



Looking east down Court Street, Downtown Atoka, ca. 1920s

Downtown Atoka Project Plan

A Project Plan under the Oklahoma Local Development Act, 62 O.S. §§ 850–869

Prepared by:

THE CITY OF ATOKA, OKLAHOMA

Brian Cathey, Mayor

Diane McGee, Vice Mayor

City Council:

Erica Pogue

Coby Sherrill

Pat Turner

Danny Delay, City Manager

Carol Ervin, Economic Development Director

Pat Phelps, City Attorney

with the assistance of:



**CENTER FOR ECONOMIC
DEVELOPMENT LAW**

301 North Harvey, Suite 100
Oklahoma City, Oklahoma 73102
(405) 232-4606 | www.econlaw.com

**AS ADOPTED
JANUARY 14, 2021**

Downtown Atoka Project Plan

Table of Contents

I.	Description of Project.....	1
II.	Project Area and Increment District Boundaries.....	1
III.	Eligibility.....	1
IV.	Objectives	2
V.	Statement of Principal Actions	3
VI.	Establishment of Increment District.....	3
VII.	Project and Increment District Authorizations.....	3
VIII.	Budget of Estimated Project Costs	4
IX.	Financing Plan and Revenue Sources	5
X.	Private and Public Investments Expected for the Project, and Associated Financial Impacts	6
XI.	Miscellaneous Provisions.....	8
	Exhibit A: Project Area and Increment District Map.....	9
	Exhibit B: Project Area and Increment District Legal Description.....	11
	Exhibit C: Existing Uses and Conditions	12
	Exhibit D: Proposed Improvements and Uses	14

Downtown Atoka Project Plan

I. Description of Project

This Project Plan, adopted under the Local Development Act, 62 O.S. § 850, *et seq.* (“Act”), is designed to provide the economic and funding structure to construct needed public improvements and stimulate private investment within Downtown Atoka and its immediately surrounding area (“Project”). Using the tools of the Act—specifically, the creation of an ad valorem and sales tax increment district covering a significant amount of the downtown area—the City of Atoka (“City”) and its public trust, the Atoka City Industrial Development Authority (“ACIDA”), aim to foster public-private partnerships to create a continuing stimulus for economic revitalization of the City’s downtown area. The City’s goals for the area, described in the City’s comprehensive planning efforts and in Atoka Downtown Development Plan, the emerging downtown master plan, include the revitalization and enhancement of Downtown Atoka and its businesses, recruitment and incubation of new businesses downtown, and advancing an array of initiatives designed to make Downtown Atoka competitive with newer commercial areas on the edge of the City near U.S. 69. The Project aims to help the City meet those goals. Stimulating new private investment by providing needed infrastructure, public improvement upgrades, and direct financial assistance will provide a revenue stream to pay those costs, while the private development will stimulate additional investment in existing structures. The Project is aspirational in nature, as there remain many unknowns as to how the Project Area will develop or when various public improvements will occur. However, the City does anticipate several commercial rehabilitation and restoration projects. Regardless, the City believes that, through a committed adherence to this Project Plan and related efforts, and a deliberate application of resources, continued and sustainable progress toward creating a truly vibrant downtown is achievable.

