

AGENDA  
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS  
2150 Universal City Blvd, Universal City, TX 78148  
Regular Meeting, Tuesday, April 16, 2024 @ 6:30 P.M.

1. CALL TO ORDER: Mayor John Williams at 6:30 p.m.
2. QUORUM CHECK and VOTE TO CONSIDER THE EXCUSE OF ABSENT MEMBERS (if applicable):
3. INVOCATION and PLEDGE OF ALLEGIANCE:
4. STAFF REPORTS AND OTHER DISCUSSION ITEMS: Items in this section are not expected to require action by City Council and are generally for information only. However, any item listed in this section may become an action item without further notice with the consent of the Mayor at the request of any Councilmember.
  - a. CITY MANAGER'S REPORT:
  - b. STAFF REPORT:
5. CITIZENS TO BE HEARD: At this time, the public is invited to address the City Council and speak on any matter not specifically listed for public hearing elsewhere in this agenda. *PLEASE NOTE NO CITY COUNCIL DISCUSSION, RESPONSE, DELIBERATION, OR ACTION WILL BE TAKEN ON THIS TOPICS AT THIS TIME.* Please limit your comments to three minutes.
6. ANNOUNCEMENTS: With respect to items not listed elsewhere on this agenda, members may report on items of community interest e.g., community or employee awards, proclama, events, and recognitions. Members may also request specific information or a recitation of existing policy from Staff, or request placement of items on the agenda for discussion or action at a following meeting.
  - a. CITY MANAGER'S ANNOUNCEMENTS
  - b. MAYOR'S ANNOUNCEMENTS
  - c. COUNCILMEMBERS' ANNOUNCEMENTS
6. PUBLIC HEARINGS: At this time, the public is invited to address each item listed in this section. Please limit your comments to the topics of the specific Public Hearing. If more than one Public Hearing is listed in this section to be held, citizens will be allowed to speak during each individual hearing.

Reunion Development

  - a. PC 602 (ZC 253) – A request for an amendment to the Future Land Use Plan for two tracts combined totaling an approximately 43-acre larger tract located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard (see metes and bounds descriptions below) from HC-Highway Commercial and OS-Open Space to HC -Highway Commercial, HDR-High Density Residential and OS-Open Space, per Zoning Ordinance 581.
  - b. PC 603 (ZC 254)—A request for a Zone Change from OS-Open Space and C4-General Commercial to PUD 2024-101 District for two tracts combined totaling an approximately 43-acre larger tract located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard (see metes and bounds descriptions below), per Zoning Ordinance 581.
  - c. PC 604 (ZC 255)—A request for approval of PUD Preliminary and Final Plans (PUD 2024-101) for two tracts combined totaling an approximately 43-acre larger tract located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard (see metes and bounds descriptions below), per Zoning Ordinance 581.

E. Wright Rowhomes

  - d. PC 605 (ZC 256) – A request for an amendment to the Future Land Use Plan for an approximately 0.717-acre tract located at the southeast corner of Bowie Drive and E. Wright Boulevard, with the common addresses of 604 Bowie Drive and 206-218 E. Wright Boulevard, [CB 5768 BLK 21 LOTS 1-5] from MDR-Medium Density Residential to HDR-High Density Residential, per Zoning Ordinance 581.
  - e. PC 606 (ZC 257) – A request for a Zone Change from R-OT Old Town Residential to PUD 2024-102 District for an approximately 0.717-acre tract located at the southeast corner of Bowie Drive and E. Wright Boulevard, with the common addresses of 604 Bowie Drive and 206 – 218 E. Wright Boulevard, [CB 5768 BLK 21 LOTS 1-5], per Zoning Ordinance 581.
  - f. PC 607 (ZC 258)—A request for approval of PUD Preliminary and Final Plans (PUD 2024-102) for an approximately 0.717-acre tract located at the southeast corner of Bowie Drive and E. Wright Boulevard, with the common addresses of 604 Bowie Drive and 206 – 218 E. Wright Boulevard, [CB 5768 BLK 21 LOTS 1-5], per Zoning Ordinance 581.
7. CONSENT AGENDA:

TAB A: All matters listed under this item are considered to be routine by City Council and will be enacted by one

motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

11) Consider the minutes of the Tuesday, 02 April 2024 Regular Meeting.

## 8. ACTION ITEMS:

**TAB B:** Resolution 966-2024-6 (Daniels & Daniels Storefront Improvement): A resolution authorizing a project, which will facilitate the promotion and development of new or expanded commercial development, and which was approved by the Board of Directors of the Universal City Economic Development Corporation on 11 April, 2024; and providing an effective date.

**TAB C:** Resolution No. 971-2024: A resolution by the City Council of the City of Universal City, Texas authorizing and approving projects and expenditures related to promoting new and expanded business development by the Universal City Economic Development Corporation; and other matters in connection therewith.

### Reunion Development

**TAB D:** Ordinance No. 632-PC-583-FLUP-2024: An ordinance amending the Future Land Use Plan to change Land Use designation of property located at 11514 E. Loop 1604 N, Universal City, Texas from HC-Highway Commercial and OS-Open Space to HC-Highway Commercial, HDR-High Density Residential, and OS-Open Space; providing for severability; and establishing an effective date.

**TAB E:** Ordinance No. 581-Y-PUD-2024-101: An ordinance of the City Council of the City of Universal City, Texas, amending the Zoning Map of the City of Universal City, Texas for an approximately 43-acre property located at 11514 E. Loop 1604 N; rezoning said property from OS-Open Space and C4-General Commercial to PUD 2024-101 District, generally for Multi-Family Residential, Commercial, Office-Research and Open Space; adopting the PUD Final Plan related to PUD 2024-101 District; providing for severability; providing for the publication of the caption of this ordinance; and establishing an effective date.

**TAB F:** Ordinance No. 581-AA-2024: An ordinance of the City Council of the City of Universal City, Texas approving an agreement with Reunion Development Partners, LLC to program economic development incentives for public project enhancements, development standards, emergency service access, and correlated infrastructure relating to the development of Reunion Development in Universal City; and establishing a Savings Clause and an effective date.

**TAB G:** Resolution No. 970-A-2024: A resolution of the City of Universal City authorizing the sale of Real Property located at 11514 E. Loop 1604 N., Universal City, Texas, by Universal City, Texas, for projects to promote new or expanded business development.

**TAB H:** Resolution No. 970-B-2024: A resolution of the City of Universal City authorizing the sale of Real Property located at 11514 E. Loop 1604 N., Universal City, Texas, by the Universal City Economic Development Corporation, for projects to promote new or expanded business development.

### E. Wright Rowhomes

**TAB I:** Ordinance No. 632-PC-584-FLUP-2024: An ordinance amending the Future Land Use Plan to change Land Use designation of property located at 604 Bowie Drive and 206-218 E. Wright Boulevard, Universal City, Texas (CB 5768 BLK 21 LOTS 1-5) from MDR-Medium Density Residential to HDR-High Density Residential; providing for severability; and establishing an effective date.

**TAB J:** Ordinance No. 581-Y-PUD-102: An ordinance of the City Council of the City of Universal City, Texas amending the Zoning Map of the City of Universal City, Texas for an approximately 0.717-acre property, located at 604 Bowie Drive and 206-218 E. Wright Boulevard, Universal City, Texas; rezoning said property from R-OT Old Town Residential District to PUD 2024-102 District, generally for High-Density Residential and related uses; adopting the PUD Final Plan related to PUD 2024-102; providing for severability; providing for the publication of the caption of this ordinance; and establishing an effective date.

**TAB K:** Ordinance No. 307-B-2024: An ordinance amending the requirements for Vehicle Wrecker/Tow Services; superseding Ordinance 307-A-1989; amending Chapter 3-3, Article XI: Vehicle Wrecker Services in its entirety; providing for severability; setting an effective date; and amending the Universal City Code of Ordinances accordingly.

**TAB L:** Approval of Pay Application #2 invoice for the Ivy Lane Street Improvements-Construction.

**TAB M:** Bid Acceptance of the Kitty Hawk to Meadowland Drive Sanitary Sewer Improvements.

**TAB N:** Ordinance No. 352-K-2024: An ordinance amending certain sections of Section 4-4-82 – Off Premises Signs of the City Code of Ordinances to amend the allowed locations and other requirements of off premises signs, providing severability, setting an effective date, and to amend the Universal City Codes accordingly.

**NO TAB 1:** Accessory Structure Discussion.

**NO TAB 2:** Executive Session:

- aa) Pursuant to Texas Gov't Code Sec. 551.072 regarding the purchase and value of real property if deliberation in open session would have a detrimental effect on the position of the corporation in negotiations with a third party; and for attorney consultation pursuant to Sec. 551.071(2); regarding:
  - i. i. 43 acres of vacant, undeveloped property owned by the City of Universal City (33.3 acres) and the Economic Development Corporation (9.994 acres) located at Loop 1604 and Byrd Boulevard
  - iiii. 216 Pat Booker Road
- bb) Reconvene in Open Session and take action, if needed, on any item pertaining to or listed in the Executive Session section of this Agenda.

**TAB O:** Resolution No. 970-C-2024: A resolution of the City of Universal City authorizing the purchase of Real Property located at 216 Pat Booker Road, Universal City, Texas, by the Universal City Economic Development Corporation, for projects to promote new or expanded business development.

## 9. ADJOURNMENT:

### TAB Z

In accordance with the requirements of Texas Government Code section 551.127, a member of the governing body may participate in this meeting from a remote location. A quorum of the governing body as well as the presiding officer shall be physically present at the above posted location, which shall be open to the public. The video and audio feed of those participating remotely shall be visible and audible to the public for all open portions of the meeting. A member of a governmental body who participates in a meeting remotely as provided by law, shall be counted as present at the meeting for all purposes.

All items on the agenda are eligible for possible discussion and action. The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

This facility is wheelchair accessible & accessible parking spaces are available. Requests for accommodation or interpretive services must be made 72 hours prior to this meeting. Please contact the city clerk's office at (210) 619-0701 if these services are needed.

## CITY OF UNIVERSAL CITY

Date: 4/8/2024

**TO:** City Council

**FROM:** Kim M. Turner, City Manager

**SUBJECT: Public Hearings: PCs 602, 603 & 604 & ZCs 253, 254 & 255** — A request for an amendment to the **Future Land Use Plan**, a **Zone Change**, and approval of **PUD Preliminary & Final Plans** at 11514 E. Loop 1604 N. to allow a mixed-use Planned Unit Development, per zoning ordinance 581.

**SUBJECT: Ordinance No. 632-PC-583-FLUP-2024**—An ordinance amending the Future Land Use Plan to change the land use designation at 11514 E. Loop 1604 N. from HC-Highway Commercial and OS-Open Space to HC-Highway Commercial, HDR-High Density Residential and OS-Open Space, per zoning ordinance 581.

**SUBJECT: Ordinance No. 581-Y-PUD-2024-101**—An ordinance amending the Zoning Map for approximately 43 acres at 11514 E. Loop 1604 N. from OS-Open Space and C4-General Commercial to PUD 2024-101 District and adopting the related PUD Final Plan, per zoning ordinance 581.

**SUBJECT: Ordinance No. 581-AA-2024**—An ordinance approving an agreement with Reunion Development Partners, LLC to program economic incentives for public project enhancements, development standards, emergency service access, and correlated infrastructure relating to the development of Reunion Development in Universal City, per zoning ordinance 581.

**SUBJECT: Resolution 970-A-2024**—Purchase & Sale Agreement for 32.966 +/- acres owned by the City of Universal City (City) to Reunion Development Group (Reunion).

**SUBJECT: Resolution 970-B-2024**—Approving the Purchase & Sale Agreement for 9.987 +/- acres owned by the City Universal Economic Development Corporation (UCEDC) to Reunion Development Group.

### **Historical Background**

In 2022, the EDC and City Council selected Reunion Development Partners to move forward with development of the 43-acre site. Since then, City staff has worked with the Applicant on finalizing the project specifics.

Reunion is proposing a masterplan that includes a mix of commercial retail, commercial services, office-research/light-industrial, multi-family residential, senior housing, and open space. In addition to the standard sidewalk shown for internal PUD use, the overall development will have a 10-foot shared-use path (SUP) for pedestrians and bicyclists that will connect the different areas of the overall plan, but also provides access to adjacent properties on Kitty Hawk Road, Universal City Boulevard, and Byrd Boulevard. Additionally, the roadway network will ultimately connect the project site to Kitty Hawk Road, Loop 1604, Byrd Boulevard, and Universal City Boulevard. Further, two green space areas are being proposed and are designed to be ‘useable’ or ‘active’ open space, not just non-functional landscaped areas.

Thirty (30) notices were mailed to surrounding property owners; two objections were returned citing increased traffic and crime. No one other than the Applicant spoke “for” or “against” the proposed development at the Planning & Zoning Public Hearings. The members of the Planning & Zoning Commission unanimously approved the project and forwarded the requests to City Council for its final determination.

### **Action Requested**

City Council actions will include **three Public Hearings**: one for the FLUP; one for the Rezoning; and one for the PUD Final Plan which includes the Development Agreement with Reunion. The Council will also act on **three ordinances**: Ordinance 632-PC-583-FLUP-2024; Ordinance No. 581-Y-PUD-2024-101; and Ordinance No. 581-AA-2024. All three Ordinances require two readings.

The City Council will act on **two Resolutions**: One for the sale of the City's 32.966 +/- acres; one for the sales of the UCEDC's 9.987 +/- acres. State law requires the Council conduct two readings on the UCEDC resolution.

### **Procurement Methodology**

The Purchase Sales Agreements outline the respective closing costs for the City, UCEDC, and Reunion. Procurement for the project infrastructure by the City and the UCEDC is outlined in the PUD Development Agreement. The City will be the project manager for infrastructure design and construction and will bid the project utilizing the RFP process outlined in the City's Purchase Policy.

### **Source and Amount of Funding**

The PUD Development Agreement identifies the amount and funding sources for land proceeds and contributions for infrastructure development. Water and wastewater impact fees and capital improvement funds will also be utilized for the project.

### **Staff Recommendation**

Staff recommend approval of the mixed-use PUD, the master development agreement, and purchase and sales agreements for the City-owned and EDC-owned properties.

## CITY OF UNIVERSAL CITY

Date: 4/5/2024

**TO:** City Council**FROM:** Kim M. Turner, City Manager

**SUBJECT: Public Hearings:** PCs 605, 606 & 607 & ZCs 256, 257 & 258 — A request for an amendment to the **Future Land Use Plan**, a **Zone Change**, and approval of **PUD Preliminary & Final Plans** for combined properties at 604 Bowie Drive and 206 – 218 E. Wright Boulevard to allow a residential Planned Unit Development, per zoning ordinance 581.

**SUBJECT: Ordinance No. 632-PC-584-FLUP-2024**— An ordinance amending the Future Land Use Plan to change the land use designation at 604 Bowie Drive and 206 – 218 E. Wright Boulevard from MDR-Medium Density Residential to HDR-High Density Residential, per zoning ordinance 581.

**SUBJECT: Ordinance No. 581-Y-PUD-2024-102**— An ordinance amending the Zoning Map for approximately 0.717 acre at 604 Bowie Drive and 206 – 218 E. Wright Boulevard from R-OT Old Town Residential District to PUD 2024-102 District and adopting the related PUD Final Plan, per zoning ordinance 581.

**Historical Background**

In 2020, the City generated the Aviation District Masterplan to establish a framework and design guidelines for revitalization of the area. Included in the masterplan goals is the desire to provide for a mix of residential and commercial uses, as well as walkability in and around the Aviation District.

The applicant is proposing a residential planned unit development (PUD) comprised of 11 rowhome units on approximately 0.717 acres. A point of access will be provided on Bowie Drive. All units will have access at the back (rear-loading). The internal drive aisle can accommodate the largest fire apparatus in Universal City and a turnaround area for all vehicles (passenger, fire and garbage) will be provided at the southeast portion of the property. An approximately 5,000-square-foot, common open space area will be provided at the rear of the property. Processing the project as a PUD allows an increased number of units but provides the City with the opportunity to weigh in on the architecture, exterior materials and overall residential use type.

41 notices were mailed to surrounding property owners; one letter was returned indicating no objection. No one other than the Applicant spoke “for” or “against” the proposed development at the Planning & Zoning Public Hearings. The members of the Planning & Zoning Commission unanimously approved the project and forwarded the requests to City Council for its final determination.

**Action Requested**

City Council actions will include **three Public Hearings**: one for the FLUP; one for the Rezoning; and one for the PUD Final Plan. The Council will also act on **two ordinances**; Ordinance 632-PC-584-FLUP-2024; and Ordinance No. 581-Y-PUD-2024-102. Both Ordinances require two readings.

**Procurement Methodology**

This is a zoning procedure only and requires no procurement by the City.

**Source and Amount of Funding**

This is a zoning procedure only and requires no funding by the City.

**Staff Recommendation**

Staff recommend approval of the residential PUD. By allowing 11 rowhome dwelling units on 0.717 acres, thereby maximizing the useable space on the subject property, the proposed project constitutes a significant step forward in achieving the vision of the Aviation District Masterplan.

**MINUTES**  
**CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS**  
Regular Meeting, Tuesday, 02 April 2024

**1. CALL ORDER:** Mayor John Williams at 6:33 P.M.

**2. QUORUM CHECK and VOTE TO CONSIDER THE EXCUSE OF ABSENT MEMBERS (if applicable):**

Maribel Garcia, Deputy City Clerk

**Present:**

Mayor John Williams  
Councilmember Steven Buck (virtually)  
Councilmember Ashton Bulman  
Councilmember Christina Fitzpatrick  
Councilmember Paul Najarian  
Councilmember Phil Vaughan

**Staff Present:**

Kim Turner, City Manager  
Megan Santee, City Attorney  
Michael Cassata, Development Services Director  
Randy Luensmann, Public Works Director  
Johnny Siemens, Police Chief  
Maribel Garcia, Deputy City Clerk

**Absent:**

Mayor Pro Tem Goolsby

Mayor Williams explained that Mayor Pro Tem Goolsby was absent due to work responsibilities. Councilmember Buck attended virtually, also due to work responsibilities.

Councilmember Najarian moved to excuse the absence of Mayor Pro Tem Goolsby. Councilmember Vaughan seconded the motion.

**Vote: Yeas: Najarian, Vaughan, Buck, Bulman, Fitzpatrick**  
**Nays: None**

**Motion to approve carried.**

**3. INVOCATION and PLEDGE OF ALLEGIANCE:**

Councilmember Fitzpatrick gave the invocation. Mayor Williams led the Pledge of Allegiance to the United States and Texas flags.

**4. STAFF REPORTS AND OTHER DISCUSSION ITEMS:**

- a. CITY MANAGER’S REPORT:** None.
- b. STAFF REPORT: i. Comprehensive Plan Update – Content Consideration**

Mr. Cassata reiterated a basic explanation of a comprehensive plan and listed inclusions, costs, size of the plan, and comparison to similar cities. He laid out a timeline for moving forward with a comprehensive plan. He stated the Request for Proposal (RFP) would be requested for publication April 15, 2024. He gave a summary of EDC and Planning and Zoning Commission feedback for the RFP including wanting a focus on image, identity, and branding. He asked for Councilmember feedback to include in the RFP.

Councilmember Bulman emphasized the need for community outreach and citizen input in the

comprehensive plan; she noted methods of community outreach to be utilized. She received clarification on how streets maintenance and development would be reviewed in the plan – the plan would set policy for how to create detailed streets maintenance plans and may set standards for streets but would not create those itself. Councilmember Bulman agreed with including image, branding, and identity, but felt the other optional inclusions were unnecessary.

Councilmember Najarian felt public transit could be reviewed from the perspective of an aging population but did not feel it was at the forefront of public wants. He was interested in senior living housing policy. He stated a recreational senior center was long overdue. He wondered how the Aviation District could be included in image and branding review, which Mr. Cassata explained.

Mrs. Turner responded to Councilmember Najarian’s comments regarding public transit and senior living. Transit may not be necessary at this stage of development. Building standards and market driven factors were noted in the development of senior living. The Parks Master Plan includes senior center considerations.

Councilmember Najarian concurred and clarified his interest in senior focused public transit.

Councilmember Buck requested more specific studies be included in the comprehensive plan regarding streets and other utilities infrastructure considering the newly passed streets bond.

Mrs. Turner and Mr. Cassata noted the added time and expense if these items were included in the plan. They clarified that the comprehensive plan aims to set policy to provide Staff direction when making the more specific plans such as a streets maintenance plan or other infrastructure plans.

Councilmember Buck clarified his wants were in line with what Staff proposed that the RFP include. He emphasized need for community engagement.

Mrs. Turner reminded Council that strong community engagement was already required for the comprehensive plan creation process.

Councilmember Vaughan opined it would be better to hire consultants for community outreach, gain community input for topics to explore, then hire consultants for those specific topics based on the community input. He felt this would be less expensive and more effective. If the RFP process for a whole comprehensive plan was to continue, he requested itemized proposals to be able to piecemeal the plan and decide which portions of the plan are worth it in consideration of cost.

Councilmember Fitzpatrick was excited for the comprehensive plan and felt the plan was an important document for City development and governance. She emphasized the importance of citizen and business involvement. She felt branding was an important inclusion in the plan.

Mayor Williams reiterated the importance of citizen input.

## **5. CITIZENS TO BE HEARD:**

- David Karras, 3001 Muscat Way, commended Linda Iglehart in Development Services for her work. He asked Council to consider permit requirements and costs for single-story, non-inhabitable accessory structures 200 square feet or smaller. He had alternatives to current requirements and felt it was important to reevaluate requirements based on changing conditions. He agreed with the importance of community engagement and asked Council to make extra effort to include Orchard

Park residents who feel separated from the community due to their location in Universal City.

- Bernie Rubal, 635 Balboa, clarified that he is not against the golf course but how the golf course is managed. He stated approximately 40% of the comprehensive plan could be addressed by the economic development department. He opined the hazard mitigation plan should be created by Staff. He commented on the landlocked nature of development in the City and said most citizens would not want the housing proposed in the plan. However, citizens would prioritize streets and infrastructure maintenance, and he said the plan needs to focus on citizen needs. He asked Council to create policy to fund critical needs by reallocating the venue tax and evaluating the benefits of the economic development corporation in consideration of using tax revenue for community needs. He requested postponement of the comprehensive plan until after items addressable by the economic development department were addressed.

## **6. ANNOUNCEMENTS:**

### **a. CITY MANAGER’S ANNOUNCEMENTS:**

Mrs. Turner noted Police Department participation in the special Olympics, the Library’s Summer Adventure Series, the opening of the Northview Splashpad, and the Fire Department pancake breakfast on May 4<sup>th</sup>. Waste Management would do Brush Pickup starting April 22<sup>nd</sup> and Public Works would have spring clean-up days April 11<sup>th</sup> – 14<sup>th</sup> and 18<sup>th</sup> – 21<sup>st</sup>.

