

# University Town Center, LLC

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August 1st, 2024

Via U.S. Mail and E-Mail ([city\\_manager@normanok.gov](mailto:city_manager@normanok.gov))

Mr. Darrel Pyle  
City Manager, City of Norman  
General Manager, Norman Tax Increment Financing Authority  
201 W. Gray St.  
Norman OK 73069

Re: University North Park – Request for  
Disbursement of Town Center Funds to  
University Town Center, LLC

Dear Mr. Pyle:

More than five years ago, the Norman City Council approved the University North Park Amended and Restated Project Plan (the “2019 Project Plan”) and the Amended and Restated Master Operating and Development Agreement among the City, the Norman Tax Increment Finance Authority, the Norman Economic Development Coalition, University Town Center, LLC (“UTC”), and University North Park, LLC (the “2019 Agreement”), which prematurely terminated the tax increment financing district that the City Council approved in 2006.

The 2019 Project Plan and the 2019 Agreement allocated up to \$5 million of the remaining TIF revenues for costs needed to support development of a “Town Center” with retail establishments or entertainment venues not already located in Norman that will create a regional draw for potential shoppers.

On September 22, 2022, I sent a letter to you (with supporting documentation) requesting you to authorize disbursement of \$2,956,642 for costs incurred by UTC for construction of the initial phase of infrastructure and other improvements needed to support development of the Town Center area of University North Park. I provided additional supporting information and documentation to you with my letters dated November 14, 2022, and December 28, 2022.

The criteria and process for disbursement of funds for costs that qualify as “Town Center Costs” are spelled out in the 2019 Project Plan and the 2019 Agreement. In our subsequent conversations and correspondence, you and former City Attorney Kathryn Walker conceded that even under your narrow interpretation, our request satisfied the criteria for disbursement of at least part of the requested funds.

It's now been almost two years since we submitted our initial request for funds for Town Center Costs – and you still haven't released any of the funds.

We intend to honor our part of the bargain (even though the City has not), so we've proceeded with development of the Town Center area, and we've incurred additional costs that qualify as Town Center Costs under the 2019 Project Plan and the 2019 Agreement.

In this letter, we're updating our initial request to include information and supporting documentation concerning the additional costs we've incurred, which now total more than \$5,000,000. As manager of UTC, I certify that the costs for which UTC is requesting disbursement of funds (which are detailed in the enclosed documentation) meet the following criteria for Town Center Costs set forth in the 2019 Project Plan and the 2019 Agreement:

- The costs are related to retail stores or entertainment venues that have purchased or will purchase property in University North Park or that have signed or will sign leases for space in University North Park for a term of not less than three years;
- The costs are needed to support retail or entertainment development in the portion of University North Park identified as "Town Center" on Exhibit G to the 2019 Project Plan;
- The costs are needed to support retail and entertainment users that are not already located in Norman;
- With respect to costs associated with "retail users," the anticipated retail sales of such retailer are not less than \$300 per square foot for a store larger than 10,000 square feet or not less than \$400 per square foot for stores of 10,000 square feet or smaller, based on past performance in communities with demographics similar to Norman;
- The "entertainment user" presents an entertainment option that is not already located in Norman, and no minimum sales per square foot requirement applies to costs associated with entertainment users; and
- The parcel development plan incorporates urban design elements of walkability and connectivity, as determined by the Architectural Review Board for University North Park.

As shown on the enclosed site plans and drawings, the infrastructure improvements for which funds are requested are in the portion of University North Park identified as "Area 5" or "Town Center" in the 2019 Project Plan. These improvements (which include access roads, utilities, and streetscape improvements) are needed to support retail or entertainment development of this portion of University North Park. The utility improvements include water, sanitary sewer, and stormwater drainage facilities. The access roads are necessary for development of the interior portions of the Town Center area and, as described below, will create and enhance connectivity between the Town Center area and other portions of University North Park such as Embassy Suites Hotel & Conference Center and the new Young Family Athletic Center. As an additional much needed benefit, the access roads will help to alleviate congestion on the main 24<sup>th</sup> Ave. NW arterial.

Three new retail tenants not previously located in Norman have leased space and are open for business in the building located on the parcel designated as “OP 21” on the enclosed site plans. Sooner Cakes LLC d/b/a Nothing Bundt Cakes is a retail bakery, and Savory MB, LLC d/b/a Mo’Bettahs and MOD Super Fast Pizza, LLC d/b/a MOD Pizza also are retail food establishments (i.e., businesses that sell food products directly to consumers as their primary function). Each lease is for a term of not less than three years, and each of these stores is 10,000 square feet or smaller. We previously provided you with letters from each of these tenants stating that they expected to have annual sales of not less than \$400 per square foot.

We also have entered into an agreement with an entertainment user not already located in Norman to purchase property in the Town Center area. Main Event Entertainment, Inc. has agreed to purchase an approximately 3.85-acre parcel, and that transaction is scheduled to close by the end of this month. Main Event has locations in Oklahoma City and Tulsa – but this entertainment user is new to Norman. Main Event offers a variety of activities like laser tag, gravity ropes, arcade games, billiards, and more – all under one (very big) roof. The Main Event center, which will be approximately 45,000 to 50,000 square feet, will include chef-inspired meals, full-service catering with private rooms, high-energy bar with the latest audio-visual technology, space for birthday parties for kids and adults, and party rooms for corporate, school, and league events. As a condition to its acquisition and development of this parcel, Main Event requires UTC to complete a majority of the infrastructure improvements shown on the enclosed site plans and drawings. With this letter, we are providing copies of Exhibit A-1 and Exhibit C to the Purchase and Sale Agreement with Main Event dated April 17, 2024, which show the location of the Main Event parcel and describe the work to be completed by UTC.

We previously provided a letter from the University North Park Architectural Review Board (ARB) confirming that the parcel development plan for the Town Center area incorporates urban design elements of walkability and connectivity that further the objectives of the ARB. As shown on the enclosed site plans and drawings, our request for funds for Town Center Costs includes access roads and sidewalks that extend, create, and enhance vehicular and pedestrian access and interconnections from the southeast portion of University North Park to the Embassy Suites Hotel and Conference Center, as well as the Young Family Athletic Center. As noted above, in addition to creating connectivity, the additional access roads also will help alleviate traffic congestion. The streetscape improvements and parking on Legacy Park Drive create a Town Center entry way on the east side of 24<sup>th</sup> Avenue NW that balances and complements the west entry way to Legacy Park.

The 2019 Agreement states that “funds for Town Center Costs **shall be disbursed** to UTC upon certification by UTC and verification by the General Manager of the Authority” that such costs meet all of the specified criteria. The 2019 Agreement further requires that “funds for Town Center Costs shall be disbursed to UTC or its designee within thirty (30) days after UTC submits documentation to the General Manager of the Authority and the General Manager forwards such documentation to BOK after verifying that the foregoing criteria are satisfied.”

As was true of our initial request, our updated request for disbursement of funds for Town Center Costs fully satisfies the requirements of the 2019 Project Plan and the 2019 Agreement. We urge you to authorize BOK Financial to disburse the requested funds to us without any further delay.

Sincerely,

UNIVERSITY TOWN CENTER, LLC



Robert C. Collett, Manager

Enclosures

Cc:

City Attorney  
City of Norman  
201 W. Gray  
Norman OK 73069

Ms. Myrna S. Latham ([myrna.latham@mcafeetaft.com](mailto:myrna.latham@mcafeetaft.com))

Mr. Sean P. Rieger ([sp@riegerllc.com](mailto:sp@riegerllc.com))