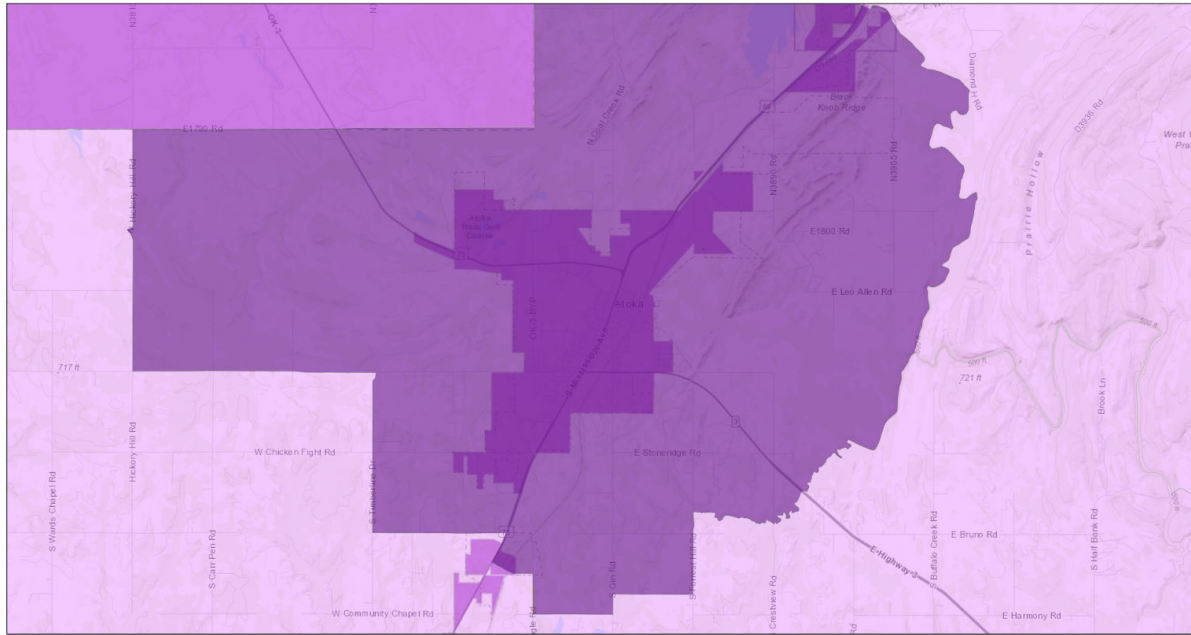
II. Project Area and Increment District Boundaries

- A. The Project Area is the area where increment revenue is authorized to be expended, and it can be generally described as the area in between North Mississippi Avenue on the west, North Main Street and the Union Pacific Railroad on the east, mid-block between 1st and 2nd Streets on the south, and mid-block between A and B Streets on the north.
- B. The Increment District is the area where increment revenue will be collected and has the same boundaries as the Project Area.
- C. An illustration of both the Project Area and Increment District is included in Exhibit A to this Project Plan. A more detailed description of the boundaries of the Project Area and Increment District is included in Exhibit B to this Project Plan.

III. Eligibility

- A. The Project Area and Increment District qualify as an “enterprise area,” as defined by 62 O.S. § 853(6), due its location within an enterprise zone designated by the Oklahoma Department of Commerce. The map below highlights state-designated enterprise zone boundaries in central Atoka.

Atoka Enterprise Zones



9/25/2020, 10:41:50 AM
EZ Grandfathered
Priority Enterprise Zones
EZ Tracts - 2021

1:72,224
0 0.75 1.5 3 mi
0 1 2 4 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri, Japan, METI, Esri, China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, METINASA, NGA, EPA, USDA |

- B. The Project Area and the Increment District also qualify as a “reinvestment area,” as defined by 62 O.S. § 853(17), due to the public improvements required to serve as a catalyst for retaining or expanding employment, and to attract major investment. A “reinvestment area” is any area requiring public improvements to reverse economic stagnation or decline, to serve as a catalyst for retaining or expanding employment, to attract major investment in the area, to preserve or enhance the tax base, or where fifty percent (50%) or more of the structures in the area are aged 35 years or more. Such areas are detrimental to the public health, safety, morals, and welfare, and are at risk of becoming a blighted area if they are not already a blighted area.

IV. Objectives

The principal objectives of this Project Plan are:

- A. To support the revitalization of Downtown Atoka.
- B. To enhance the tax base and make possible investment, development, and economic growth that would otherwise be difficult or impossible.
- C. To provide funding through apportioned tax increments and other sources toward facilitating private investments and public improvements in the Project Area.
- D. To focus revitalization and development efforts on a combination of office, retail, and residential opportunities in the Project Area.

- E. To provide resources to help recruit and incubate businesses in the Project Area.

V. Statement of Principal Actions

Implementation actions for the Project, including all necessary, appropriate and supportive steps will consist principally of the following:

- A. Project planning, design, and approval.
- B. Public infrastructure improvements.
- C. Financial support of the development and rehabilitation of retail, office, residential, and mixed-use projects.
- D. Enhancement of existing businesses and encouragement of new businesses.