### **b. MAYOR’S ANNOUNCEMENTS:**

Mayor Williams listed the following “Best of SA” winners from Universal City and their placements:

- Home Builder: Sitterle Homes #2
- Brewery: Gather Brewing Company #2
- Family Friendly Restaurants: Gather Brewing Company #3
- Pet Friendly Restaurants: Gather Brewing Company #3
- Sandwich Shop: Four Kings #3
- School District: Judson ISD #1
- Community Leader: Cheryl Maxwell and Lori Putt – Universal City Community Members #3
- Heating & A/C Service: Jon Wayne Service Company #1
- Oil Change: Take 5 Oil Change #1

Mayor Williams then moved on to present a proclamation declaring April as the Month of the Military Child and April 2<sup>nd</sup> as Purple Up! For Military Kids Day in Universal City. He presented the proclamation to Maria Dykes, retired Air Force, and her two daughters. He thanked Ms. Marcia Caballero for her work coordinating the proclamation and purple attire. He later noted the JBSA Air Show would be that weekend and hosted at Randolph AFB. He cautioned everyone of traffic and noise associated with the air show.

### **c. COUNCILMEMBERS’ ANNOUNCEMENTS:**

Councilmember Fitzpatrick commended Thrifty Hippy owners for their philanthropic efforts recently with a local homeless man. They connected him with the UCPD mental health unit and Haven for Hope. She asked that the UCPD mental health unit present before Council as they did before the Universal City Citizen’s Police Academy (UCCPA) during their class.

Councilmember Buck thanked everyone who participated in the Easter Egg Hunt at Grace Church.

Councilmember Najarian noted the UCCPA training. He agreed with Councilmember Fitzpatrick's request for a UCPD mental health unit presentation. He said the Easter Egg Hunt hosted by the City was a success and opined that the heavy traffic due to the Air Show would be great for businesses.

Councilmember Bulman thanked military families for their sacrifices. She thanked the towing companies who reached out regarding the lengthy tow truck ordinance. She lauded the Library.

Councilmember Vaughan thanked City Staff for posting financial information on the website in working toward transparency. He agreed with Mr. Karras and proposed discussion regarding accessory structures. He gained Council consensus to place the item on the next agenda.

## **7. CONSENT AGENDA:**

With Councilmember Najarian requesting a separate vote on item 2 of the Consent Agenda, Mayor Pro Tem Goalsby moved to approve the following Consent Agenda items:

- 1) Consider the minutes of the Tuesday, 20 February 2024 Regular Meeting.
- 2) Ordinance No. 655-M-2024 (PC 597 SU 018): An ordinance approving a Specific Use Permit to Daniels & Daniels Real Estate for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Universal City, Texas (CB 5047F BLK 1 LOT 39); providing for non-severability; and establishing an effective date.
- 3) Ordinance No. 655-N-2024 (PC 599 SU 020): An ordinance approving a Specific Use Permit to Acorn Legacy, Inc. for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Universal City, Texas (CB 5047F BLK 1 LOT 39); providing for non-severability; and establishing an effective date.
- 4) Ordinance No. 655-O-2024 (PC 600 SU 021): An ordinance approving a Specific Use Permit to Farmers Insurance for an Administrative and Business Offices use in a C3-Commercial Services District on property located at 2117 Pat Booker Road, Universal City, Texas (CB 5047F BLK 1 LOT 39); providing for non-severability; and establishing an effective date.
- 5) Ordinance No. 655-P-2024 (PC 598 SU 019): An ordinance approving a Specific Use Permit to KMS Delivery, Inc. for a Commercial Off-Street Parking use in a C2-Retail District on property located at 890 Coronado Boulevard, Universal City, Texas (CB 5047P BLK 1 LOT 7 CORONADO VILLAGE UT-8A); providing for non-severability; and establishing an effective date.
- 6) Ordinance No. 655-Q-2024 (PC 601 SU 022): An ordinance approving a Specific Use Permit to Millenium Engineers Group, Inc. for a Professional Office Use in a C2-Retail District on property located at 1202 Pat Booker Road, Universal City, Texas (CB 5053 P-24A & 6 INCH STRIP OFF NW SIDE OF P-25 ABS 745); providing for non-severability; and establishing an effective date.

Councilmember Vaughan seconded the motion.

**Vote: Yeas: Najarian, Vaughan, Fitzpatrick, Buck, Bulman  
Nays: None**

**Motion to approve carried.**

## **8. ACTION ITEMS:**

- B. Ordinance No. 307-B-2024: An ordinance amending the requirements for Vehicle Wrecker/Tow Services; superseding Ordinance 307-A-1989; amending Chapter 3-3, Article XI: Vehicle Wrecker Services in its entirety; providing for severability; setting an effective date; and amending the Universal City Code of Ordinances accordingly.**

Mrs. Turner noted changes made to the ordinance based on requests and comments by Councilmembers Bulman and Buck and further review of the ordinance with Chief Siemens.

Councilmember Bulman shared the following requests for changes that she gathered from a plethora of tow companies' feedback and asked that the original proposals be justified:

1. Deleting the requirement for a City permit for tow trucks to operate within City limits.
2. Deleting certain requirements beyond State law such as painted lettering on the rear of the vehicle indicating company information and requirements for the size of lettering.
3. Deleting color requirements for flashing lights on the vehicle.
4. Removing the requirement for vehicle storage facilities to be located within ten miles of city limits.

Mrs. Turner said she appreciated Councilmembers' consideration for business feedback but, given that the City will go out for an RFP, she cautioned against any indication of favor for a tow company going forward. She recommended not engaging in future conversation with companies that may be responsive to the RFP.

Councilmember Bulman felt the RFP and ordinance should be treated as separate, with some City preferences being included in only the RFP. She felt the requirement for a 10-mile radius for the vehicle storage facility was exclusionary.

Mrs. Turner explained that the ordinance is the basis for the RFP and therefore cannot be treated as separate.

Mrs. Turner and Chief Siemens explained the reasoning behind the 10-mile radius requirement being cost of sending officers out to lots for reports as well as cost to citizens if there is not a limit on the distance from the City to the impound lot. The point of the 10-mile radius was to have some sort of limit, but this number could be increased slightly and meet the same goal.

Councilmember Vaughan echoed Councilmember Bulman's thought that the RFP could be more stringent than the ordinance as the ordinance governs all tow companies operating in City limits, not just the City-contracted ones. He worried the City may not receive bids due to the restrictive ordinance. He opined certain requirements could be negotiated through the contracting process outside of the ordinance. He asked for an analysis of radius requirements in relation to number of businesses included.

Councilmember Buck stated he considered the ordinance from both the perspective of the RFP and private businesses that contract towing services for their own use. He felt the City had an obligation to public interest even when a towing situation did not involve police. He asked for clarification on requirements applied to all businesses operating in city limits versus only City-contracted ones.

Chief Siemens and Mrs. Turner clarified that the City does not have legislative authority over who private businesses contract for tow services. However, the City can place requirements on who the City contracts for towing services. The 10-mile radius would only apply to City-contracted towing to not inconvenience residents if the City calls for towing services. Chief Siemens noted this ordinance is much less restrictive in comparison to some nearby cities.

In response to Ms. Santee's comment that the permit process for tow companies would allow the City to know who operates within City limits, Councilmember Buck asked if distance of

impound lots could be limited through the permit approval process.

Ms. Santee said she had not seen these limitations being used and would caution against restrictions without legitimate governmental interest. Also, it would not be practical for tow companies to have impound lots far away, but to prohibit it may not be possible or wise.

Councilmember Buck asked that the ordinance be delayed to allow time to research the affect of the ordinance on local towing companies and whether precedent exists for towing lot restrictions made by a City with parameters such as distance, county, or region.

Staff commented that it is extremely uncommon for far-away companies to either contract or provide towing services that take vehicles that far.

Councilmember Fitzpatrick gained clarification that the lettering size requirements could be adjusted to State standards. She appreciated the consideration for residents of impound lot distance but did not have a problem with adjusting the distance slightly.

Councilmember Najarian agreed with the change to State requirements for lettering size. Responding to Councilmember Buck, he said it may be a slippery slope to regulate private business in relation to who they contract. He was interested in exploring the difference in amount of companies eligible for the RFP with an increase in radial distance.

Staff agreed to investigate discussed items.

Chief Siemens answered Councilmember Bulman's questions regarding the security video retention and limiting the radial distance requirement to a company's primary lot.

Councilmember Buck moved to postpone the item to the following meeting pending discussed investigations. Councilmember Vaughan seconded the motion.

**Vote: Yeas: Buck, Vaughan, Bulman, Fitzpatrick, Najarian  
Nays: None**

**Motion to approve carried.**

**C. Approval of Pay Application #1 invoice for the Ivy Lane Street Improvements-Construction.**

Mrs. Turner explained that this was a routine application submitted every year to apply for grant funding. She noted past approved grants and projects for which they were used.

Councilmember Vaughan moved to approve the pay application. Councilmember Najarian seconded the motion.

**Vote: Yeas: Vaughan, Najarian, Buck, Bulman, Fitzpatrick  
Nays: None**

**Motion to approve carried.**

**D. Resolution 902-2024: A resolution of the City Council of Universal City, Texas to appoint [either Dr. Chichi Junda Woo of the San Antonio Metropolitan Health District or Dr. Lillian**

**Ringsdorf of Region 8 Department of State Health Services] as the Official Health Authority for the City of Universal City and setting an effective date.**

Councilmember Najarian commended Staff for finding a great alternative to Dr. Woo.

Council briefly summarized past discussion of this item and an alternative to Dr. Woo.

Councilmember Najarian moved to appoint Dr. Lillian Ringsdorf of Region 8 Department of State Health Services as the Official Health Authority of Universal City and approve Resolution 902-2024 accordingly. Councilmember Bulman seconded the motion.

**Vote: Yeas: Goolsby, Bulman, Buck, Najarian**  
**Nays: None**

**Motion to approve carried.**

**E. City Council Message Board Service Agreement and Contract with XenForo.**

Mrs. Turner reviewed steps taken to procure the contract with XenForo. Considerations in review of different service providers included compatibility with the City's existing website, cloud hosting, Open Meetings Act (OMA) compliance, and archiving. She thanked Ms. Garcia for her work on the item. Mrs. Turner noted cities' suggestions for Council and asked them to determine whether they would like policies and rules of engagement.

Councilmember Vaughan stated the Texas Municipal League said that anything can be discussed on the message board so long as the board is posted according to State law and that no official action is taken. He opined that Council should move forward with a \$648 one-year "Starter" subscription with the option to deny renewal if the board is not used.

Councilmember Bulman supported this and said the board could have been a good platform to share the emails she received regarding the tow truck ordinance. She opined that, though the board may be extra work, she felt those who wished to use it should be able to.

Councilmember Najarian shared that he would be willing to put in the work to use the board but wanted the discussion to be productive. He was concerned about the possibility of violating the Open Meetings Act with dangers of a walking quorum. He opined that it should have regulations to avoid Open Meetings Act violations as this board would be self-regulated. While he did not want to block the item, he did not feel enthusiasm.

Councilmember Buck echoed Councilmember Bulman's comments about the usefulness of sharing information prior to meetings. He gained clarification regarding walking quorum.

Ms. Santee said discussion on the message board is not a walking quorum since it is in a public forum and recorded. However, she cautioned against using the board in replacement for discussion during public meetings. She noted Staff would not access information on the board.

Mrs. Turner also cautioned Council against wording that could be misconstrued and about forming or implying consensus on the board as this can be construed as action.

Mayor Williams expressed concern regarding Open Meetings Act violations that could occur with the board but was open to trying it. He asked Council to be careful when using the board.

Councilmember Najarian reiterated the need for caution with wording to not be misconstrued as casting a vote or forming a consensus.

Councilmember Fitzpatrick expressed concern regarding being misconstrued, the time commitment required, and the lack of nuances of expression when messaging compared to live discussion. She also cautioned against posting emails received by individual Councilmembers and asked that permission be granted of the sender prior to posting. Regarding the board as a means to address the length of meetings, she noted that agenda reformatting had worked to make meetings shorter. She emphasized her preference for live discussion.

Councilmember Vaughan moved to approve a one year “Starter” contract with XenForo to establish a City Council Message Board in compliance with the Texas Open Meetings Act. Councilmember Bulman seconded the motion.

**Vote: Yeas: Vaughan, Bulman, Buck, Najarian  
Nays: Fitzpatrick**

**Motion to approve carried.**

**N. T. 1. Executive Session:**

- a) Pursuant to Texas Gov’t Code Sec. 551.072 regarding the purchase and value of real property if deliberation in open session would have a detrimental effect on the position of the corporation in negotiations with a third party; and for attorney consultation pursuant to Sec. 551.071(2); regarding the 43 acres of vacant, undeveloped property owned by the City of Universal City (33.3 acres) located at Loop 1604 and Byrd Boulevard.
- b) Reconvene in Open Session and take action, if needed, on any item pertaining to or listed in the Executive Session section of this Agenda.

**Mayor Williams began the Closed Session at 8:25 P.M.**

Mayor Williams convened into Closed Session with present City Council Members, City Manager Kim Turner, City Attorney Megan Santee, Development Services & Economic Development Director Michael Cassata, and Public Works Director Randy Luensmann.

**Mayor Williams and the City Council reconvened into Open Session at 9:13 P.M. No action was taken during the Closed Session.**

**9. ADJOURNMENT:** Mayor Williams adjourned the meeting at 9:14 P.M.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
John Williams, Mayor

\_\_\_\_\_  
Maribel Garcia, Deputy City Clerk

**RESOLUTION NO. 966  
2024-6**

**A RESOLUTION AUTHORIZING A PROJECT, WHICH WILL FACILITATE THE PROMOTION AND DEVELOPMENT OF NEW OR EXPANDED COMMERCIAL DEVELOPMENT, AND WHICH WAS APPROVED BY BOARD OF DIRECTORS OF THE UNIVERSAL CITY ECONOMIC DEVELOPMENT CORPORATION ON 11 APRIL 2024; AND, PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Universal City Economic Development Corporation (the "Corporation") on April 11, 2024 by Resolution No. 2024-6, and pursuant to Texas Local Government Code Subtitle C1, including Section 505.158, thereto, approved a Performance Agreement with Daniels and Daniels Real Estate to add storefront signage for the promotion and development of new or expanded commercial enterprises and the creation of jobs; and,

WHEREAS, pursuant to Texas Local Government Code Sections 501.073 and 505.158(b) City Council finds the Project should be authorized.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF UNIVERSAL CITY, TEXAS THAT:

SECTION 1. The findings set out above are hereby found to be true and correct and are incorporated herein for all purposes.

SECTION 2. As required by Texas Local Government Code Sections 501.073 and 505.158(b), City Council hereby authorizes the Project as describe in the Universal City Economic Development Corporation’s Resolution No. 2024-6 (2117 Pat Booker Road, Suite A).

DULY RESOLVED, PASSED AND ADOPTED by the City Council of Universal City, on second reading on this 16<sup>th</sup> day of April 2024.

CITY OF UNIVERSAL CITY, TEXAS  
APPROVED:

\_\_\_\_\_  
John Williams, Mayor

ATTEST:

\_\_\_\_\_  
Maribel Garcia, Deputy City Clerk

**RESOLUTION 971-2024****RESOLUTION BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS AUTHORIZING AND APPROVING PROJECTS AND EXPENDITURES RELATED TO PROMOTING NEW OR EXPANDED BUSINESS DEVELOPMENT BY THE UNIVERSAL CITY ECONOMIC DEVELOPMENT CORPORATION; AND OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the City of Universal City, Texas (the *City*) was authorized pursuant to the provisions of Section 4B, as amended, Texas Revised Civil Statutes Annotated Article 5190.6, now codified as Chapter 505, Texas Local Government Code, as amended (the *Act*), to create a nonprofit economic development corporation, known as the Universal City Economic Development Corporation (the *Corporation*); and

WHEREAS, the City Council of the City (the *Council*), authorized the calling of an election (the *1995 Election*) authorizing the levy of a one-half (1/2) of one percent (1%) additional sales and use tax (the *Sales Tax*) within the City in accordance with the provisions of the Act; and

WHEREAS, the majority of the residents of the City approved the levy of the Sales Tax at the 1995 Election held on August 12, 1995; and

WHEREAS, the Board of Directors of the Corporation (the *Board*) and the Council intend to participate in “Projects”, as defined in the Act, including to be developed to attract new businesses to the City and to promote “new or expanded business development” in the City, including (i) the acquisition, demolition, renovation, improvement, and equipment of the purchase and acquisition of land located in the vicinity of the entrance to Wal-Mart (the *Reunion Project*), near and around 510 Kitty Hawk Road, Universal City, Texas 78148, and the aviation district (the *Aviation District Project*, and together with the Reunion Project, the *2024 Projects*), near and around Booker Road outside Randolph Airforce Base, between Aviation and National Boulevards, Universal City, Texas 78148, to be developed to attract new businesses to the City and to promote “new or expanded business development” in the City, (ii) acquiring, constructing, purchasing, renovating, demolishing, enlarging, and improving the City’s streets, utilities, and drainage improvements incidental thereto to the 2024 Projects, along with the acquisition of land, easements, rights of way, and other interests in real property relating to the foregoing, (iii) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements, and (iv) the payment of professional services related to the construction and financing of the aforementioned 2024 Projects, which 2024 Projects will promote or develop new or expanded business enterprises in the City; and

WHEREAS, the Board intends to undertake projects pursuant to Section 505.158 of the Act (*Section 505.158*), and the Council affirms the City’s population is less than 20,000 residents and ratifies the Board’s previous determination that the 2024 Projects will promote new or expanded business development in the City; and

WHEREAS, certain provisions of the Act, including Section 505.158 and Section 501.073(a) of the Act, require the Council's approval of all programs and expenditures of the Corporation, and specifically provide that the Council must adopt this Resolution after two separate readings before the Corporation may undertake the 2024 Projects, which require expenditures in excess of \$10,000; and

WHEREAS, pursuant to Section 505.160 of the Act, the Corporation published notice of the 2024 Projects on March 18, 2024; and

WHEREAS, the Corporation held a public hearing for the 2024 Projects on April 11, 2024, as required by the provisions of Section 505.159 of the Act; and

WHEREAS, the Corporation neither received a petition calling for a referendum under the City's Home Rule Charter nor a petition from the City's qualified voters requesting an election be held prior to undertaking either 2024 Projects; and

WHEREAS, the Act authorizes the Corporation to operate, maintain, and finance the costs of the 2024 Projects and to issue obligations and bonds on behalf of the City to finance the 2024 Projects as described in the Act; and

WHEREAS, the Council hereby finds and determines the adoption of this Resolution is in the best interests of the residents of the City; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS THAT:

SECTION 1. The Council hereby finds, determines, and declares the prerequisites to approving the 2024 Projects occurred (including two separate readings of this Resolution), the 2024 Projects related to the Corporation are authorized by the Act, and approves the program and expenditures related to the 2024 Projects.

SECTION 2. The Mayor and the City Clerk of the City are hereby authorized to execute and seal this Resolution after its second reading.

SECTION 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 4. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of

such provision to other persons and circumstances shall nevertheless be valid, and the Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 7. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 8. This Resolution shall be in force and effect from and after the date of its adoption, and it is so resolved.

\* \* \*

PASSED ON FIRST READING on the 16th day of April, 2024.

PASSED AND ADOPTED ON SECOND READING on the 21st day of May, 2024.

CITY OF UNIVERSAL CITY, TEXAS

---

Mayor

ATTEST:

---

City Clerk

(CITY SEAL)

---

# Universal City Economic Development Corporation

*March 14, 2024*



## *Financing Plan for the Issuance of Sales Tax Revenue Bonds, Series 2024*



**SPECIALIZED PUBLIC FINANCE INC.**  
FINANCIAL ADVISORY SERVICES

**Victor Quiroga, Jr. | Managing Director**  
Office (210) 239-0204 | Cell (210) 887-1810  
victor@spfmuni.com

## Overview of the Proposed Plan of Finance

---

- ❑ The UCEDC has contemplated various projects necessitating financing
  
- ❑ Staff has identified and prioritized projects to finance by issuing Sales Tax Revenue Bonds in the approximate amount of \$5,300,000
  
- ❑ If allowed to move forward, a joint meeting with City Council is proposed for May 21, 2024 to issue the Bonds (i.e., lock-in interest rate)
  
- ❑ Delivery of the bond proceeds would then be scheduled for June 18, 2024

**Notes:**

Preliminary and subject to change.

# Proforma based on Gross Revenue Pledge

## ➤ Option B: 15-Year Wraparound Repayment Term

(A)	(B)	(C)	(D)	(E)	(F) = (D) + (E)	(G)	(H) = (F) - (G)	(I) = (B) / (H)
FYE 9/30	Sales Tax Revenues	Growth	Existing EDC D/S	\$5,300,000 Series 2024 6/18 5.00%	Projected Total EDC D/S	Less: Available Funds	Total Net EDC D/S	D/S Coverage
2024	\$ 1,741,388		\$ 475,905	\$ -	\$ 475,905	\$ -	\$ 475,905	3.66x
2025	1,741,388	0.00%	475,925	357,757	833,682	-	833,682	2.09x
2026	1,741,388	0.00%	475,718	356,000	831,718	-	831,718	2.09x
2027	1,741,388	0.00%	290,271	566,750	857,021	-	857,021	2.03x
2028	1,741,388	0.00%	290,647	566,750	857,397	-	857,397	2.03x
2029	1,741,388	0.00%	290,816	566,000	856,816	-	856,816	2.03x
2030	1,741,388	0.00%	290,778	569,500	860,278	-	860,278	2.02x
2031	1,741,388	0.00%	290,531	567,000	857,531	-	857,531	2.03x
2032	1,741,388	0.00%	290,076	568,750	858,826	-	858,826	2.03x
2033	1,741,388	0.00%	290,413	569,500	859,913	-	859,913	2.03x
2034	1,741,388	0.00%	290,513	569,250	859,763	-	859,763	2.03x
2035	1,741,388	0.00%	290,375	568,000	858,375	-	858,375	2.03x
2036	1,741,388	0.00%	-	570,750	570,750	-	570,750	3.05x
2037	1,741,388	0.00%	-	567,250	567,250	-	567,250	3.07x
2038	1,741,388	0.00%	-	567,750	567,750	-	567,750	3.07x
2039	1,741,388	0.00%	-	567,000	567,000	-	567,000	3.07x
			\$ 4,041,969	\$ 8,098,007	\$ 12,139,976	\$ -	\$ 12,139,976	

### Assumptions

- (1) FY 2024 Revenues assumes FY 2023 unaudited sales tax revenues of \$1,741,388 retrieved from the Comptroller's Office website.
- (2) All financing assumptions are as of March 7, 2024 for purposes of illustration only. Preliminary, subject to change.
- (3) Preliminary \$5,300,000 Series 2024 issue shown assuming an June 18, 2024 issuance at a flat 5.0% interest rate for purposes of illustration only.

## Next Steps for a Successful Financing

---

- March 14, 2024: Financing Plan presented to the board; Adoption of resolution authorizing publication of notice of public hearing
- March 18, 2024: Publish notice of public hearing in Express News
- April 11, 2024: EDC holds public hearing
- April 16, 2024: Council conducts first reading on the proposed projects
- May 7, 2024: Council conducts second reading on the proposed projects
- May 17, 2024: Petition risk for projects expire
- May 21, 2024: Joint meeting with Council to approve the sale of the bonds
- June 18, 2024: Close the bond transaction

### **Notes:**

Preliminary and subject to change.

