potential of contaminated areas. Environmental assessments and clean-up are typically necessary prior to the purchase of any real estate site. Site clean-up, if necessary can be costly and affect the overall feasibility of a redevelopment project. Similarly, the value of a property can be negatively affected until the potential contamination is mitigated or resolved.

3C: Unsafe Conditions

The study area suffers from widespread dumping and numerous boarded structures; these conditions can create unsanitary or unsafe conditions. Attached are photo examples of area conditions that pose a threat to public health and safety

CONCLUSIONS

The finding of this study support a declaration that the study area is a blighted area as defined in the Oklahoma Urban Renewal law, 11 O.S. § 38-101(8). It is an area in which there are properties, buildings, and improvements, whether occupied or vacant, whether residential or nonresidential, which by reason of dilapidation, deterioration, age, obsolescence, arrested economic development, unsanitary and unsafe conditions, and deterioration of site and other improvements substantially impairs or arrested the sound growth of the City, constitutes an economic and social liability, is conducive to ill health and crime and by reason thereof, is detrimental to the public health, safety, morals, and welfare of the City.

APPENDICES

Sample photographs of dilapidated buildings located within various parts of the study area are attached as Exhibit A. The photographs are not a comprehensive inventory of the study area, but are included as a representative of blight conditions.

EXHIBIT 4

Opportunity Zones and Enterprise Zone Designations Maps