These implementation actions and supportive steps will be taken directly by ACIDA or the City, and indirectly through ACIDA or the City entering into appropriate development agreements under which public support will be provided to generate private development.

VI. Establishment of Increment District

- A. This Project Plan creates Increment District No. 1, City of Atoka, an ad valorem and sales tax increment district (“Increment District No. 1”). Increment District No. 1 will be effective immediately as of the adoption of this Project Plan.
- B. The ad valorem increment from Increment District No. 1 shall be those ad valorem taxes from Increment District No. 1 in excess of the taxes produced by the base assessed value of Increment District No. 1, as determined by the Atoka County Assessor in accordance with 62 O.S. § 862.
- C. The sales tax increment from Increment District No. 1 shall be that portion of the City’s sales tax derived from the City’s undedicated/general fund sales tax rate (currently, 1.0%) and the City’s industrial development sales tax rate (currently, 0.5%) generated from each project within Increment District No. 1 undertaken pursuant to an approved development or redevelopment agreement under which assistance in development financing is to be provided from sales tax.
- D. The increment of ad valorem and sales taxes from Increment District No. 1 shall be apportioned to pay Project Costs (as defined in Section VIII of this Project Plan) for a period not to exceed twenty-five (25) fiscal years, or the period required for the payment of such authorized Project Costs, whichever is less.
- E. During the period of apportionment, the apportionment fund:
 - 1. Shall be available to pay Project Costs under Section VIII;
 - 2. Shall constitute special funds of ACIDA, a public trust having the City as its beneficiary; and
 - 3. Shall not be subject to annual appropriation as a part of the general fund of the City.

VII. Project and Increment District Authorizations

- A. ACIDA is designated and authorized as the principal public entity to carry out and administer the provisions of this Project Plan and exercise all powers necessary or appropriate thereto pursuant to

62 O.S. § 854, except for those powers indicated in 62 O.S. § 854, paragraphs 1, 4, and 7, which are reserved by the City. ACIDA is authorized to enter into appropriate development agreements under which public support will be provided to generate private development. ACIDA is authorized to: (1) incur Project Costs pursuant to Section VIII of this Project Plan; (2) provide funds to or reimburse the City for the payment of Project Costs and other costs incurred in support of the implementation of the Project; (3) issue tax apportionment bonds or notes, or both; (4) incur the cost of issuance of bonds for payment of such costs and to accumulate appropriate reserves, if any, in connection with them; (5) make multiyear contractual commitments of increment revenue toward payment of Project Costs; and (6) pledge revenues from current and future fiscal years to repayment of tax apportionment bonds or notes, or both. Project Costs shall mean (a) the public costs authorized to be paid pursuant to Section VIII of this Project Plan, and (b) costs necessary or appropriate to implement this Project Plan other than costs authorized by Section VIII, which may be authorized without amendment to this Project Plan.

- B. Additionally, the City is authorized to carry out the provisions and objectives of this Project Plan and to exercise any powers necessary or appropriate thereto, including those powers reserved by the City as indicated in Section VII.A., as provided in the Act, 62 O.S. § 854.
- C. The City may designate and authorize additional public entities to assist with carrying out and administering the provisions of this Project Plan and to exercise any powers it believes necessary or appropriate thereto, including any powers described in 62 O.S. § 854 except for those powers indicated in 62 O.S. § 854, paragraphs 1, 4, and 7, which are reserved to the City.
- D. The Economic Development Director and Director of ACIDA, Carol Ervin, her successor in office, or her designee shall be the person in charge of implementation of the Project Plan in accordance with the provisions, authorizations, and respective delegations of responsibilities contained in this Project Plan. The Economic Development Director, her successor in office, or her designee is authorized to empower one or more designees to exercise responsibilities in connection with Project implementation.