## CITY OF UNIVERSAL CITY

Date: 4/8/2024

**TO:** City Council

**FROM:** Kim M. Turner, City Manager

**SUBJECT: Public Hearings: PCs 602, 603 & 604 & ZCs 253, 254 & 255** — A request for an amendment to the **Future Land Use Plan**, a **Zone Change**, and approval of **PUD Preliminary & Final Plans** at 11514 E. Loop 1604 N. to allow a mixed-use Planned Unit Development, per zoning ordinance 581.

**SUBJECT: Ordinance No. 632-PC-583-FLUP-2024**—An ordinance amending the Future Land Use Plan to change the land use designation at 11514 E. Loop 1604 N. from HC-Highway Commercial and OS-Open Space to HC-Highway Commercial, HDR-High Density Residential and OS-Open Space, per zoning ordinance 581.

**SUBJECT: Ordinance No. 581-Y-PUD-2024-101**—An ordinance amending the Zoning Map for approximately 43 acres at 11514 E. Loop 1604 N. from OS-Open Space and C4-General Commercial to PUD 2024-101 District and adopting the related PUD Final Plan, per zoning ordinance 581.

**SUBJECT: Ordinance No. 581-AA-2024**—An ordinance approving an agreement with Reunion Development Partners, LLC to program economic incentives for public project enhancements, development standards, emergency service access, and correlated infrastructure relating to the development of Reunion Development in Universal City, per zoning ordinance 581.

**SUBJECT: Resolution 970-A-2024**—Purchase & Sale Agreement for 32.966 +/- acres owned by the City of Universal City (City) to Reunion Development Group (Reunion).

**SUBJECT: Resolution 970-B-2024**—Approving the Purchase & Sale Agreement for 9.987 +/- acres owned by the City Universal Economic Development Corporation (UCEDC) to Reunion Development Group.

### **Historical Background**

In 2022, the EDC and City Council selected Reunion Development Partners to move forward with development of the 43-acre site. Since then, City staff has worked with the Applicant on finalizing the project specifics.

Reunion is proposing a masterplan that includes a mix of commercial retail, commercial services, office-research/light-industrial, multi-family residential, senior housing, and open space. In addition to the standard sidewalk shown for internal PUD use, the overall development will have a 10-foot shared-use path (SUP) for pedestrians and bicyclists that will connect the different areas of the overall plan, but also provides access to adjacent properties on Kitty Hawk Road, Universal City Boulevard, and Byrd Boulevard. Additionally, the roadway network will ultimately connect the project site to Kitty Hawk Road, Loop 1604, Byrd Boulevard, and Universal City Boulevard. Further, two green space areas are being proposed and are designed to be ‘useable’ or ‘active’ open space, not just non-functional landscaped areas.

Thirty (30) notices were mailed to surrounding property owners; two objections were returned citing increased traffic and crime. No one other than the Applicant spoke “for” or “against” the proposed development at the Planning & Zoning Public Hearings. The members of the Planning & Zoning Commission unanimously approved the project and forwarded the requests to City Council for its final determination.

### **Action Requested**

City Council actions will include **three Public Hearings**: one for the FLUP; one for the Rezoning; and one for the PUD Final Plan which includes the Development Agreement with Reunion. The Council will also act on **three ordinances**: Ordinance 632-PC-583-FLUP-2024; Ordinance No. 581-Y-PUD-2024-101; and Ordinance No. 581-AA-2024. All three Ordinances require two readings.

The City Council will act on **two Resolutions**: One for the sale of the City's 32.966 +/- acres; one for the sales of the UCEDC's 9.987 +/- acres. State law requires the Council conduct two readings on the UCEDC resolution.

### **Procurement Methodology**

The Purchase Sales Agreements outline the respective closing costs for the City, UCEDC, and Reunion. Procurement for the project infrastructure by the City and the UCEDC is outlined in the PUD Development Agreement. The City will be the project manager for infrastructure design and construction and will bid the project utilizing the RFP process outlined in the City's Purchase Policy.

### **Source and Amount of Funding**

The PUD Development Agreement identifies the amount and funding sources for land proceeds and contributions for infrastructure development. Water and wastewater impact fees and capital improvement funds will also be utilized for the project.

### **Staff Recommendation**

Staff recommend approval of the mixed-use PUD, the master development agreement, and purchase and sales agreements for the City-owned and EDC-owned properties.

**ORDINANCE NO. 632-PC-583-FLUP-2024**  
(Reunion Development)

**AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN TO CHANGE LAND USE DESIGNATION OF PROPERTY LOCATED AT 11514 E. LOOP 1604 N, UNIVERSAL CITY, TEXAS FROM HC-HIGHWAY COMMERCIAL AND OS-OPEN SPACE TO HC-HIGHWAY COMMERCIAL, HDR-HIGH DENSITY RESIDENTIAL AND OS-OPEN SPACE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

---

**WHEREAS**, in accordance with Sections 4-5-24 of the Code of Ordinances, City Council may approve an application for a Future Land Use Plan Amendment based upon changed or changing conditions in a particular area or in the City generally, or to rezone an area, or to extend the boundary of an existing zoning district; and

**WHEREAS**, Chapter 213.003 of the Texas Local Government Code provides that the City may amend the City's comprehensive plan by ordinance following a public hearing at which the public is given the opportunity to give testimony and present written evidence and review by the City's Planning and Zoning Commission; and

**WHEREAS**, Reunion Development Partners, LLC requested a change in zoning classification from OS-Open Space and C4-General Commercial Districts to PUD 2024-101 District for the property described as 11514 E. Loop 1604 N, Universal City, Bexar County, Texas and assigned property identifications 307726, 306950, and 1014132, which would require an amendment to the City's Future Land Use Plan; and

**WHEREAS**, after proper delivery of notice, the Planning and Zoning Commission conducted a public hearing on the application for the Future Land Use Plan Amendment on April 1, 2024, where the public had the opportunity to provide testimony and written evidence regarding the proposed amendment to the City's Future Land Use Plan; and

**WHEREAS**, at the conclusion of the public hearing, the Planning and Zoning Commission made recommendations in favor of the application for the Future Land Use Amendment; and

**WHEREAS**, after proper publication of notice and receipt of the Planning and Zoning Commission's recommendation, City Council conducted a public hearing on the application for the Future Land Use Plan Amendment on April 16, 2024, during which the public was provided another opportunity to give testimony and written evidence for or against the proposed amendment to the Future Land Use Plan; and

**WHEREAS**, after considering all of the testimony and written evidence provided by the public as well as the recommendation made by the Planning and Zoning Commission, the City Council finds that the proposed amendment to the Future Land Use Plan is commensurate with the overall vision and growth plan of the City and is in the best interest of the City of Universal City; and

**WHEREAS**, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS:**

**SECTION 1. Recitals.** The recitals set out above are adopted herein for all purposes.

**SECTION 2. The Property.** The real property (“Property”) subject to the amendments authorized by this Ordinance is an approximate 43-acre parcel, more or less, generally located at 11514 E. Loop 1604 N, Universal City, Bexar County, Texas and assigned property identifications 307726, 306950, and 1014132.

**SECTION 3. The Future Land Use Plan Amendment.** The Future Land Use Plan is hereby amended by revising the Future Land Use for the Property from **HC-HIGHWAY COMMERCIAL AND OS-OPEN SPACE TO HC-HIGHWAY COMMERCIAL, HDR-HIGH DENSITY RESIDENTIAL AND OS-OPEN SPACE.**

**SECTION 4. Map Revision.** The City Manager is hereby authorized and directed to revise the Future Land Use Plan map and take all other steps reasonably necessary to facilitate the purpose of this ordinance.

**SECTION 5. Continuation clause.** All provisions of the Future Land Use Plan and Code of Ordinances of the City of Universal City not herein amended or repealed shall remain in full force and effect.

**SECTION 6. Repealer clause.** All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

**SECTION 7. Severability clause.** If any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

**SECTION 8.** This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**SECTION 9.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**SECTION 10. Effective Date.** This ordinance will take effect upon its passage, approval and publication as provided by law.

**PASSED, on first reading** by the City Council of the City of Universal City on this the 16<sup>th</sup> day of April 2024.

**PASSED AND APPROVED, on second reading** by the City Council of the City of Universal City on this the 7<sup>th</sup> day of May 2024.

CITY OF UNIVERSAL CITY, TEXAS

---

John Williams, Mayor

ATTEST:

---

Maribel Garcia, Deputy City Clerk

APPROVED AS TO FORM:

---

Megan R. Santee, City Attorney  
DENTON, NAVARRO RODRIGUEZ BERNAL SANTEE & ZECH, P.C.

**Motion to Approve – FLUP:**

PC 602 (ZC 253)

After conducting a public hearing on the request for an amendment to the Future Land Use Plan for the two tracts combined totaling an approximately 43-acre larger tract located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard, and receiving the Planning and Zoning Commission's recommendation, City Council has considered the request and moves to approve PC 602 (ZC 253) and the amendment to the Future Land Use Plan from HC-Highway Commercial and OS-Open Space to HC-Highway Commercial, HDR-High Density Residential and OS-Open Space for the subject property with the following conditions:

1. Staff approval of outstanding PUD Final Plan comments
2. Staff approval of outstanding Master Development Agreement items
3. City Council approval of the Zone Change from OS-Open Space and C4-General Commercial to PUD 2024-101 District
4. City Council approval of the PUD Final Plan
5. City Council approval of the Resolution approving the Purchase and Sale Agreement for the 33-acre tract owned by the City
6. City Council approval of the EDC Resolution approving the Purchase and Sale Agreement for the 9.987-acre tract owned by the EDC
7. Planning and Zoning Commission approval of the Final Plat of Subdivision within two years of PUD Final Plan approval by City Council

**ORDINANCE NO. 581-Y-PUD-2024-101**  
(Reunion Development)

**AN ORDINANCE OF THE CITY COUNCIL OF CITY OF UNIVERSAL CITY, TEXAS AMENDING THE ZONING MAP OF THE CITY OF UNIVERSAL CITY, TEXAS FOR AN APPROXIMATELY 43-ACRE PROPERTY, LOCATED AT 11514 E. LOOP 1604 N; REZONING SAID PROPERTY FROM OS-OPEN SPACE AND C4-GENERAL COMMERCIAL TO PUD 2024-101 DISTRICT, GENERALLY FOR MULTI-FAMILY RESIDENTIAL, COMMERCIAL, OFFICE-RESEARCH AND OPEN SPACE; ADOPTING THE PUD FINAL PLAN RELATED TO PUD 2024-101 DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, in accordance with Section 4-5-24 and Section 4-5-56 of the Code of Ordinances, City Council may approve an application for an Official Zoning Map Amendment and a Planned Unit Development to provide some flexibility to traditional zoning by offering a mechanism to balance specific site constraints and development plans with the larger interest of the community and the integrity of the Zoning Ordinance; and

**WHEREAS**, Chapter 211.003 of the Texas Local Government Code provides that the City Council may regulate the height, number of stories, size of buildings, percentage of a lot that may be occupied, the size of yards, courts, and other open spaces, population density, the location and use of buildings, and land for business; and

**WHEREAS**, Chapter 211.004 of the Texas Local Government Code provides that zoning regulations must be adopted in accordance with a comprehensive plan; and

**WHEREAS**, Chapter 211.006 of the Texas Local Government Code provides the procedures that the City Council must follow to exercise the authority relating to zoning regulations and zoning district boundaries; and

**WHEREAS**, as further described in Sections Two, Three, and Four of this Ordinance, Reunion Development Partners, LLC has submitted an application for a Zoning Map Amendment and a Planned Unit Development for an approximately 43-acre tract assigned property identifications 307726, 306950, and 1014132, generally located at 11514 E. Loop 1604 N, Universal City, Bexar County, Texas, which is more fully depicted and legally described on **Exhibits “A” and “B”**, attached hereto, from OS-Open Space and C4-General Commercial Districts to PUD 2024-101 District, generally for multi-family residential, commercial, office-research and open space; and

**WHEREAS**, after proper delivery of notice, the Planning and Zoning Commission conducted a public hearing on the application for the Zoning Map Amendment and Planned Unit Development on April 1, 2024, during which parties in interest and citizens had an opportunity to be heard on the matter; and

**WHEREAS**, at the conclusion of the public hearing, the Planning and Zoning Commission made a recommendation in favor of the applications for the Zoning Map Amendment and Planned Unit

Development and made the findings for the Planned Unit Development required by Section 4-5-56 of the Code of Ordinances; and

**WHEREAS**, after proper publication of notice and receipt of the Planning and Zoning Commission’s recommendation, the City Council conducted a public hearing on the applications for the Zoning Map Amendment and Planned Unit Development on April 16, 2024, during which parties in interest and citizens had another opportunity to be heard on the matter; and

**WHEREAS**, after conducting a public hearing on the matter where parties in interest and citizens had an opportunity to be heard, and considering all of the testimony and written evidence provided by the public as well as the recommendation made by the Planning and Zoning Commission, the findings of which are included hereto as **Exhibit “C”**, the City Council finds the Zoning Map Amendment is in accordance with the City’s Comprehensive Plan for the purpose of promoting the health, safety, morals and general welfare of the City and the Planned Unit Development conforms with the requirements of Section 4-5-56 of the City Code; provided there is full compliance with the conditions set out in Section Four of this Ordinance; and

**WHEREAS**, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS:**

**SECTION 1. Recitals.** The recitals set out above are adopted herein for all purposes.

**SECTION 2. The Property.** The real property (“Property”) subject to the amendments authorized by this Ordinance is a 43-acre tract, more or less, assigned the property identifications 307726, 306950, and 1014132, generally located at 11514 E. Loop 1604 N, which is more fully depicted and legally described on **Exhibits “A” and “B”**, attached hereto.

**SECTION 3. The Zoning Map Amendment.** The City’s Official Zoning Map is hereby amended by revising the Zoning Classification of the Property from OS-Open Space and C4-General Commercial Districts as shown on the Zoning Map to PUD 2024-101 District, generally for multi-family residential, commercial, office-research and open space.

**SECTION 4. The Planned Unit Development.** The Property shall develop in accordance with the PUD 2024-101 Development Regulations, including the approved PUD Final Plan, as provided for in **Exhibit “D”**, which shall include among other things, the permitted uses, lot design standards, and the following Exhibits:

Exhibit “D-1” – PUD 2024-101 Development Regulations

Exhibit “D-2” – PUD Plans (including overall site plan, thoroughfare plan, & architectural design images)

Exhibit “D-3” – Master Development Agreement

**SECTION 5. Map Revision.** The City Manager is hereby authorized and directed to revise the Official Zoning Map and take all other steps reasonably necessary to facilitate the purpose of this ordinance.

**SECTION 6. Continuation Clause.** All provisions of the Code of Ordinances of the City of Universal City not herein amended or repealed shall remain in full force and effect.

**SECTION 7. Repealer Clause.** All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

**SECTION 8. Severability Clause.** If any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

**SECTION 9.** This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**SECTION 10.** It is officially found, determined, and declared that the meeting at which this Ordinance was adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**SECTION 11. Effective Date.** This ordinance will take effect upon its passage, approval and publication as provided by law.

**PASSED, on first reading** by the City Council of the City of Universal City on this the 16<sup>th</sup> day of April 2024.

**PASSED AND APPROVED, on second reading** by the City Council of the City of Universal City on this the 7<sup>th</sup> day of May 2024.

CITY OF UNIVERSAL CITY, TEXAS

\_\_\_\_\_  
John Williams, Mayor

ATTEST:

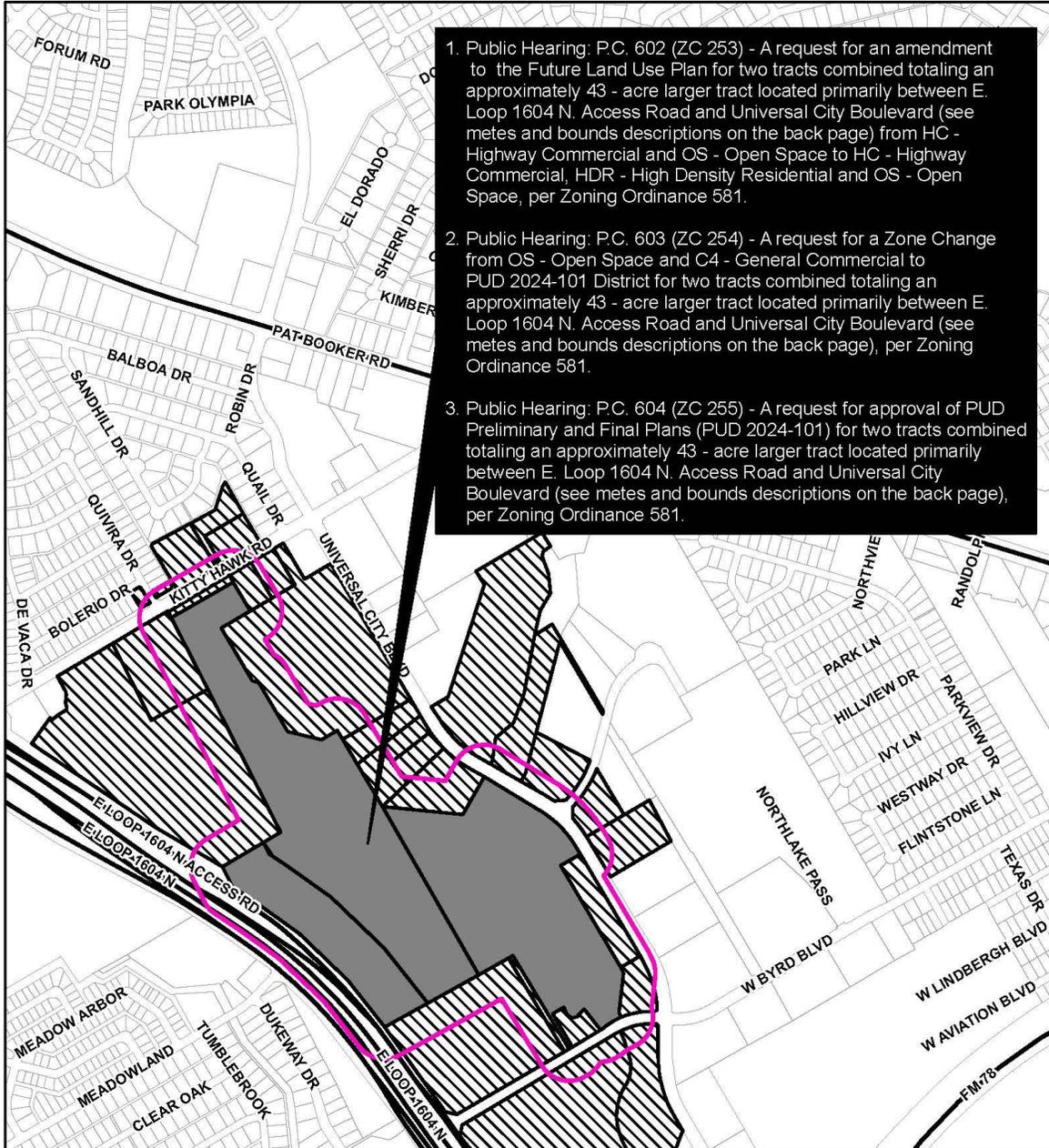
\_\_\_\_\_  
Maribel Garcia, Deputy City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Megan R. Santee, City Attorney  
DENTON, NAVARRO RODRIGUEZ BERNAL SANTEE & ZECH, P.C.

# EXHIBIT "A"

## NOTIFICATION MAP



1. Public Hearing: P.C. 602 (ZC 253) - A request for an amendment to the Future Land Use Plan for two tracts combined totaling an approximately 43 - acre larger tract located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard (see metes and bounds descriptions on the back page) from HC - Highway Commercial and OS - Open Space to HC - Highway Commercial, HDR - High Density Residential and OS - Open Space, per Zoning Ordinance 581.
2. Public Hearing: P.C. 603 (ZC 254) - A request for a Zone Change from OS - Open Space and C4 - General Commercial to PUD 2024-101 District for two tracts combined totaling an approximately 43 - acre larger tract located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard (see metes and bounds descriptions on the back page), per Zoning Ordinance 581.
3. Public Hearing: P.C. 604 (ZC 255) - A request for approval of PUD Preliminary and Final Plans (PUD 2024-101) for two tracts combined totaling an approximately 43 - acre larger tract located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard (see metes and bounds descriptions on the back page), per Zoning Ordinance 581.

P.C. 602 (ZC 253), P.C. 603 (ZC 254), P.C. 604 (ZC 255)

**TWO TRACTS COMBINED TOTALING AN APPROXIMATELY 43 - ACRE LARGER TRACT LOCATED PRIMARILY BETWEEN THE E LOOP 1604 N ACCESS ROAD AND UNIVERSAL CITY BLVD**

Date Prepared: Thursday, Mar. 14, 2024



### Legend

-  200 Ft Buffer
-  Affected Parcels



The City of Universal City  
Texas  
2150 Universal City Blvd  
Universal City, TX 78148

**EXHIBIT "B"**

**METES & BOUNDS DESCRIPTIONS**



# QUIDDITY

Texas Board of Professional Engineers and Land Surveyors Reg. No. F-23290

4350 Lockhill Selma Rd., Suite 100  
 San Antonio, Texas 78249  
 Tel: 210.494.5511  
 Fax: 210.494.5519  
[www.jonescarter.com](http://www.jonescarter.com)

## METES AND BOUNDS DESCRIPTION OF A 9.987 ACRE TRACT OF LAND

A Metes and Bounds description of a 9.987 acre tract of land situated in the Maria Lucia Torres Survey No.81, Abstract 745, County Block 5053, City of Universal City, Bexar County, Texas; being all of that certain 10.00 acre tract described in instrument to Universal City Industrial Development Corporation recorded in Volume 13260, Page 1797 of the Bexar County Real Property Records; also containing a portion of Gilbert Ward Subdivision 1, plat of which is recorded in Volume 6400, Page 218 of the Bexar County Deed and Plat Records; and being more particular described as follows:

### Notes:

1. *The bearings, distances, areas and coordinates shown herein are Texas Coordinate System grid, South Central Zone (NAD'83), as determined by Global Positioning System (GPS). All distance units cited herein are U.S. Survey Feet and are horizontal "on the grid" distances. For converting grid distances to surface, use the grid to surface scale factor of 1.00017.*
2. *Survey boundary calls effectively match reference instruments. Reference bearing and distance citations are not required.*

BEGINNING at a 1/2-inch iron rod (with cap stamped "QUIDDITY") set on the northeasterly right-of-way line of FM Loop 1604 (variable width right-of-way) marking the western-most corner of Lot 1, Block 2 of Victory Assembly of God Subdivision, plat of which is recorded in Volume 9569, Page 4 of the Bexar County Deed and Plat Records; also marking the southern-most corner of the herein described tract; said beginning point having Texas Grid Coordinates: North: 13,745,054.30 feet, East: 2,188,850.75 feet;

THENCE, along said northeasterly right-of-way line of FM Loop 1604 the following four(4) courses and distances:

1. North 38°16'30" West, 373.56 feet to a 1/2-inch iron rod found marking an angle point;
2. North 46°19'26" West, 420.53 feet to a TxDOT right-of-way monument (an aluminum disk) found marking an angle point;
3. North 54°32'57" West, 324.63 feet to a TxDOT right-of-way monument (an aluminum disk) found marking an angle point;
4. North 56°45'34" West, 188.01 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set replacing a bent iron rod found marking the southern-most corner of Lot 1, Block 70 of HEB at Kitty Hawk Subdivision, plat of which is recorded in Volume 9551, Page 199 of the Bexar County Deed and Plat Records;

THENCE, along the boundary of said Lot 1, Block 70 the following two(2) courses and distances:

1. North 26°39'23" West, 143.17 feet to a 1/2-inch iron rod found for corner;
2. North 59°08'47" East, 299.53 feet to a 1/2-inch iron rod found marking a westerly corner of that certain 37.73 acre tract described in instrument to The City of Universal City recorded in Volume 13260, Page 1789 of the Bexar County Real Property Records;



THENCE, along the boundary of said 37.73 acre tract the following five(5) courses and distances:

1. South 26°42'24" East, 83.23 feet to a 1/2-inch iron rod found at an angle point;
2. South 56°28'27" East, 114.47 feet to a 1/2-inch iron rod found at an angle point;
3. South 54°40'07" East, 352.15 feet to a 1/2-inch iron rod found at an angle point;
4. South 46°18'04" East, 462.78 feet to a 1/2-inch iron rod found at an angle point;
5. South 38°21'28" East, 442.61 feet to a 1/2-inch iron rod found for corner on the northwesterly boundary of aforesaid Lot 1, Block 2 Victory Assembly of God Subdivision;

THENCE, South 60°43'37" West, 303.67 feet along said Lot 1, Block 2 to the POINT OF BEGINNING, containing 9.987 acres of land in Bexar County, Texas, as shown on drawing no. 19724 filed under Job No. S0305-0022-00 in the office of QUIDDITY ENGINEERING, San Antonio, Texas.

QUIDDITY ENGINEERING

Michael A. Romans  
Registered Professional Land Surveyor #4657  
Signature Date: March 27, 2024





## METES AND BOUNDS DESCRIPTION OF A 33.152 ACRE TRACT OF LAND

A Metes and Bounds description of a 33.152 acre tract of land situated in the Maria Lucia Torres Survey No.81, Abstract 745, County Block 5053, The City of Universal City, Bexar County, Texas; containing a portion of that certain 37.73 acre tract described in instrument to The City of Universal City recorded in Volume 13260, Page 1789 of the Bexar County Official Public Records (BCOPR); also containing a portion of that certain 39.672 acre tract described in instrument to The City of Universal City recorded in Volume 7303, Page 1325, BCOPR; also containing a portion of Gilbert Ward Subdivision 1, plat of which is recorded in Volume 6400, Page 218 of the Bexar County Deed and Plat Records; and being more particularly described as follows:

### Notes:

1. *The bearings, distances, areas and coordinates shown herein are Texas Coordinate System grid, South Central Zone (NAD'83), as determined by Global Positioning System (GPS). All distance units cited herein are U.S. Survey Feet and are horizontal "on the grid" distances. For converting grid distances to surface, use the grid to surface scale factor of 1.0001611.*
2. *Survey boundary calls effectively match reference instruments. Reference bearing and distance citations are not required.*

COMMENCING at a 1/2-inch iron rod (with cap stamped "QUIDDITY") set on the northeasterly right-of-way line of FM Loop 1604 (variable width right-of-way) marking the western-most corner of Lot 1, Block 2 of Victory Assembly of God Subdivision, plat of which is recorded in Volume 9569, Page 4 of the Bexar County Deed and Plat Records, and marking the southern-most corner of that certain 10.00 acre tract described in instrument to Universal City Industrial Development Corporation recorded in Volume 13260, Page 1797 of the Bexar County Real Property Records; said commencing point having Texas Grid Coordinates: North: 13,745,054.30 feet, East: 2,188,850.75 feet;

THENCE, North 60°43'37" East, 303.84 feet along the common boundary of said Lot 1, Block 2 and said 10.00 acre tract to a 1/2-inch iron rod found marking a southern-most corner of said 37.73 acre tract and the POINT OF BEGINNING of the herein described tract; said beginning point having Texas Grid Coordinates: North: 13,745,202.87 feet, East: 2,189,115.79 feet;

THENCE, along the northeasterly boundary of said 10.00 acre tract the following five(5) courses and distances:

1. North 38°21'28" West, 442.61 feet to a 1/2-inch iron rod found at an angle point;
2. North 46°18'04" West, 462.78 feet to a 1/2-inch iron rod found at an angle point;
3. North 54°40'07" West, 352.15 feet to a 1/2-inch iron rod found at an angle point;
4. North 56°28'27" West, 114.47 feet to a 1/2-inch iron rod found at an angle point;
5. North 26°42'24" West, 83.23 feet to a 1/2-inch iron rod found for corner on the southeasterly boundary of Lot 1, Block 70 of HEB at Kitty Hawk Subdivision, plat of which is recorded in Volume 9551, Page 199 of the Bexar County Deed and Plat Records.



THENCE, along the boundary of said Lot 1, Block 70 the following two(2) courses and distances:

1. North 59°05'34" East, 124.51 feet to a 1/2-inch iron rod found for corner;
2. North 27°12'27" West, 835.69 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner;

THENCE, crossing said 37.73 acre tract the following five(5) courses and distances:

1. North 62°47'33" East, 72.00 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner;
2. North 27°12'27" West, 111.42 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
3. North 14°39'47" West, 199.23 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner in the easterly boundary of a 16-foot wide Sanitary Sewer Easement (Volume 5847, Page 648, Bexar County Deed Records);
4. North 04°46'28" East, 111.70 feet along said easement boundary to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner;
5. North 59°28'13" East, 23.51 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set marking the western-most corner of that certain "Conservation Easement" described in instrument recorded in Volume 17150, Page 1629, BCOPR;

THENCE, along the southwesterly boundary of said "Conservation Easement" the following eleven(11) courses and distances:

1. South 24°05'28" East, 88.69 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
2. South 30°31'46" East, 231.52 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
3. South 75°31'46" East, 34.05 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
4. South 30°31'46" East, 231.11 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
5. South 14°28'14" West, 8.34 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
6. South 30°31'46" East, 48.67 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
7. South 75°31'46" East, 19.53 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
8. South 30°31'46" East, 68.56 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
9. South 63°55'58" East, 100.14 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
10. South 72°40'06" East, 64.20 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;



11. South  $89^{\circ}46'19''$  East, 89.86 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point; having Texas Grid Coordinates:  
North: 13,746,800.68 feet, East: 2,188,425.02 feet;

THENCE, crossing said 37.73 acre and said 39.672 acre City of Universal City tracts the following twelve(12) courses and distances:

1. North  $85^{\circ}45'30''$  East, 88.71 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
2. South  $29^{\circ}00'26''$  East, 45.03 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
3. South  $52^{\circ}09'14''$  East, 36.46 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
4. South  $20^{\circ}35'00''$  East, 209.74 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
5. South  $42^{\circ}53'31''$  East, 250.30 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
6. South  $08^{\circ}25'56''$  West, 36.15 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
7. South  $81^{\circ}34'01''$  East, 653.59 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at a point of curvature;
8. along the arc of a tangent curve to the left having a radius of 505.27 feet, a central angle of  $08^{\circ}58'49''$ , a long chord bearing South  $86^{\circ}03'25''$  East, 79.11 feet, a total arc length of 79.19 feet, to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner;
9. South  $00^{\circ}32'50''$  East, 72.00 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner;
10. along the arc of a non-tangent curve to the left having a radius of 20.00 feet, a central angle of  $82^{\circ}39'35''$ , a long chord bearing South  $48^{\circ}07'22''$  West, 26.42 feet, a total arc length of 28.85 feet, to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at a point of compound curvature;
11. along the arc of a tangent curve to the left having a radius of 805.89 feet, a central angle of  $37^{\circ}19'21''$ , a long chord bearing South  $11^{\circ}52'06''$  East, 515.73 feet, a total arc length of 524.96 feet, to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at a point of tangency;
12. South  $30^{\circ}31'46''$  East, 553.74 feet to a 1/2-inch iron rod found marking the western-most corner of Lot 1 of the Mark Vaughan Subdivision, amending plat of which is recorded in Volume 9562, Page 117 of the Bexar County Deed and Plat Records (BCDPR);

THENCE, South  $30^{\circ}31'46''$  East, 263.54 feet along the southwest boundary of said Lot 1 to a 1/2-inch iron rod found situated in the northwesterly right-of-way line of West Byrd Street (60 feet wide, Volume 9523, Page 220, BCDPR);

THENCE, South  $59^{\circ}28'14''$  West, 60.00 feet along said northwesterly right-of-way line of West Byrd Street to a 1/2-inch iron rod found marking the eastern-most corner of Lot 1, Block 2 of aforementioned Victory Assembly of God Subdivision;



# QUIDDITY

Texas Board of Professional Engineers and Land Surveyors Reg. No. F-23290

4350 Lockhill Selma Rd., Suite 100

San Antonio, Texas 78249

Tel: 210.494.5511

Fax: 210.494.5519

[www.jonescarter.com](http://www.jonescarter.com)

THENCE, along the boundary of said Lot 1, Block 2 the following two(2) courses and distances:

1. North 30°31'46" West, 686.47 feet to a 1/2-inch iron rod found for corner;
2. South 60°43'37" West, 589.73 feet to the POINT OF BEGINNING, containing 33.152 acres of land in Bexar County, Texas, as shown on exhibit filed under Job No. S0305-0022-00 in the office of QUIDDITY ENGINEERING, San Antonio, Texas.

QUIDDITY ENGINEERING

Michael A. Romans

Registered Professional Land Surveyor #4657

Signature Date: April 6, 2024



**EXHIBIT "C"**

**FINDINGS OF FACT**

## Reunion – PUD Application

### STANDARDS FOR GRANTING A PLANNED UNIT DEVELOPMENT

When considering the requested action, the Planning and Zoning Commission and City Council must determine that the following Findings of Fact exist. All applicants must provide a written response to each of the standards listed below. The response to each standard should thoroughly explain how the PUD being requested will meet the established criteria. If a standard does not apply, then mark N/A.

A. The entire property proposed for the PUD shall be in single ownership or under such unified control as to ensure that the entire property will be developed as a unified whole. All owners of the property shall be included as joint applicants on all applications and all approvals shall bind all owners. The violation of any owner as to any tract shall be deemed a violation as to all owners of all tracts.

Finding: The entire Property is currently owned by The City of Universal City. Reunion Development Partners is operating under a memo of understanding (MOU) to purchase the entire Property and develop it under a unified and uniquely planned PUD. Any future owners of the property will be subject to the requirements of the PUD unless otherwise amended.

B. The applicant shall have the burden of establishing that the subject property is of sufficient size and shape to be planned and developed as a unified whole capable of meeting the objectives for which the PUD may be established pursuant to this section.

Finding: As demonstrated in the submitted PUD Plan, the 46.26-acre property with 38.57-acres of development and 7.69-acres of public infrastructure is being developed as a unified whole with individual lots that meet the PUD objectives by providing for the efficient use of land with a creative approach that will result in a better development and design that would not be possible under the current OS and C4 zoning district.

C. All covenants, deed restrictions, easements and similar restrictions to be recorded in connection with the PUD shall stipulate that they may not be modified, removed or released without the express consent of the City Council and that they must be enforced by future landowners within the proposed development.

Finding: The Applicant and Owner agree that covenants, deed restrictions, easements and similar restrictions to be recorded in connection with the City's PUD approval shall stipulate that any sections of the restrictions pertaining to the PUD must run with the land (be enforceable against future landowners), and may not be modified, removed or released without the express consent of the City Manager, or designee, or, if in the City Manager's estimation, City Council consideration and approval at a public meeting is required.

D. The Applicant may be required to submit a proposed Development Agreement as part of the PUD application. As part of the PUD approval, the City must approve the Development Agreement.

Finding: No Development Agreement is in place at the time of the PUD application. However, the Applicant acknowledges that a Development Agreement may be required as part of the PUD process and must be approved by the City.

E. Any area of a PUD not used for structures, streets, or parking lots, shall be landscaped. The perimeter of the PUD shall be designed to ensure compatibility with uses surrounding the PUD by including uses within the PUD that are compatible with such surrounding uses, including setbacks, screening, or natural or man-made buffers within such perimeter.

Finding: The applicant and owner will set this narrative through the development agreement.

F. Private streets are prohibited unless expressly approved by the City Council. If so approved, they shall meet all Universal City construction standards applicable to public streets. No such streets shall be approved except upon the condition that they shall be owned and maintained by a property owners' association meeting the requirements set forth in this section.

Finding: Private streets are not being proposed as part of the proposed PUD project.

G. Whenever the City Council determines that development of a PUD will create a need for land for public purposes of the City within the proposed PUD, the City Council may require that such land be designated and dedicated to the City for such use. In addition, the City Council may require evidence that all requirements of City ordinances pertaining to the dedication of land or the contribution of cash in connection with subdivisions or developments of land have been met with respect to the proposed PUD.

Finding: The total acreage within the PUD is 46.26-acres. The PUD will have 38.57-acres of developable land and 7.69-acres of public infrastructure for the roads. No land dedication to the City for public use is required within the proposed PUD. Additionally, the proposed PUD will not require land dedication to the City in the future.

H. Thirty percent of the area of a residential-only PUD is required to be set aside and maintained as common open space. This thirty percent shall be calculated based on the net area of the site, which is the total area of a site available for development, excluding street rights-of-way, floodplains, and other publicly dedicated improvements. The location of common open space shall be consistent with its intended function as set forth in the application and PUD plans. No such open space shall be used for the construction of any structure or improvement except such structures and improvements as may be approved in the final plan as appropriate to the intended leisure or recreational uses for which such open space is intended.

1. The following uses shall be considered common open space:
  - a. Parks and playgrounds, including skate parks and dog parks.
  - b. Indoor or outdoor active recreation facilities, including basketball courts, ball fields, swimming pools and tennis courts.

- c. Jogging trails, bike trails and fitness courses.
- d. Nature preserves, bird sanctuaries, natural water features and similar conservation areas.
- e. Detention/retention ponds may be counted toward common open space but must be accessible to the public via nature trails, boardwalks, and/or perimeter walkways, and they must be designed as natural water features and landscaped with native vegetation. Detention/retention ponds may only count toward twelve percent of the common open space area requirement.

Finding: N/A

2. Adequate safeguards, including recorded covenants or dedication of development rights, shall be provided to prevent the subsequent use of common open space for any use, structure, improvement, or development other than that shown on the approved final plan. The safeguards must be perpetual and must run with the land. Such safeguards may be released, but only with the express written consent of the City Council, which shall occur at a public meeting.

Finding: N/A

3. The final plan shall include such provisions for the ownership and maintenance of such open space and improvements as are reasonably necessary to ensure their continuity, care, conservation, maintenance, and operation in accordance with predetermined standards.

Finding: N/A

4. When the requirements of this section are to be satisfied by the ownership or maintenance of such open space or improvements by a property owners' association, such association shall meet each of the following standards:

- a. The by-laws and rules of the association and all declarations, covenants, and restrictions to be recorded must be included as part of the final plan prior to the final plan becoming effective. Each such document shall provide that it shall not be amended in any manner that would result in it being in violation of the requirements of this chapter.

Finding: N/A

- b. The association must be established and all covenants and restrictions must be recorded prior to the sale or lease of any property within the area of the PUD designated to have the use of the proposed open space or improvements.

Finding: N/A

c. The association must be responsible for casualty and liability insurance, taxes, and the maintenance of the open space and improvements to be deeded to it.

Finding: N/A

d. Membership in the association must be mandatory for each property owner and any successive owner having a right to the use or enjoyment of such open space or improvements.

Finding: N/A

e. Every property owner having a right to the use or enjoyment of such open space or improvements must pay its pro rata share of the cost of the association by means of an assessment to be levied by the association that meets the requirements for becoming a lien on the property in accordance with state statutes.

Finding: N/A

f. The association must have the right to adjust the assessment to meet changed needs. The membership vote required to authorize such adjustment shall not be fixed at more than two-thirds of the members voting on the issue.

Finding: N/A

I. Planned unit developments shall not adversely affect the natural environment of the community as a whole. Natural assets and features, such as existing trees and native vegetation, shall be protected and preserved to the greatest extent practical.

Finding: Other than changes made to the Property throughout the normal course of development, the PUD will not adversely affect the natural environment of the community as a whole. Additionally, the Applicant and Owner will make efforts consistent with the PUD plan to protect required assets and features, such as existing trees and native vegetation, as outlined and agreed to within the development agreement.

J. The site shall be accessible to public streets that are adequate to carry the traffic that will be generated by the proposed development. The streets and driveways within the proposed development shall be adequate to serve the uses within the development. The applicant shall be responsible for the cost and installation of additional traffic controls and regulating devices that are required.

Finding: The PUD will be accessible to city designed public streets that are capable of carrying necessary traffic loads generated by the PUD, as acknowledged in curb cut/driveway permits to be issued by TxDOT and Universal City. Additionally, all streets and driveways within the PUD will be adequately designed to serve the proposed use, as acknowledged in the PUD Final Plan. No traffic control devices or regulating devices are required by the PUD at the time of application. Should any devices be required by the PUD in the future, the Applicant and Owner agree that the PUD will be responsible for the cost of its roughly proportional share of traffic control devices or regulating devices calculated in compliance with the Texas Local Government Code Chapter 212 along with any and all other parties who may be responsible for such costs.

K. The pedestrian circulation system and its related walkways shall be located to provide for separation of pedestrian and vehicular movement and for maximum pedestrian safety.

Finding: All pedestrian circulation within the PUD will be designed to provide separation of pedestrian and vehicular movement.

L. All planned unit developments shall provide for underground installation of utilities, including electricity, cable and telephone. Provisions shall be made for acceptable design and construction of storm sewer facilities and appropriate storm retention and detention devices. The construction and maintenance of all utilities, roadways, parking facilities and other site improvements shall be in accordance with the requirements of this Ordinance and other regulations of the City.

Finding: The PUD will provide utilities including electricity, cable and telephone in accordance with Universal City standards and regulations. Additionally, the construction and maintenance of all utilities, roadways, parking facilities and other site improvements will be made in accordance with Universal City standards and regulations.

**EXHIBIT "D"**

**DEVELOPMENT REGULATIONS & PLANS**

## EXHIBIT “D-1”

### PUD 2024-101 DEVELOPMENT REGULATIONS

- I.** The subject property shall be zoned “PUD 2024-101 District” and shall conform to the development regulations contained herein. This planned unit development is intended to allow flexibility in planning and designing a mixed-use development and related uses in order to achieve a higher and better use of the overall property.

In accordance with Ordinance 581-W-2021, the approved PUD shall become null and void if construction work on the PUD has not begun within either eighteen (18) months or thirty (30) months with an authorized extension by City Council. Earthwork for the installation of the public infrastructure network related to this PUD shall constitute construction work on the PUD. Should the approved PUD become null and void, the subject property shall remain zoned PUD 2024-101 District until it has been rezoned to another zoning classification in accordance with the zoning amendment procedures provided in the Municipal Code.

- II. PERMITTED LAND USES** – Only land uses identified in the Use Table below shall be permitted (either by right or with a Specific Use Permit) on the subject property. All other uses shall be prohibited.

#### Use Table

Key:

P = Permitted use

S = Specific use

- = Not permitted

P\* = Permitted use but no more than 25% of total combined lease space of the building or buildings to be occupied on each lot. Exception to allow no more than 35% of the building(s) to be occupied must be granted by City Council after recommendation by P&Z Commission, both at a public hearing.

P\*\* = Permitted use but only if built as part of a larger unified development incorporating both Lot 5 and Lot 7 together.

LOT 1 = Commercial/Office; LOT 2 = Multifamily Residential; LOT 3 = Multifamily Residential; LOT 4 = Multifamily Residential or Senior Housing; LOT 5 = Commercial Retail; LOT 6 = Commercial Retail; LOT 7 = Private Open Space and/or Flex Lot when combined as unified development with LOT 5; LOT 8 = Private Open Space

Use	PUD 2024-101 (REUNION)							
*See Zoning Code Section 4-5-52-Use Table for description of Use categories identified below.								
	LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8
<b>RESIDENTIAL USES</b>								
Condominium residential. (includes rowhomes)	P	P	P	P	-	-	-	
Apartment residential.	-	P	P	P	-	-	-	-
<b>CIVIC USES</b>								
Administrative services.	P	-	-	-	-	-	-	-
Club or lodge.	P	-	-	-	-	-	-	-
College and university facilities.	P	-	-	-	-	-	-	-
Community recreation.	-	-	-	-	-	-	P	S
Convalescent services.	S	S	S	P	-	-	-	-
Cultural services.	-	-	-	-	-	-	P	-
Day care services (Commercial)	P	-	-	-	-	-	-	-
Life care services.	-	S	S	P	-	-	-	-
Local utility services.	P	P	P	P	P	P	P	P
Park and recreation services.	P	P	P	P	P	P	P	P
Postal facilities.	P	-	-	-	-	-	-	-
Public assembly.	P	P	P	P	P	P	P	P
Safety services.	S	S	S	S	S	S	S	S
<b>COMMERCIAL USES</b>								
Administrative and business offices. (see Note 2)	P	-	-	-	P*	P*	-	-
Automotive washing.	P	-	-	-	-	-	-	-
Business or trade school.	P	-	-	-	P*	P*	-	-
Cocktail lounge.	P	-	-	-	P	P	P**	-
Indoor sports and recreation.	P	-	-	-	P	P	P**	-
Outdoor sports and recreation.	S	-	-	-	S	S	P**	-
Indoor entertainment.	P	-	-	-	P	P	P**	-
Outdoor entertainment.	-	-	-	S	S	-	P	P
Construction sales and services. (see Note 3)	P	-	-	-	-	-	-	-
Consumer repair services. (see Note 4)	P	-	-	-	S	S	-	-
Financial services.	P	-	-	-	P*	P*	-	-
Food sales.	P	-	-	-	P	P	P	P

Use	<b>PUD 2024-101 (REUNION)</b>							
*See Zoning Code Section 4-5-52-Use Table for description of Use categories identified below.								
	LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8
General retail sales.	P	-	-	-	P	P	P**	-
Kennels and Pet Services.	P	-	-	-	P*	P*	-	-
Laundry services.	S	-	-	-	-	-	-	-
Liquor sales.	P	-	-	-	P	P	P	P
Health care offices.	P	-	-	-	P*	P*	P**	-
Personal improvement services.	P	-	-	-	P*	P*	-	-
Personal services.	P	-	-	-	P*	P*	-	-
Professional office.	P	-	-	-	P*	P*	-	-
Restaurant-convenience.	P	-	-	-	P	P	P**	-
Restaurant-general.	P	-	-	-	P	P	P**	-
Veterinary services.	P	-	-	-	P*	P*	-	-
Hotel-motel.	P	P	P	P	P	S	P**	-
Local convenience store.	P	-	-	-	P	P	-	-
Artisan sales. (see Note 5)	P	-	-	-	P	P	-	-
Restaurant-neighborhood.	P	-	-	-	P	P	P**	-
Accessory Residential Units— Commercial District	S	-	-	-	S	S	-	-
<b>INDUSTRIAL USES</b>								
Custom manufacturing. (see Note 6)	P	-	-	-	-	-	-	-
Light manufacturing.	P	-	-	-	-	-	-	-
Warehousing and distribution.								
A. Convenience storage.	S	-	-	-	-	-	-	-
B. General warehousing and distribution. (see Note 4)	S	-	-	-	-	-	-	-
C. Limited warehousing and distribution.	P	-	-	-	-	-	-	-
Research services.	P	-	-	-	-	-	-	-

**Notes**

1. Ancillary uses associated with an apartment complex, condominium complex, and a hotel shall be permitted. These uses include a leasing office, resident office spaces, clubhouse, pool, cabanas, dog park, outdoor recreation area, carports, and garage/storage facilities for resident household goods.
2. Administrative and Business Offices use includes healthcare sales (not healthcare offices & clinics).