VIII. Budget of Estimated Project Costs

- A. Project Costs shall mean the public costs authorized to be paid by apportioned tax increments pursuant to this Section VIII. Any and all Project Costs will be financed by the apportionment of tax increments from Increment District No. 1. The Project Cost categories are:

PROJECT COSTS:

Public Improvements	\$	1,000,000
Assistance in Development Financing	\$	3,000,000
Implementation and Administration	\$	250,000
Contingency	\$	<u>750,000</u>
Total Project Costs:	\$	5,000,000

Plus any financing costs, costs of issuance, necessary or appropriate reserves, and interest on repayment of Project Costs.

Public Improvements costs are anticipated to be expended both directly by ACIDA or the City through public construction contracts and through assistance in development financing payments to private entities.

- B. Additional costs necessary or appropriate to implement this Project Plan that are to be financed by other than apportioned tax increments may be approved by the City or ACIDA at any time. The provisions of this Section VIII are not a limitation on Project Costs to be financed by other than apportioned tax increments.
- C. Assistance in development financing payments will be provided only for projects that are determined, in the City's and/or ACIDA's discretion: (1) to meet the City's approved development goals and objectives for the Project Area, as expressed from time to time in the City's plans and policies, and (2) to provide adequate consideration and public benefit in return for the public investment pursuant to an approved development or redevelopment agreement.

IX. Financing Plan and Revenue Sources

A. Financing Plan.

The authorized public costs of the Project will be funded by the increment generated from private development within Increment District No. 1.

B. Financing Authorizations.

The implementation of the Project Plan shall be financed in accordance with financial authorizations, including both fund and asset transfers, authorized from time to time by the City and/or ACIDA.

C. Financing Revenue Sources.

The revenue sources expected to finance Project Costs authorized by Section VIII are the portion of the increments attributable to investment and development within Increment District No. 1. Project Costs will be paid by ACIDA, the City, or another public entity designated by the City pursuant to Section VII.C. above.

D. Financial Reports and Audits.

The development activities undertaken by ACIDA, the City, or another public entity designated pursuant to this Project Plan shall be accounted for and reported by the appropriate and necessary annual fiscal year audits and reports.

E. Other Necessary and Supporting Costs.

ACIDA, the City, or another public entity designated by the City pursuant to Section VII.C., is authorized to apply for and obtain grants from other sources for costs incurred or to be incurred in connection with the Project and the construction of improvements in addition to Project Costs to be financed pursuant to Section VIII.

X. Private and Public Investments Expected for the Project, and Associated Financial Impacts

A. Projected Public and Private Investment

The total estimated private investment is expected to be approximately \$12,000,000 over the course of Increment District No. 1's effective life, not including the estimated \$5,000,000 in public investment. Private investment in the area is expected to consist of commercial, residential, and mixed-use development, redevelopment, and rehabilitation. Public investment will include the project costs described in Section VIII(A) above.

B. Projected Public Revenues

The estimated incremental increase in tax revenue, which will serve as the revenue source for financing the Project Costs authorized by Section VIII, is the public revenue directly attributable to the Project described herein. Both the City and the State will experience increases in tax revenues that are not a part of Increment District No. 1. Ad valorem taxing entities will experience additional revenues from increasing values in the area surrounding but outside of Increment District No. 1.

Incremental ad valorem revenues from Increment District No. 1 are estimated to range between \$50,000 annually in the early years of the Project and up to \$160,000 annually toward the later end of the Project. Sales tax increment revenues are anticipated to range between \$20,000 annually in the early years of the Project and up to \$55,000 annually toward the later end of the Project. Total incremental revenues estimated to be generated over the twenty-five year lifespan of Increment District No. 1 are more than \$5,000,000, when including both ad valorem and sales tax increment.

C. Financial Impacts on Taxing Jurisdictions

1. Atoka Public Schools

Atoka Public Schools will experience little to no measurable negative financial impacts as a result of the Project. This is due in part to the Project being stimulated by the public assistance and investment in the area, but also due to limited residential nature of the anticipated developments. The City's primary goal is to increase commercial development prospects, and the principal anticipated uses are expected to reflect that. Upon completion of the Project and expiration of Increment District No. 1, ad valorem taxes will be distributed consistent with standard statutory procedures, resulting in approximately \$73,000 in net new non-sinking fund revenue annually, not accounting for State School Aid revenue offsets.¹

2. Atoka County

No specific measurable demand for increased services from Oklahoma County are anticipated to result from the Project, and therefore no anticipated negative financial impacts are anticipated to result from the Project. Projections currently show new revenue to the County upon completion of the Project of approximately \$16,500 annually, not including amounts earmarked for the Atoka County Health Department or the Countywide School Fund.