3. Construction sales and services use & General warehousing and distribution use: All outdoor storage must be screened from public view.
4. Consumer repair services use: All incidental storage shall be completely indoors on Lots 5 & 6.
5. Artisan sales use: Must be completely indoors on Lots 5 & 6.
6. Direct sale to consumers of those goods produced on site is permitted.
7. Open Space shall be considered any landscaped areas, passive or active green space, parks, playgrounds, dog parks, BBQ areas, pool, trails, fitness center, and 12% of any detention pond, either on public or private land within the subdivision (residential, civic, commercial or industrial land uses). A minimum of three (3) acres of open space shall be required; however, the park improvements and area surrounding the existing City-owned pond adjacent to the subdivision shall not be included in this three-acre open space requirement.
8. Parkland shall be considered land dedicated to the City in accordance with Section 4-2-32 of the Municipal Code. Any parkland fee-in-lieu dedication provided in accordance with Section 4-2-32 of the Municipal Code may be utilized for improvements to the park area surrounding the City-owned pond adjacent to the subdivision.
9. Lot 7 shall be designated as Open Space; however, may be combined with Lot 5 as a unified development for both lots.
10. Lot 8 shall be useable/active open space that is privately-owned but accessible by the general public.

### III. LOT DESIGN STANDARDS

Lot Number	Maximum Density	Minimum Lot Area	Minimum Lot Width	Minimum Front Setback <sup>12</sup>	Minimum Side Setback	Minimum Rear Setback	Maximum Building Height	Maximum Lot Cover	Maximum Subdivision Cover
1	12 Units/Acre (residential)	1 Acre	70 Feet	15 Feet	15 Feet	15 Feet	50 Feet	-	85%
2	35 Units/Acre	2 Acres	75 Feet	15 Feet	15 Feet	15 Feet	60 Feet	-	85%
3	35 Units/Acre	2 Acres	75 Feet	15 Feet	15 Feet	15 Feet	60 Feet	-	85%
4	35 Units/Acre	2 Acres	75 Feet	15 Feet	15 Feet	15 Feet	60 Feet	-	85%
5	-	1 Acre	70 Feet	15 Feet	15 Feet	15 Feet	60 Feet	-	85%
6	-	1 Acre	70 Feet	15 Feet	15 Feet	15 Feet	40 Feet	-	85%
7	-	-	-	-	-	-	-	-	-
8	-	-	130 Feet	-	-	-	-	-	-
5 & 7 Unified	-	3 Acres	70 Feet	15 Feet	15 Feet	15 Feet	60 Feet	-	85%

Notes

1. The total number of lots in the PUD may increase or decrease per approval of a revised PUD Plan and Replat, in accordance with procedures provided in the Municipal Code and State law.

2. The size of each lot may increase or decrease based on market conditions, per approval of the City Manager or designee; any required Replat shall be in accordance with procedures provided in the Municipal Code and State law.
3. The number and size of the principal buildings on each lot may vary as long as the lot design standards are met.
4. On Lots 2 & 3, both apartment/condominium units and hotel rooms shall count towards density calculations.
5. Permanent structures, including signs, trash enclosures and other accessory structures, shall not be placed in any easement. Parking and drive-aisle pavement shall be allowed in an easement at the property owner's risk; that is, the easement holder shall not be responsible for restoration of the property should easement-related work be required and performed.
6. Parking and drive-aisles shall be allowed in the yard setbacks.
7. Lot 1 Front Yard shall be considered the lot area fronting New Street A, unless a revised development plan indicates otherwise, which shall be determined by the City.
8. Lots 2 & 3 Front Yards shall be considered the lot area fronting New Street A, unless a revised development plan indicates otherwise, which shall be determined by the City.
9. Lot 4 Front Yard shall be considered the lot area fronting New Street B, unless a revised development plan indicates otherwise, which shall be determined by the City.
10. Lots 5 & 6 Front Yards shall be considered the lot area fronting Loop 1604 Frontage Road, unless a revised development plan indicates otherwise, which shall be determined by the City.
11. Lots 2 & 3 Unit Type Composition: Unit type (studio, 1-3 bedroom), unit size, and number of units/hotel rooms per floor and in each building may be adjusted as long as the maximum density is not exceeded and parking requirements are met.
12. The Street Sections associated with the Pedestrian Connectivity exhibit identify planting, sidewalk, and building zones; lots with a residential development shall have a minimum setback of 15 feet, but to provide architectural articulation, wall sections for each building shall be situated between 15 feet and 25 feet of the adjacent lot line.
13. If Lot 1 is developed with rowhomes, then individual trash and recycling bins shall not be stored or placed for pickup fronting New Street A.

#### **IV. ARCHITECTURAL DESIGN**

- a. Lots 1, 2, 3 & 4 Architectural Requirements
  - i. Condominiums and/or rowhomes: a minimum of 25% of building exterior materials must be either one or a combination of the following materials: brick, stone, or faux stone veneer. Developers are strongly encouraged to incorporate as much masonry as feasible on building exteriors. Note masonry does not include siding product types, such as LP SmartSide Siding and HardiPlank Siding.
  - ii. Multi-Family Residential, Hotel and/or Senior Housing buildings shall conform with Ordinance 559-K-2021 related to architectural design standards except Sec. 4-5-107 para. (4) (a) and (4) (b) may be achieved by

alternate means. Additionally, a minimum of 25% of building exterior materials must be either one or a combination of the following materials: brick, stone, or faux stone veneer. Developers are strongly encouraged to incorporate as much masonry as feasible on building exteriors. Note masonry does not include siding product types, such as LP SmartSide Siding and HardiPlank Siding.

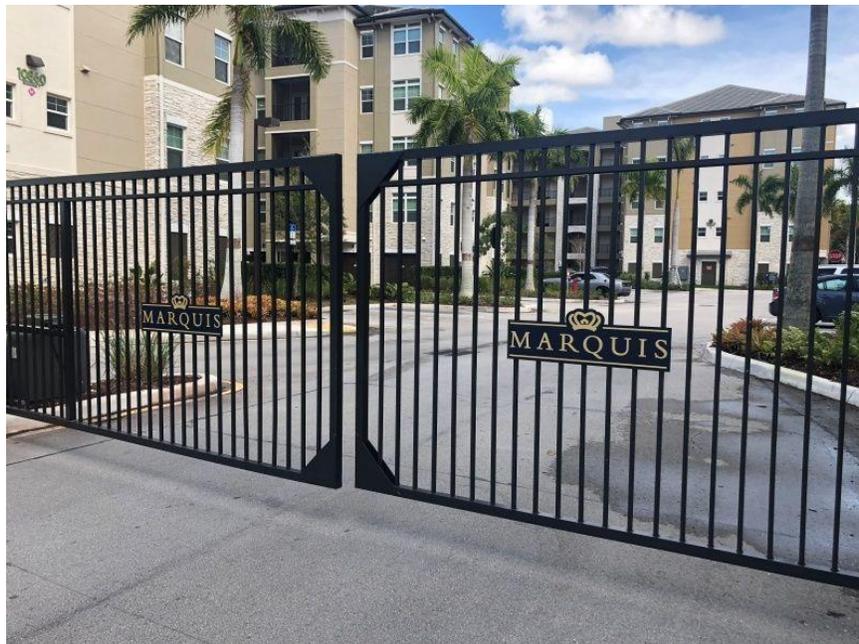
- iii. Buildings other than multi-family residential, hotel or senior housing shall conform with Ordinance 559-K-2021 related to architectural design standards except Sec. 4-5-107 para. (4) (a) and (4) (b) may be achieved by alternate means. Concrete panel/tilt wall construction is acceptable provided any building façade adjacent to or facing a public street shall incorporate at least four (4) of the following external building elements:
    - a. Concrete reveals in the wall
    - b. Awnings
    - c. Decorative Windows (glazing)
    - d. Recessed Entries
    - e. Decorative Lighting Features
    - f. Ornamental Cornices
  - iv. Trash Enclosure Materials shall be painted CMU or other material acceptable to the Director of Development or designee
  - v. All façade walls facing a Truck Court, if applicable, shall be exempt from Articulation Requirements.
- b. Lots 5, 6 & Unified 5 & 7 Architectural Requirements
- i. 100% of building exterior materials must be either one or a combination of the following materials: brick, stone, faux stone veneer, decorative concrete block, faux stucco veneer (EIFS) or stucco with stucco comprising a maximum of thirty-five percent (35%) of the building exterior materials, per face.
  - ii. Fiber reinforced cement siding, including LP SmartSide Siding and HardiPlank Siding, is not acceptable as an exterior finish with regards to meeting the above exterior material percentage requirement.
  - iii. Regular Concrete Masonry Unit (CMU) is not acceptable as an exterior finish unless a brick, stucco or stone veneer is applied to 100% of the exposed exterior finish.
  - iv. Concrete panel/tilt wall is acceptable provided that a minimum of fifty percent (50%) of the concrete panel/tilt wall is covered with brick, stone, faux stone veneer, or decorative concrete block material. Fifty percent (50%) of the remaining concrete panel/tilt wall must be finished, stamped and stained in texture and appearance.

## V. FENCING/SCREENING

Fencing, when installed, and required, shall conform with Article VII of the Zoning Code with the following exceptions:

- a. Fences and gates fronting New Street A, New Street B, F. M. Loop 1604 Frontage Road, and/or Lot 8:
  - i. Shall be aluminum, steel, wrought iron or similar in style, as depicted in the relevant examples below.
  - ii. Shall not be chain link, cyclone style or galvanized metal in style.
- b. Fences and gates not fronting New Street A, New Street B, FM Loop 1604 Frontage Road, and/or Lot 8:
  - i. May be wooden in style, as depicted in the example below, except fencing between Lots 2 & 3, if provided, and on the east side of Lot 4, adjacent to the church, which shall be aluminum, steel, wrought iron or similar in style.
  - ii. Shall not be galvanized chain link, cyclone style or galvanized metal in style.
  - iii. Fencing on Lot 6 adjacent to Lots 3 & 4, if provided, shall be 8 feet in height.
  - iv. Fencing on Lot 1 at the rear/adjacent to the conservation easement can be eight-foot (8') tall black vinyl coated chain link.
- c. Masonry columns connecting fence sections shall be permitted.
- d. To provide adequate buffering for the residential properties on Lots 3 and 4, additional landscaped screening, where feasible, shall be incorporated into the site design of the proposed developments on Lot 6 and reviewed and approved by City staff as part of the building permit submittal. Buffering may include tall shrubs, additional trees, and a berm to minimize vehicle headlight impacts.

**NEW STREETS A & B, FM LOOP 1604, & LOT 8-FRONTING FENCE/GATE EXAMPLES**



**NOT FRONTING NEW STREETS A & B, FM LOOP 1604 OR LOT 8 FENCE**  
**EXAMPLE**



**VI. OUTDOOR STORAGE**

- a. Outdoor Display, as provided for in Section 4-5-83 of the Zoning Code, is allowed on Lots 1 – 6.
- b. Limited Outdoor Storage and General Outdoor Storage, as described in Section 4-5-83 of the Zoning Code, shall:
  - i. Not be allowed on Lots 2, 3, 4, 5 & 6.
  - ii. Conform with Section 4-5-83 of the Zoning Code unless superseded by either the Use Table in Section II of this document or conditions placed on a Specific Use Permit approval.
- c. General Outdoor Storage, if allowed, shall not require a Temporary Use Permit, but shall be screened from public view; that is, view from New Street A and/or New Street B.
- d. Any allowed outdoor storage is required to be on an improved surface, which shall be a surface made of concrete or asphalt. Base gravel, crushed granite, and/or caliche are not acceptable surfaces, except where required by Utility Grantor for encroachment of an easement. Chip seal may be approved, on a case-by-case basis, by the Director of the Public Works Department, or designee.
- e. Trash containers shall be screened from public view by a trash enclosure in accordance with the Municipal Code.

## **VII. LIGHTING**

- a. All lighting shall be shielded or downward facing to the greatest extent possible to reduce light pollution and shall aim to emit zero footcandles at the lot line. A specification sheet for each external lighting fixture type shall be included as part of the building permit submittal.
- b. A photometric plan shall be included as part of the building permit submittal for Lots 5 & 6 showing low footcandles at the rear lot lines.

## **VIII. PARKING**

- a. The size and number of parking spaces provided on each lot shall meet the requirements in the Zoning Code for that use type, except as provided for in this Ordinance.
- b. Multi-family: one (1) parking space per bedroom plus an additional ten percent (10%) shall be required.
- c. Senior Complex: one (1) parking space per unit plus an additional ten percent (10%) shall be required; garage and carport spaces shall count towards the total required number of spaces.
- d. Rowhomes: two (2) enclosed, rear-loading parking spaces shall be required; however, tandem parking spaces may be allowed in certain situations depending on the unit width design and number of bedrooms; tandem parking design means one (1) enclosed space and one (1) space on a driveway that is at least twenty-one feet (21') in depth measured from the garage door to the rear property line (not the apron or curb).
- e. Parallel parking spaces adjacent to Lot 8 may be used to meet the parking requirements for developments on Lots 2, 3 and 4. Parallel parking spaces on New Streets A and B shall not be used to meet the parking requirements for any development within the subdivision.
- f. Compact parking spaces, measured as 8-feet by 16-feet, may account for up to 20 percent of the total number of parking spaces provided on each lot.
- g. Accessible parking spaces shall be provided as required in the Federal and State statutes and Municipal Code.
- h. Carports shall be permitted on all lots. Carports shall conform with the Visibility Triangle, as defined in the Municipal Code.
- i. All parking areas and vehicular travel lanes, to include fire lanes, in the front, sides and rear yards are required to be on an improved surface, which shall be a surface made of concrete or asphalt. Base gravel, crushed granite, chip seal, and/or caliche are not acceptable surfaces.

## **IX. CURB CUTS**

- a. Drive-aisle curb cuts on New Streets A & B shall require approval from the City of Universal City and shall be included as part of the plans submitted for building permit.

- b. Drive-aisle curb cuts on FM Loop 1604 Frontage Road shall require approval from the Texas Department of Transportation.
- c. Changes to the number and location of curb cuts shall be reflected on an updated Final PUD Plan submitted for review and approved by City Staff. A public meeting/hearing shall not be required.

## **X. SIGNS**

- a. Unless specified below, signage shall require building permit submittal and shall comply with the requirements identified in the Universal City Sign Code.
  - i. Lot 1:
    - 1. Residential: One (1) monument sign shall be permitted with a maximum height of twelve feet (12’).
    - 2. Non-Residential: One (1) wall sign per suite and one (1) monument sign with a maximum height of twelve feet (12’) for the entire lot shall be permitted.
    - 3. No pole sign shall be permitted.
  - ii. Lots 2, 3 & 4-Multifamily/Hotel and Senior Complexes: No more than a total of four (4) monument signs combined shall be permitted. The maximum height of each monument sign shall be twelve feet (12’). Pole signs shall not be allowed.
  - iii. Lots 5, 6 & Unified 5 &7: One (1) pole sign and two (2) monument signs shall be permitted on each lot.
    - 1. The maximum height of each pole sign shall be 70 feet.
    - 2. The maximum height of each monument sign shall be twelve feet (12’).
  - iv. On an individual basis, the maximum height of each monument sign, or pole sign, if approved, shall be measured from either street grade or foundation finish floor of the principal building.
  - v. Each sign shall conform with the Visibility Triangle requirements in the Municipal Code.
  - vi. Each monument sign shall require a building permit prior to installation. The sign building permit application shall include a site plan identifying the sign location(s) and dimension(s), including proposed landscaping.
  - vii. Signs cannot be placed in an easement unless authorized by the easement holder.

## **XI. COVENANTS, CONDITIONS AND RESTRICTIONS**

- a. Developer agrees to impose covenants, conditions, and restrictions (“CC&Rs”) on the Property to facilitate compliance with the PUD by future owners and tenants. Developer agrees that the standards within the CC&Rs will be consistent with the PUD.
- b. Prior to the issuance of the first certificate of occupancy for a building in the PUD, Developer shall submit to the City the CC&Rs applicable to the PUD for

review and approval by the City Manager or his/her designee. The first certificate of occupancy (temporary or full) shall not be issued until the CC&Rs applicable to the PUD have been approved in writing by the City.

- c. Any future amendment to the CC&R standards that is inconsistent with the PUD must be reviewed and approved in writing by the City Manager or his/her designee, or, if in the City Manager's estimation, City Council consideration and approval at a public meeting is required. Future amendments to the CC&Rs may not be denied without cause.

## **XII. PEDESTRIAN CONNECTIVITY**

- a. Internal and external pedestrian connectivity shall be provided in accordance with the approved Final PUD plan. See Pedestrian Connectivity sheet and Street Sections
- b. Any revision or change to the approved Pedestrian Connectivity plan must be reviewed and approved in writing by the City Manager or his/her designee, or, if in the City Manager's estimation, City Council consideration and approval at a public meeting.

## **XIII. LANDSCAPING**

As part of the building permit submittal for each Lot, a final landscape plan shall be included and shall meet the following guidelines:

- a. Lot 1 – Light Industrial Development (or as allowed by the Use Table)
  - 10% minimum landscaping requirement of the overall subject property.
  - A sufficient landscaping buffer shall be provided adjacent to any community park/greenspace/open space which shall be reflected on the landscape plan submitted as part of the building permit application. Buffering techniques may include use of berms and increased non-deciduous trees and shrubs resulting in more than the 10% minimum landscaping requirement of the overall subject property.
  - An average landscape buffer of 15 feet in depth shall be provided adjacent to New Street A.
  - Existing perimeter trees shall be preserved where feasible except where utilities may create conflicts.
  - Two three-inch caliper shade trees shall be planted for each 100 linear feet of street frontage; existing trees meeting this size may be included in this count.
  - One shade tree shall be planted in designated landscape areas for every 10 parking spaces or fraction thereof; however, installation of a carport shall void this requirement for the linear feet of the carport.
  - A landscaped island shall be provided at the end of each parking row and shall include at least one shade tree.
  - Shrubs and groundcover shall be maintained so as not to exceed 30 inches in height to ensure driver visibility.

- Plant selection and location should consider and avoid conflicts with both underground and above ground utilities. All utilities shall be located on the final landscape plan submitted as part of the building permit application.
  - Irrigation of all landscaping is required and shall be reflected on an irrigation plan submitted as part of the building permit application.
  - No more than 30% of a single species of tree shall be used on the subject property.
  - A combination of shade trees, ornamental trees, shrubs, ground cover, and succulents shall be planted on the subject property in conformance with these PUD Development Regulations.
  - Trees with a high propensity for bird nesting shall not be planted.
- b. Lots 2, 3 & 4 – Multifamily/Hotel and Senior Complexes
- 25% minimum landscaping requirement on the subject property.
  - An average landscape buffer of 15 feet in depth shall be provided adjacent to all street rights-of-way (New Streets A & B).
  - An average landscape buffer of 15 feet in depth shall be provided along the perimeter of the subject property with no more than 50% comprising turf grass.
  - Existing perimeter trees shall be preserved where feasible except where utilities may create conflicts.
  - Two three-inch caliper shade trees shall be planted for each 80 linear feet of street frontage; existing trees meeting this size may be included in this count.
  - One shade tree shall be planted for every 10 parking spaces or fraction thereof; however, installation of a carport shall void this requirement for the linear feet of the carport.
  - A landscaped island shall be provided at the end of each parking row and shall include at least one shade tree.
  - Two ornamental trees and one shade tree shall be planted for each 100 linear feet of the non-street property perimeter.
  - Shrubs and groundcover shall be maintained so as not to exceed 30 inches in height to ensure driver visibility.
  - Plant selection and location should consider and avoid conflicts with both underground and above ground utilities. All utilities shall be located on the final landscape plan submitted as part of the building permit application.
  - Irrigation of all landscaping is required and shall be reflected on an irrigation plan submitted as part of the building permit application.
  - No more than 30% of a single species of tree shall be used on the subject property.
  - A combination of shade trees, ornamental trees, shrubs, ground cover, and succulents shall be planted on the subject property in conformance with these PUD Development Regulations.
  - Trees with a high propensity for bird nesting shall not be planted.
- c. Lots 5, 6 & Unified 5 & 7 – Retail Development

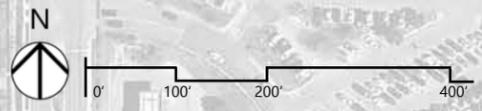
- 10% minimum landscaping requirement of the overall subject property unless an increase is determined necessary to adequately buffer against the adjacent residential and senior facility properties at the rear. Buffering techniques may include use of berms and increased non-deciduous trees and shrubs resulting in more than the 10% minimum landscaping requirement of the overall subject property.
  - At least 50% of the total required on-site landscaping shall be located in the front yard fronting FM Loop 1604 Frontage Road.
  - An average landscape buffer of 15 feet in depth shall be provided adjacent to all street rights-of-way (New Street B and FM Loop 1604 Frontage Road).
  - Existing perimeter trees shall be preserved where feasible except where utilities may create conflicts.
  - Two three-inch caliper shade trees shall be planted for each 80 linear feet of street frontage; existing trees meeting this size may be included in this count.
  - One shade tree shall be planted for every 10 parking spaces or fraction thereof; however, installation of a carport shall void this requirement for the linear feet of the carport.
  - A landscaped island shall be provided at the end of each parking row and shall include at least one shade tree.
  - Two ornamental trees shall be planted for each 100 linear feet of the non-street property perimeter.
  - Shrubs and groundcover shall be maintained so as not to exceed 30 inches in height to ensure driver visibility.
  - Plant selection and location should consider and avoid conflicts with both underground and above ground utilities. All utilities shall be located on the final landscape plan submitted as part of the building permit application.
  - Irrigation of all landscaping is required and shall be reflected on an irrigation plan submitted as part of the building permit application.
  - No more than 30% of a single species of tree shall be used on the subject property.
  - A combination of shade trees, ornamental trees, shrubs, ground cover, and succulents shall be planted on the subject property in conformance with these PUD Development Regulations.
  - Trees with a high propensity for bird nesting shall not be planted.
  - Depending on the configuration of buildings, a viewshed shall be provided through the center of Lot 6 to the open space on Lot 8.
- d. Lot 7 – Private Open Space Only (Not Unified Lots 5 & 7)
- Prior to issuance of the first certificate of occupancy for a use on Lot 5, a landscape and amenities plan shall be submitted to the City for Staff review and approval. Completion of construction of the approved landscaping and amenities plan shall occur no later than 24 months after landscaping and amenities plan approval by City Staff.
- e. Lot 8 – Private Open Space

- A landscape and amenities plan shall be submitted to the City for Staff review and approval as part of the building permit submittal for Lot 2, 3 or 4, whichever occurs first. Completion of construction of the approved landscaping and amenities plan shall occur no later than 24 months after landscaping and amenities plan approval by City Staff.

**EXHIBIT “D-2”**

**PUD PLANS  
(INCLUDING OVERALL SITE PLAN, THOROUGHFARE PLAN &  
ARCHITECTURAL DESIGN IMAGES)**

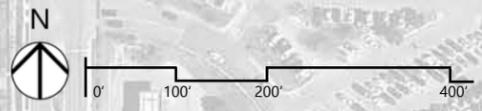
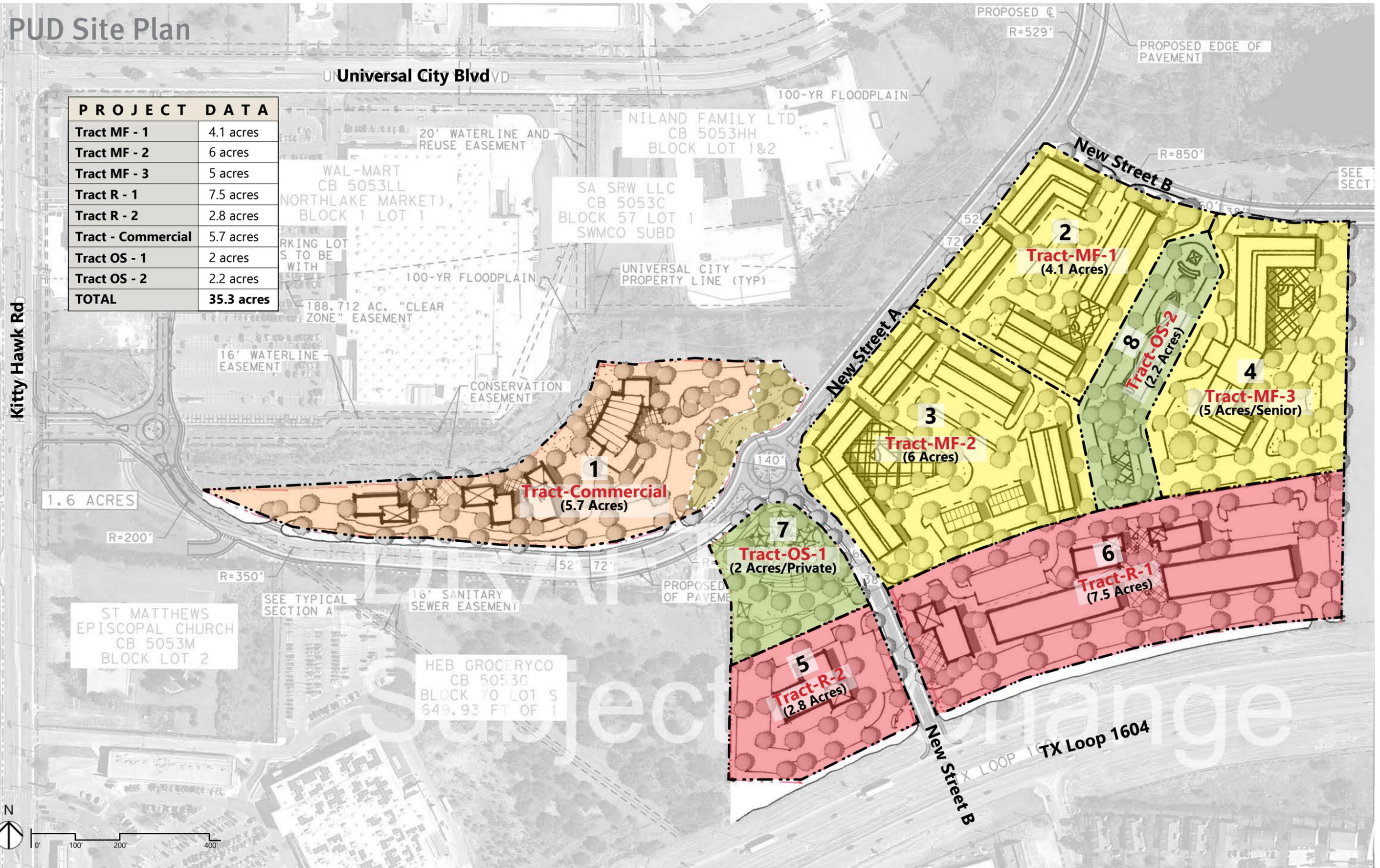
# Concept Plan



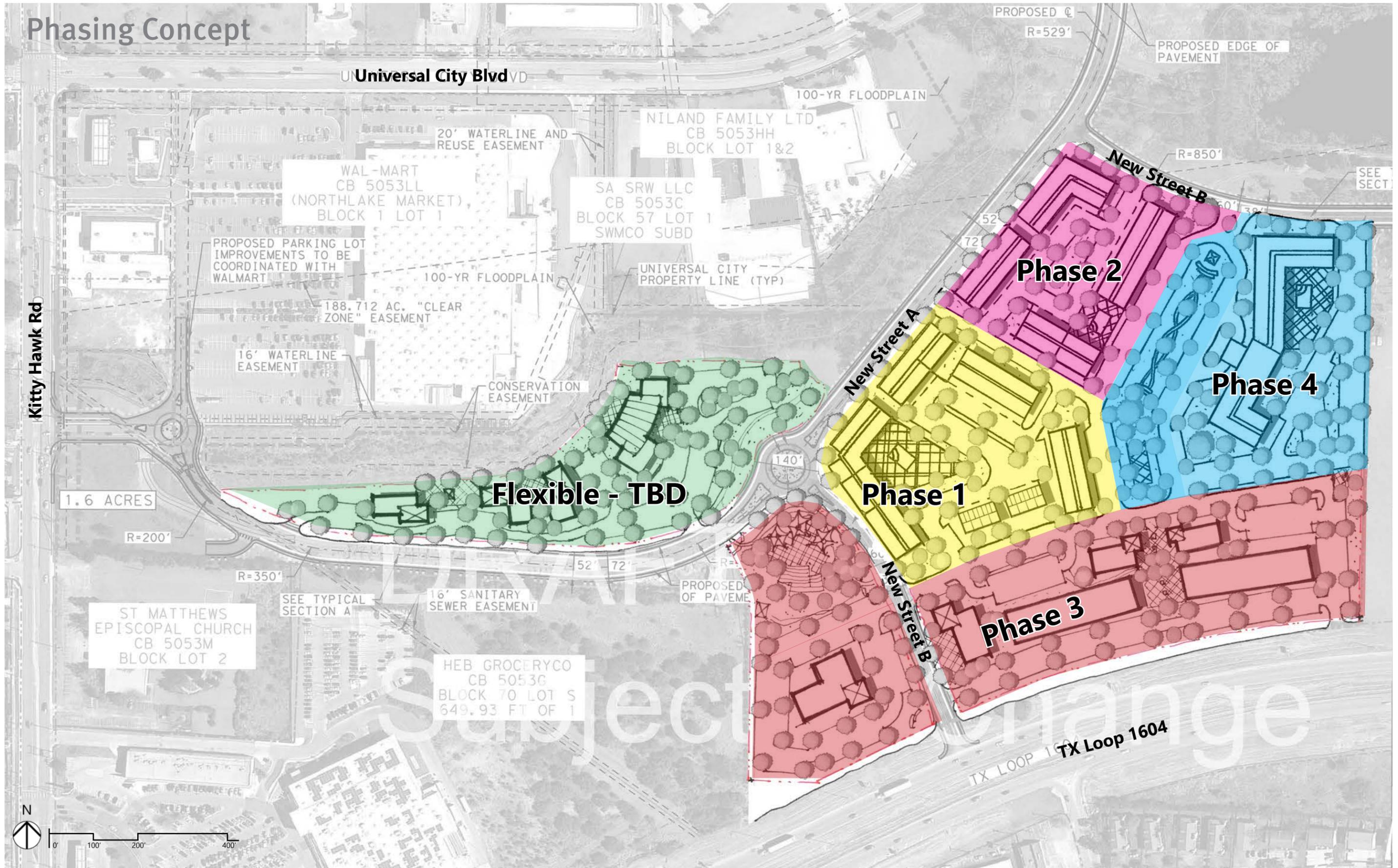
# PUD Site Plan

## PROJECT DATA

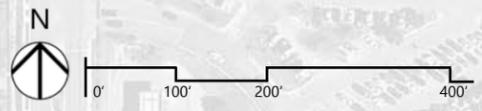
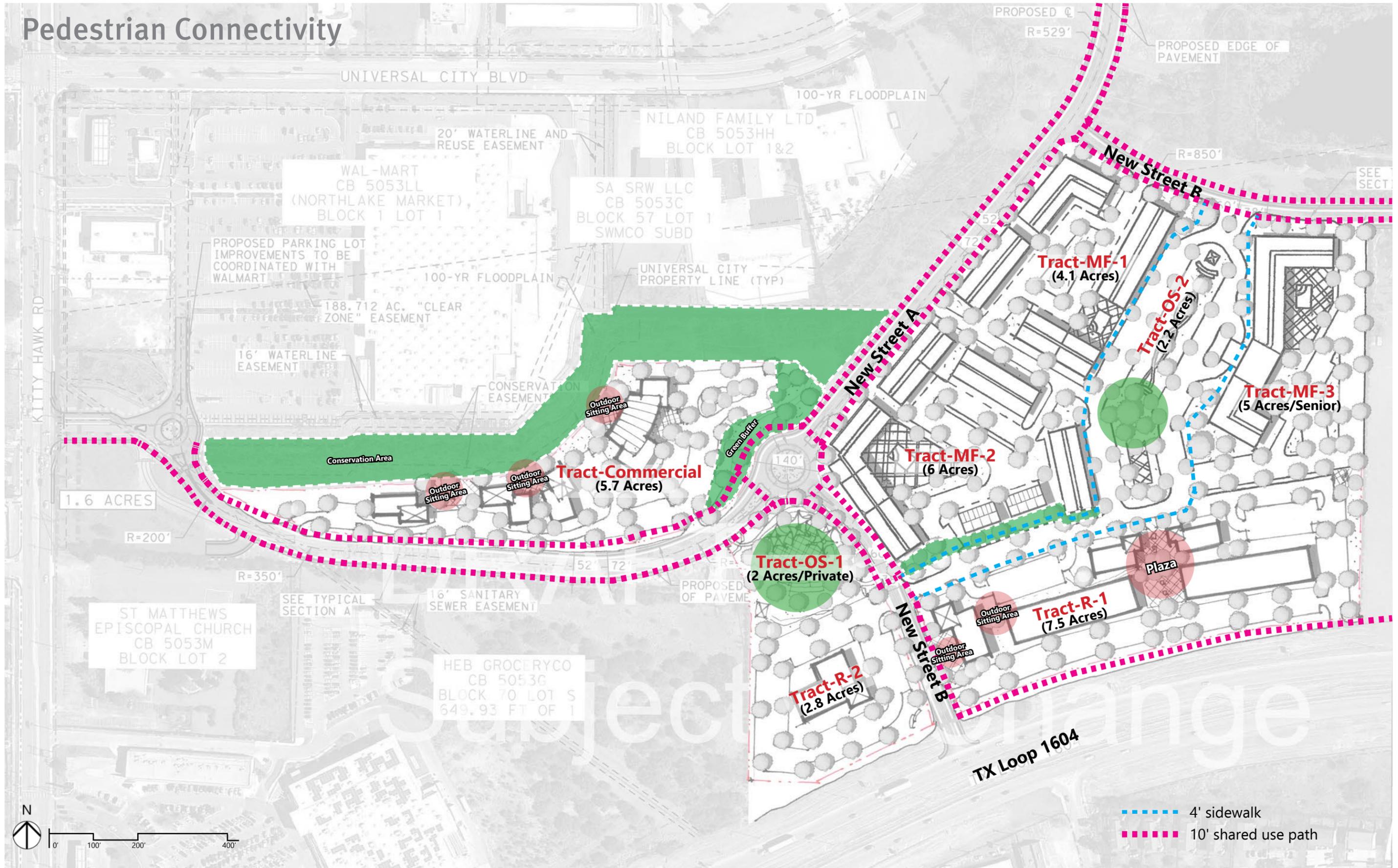
Tract MF - 1	4.1 acres
Tract MF - 2	6 acres
Tract MF - 3	5 acres
Tract R - 1	7.5 acres
Tract R - 2	2.8 acres
Tract - Commercial	5.7 acres
Tract OS - 1	2 acres
Tract OS - 2	2.2 acres
<b>TOTAL</b>	<b>35.3 acres</b>



# Phasing Concept

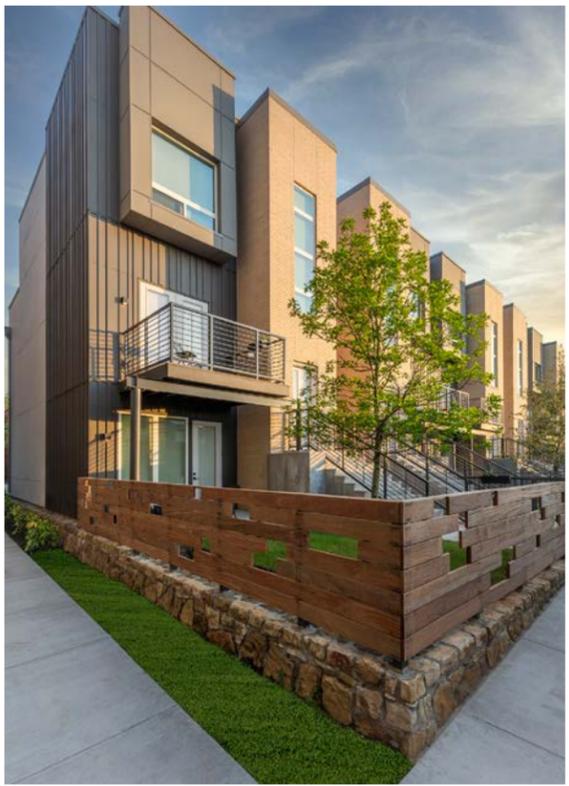


# Pedestrian Connectivity

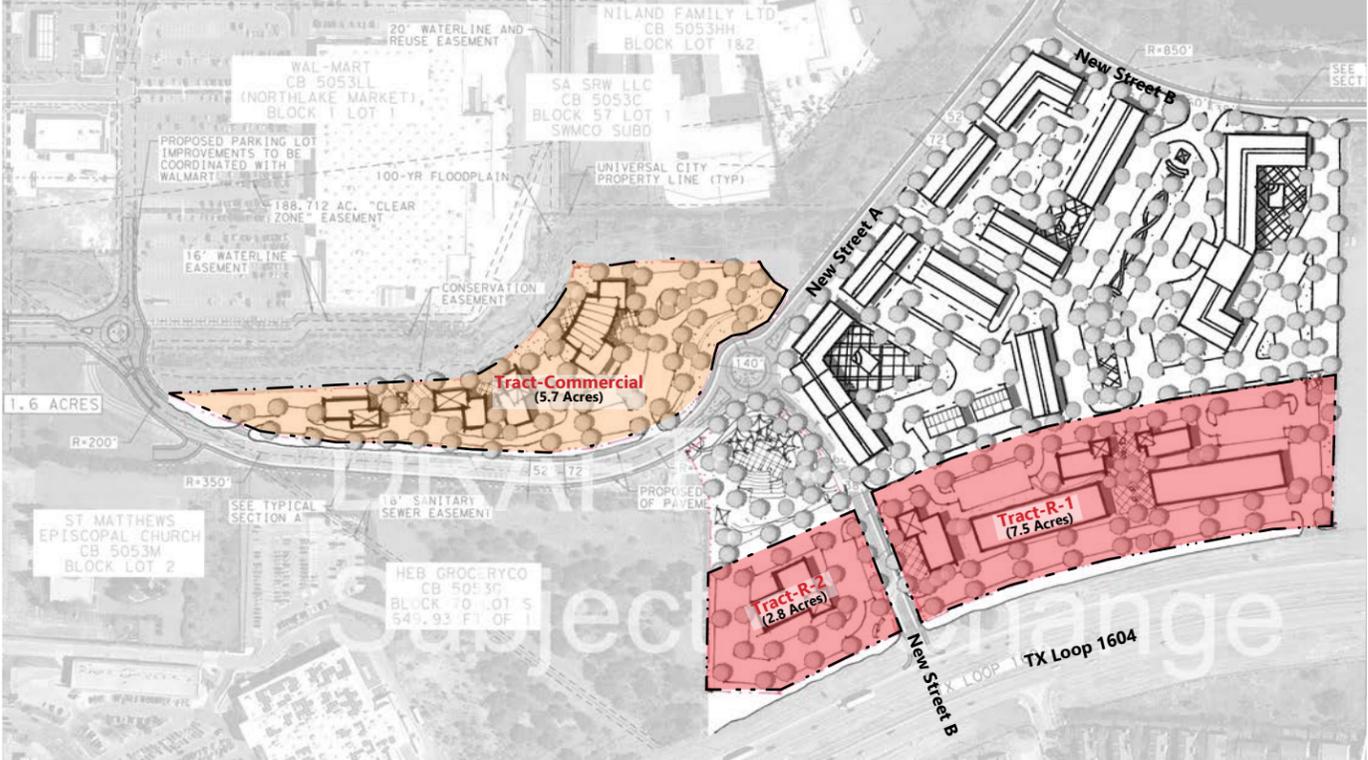


- - - - 4' sidewalk  
- - - - 10' shared use path

# Residential Design Images

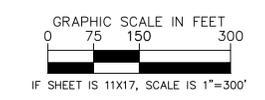
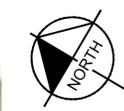


# Retail/Commercial Design Images



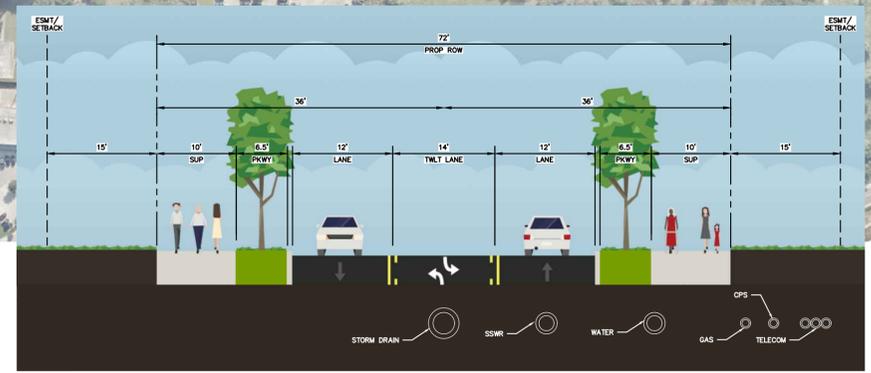
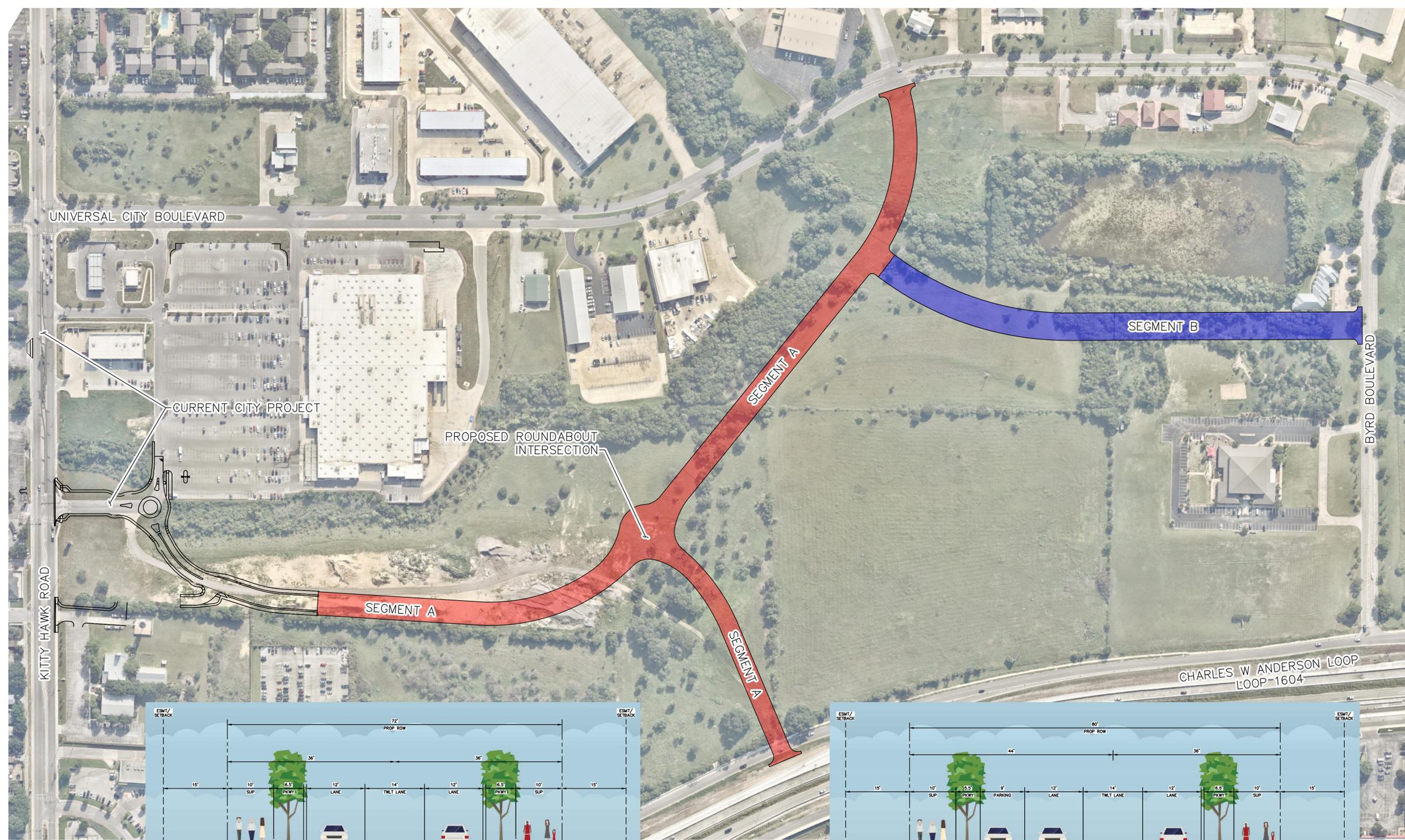
# Open Space Design Images