¹ The Oklahoma State School Aid Formula effectively offsets approximately \$0.85 of every non-sinking-fund ad valorem dollar Atoka Public Schools receives annually. Assuming the State School Aid Formula is not revised, after accounting for these offsets, the net new revenue to Atoka Public Schools at the conclusion of Increment District No. 1 will be approximately \$11,000 annually.

3. **Atoka County Health Department**
Demand for increased services from the Atoka County Health Department anticipated to result from the Project are not quantifiable at present. The specific nature of new development and the number of new residents that may move into the Project Area as a result of the Project are unknown. The nature of the public improvements envisioned will help promote the health and well-being of Project Area residents. Once Increment District No. 1 terminates, the Health Department should anticipate receiving approximately \$3,500 in new operational revenue per year from Project investments.
4. **Kiamichi Technology Centers**
Kiamichi Technology Center should experience minimal impacts from the Project. Demand for services may increase slightly, but additional opportunities for complementary job training programs (including, but not limited to construction and engineering-related trades) may be utilized through the public and private construction projects anticipated. Kiamichi Technology Centers should anticipate receiving additional operational ad valorem revenue annually approximating \$20,000 per year upon the Project's completion.
5. **Southern Oklahoma Library System**
The Southern Oklahoma Library System should experience minimal impacts from the Project and should anticipate new annual operational revenues of approximately \$3,500 annually when Increment District No. 1 terminates and the Project is completed.
6. **Atoka County Emergency Medical Service**
The Atoka County Emergency Medical Service should experience minimal impacts from the Project, and should anticipate new annual operational revenues of approximately \$3,500 annually when Increment District No. 1 terminates and the Project is completed.
7. **City of Atoka**
The Project likely has the largest impacts on the City of Atoka, which will become responsible for maintenance of all new public infrastructure and improvements anticipated to be constructed, in addition to providing general municipal services to serve the Project. To offset those increased service demands, the Project's potential for additional employment and retail opportunities are anticipated to generate new sales tax revenues for the City that will be applied to appropriate City accounts when Increment District No. 1 terminates.

D. Impacts on Business Activities

Measuring the specific impacts of the Project on business activities within the Project Area and the greater community is difficult, but a projection of temporary employment may be made based on anticipated public and private construction. Based on an anticipated private investment of \$12,000,000 over a period of twenty-five (25) years, the following temporary construction employment may be supported (in aggregate, over the life of the Project):

<i>Projected Development</i>	<i>Temporary Jobs Supported²</i>	<i>Temporary Payroll Supported³</i>
\$12,000,000	300	\$8,112,000

² 10 FTEs / \$1 million new investment; 2.5 impact multiplier.

³ Average wage of supported job = \$13/hour, 40 hours/week, 52 weeks/year.

The increased presence of individuals visiting, working, and recreating in the Project Area will further stimulate demand for development and expand patronage of existing establishments.

XI. Miscellaneous Provisions

Current land uses and conditions of real property in the Project Area are shown on the map attached as Exhibit C, "Existing Uses and Conditions." The proposed improvements to and the proposed uses of the real property in the Project Area are shown on Exhibit D, "Proposed Improvements and Uses." No changes in zoning are required to accommodate this Project.

Exhibit A: Project Area and Increment District Map



BOUNDARY SURVEY

- LEGEND**
- SURVEY LINE
 - PROPERTY LINE
 - EASEMENT LINE
 - RIGHT OF WAY LINE
 - BOUNDARY MARKER
 - SURVEY STATION
 - SURVEY POINT
 - SURVEY CORNER
 - SURVEY STATION MARKER
 - SURVEY POINT MARKER
 - SURVEY STATION MARKER
 - SURVEY POINT MARKER



LEGAL DESCRIPTION

LEGAL DESCRIPTION: [Detailed text describing the survey area, including bearings and distances for various lots and blocks.]