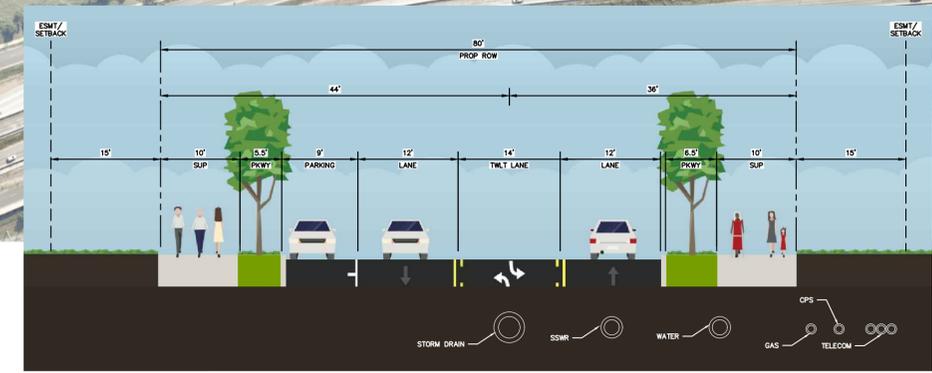


LEGEND

- SEGMENT A
- SEGMENT B



SEGMENT A

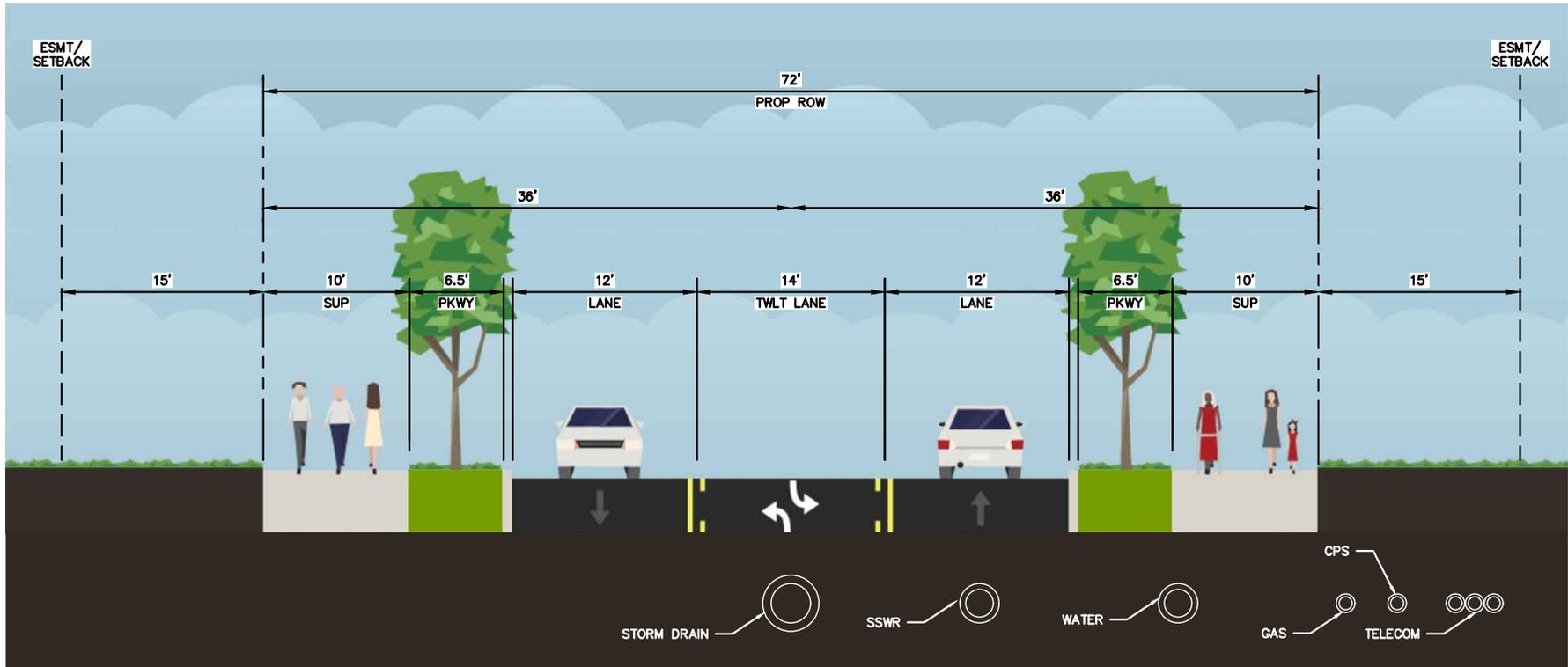


SEGMENT B

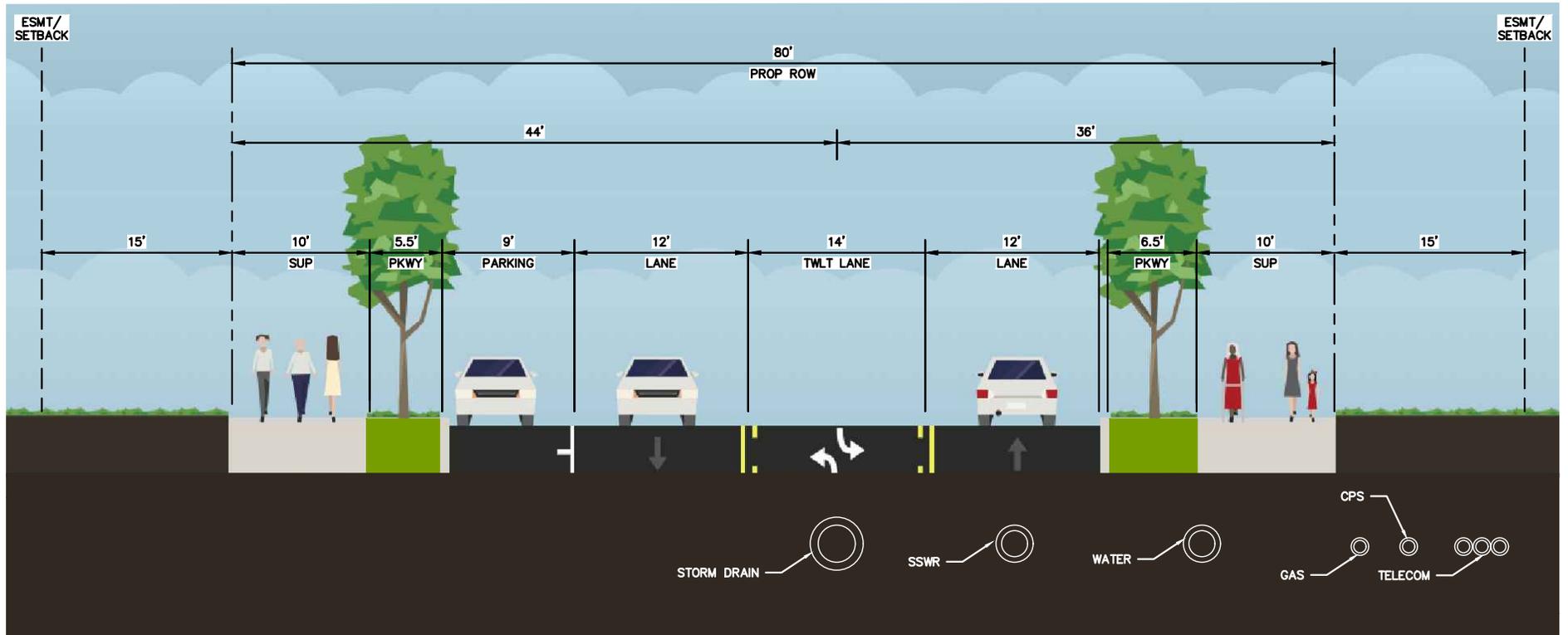
# UNIVERSAL CITY THOROUGHFARE - SEGMENTED FUTURE DEVELOPMENT - JANUARY 2024



SEGMENT A  
TYPICAL SECTION

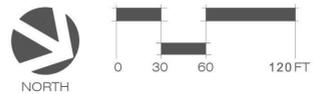


SEGMENT B  
TYPICAL SECTION





# NORTHLAKE POND & PARK IMPROVEMENTS - CONCEPTUAL DRAFT



MARCH 2024



UNIVERSAL CITY BLVD

100 YR FLOODPLAIN

50.136 AC. DEVELOPABLE LAND

KITTY HAWK RD

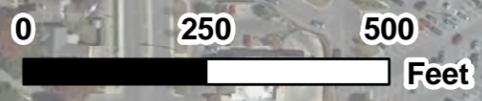
W BYRD BLVD

E LOOP 1604 N

E LOOP 1604 N

MEADOWLAND

DUKEWAY DR



**EXHIBIT "D-3"**

**MASTER DEVELOPMENT AGREEMENT**

**(TO BE PROVIDED)**

## **Motion to Approve – Zone Change:**

PC 603 (ZC 254)

After conducting a public hearing on the request for a Zone Change for the two tracts combined totaling an approximately 43-acre larger tract located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard, and receiving the Planning and Zoning Commission's recommendation, City Council has considered the request and moves to approve PC 603 (ZC 254) and the Zone Change from OS-Open Space and C4-General Commercial to PUD 2024-101 District for the subject property with the following conditions:

1. Staff approval of outstanding PUD Final Plan comments
2. Staff approval of outstanding Master Development Agreement items
3. City Council approval of the FLUP amendment from HC-Highway Commercial and OS-Open Space to HC-Highway Commercial, HDR-High Density Residential and OS-Open Space
4. City Council approval of the PUD Final Plan
5. City Council approval of the Resolution approving the Purchase and Sale Agreement for the 33-acre tract owned by the City
6. City Council approval of the EDC Resolution approving the Purchase and Sale Agreement for the 9.987-acre tract owned by the EDC
7. Planning and Zoning Commission approval of the Final Plat of Subdivision within two years of PUD Final Plan approval by City Council

## **Motion to Approve – PUD Preliminary and Final Plans:**

PC 604 (ZC 255)

After conducting a public hearing on the request for approval of the PUD Preliminary and Final Plans and receiving the Planning and Zoning Commission's recommendation, City Council has considered the request and moves to approve PC 604 (ZC 255) and the associated PUD Preliminary and Final Plans and PUD Ordinance 581-Y-PUD-2024-101 for the two tracts combined totaling an approximately 43-acre larger tract located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard with the following conditions:

1. Staff approval of outstanding PUD Final Plan comments
2. Staff approval of outstanding Master Development Agreement items
3. City Council approval of the FLUP amendment from HC-Highway Commercial and OS-Open Space to HC-Highway Commercial, HDR-High Density Residential and OS-Open Space
4. City Council approval of the Zone Change from OS-Open Space and C4-General Commercial to PUD 2024-101 District
5. City Council approval of the Resolution approving the Purchase and Sale Agreement for the 33-acre tract owned by the City
6. City Council approval of the EDC Resolution approving the Purchase and Sale Agreement for the 9.987-acre tract owned by the EDC
7. Planning and Zoning Commission approval of the Final Plat of Subdivision within two years of PUD Final Plan approval by City Council

**ORDINANCE NO. 581-AA-2024**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS APPROVING AN AGREEMENT WITH REUNION DEVELOPMENT PARTNERS, LLC TO PROGRAM ECONOMIC INCENTIVES FOR PUBLIC PROJECT ENHANCEMENTS, DEVELOPMENT STANDARDS, EMERGENCY SERVICE ACCESS, AND CORRELATED INFRASTRUCTURE RELATING TO THE DEVELOPMENT OF REUNION DEVELOPMENT IN UNIVERSAL CITY; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Universal City, Texas is a home-rule municipality located in Bexar County, Texas and duly established under the Texas Constitution and the laws of this State; and

**WHEREAS**, REUNION DEVELOPMENT PARTNERS, LLC (“Developer”), a limited liability company established under Texas law, is a respected and seasoned professional development firm with experience in residential, commercial, and mixed-use development across the state of Texas; and

**WHEREAS**, Developer was the selected respondent to the Request for Proposals for Development Off Loop 1604 (the “RFP”) now submitted by the City of Universal City for the acquisition and development of certain real property located at 11514 E. Loop 1604 in Universal City, and as further described herein; and

**WHEREAS**, the City and the Developer desire to enter into an agreement to facilitate the development of a planned unit development and related subdivision and promote local economic development and stimulate business and commercial activity within the City limits; and

**WHEREAS**, Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code authorizes a local government to establish and provide for the administration of one or more programs, for making loans and grants and providing personnel and services of the municipality, to promote state or local economic development and to stimulate business and commercial activity in the municipality; and

**WHEREAS**, under Chapter 380 of the Texas Local Government Code, the City has adopted an economic development program to promote local economic development and stimulate business and commercial activity within the city limits; and

**WHEREAS**, the lack of master-planned communities that establish land use controls and provide for roadway infrastructure and orderly economic growth that protects the environment now and in the future hinders business and industrial development within the City; and

**WHEREAS**, pursuant to the RFP, Developer is in the process of acquiring, or has acquired, approximately 42.96 acres of property, wholly located within the City and more particularly described in **EXHIBIT A**, and desires to develop a mixed-use planned unit development and related subdivision on the property consisting of streets, utilities, drainage improvements, suitable

for residential, commercial and industrial uses, and as contemplated in Developer's response to the RFP (the "Project"); and

**WHEREAS**, the Project consists of multiple components, including the Reunion Development Road Improvements, Reunion Development Subdivision Development Standards, and an Emergency Service Access, necessary for the development of the Reunion Development Planned Unit Development and related Subdivision subject to the Master Development Agreement; and

**WHEREAS**, the proposed mixed-use subdivision will contribute to the economic development of the City by making it more attractive to business and industrial projects, generating increased development, increased real property value and tax revenue for City, increased related neighborhood services, and have both a direct and indirect positive overall improvement/stimulus in the local and state economy; and

**WHEREAS**, the City, aided by financial contributions from the Developer, shall construct the Reunion Development Road Improvements as provided in **EXHIBIT B** to necessitate the orderly, safe, and healthful development of the mixed-use subdivision; and

**WHEREAS**, Developer has requested financial incentives from the City to facilitate the development of the Project with the requested enhancements; and

**WHEREAS**, the City Council finds that without the requested incentives the Project cannot go forward with the proposed Reunion Development Road Improvements; and

**WHEREAS**, the City has found and determined that by entering into this Agreement, the construction and acquisition of the public improvements will further the public interest and welfare; and

**WHEREAS**, City Council finds that the Project promotes state and local economic development and shall stimulate local business and commercial activity in the City of Universal City and, is therefore, an eligible project for the purpose of the Texas Local Government Code 380; and

**WHEREAS**, Developer has agreed, in exchange and as consideration for funding by City, to satisfy and comply with the terms and conditions of the Agreement attached hereto as **EXHIBIT C**.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS, THAT:**

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Approval and Authorization.** The agreement attached hereto as **EXHIBIT C** is hereby approved and the City Manager is hereby authorized to execute an agreement, substantially similar to **EXHIBIT C**, and all documents necessary to accomplish the purposes of this Ordinance.

**Section 3.** All ordinance, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

**Section 4.** This Ordinance shall be construed and enforced in accordance with the law of the State of Texas and the United State of America.

**Section 5.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

**Section 3. Open Meetings.** It is hereby officially found, determined, and declared that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**Section 4. Effective Date.** This Ordinance shall be effective immediately upon adoption by the City Council.

**FIRST READING PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_.**

**SECOND READING PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_.**

UNIVERSAL CITY, TEXAS

\_\_\_\_\_  
John Williams, Mayor

**ATTEST:**

**APPROVED AS TO FORM”**

\_\_\_\_\_  
Maribel Garcia, Deputy City Clerk

\_\_\_\_\_  
Megan R. Santee, City Attorney  
DENTON, NAVARRO RODRIGUEZ  
BERNAL SANTEE & ZECH, P.C.

**Exhibits:**

**Exhibit A: Reunion Development Metes & Bounds Descriptions**

**Exhibit B: Reunion Development Road Improvement Plans**

**Exhibit C: Master Development Agreement**

**EXHIBIT A**  
**METES & BOUNDS DESCRIPTIONS**



# QUIDDITY

Texas Board of Professional Engineers and Land Surveyors Reg. No. F-23290

4350 Lockhill Selma Rd., Suite 100  
 San Antonio, Texas 78249  
 Tel: 210.494.5511  
 Fax: 210.494.5519  
[www.jonescarter.com](http://www.jonescarter.com)

## METES AND BOUNDS DESCRIPTION OF A 9.987 ACRE TRACT OF LAND

A Metes and Bounds description of a 9.987 acre tract of land situated in the Maria Lucia Torres Survey No.81, Abstract 745, County Block 5053, City of Universal City, Bexar County, Texas; being all of that certain 10.00 acre tract described in instrument to Universal City Industrial Development Corporation recorded in Volume 13260, Page 1797 of the Bexar County Real Property Records; also containing a portion of Gilbert Ward Subdivision 1, plat of which is recorded in Volume 6400, Page 218 of the Bexar County Deed and Plat Records; and being more particular described as follows:

### Notes:

1. *The bearings, distances, areas and coordinates shown herein are Texas Coordinate System grid, South Central Zone (NAD'83), as determined by Global Positioning System (GPS). All distance units cited herein are U.S. Survey Feet and are horizontal "on the grid" distances. For converting grid distances to surface, use the grid to surface scale factor of 1.00017.*
2. *Survey boundary calls effectively match reference instruments. Reference bearing and distance citations are not required.*

BEGINNING at a 1/2-inch iron rod (with cap stamped "QUIDDITY") set on the northeasterly right-of-way line of FM Loop 1604 (variable width right-of-way) marking the western-most corner of Lot 1, Block 2 of Victory Assembly of God Subdivision, plat of which is recorded in Volume 9569, Page 4 of the Bexar County Deed and Plat Records; also marking the southern-most corner of the herein described tract; said beginning point having Texas Grid Coordinates: North: 13,745,054.30 feet, East: 2,188,850.75 feet;

THENCE, along said northeasterly right-of-way line of FM Loop 1604 the following four(4) courses and distances:

1. North 38°16'30" West, 373.56 feet to a 1/2-inch iron rod found marking an angle point;
2. North 46°19'26" West, 420.53 feet to a TxDOT right-of-way monument (an aluminum disk) found marking an angle point;
3. North 54°32'57" West, 324.63 feet to a TxDOT right-of-way monument (an aluminum disk) found marking an angle point;
4. North 56°45'34" West, 188.01 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set replacing a bent iron rod found marking the southern-most corner of Lot 1, Block 70 of HEB at Kitty Hawk Subdivision, plat of which is recorded in Volume 9551, Page 199 of the Bexar County Deed and Plat Records;

THENCE, along the boundary of said Lot 1, Block 70 the following two(2) courses and distances:

1. North 26°39'23" West, 143.17 feet to a 1/2-inch iron rod found for corner;
2. North 59°08'47" East, 299.53 feet to a 1/2-inch iron rod found marking a westerly corner of that certain 37.73 acre tract described in instrument to The City of Universal City recorded in Volume 13260, Page 1789 of the Bexar County Real Property Records;



THENCE, along the boundary of said 37.73 acre tract the following five(5) courses and distances:

1. South 26°42'24" East, 83.23 feet to a 1/2-inch iron rod found at an angle point;
2. South 56°28'27" East, 114.47 feet to a 1/2-inch iron rod found at an angle point;
3. South 54°40'07" East, 352.15 feet to a 1/2-inch iron rod found at an angle point;
4. South 46°18'04" East, 462.78 feet to a 1/2-inch iron rod found at an angle point;
5. South 38°21'28" East, 442.61 feet to a 1/2-inch iron rod found for corner on the northwesterly boundary of aforesaid Lot 1, Block 2 Victory Assembly of God Subdivision;

THENCE, South 60°43'37" West, 303.67 feet along said Lot 1, Block 2 to the POINT OF BEGINNING, containing 9.987 acres of land in Bexar County, Texas, as shown on drawing no. 19724 filed under Job No. S0305-0022-00 in the office of QUIDDITY ENGINEERING, San Antonio, Texas.

QUIDDITY ENGINEERING

Michael A. Romans  
Registered Professional Land Surveyor #4657  
Signature Date: March 27, 2024





## METES AND BOUNDS DESCRIPTION OF A 33.152 ACRE TRACT OF LAND

A Metes and Bounds description of a 33.152 acre tract of land situated in the Maria Lucia Torres Survey No.81, Abstract 745, County Block 5053, The City of Universal City, Bexar County, Texas; containing a portion of that certain 37.73 acre tract described in instrument to The City of Universal City recorded in Volume 13260, Page 1789 of the Bexar County Official Public Records (BCOPR); also containing a portion of that certain 39.672 acre tract described in instrument to The City of Universal City recorded in Volume 7303, Page 1325, BCOPR; also containing a portion of Gilbert Ward Subdivision 1, plat of which is recorded in Volume 6400, Page 218 of the Bexar County Deed and Plat Records; and being more particularly described as follows:

### Notes:

- 1. The bearings, distances, areas and coordinates shown herein are Texas Coordinate System grid, South Central Zone (NAD'83), as determined by Global Positioning System (GPS). All distance units cited herein are U.S. Survey Feet and are horizontal "on the grid" distances. For converting grid distances to surface, use the grid to surface scale factor of 1.0001611.*
- 2. Survey boundary calls effectively match reference instruments. Reference bearing and distance citations are not required.*

COMMENCING at a 1/2-inch iron rod (with cap stamped "QUIDDITY") set on the northeasterly right-of-way line of FM Loop 1604 (variable width right-of-way) marking the western-most corner of Lot 1, Block 2 of Victory Assembly of God Subdivision, plat of which is recorded in Volume 9569, Page 4 of the Bexar County Deed and Plat Records, and marking the southern-most corner of that certain 10.00 acre tract described in instrument to Universal City Industrial Development Corporation recorded in Volume 13260, Page 1797 of the Bexar County Real Property Records; said commencing point having Texas Grid Coordinates: North: 13,745,054.30 feet, East: 2,188,850.75 feet;

THENCE, North 60°43'37" East, 303.84 feet along the common boundary of said Lot 1, Block 2 and said 10.00 acre tract to a 1/2-inch iron rod found marking a southern-most corner of said 37.73 acre tract and the POINT OF BEGINNING of the herein described tract; said beginning point having Texas Grid Coordinates: North: 13,745,202.87 feet, East: 2,189,115.79 feet;

THENCE, along the northeasterly boundary of said 10.00 acre tract the following five(5) courses and distances:

1. North 38°21'28" West, 442.61 feet to a 1/2-inch iron rod found at an angle point;
2. North 46°18'04" West, 462.78 feet to a 1/2-inch iron rod found at an angle point;
3. North 54°40'07" West, 352.15 feet to a 1/2-inch iron rod found at an angle point;
4. North 56°28'27" West, 114.47 feet to a 1/2-inch iron rod found at an angle point;
5. North 26°42'24" West, 83.23 feet to a 1/2-inch iron rod found for corner on the southeasterly boundary of Lot 1, Block 70 of HEB at Kitty Hawk Subdivision, plat of which is recorded in Volume 9551, Page 199 of the Bexar County Deed and Plat Records.