FOLLOWING WORKS AND BOUNDS

818 E. S. HWY
 MISSOURI CO. 6402
 [Additional address information]



CLERT INFO CITY OF ATOKA, OKLAHOMA 302 E. 1ST ST., ATOKA, OKLAHOMA 73002	
BASE OF BEGINNING [Detailed text for base of beginning]	
DRAWING INFO DRAWING NO. [] DATE []	DATE OF FIELD WORK []



SURVEYOR CERTIFICATION

I, [Surveyor Name], being duly sworn, certify that I am a duly licensed surveyor in the State of Oklahoma, and that the foregoing is a true and correct copy of the original field notes and computations for the above and entitled survey.

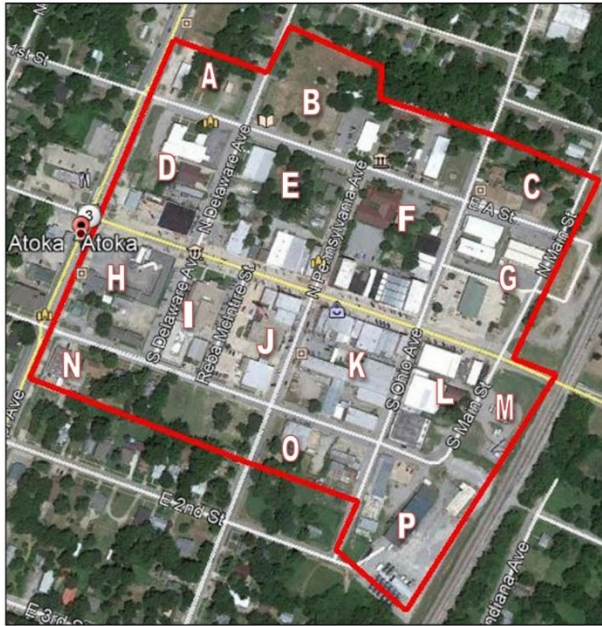
PRELIMINARY DRAFT

Exhibit B: Project Area and Increment District Legal Description

A tract of land located in Blocks 18, 19, 20, 24, 25, 26, 27, 32, 33, 34, 35, 39 and 40 of the original Town of Atoka, Atoka County, Oklahoma, described by metes and bounds as follows:

Commencing at the NW corner of said Block 39, thence $S71^{\circ}45'50''E$ along the North line thereof 33.98 feet to a point on the East Right-of-Way line of U.S. Highway 69 for the POINT OF BEGINNING, thence $S18^{\circ}19'32''W$ along the West line of said Block 39, 208.00 feet, thence $S71^{\circ}50'38''E$ 81.02 feet, thence $N22^{\circ}24'10''E$ 43.00 feet to a point on the South line of Lot 7, Block 39, thence $S71^{\circ}45'50''E$ along the South Line of Lots 2 – 7 Block 39, 399.98 feet, thence $S18^{\circ}30'29''W$ 20.00 feet, thence $S71^{\circ}45'50''E$ 120 feet to a point on the East line of Block 39, thence $N18^{\circ}30'29''E$ 20 feet to the NE corner of Lot 14, Block 39, thence $S71^{\circ}45'50''E$ 270.00 feet to the SW corner of Lot 3, Block 40, thence $S18^{\circ}30'29''W$ along the West line of Lot 8, Block 40, 60.00 feet, thence $S71^{\circ}45'50''E$ 160.00 feet to a point on the East line of Ohio Avenue, thence $S18^{\circ}30'29''W$ 104.71 feet to the SE corner of Block 40, thence $N49^{\circ}12'31''E$ 384.87 feet to the NE corner of Block 40, thence $N71^{\circ}45'50''W$ 86.40 feet, thence $N18^{\circ}14'10''E$ 60 feet to the SE corner of Block 32, thence $N39^{\circ}14'47''E$ 353.48 feet to the NE corner of Block 32, thence $N71^{\circ}45'50''W$ 5.13 feet, thence $N18^{\circ}14'10''E$ 80.00 feet to the SE corner of Block 27, thence along the East line of Block 27, with chord bearing $N27^{\circ}50'40''E$ 390.47 feet to the NE corner of Block 27, thence $N18^{\circ}14'21''E$ 80.00 feet to the South line of Block 18, thence along the South line of Block 18, $S71^{\circ}45'35''E$ 10.17 feet to the SE corner of Block 18, thence along the East line of Block 18 with a chord bearing $N20^{\circ}08'52''E$ 186.10 feet, thence $N71^{\circ}45'39''W$ 151.61 feet to a point 8.0 feet East of the West line of Lots 3 – 6 Block 18, thence $N18^{\circ}08'35''E$ parallel to said West line 134.01 feet to a point on the North line of Block 18, thence $N71^{\circ}45'39''W$ 8.00 feet to the NW corner of Lot 3, Block 18, thence $S18^{\circ}08'35''W$ 100 feet, thence $N71^{\circ}45'39''W$ 153.90 feet to a point on the West line of Block 18, thence along said West line, $N18^{\circ}08'35''E$ 24.64 feet, thence $N71^{\circ}47'14''W$ 360.00 feet to the NE corner of Lot 11, Block 19, thence $S18^{\circ}05'01''W$ along the East line of Lot 11, 75.00 feet, thence $N71^{\circ}49'13''W$ 100.00 feet, to a point on the West line of Lot 11, Block 19, thence $N18^{\circ}05'02''E$ along said line 185.00 feet to a point on the East line of Lot 5, Block 19, thence $N71^{\circ}47'14''W$ 100 feet to a point on the West line of Lot 5, thence $N18^{\circ}05'02''E$ along said line 41.00 feet, thence $N71^{\circ}47'14''W$ 235.00 feet to a point on the West line of Block 19, thence $S18^{\circ}12'46''W$ along said West line 151.00 feet, thence $N71^{\circ}49'13''W$ 337.35 feet to a point on the East Right-of-Way line of U.S. Highway 69, thence along said Right-of-Way $S17^{\circ}56'58''W$ 245.00 feet to a point on the South line of Block 20, thence $S11^{\circ}04'25''W$ 80.05 feet to a point on the North line of Block 24, thence $S18^{\circ}19'32''W$ 142.32 feet, thence $S35^{\circ}32'36''W$ 34.47 feet, thence $S18^{\circ}19'32''W$ 679.12 feet to the POINT OF BEGINNING.

Exhibit C: Existing Uses and Conditions



Property information broken down block by block with details regarding current usage and condition of block. Condition rated on the following scale: very poor, poor, fair, good, and very good.

Block A

Retail and Parking
Condition: Fair



Block C

Commercial
Condition: Poor



Block E

Commercial / Retail
Condition: Fair



Block B

Vacant Land
Condition: Fair



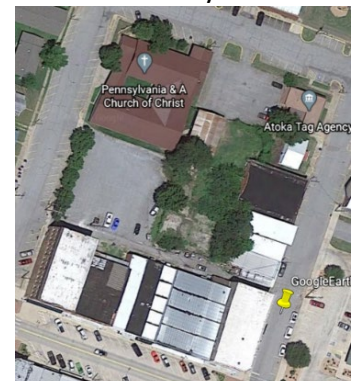
Block D

Commercial / Civic
Condition: Very Poor / Very Good



Block F

Civic / Retail
Condition: Very Poor



Block G

Commercial / Public
Condition: Very Poor / Very Good



Block J

Commercial
Condition: Good



Block M

Vacant Lot, Residential
Comm.
Condition: Fair



Block N

Residential / Vacant
Condition: Fair



Block H

Hotel / Civic
Condition: Fair



Block K

Retail
Condition: Very Poor



Block O

Office
Condition: Good



Block I

Government
Condition: Fair



Block L

Retail
Condition: Fair



Block P

Commercial
Condition: Poor



Exhibit D: Proposed Improvements and Uses

Zone 1: Central business district, retail

Zone 2: Hospitality and entertainment

Zone 3: Arts and residential