THENCE, along the boundary of said Lot 1, Block 70 the following two(2) courses and distances:

1. North 59°05'34" East, 124.51 feet to a 1/2-inch iron rod found for corner;
2. North 27°12'27" West, 835.69 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner;

THENCE, crossing said 37.73 acre tract the following five(5) courses and distances:

1. North 62°47'33" East, 72.00 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner;
2. North 27°12'27" West, 111.42 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
3. North 14°39'47" West, 199.23 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner in the easterly boundary of a 16-foot wide Sanitary Sewer Easement (Volume 5847, Page 648, Bexar County Deed Records);
4. North 04°46'28" East, 111.70 feet along said easement boundary to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner;
5. North 59°28'13" East, 23.51 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set marking the western-most corner of that certain "Conservation Easement" described in instrument recorded in Volume 17150, Page 1629, BCOPR;

THENCE, along the southwesterly boundary of said "Conservation Easement" the following eleven(11) courses and distances:

1. South 24°05'28" East, 88.69 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
2. South 30°31'46" East, 231.52 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
3. South 75°31'46" East, 34.05 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
4. South 30°31'46" East, 231.11 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
5. South 14°28'14" West, 8.34 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
6. South 30°31'46" East, 48.67 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
7. South 75°31'46" East, 19.53 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
8. South 30°31'46" East, 68.56 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
9. South 63°55'58" East, 100.14 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
10. South 72°40'06" East, 64.20 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;



11. South  $89^{\circ}46'19''$  East, 89.86 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point; having Texas Grid Coordinates:  
North: 13,746,800.68 feet, East: 2,188,425.02 feet;

THENCE, crossing said 37.73 acre and said 39.672 acre City of Universal City tracts the following twelve(12) courses and distances:

1. North  $85^{\circ}45'30''$  East, 88.71 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
2. South  $29^{\circ}00'26''$  East, 45.03 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
3. South  $52^{\circ}09'14''$  East, 36.46 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
4. South  $20^{\circ}35'00''$  East, 209.74 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
5. South  $42^{\circ}53'31''$  East, 250.30 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
6. South  $08^{\circ}25'56''$  West, 36.15 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at an angle point;
7. South  $81^{\circ}34'01''$  East, 653.59 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at a point of curvature;
8. along the arc of a tangent curve to the left having a radius of 505.27 feet, a central angle of  $08^{\circ}58'49''$ , a long chord bearing South  $86^{\circ}03'25''$  East, 79.11 feet, a total arc length of 79.19 feet, to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner;
9. South  $00^{\circ}32'50''$  East, 72.00 feet to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set for corner;
10. along the arc of a non-tangent curve to the left having a radius of 20.00 feet, a central angle of  $82^{\circ}39'35''$ , a long chord bearing South  $48^{\circ}07'22''$  West, 26.42 feet, a total arc length of 28.85 feet, to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at a point of compound curvature;
11. along the arc of a tangent curve to the left having a radius of 805.89 feet, a central angle of  $37^{\circ}19'21''$ , a long chord bearing South  $11^{\circ}52'06''$  East, 515.73 feet, a total arc length of 524.96 feet, to a 1/2-inch iron rod (with cap stamped "QUIDDITY") set at a point of tangency;
12. South  $30^{\circ}31'46''$  East, 553.74 feet to a 1/2-inch iron rod found marking the western-most corner of Lot 1 of the Mark Vaughan Subdivision, amending plat of which is recorded in Volume 9562, Page 117 of the Bexar County Deed and Plat Records (BCDPR);

THENCE, South  $30^{\circ}31'46''$  East, 263.54 feet along the southwest boundary of said Lot 1 to a 1/2-inch iron rod found situated in the northwesterly right-of-way line of West Byrd Street (60 feet wide, Volume 9523, Page 220, BCDPR);

THENCE, South  $59^{\circ}28'14''$  West, 60.00 feet along said northwesterly right-of-way line of West Byrd Street to a 1/2-inch iron rod found marking the eastern-most corner of Lot 1, Block 2 of aforementioned Victory Assembly of God Subdivision;



# QUIDDITY

Texas Board of Professional Engineers and Land Surveyors Reg. No. F-23290

4350 Lockhill Selma Rd., Suite 100

San Antonio, Texas 78249

Tel: 210.494.5511

Fax: 210.494.5519

[www.jonescarter.com](http://www.jonescarter.com)

THENCE, along the boundary of said Lot 1, Block 2 the following two(2) courses and distances:

1. North  $30^{\circ}31'46''$  West, 686.47 feet to a 1/2-inch iron rod found for corner;
2. South  $60^{\circ}43'37''$  West, 589.73 feet to the POINT OF BEGINNING, containing 33.152 acres of land in Bexar County, Texas, as shown on exhibit filed under Job No. S0305-0022-00 in the office of QUIDDITY ENGINEERING, San Antonio, Texas.

QUIDDITY ENGINEERING

Michael A. Romans

Registered Professional Land Surveyor #4657

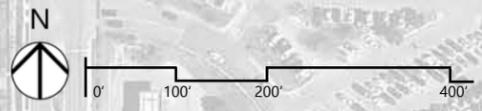
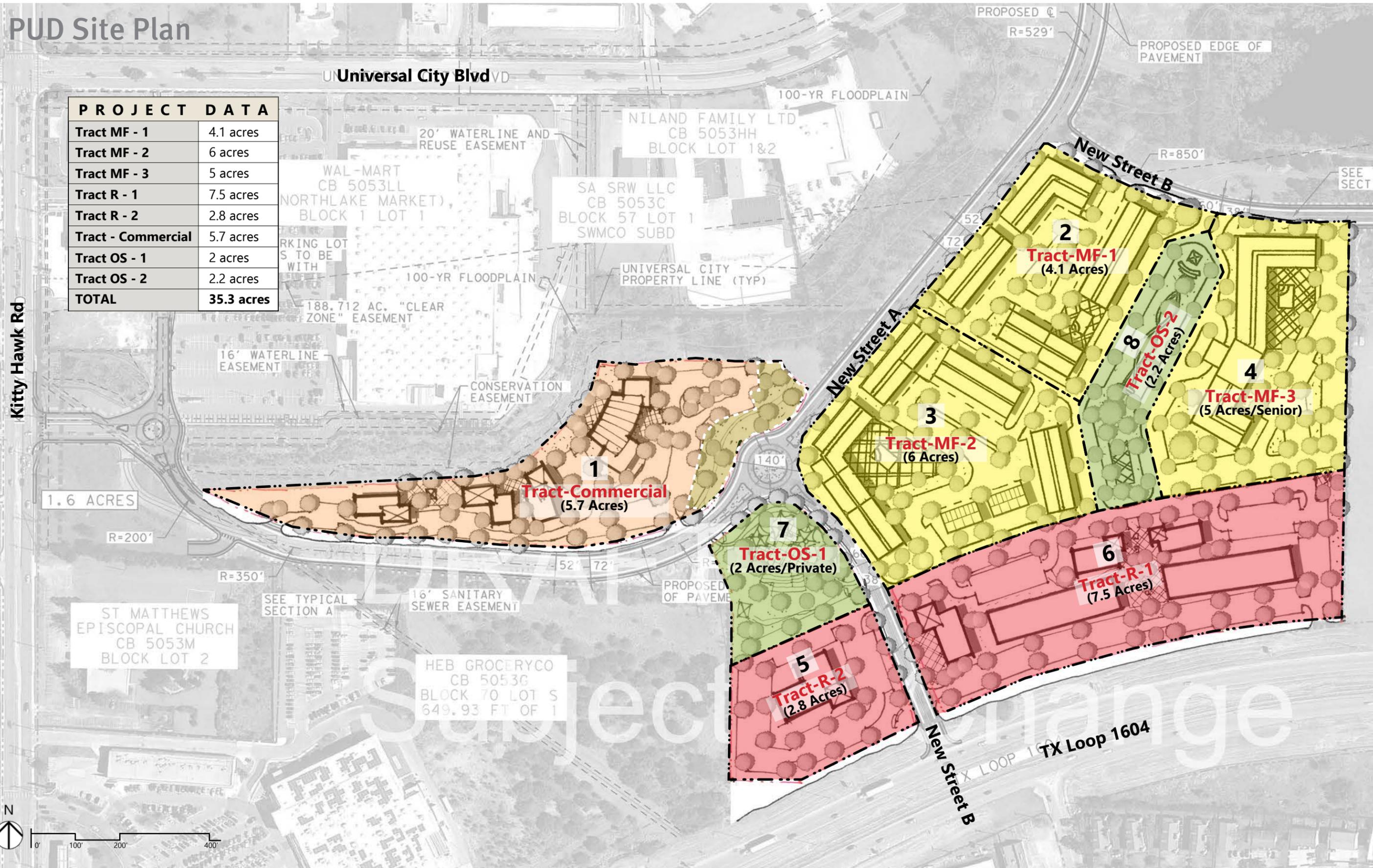
Signature Date: April 6, 2024



**EXHIBIT B**  
**ROAD IMPROVEMENT PLANS**

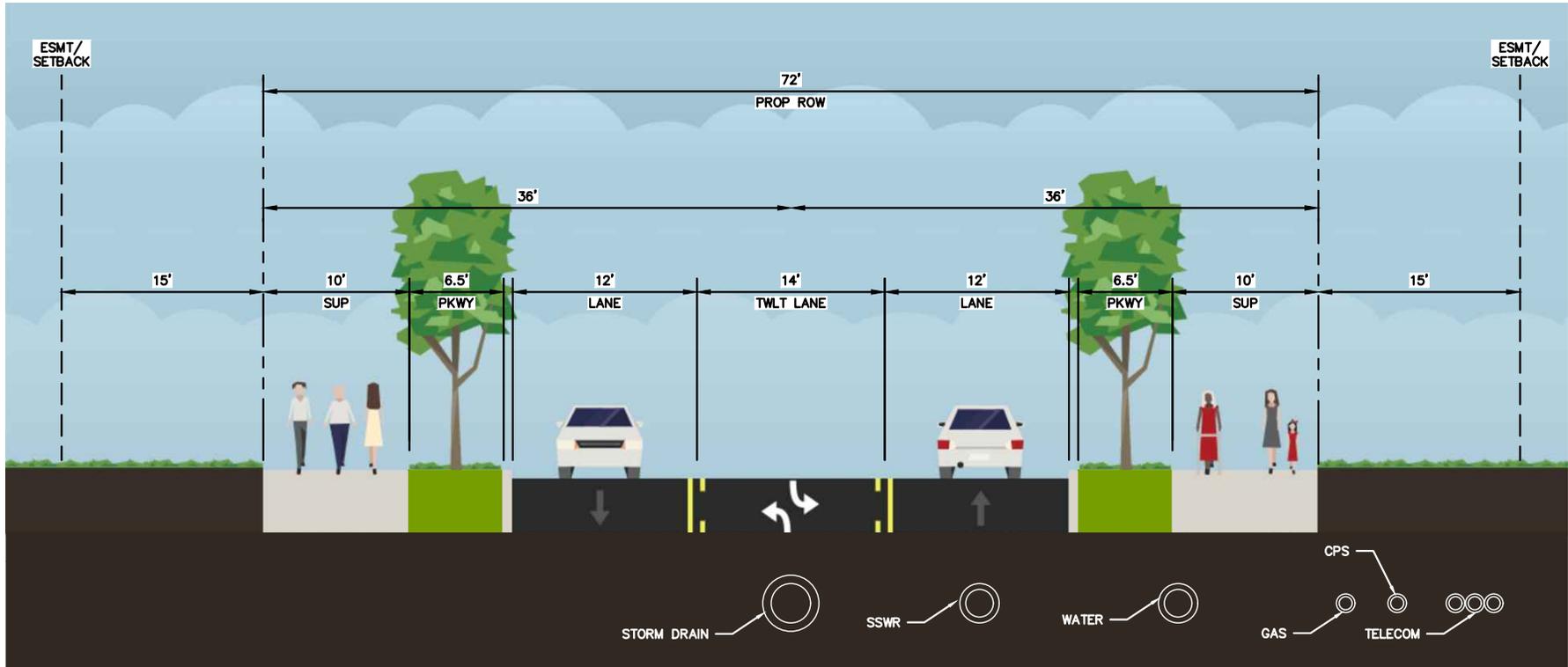
# PUD Site Plan

PROJECT DATA	
Tract MF - 1	4.1 acres
Tract MF - 2	6 acres
Tract MF - 3	5 acres
Tract R - 1	7.5 acres
Tract R - 2	2.8 acres
Tract - Commercial	5.7 acres
Tract OS - 1	2 acres
Tract OS - 2	2.2 acres
<b>TOTAL</b>	<b>35.3 acres</b>

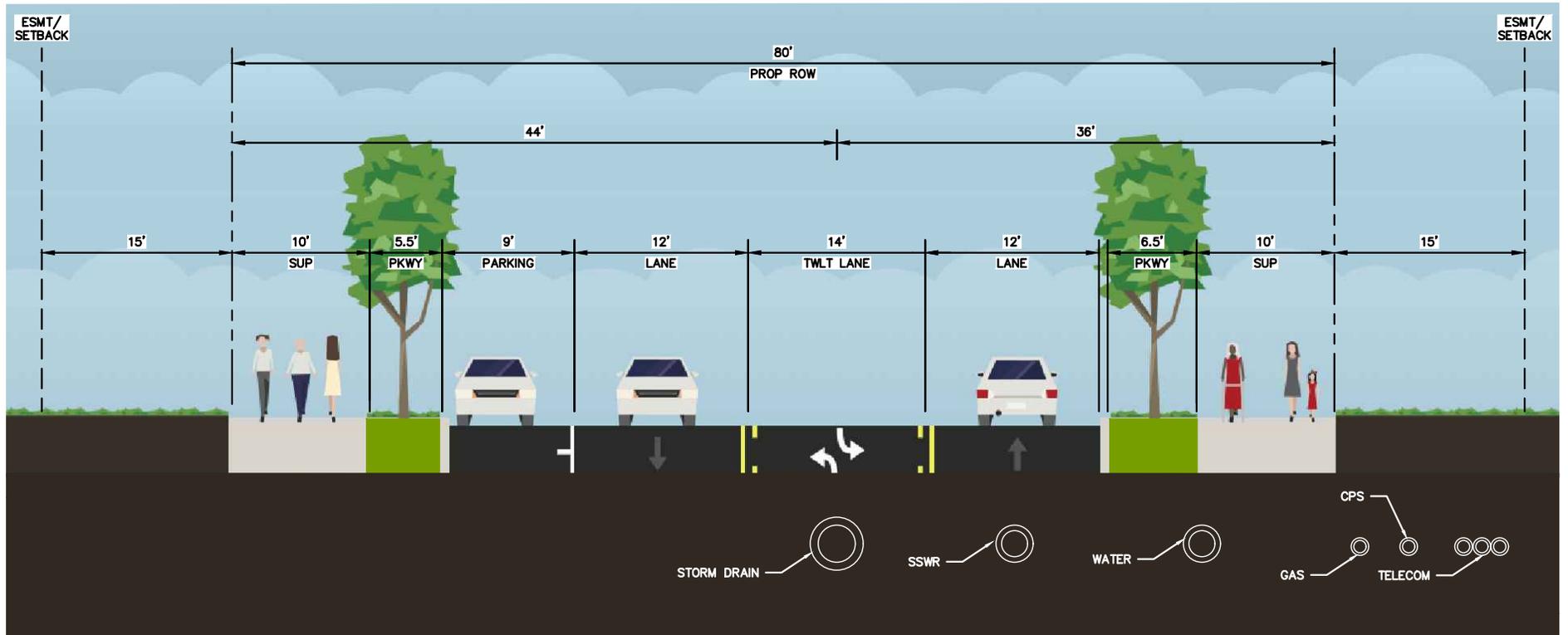




SEGMENT A  
TYPICAL SECTION



SEGMENT B  
TYPICAL SECTION



**EXHIBIT C**  
**MASTER DEVELOPMENT AGREEMENT**  
**(TO BE PROVIDED)**

### **Motion to Approve – Master Development Agreement:**

After conducting a public hearing on the request for approval of the PUD Preliminary and Final Plans and receiving the Planning and Zoning Commission's recommendation, City Council has considered the request and moves to approve the associated Master Development Agreement with Reunion Development Partners, LLC for the two tracts combined totaling an approximately 43-acre larger tract located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard with the following conditions:

1. Staff approval of outstanding PUD Final Plan comments
2. Staff approval of outstanding Master Development Agreement items
3. City Council approval of the FLUP amendment from HC-Highway Commercial and OS-Open Space to HC-Highway Commercial, HDR-High Density Residential and OS-Open Space
4. City Council approval of the Zone Change from OS-Open Space and C4-General Commercial to PUD 2024-101 District
5. City Council approval of the Resolution approving the Purchase and Sale Agreement for the 33-acre tract owned by the City
6. City Council approval of the EDC Resolution approving the Purchase and Sale Agreement for the 9.987-acre tract owned by the EDC
7. Planning and Zoning Commission approval of the Final Plat of Subdivision within two years of PUD Final Plan approval by City Council

**RESOLUTION NO. 970-A-2024**

**A RESOLUTION OF THE CITY OF UNIVERSAL CITY  
AUTHORIZING THE SALE OF REAL PROPERTY  
LOCATED AT 11514 E. LOOP 1604 N., UNIVERSAL CITY, TEXAS,  
FOR PROJECTS TO PROMOTE  
NEW OR EXPANDED BUSINESS DEVELOPMENT**

**WHEREAS,** The City Council of the City of Universal City recalls that the City of Universal City (“City”), in 2007, approved the purchase of a certain 33-acre property, more or less, at 11514 E. Loop 1604 N., in order to promote new or expanded business development; and

**WHEREAS,** The City has negotiated for the sale of real property consisting of approximately 32.966 acres at 11514 E. Loop 1604 N. in Universal City, Texas, and as provided in substantial form by the contract in **Exhibit A** to this Resolution (the “Property”), as part of a project to develop a vacant tract of land in order to promote new or expanding business development; and,

**WHEREAS,** The City Council further finds that the sale of the Property by the City will effectuate the projects’ aims of promoting new or expanding business development, thereby serving a public purpose and providing a benefit to the City.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY OF UNIVERSAL CITY:**

**Section 1.** That the foregoing recitals are hereby found to be true and correct findings of the City and are fully incorporated into the body of this Resolution.

**Section 2.** That the sale of the Property presented and approved in the City Resolution is approved.

**FIRST READING PASSED AND APPROVED ON THIS THE 16<sup>TH</sup> DAY OF APRIL 2024.**

**SECOND READING PASSED AND ADOPTED THIS 7<sup>TH</sup> DAY OF MAY 2024.**

---

John Williams, Mayor

**ATTEST:**

---

Maribel Garcia, Deputy City Clerk

**EXHIBIT "A"**

**PURCHASE AND SALE AGREEMENT**

[TO BE ADDED UPON APPROVAL & EXECUTION]

### **Motion to Approve – Purchase and Sale Agreement – City-Owned Property:**

After conducting a public hearing on the request for approval of the PUD Preliminary and Final Plans and receiving the Planning and Zoning Commission's recommendation, City Council has considered the request and moves to approve the associated Purchase and Sale Agreement with Reunion Development Partners, LLC for the City-owned tract totaling approximately 33 acres located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard with the following conditions:

1. Staff approval of outstanding PUD Final Plan comments
2. Staff approval of outstanding Master Development Agreement items
3. City Council approval of the FLUP amendment from HC-Highway Commercial and OS-Open Space to HC-Highway Commercial, HDR-High Density Residential and OS-Open Space
4. City Council approval of the Zone Change from OS-Open Space and C4-General Commercial to PUD 2024-101 District
5. City Council approval of the EDC Resolution approving the Purchase and Sale Agreement for the 9.987-acre tract owned by the EDC
6. Planning and Zoning Commission approval of the Final Plat of Subdivision within two years of PUD Final Plan approval by City Council

**RESOLUTION NO. 970-B-2024**

**A RESOLUTION OF THE CITY OF UNIVERSAL CITY  
AUTHORIZING THE SALE OF REAL PROPERTY  
LOCATED AT 11514 E. LOOP 1604 N., UNIVERSAL CITY, TEXAS,  
BY THE UNIVERSAL CITY ECONOMIC DEVELOPMENT  
CORPORATION, FOR PROJECTS TO PROMOTE  
NEW OR EXPANDED BUSINESS DEVELOPMENT**

**WHEREAS,** The City Council of the City of Universal City recalls that the Universal City Economic Development Corporation (UCEDC), in 2007, authorized the purchase of a certain 10-acre property, more or less, at 11514 E. Loop 1604 N., in order to promote new or expanded business development, and which authorization to purchase was subsequently approved by City Council on July 3, 2007; and

**WHEREAS,** The UCEDC has negotiated for the sale of real property consisting of approximately 9.987 acres at 11514 E. Loop 1604 N. in Universal City, Texas, and as provided in substantial form by the contract in **Exhibit A** to this Resolution (the “Property”), as part of a project to develop a vacant tract of land in order to promote new or expanding business development; and,

**WHEREAS,** The City Council finds that the UCEDC passed a resolution authorizing the sale of the Property, as shown as **Exhibit B** to this resolution; and

**WHEREAS,** The City Council further finds that the sale of the Property by the UCEDC will effectuate the projects’ aims of promoting new or expanding business development, thereby serving a public purpose and providing a benefit to the City.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY OF UNIVERSAL CITY:**

**Section 1.** That the foregoing recitals are hereby found to be true and correct findings of the City and are fully incorporated into the body of this Resolution.

**Section 2.** That the sale of the Property presented and approved in the UCEDC Resolution is approved.

**FIRST READING PASSED AND APPROVED ON THIS THE 16<sup>TH</sup> DAY OF APRIL 2024.**

**SECOND READING PASSED AND ADOPTED THIS 7<sup>TH</sup> DAY OF MAY 2024.**

\_\_\_\_\_  
John Williams, Mayor

**ATTEST:**

\_\_\_\_\_  
Maribel Garcia, Deputy City Clerk

**EXHIBIT "A"**

**PURCHASE AND SALE AGREEMENT**

[TO BE ADDED UPON APPROVAL & EXECUTION]

**EXHIBIT “B”**

**EDC RESOLUTION APPROVING SALE OF PROPERTY**

[FINAL VERSION TO BE ADDED UPON APPROVAL & EXECUTION]

**RESOLUTION NO. 2024-9**

**A RESOLUTION OF THE UNIVERSAL CITY  
ECONOMIC DEVELOPMENT CORPORATION  
AUTHORIZING THE SALE OF REAL PROPERTY  
LOCATED AT 11514 E. LOOP 1604 N., UNIVERSAL CITY, TEXAS;  
AND PROVIDING FOR SIGNATORY AUTHORITY**

**WHEREAS**, Section 505.158 of the Texas Local Government Code provides that for a municipality with a population of 20,000 or less, “project” includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation’s board of directors to promote new or expanded business development; and

**WHEREAS**, as the most current Census, dated April 1, 2020, the population for the City of Universal City is 19,720; and

**WHEREAS**, the Universal City Economic Development Corporation (“UCEDC”) and REUNION DEVELOPMENT PARTNERS LLC (“Developer”) have negotiated the sale by the UCEDC and purchase of property by Developer, consisting of approximately 9.987 acres at 11514 E. Loop 1604 N., as provided in substantial form by the contract in **Exhibit A** to this Resolution (the “Property”), and to be part of a project to develop a vacant tract of land in order to promote new or expanding business development; and,

**WHEREAS**, the UCEDC Board of Directors have determined that the sale of Property as authorized by this Resolution is consistent with and meets the definition of “project” as that term is defined in Chapter 501 and 505 of the Texas Local Government Code, and in particular Section 505.158 of the Texas Local Government Code; and the definition of “cost” as that term is defined by Section 501.152 of the Texas Local Government Code.

**NOW, THEREFORE BE IT RESOLVED BY THE UNIVERSAL CITY ECONOMIC DEVELOPMENT CORPORATION:**

**Section 1.** That the foregoing recitals are hereby found to be true and correct findings of the UCEDC and are fully incorporated into the body of this Resolution.

**Section 2.** That the UCEDC finds and determines that the sale of the Property will promote new or expanding business development within the City of Universal City, Texas, and is otherwise consistent with Section 505.158 of the Act.

**Section 3.** The UCEDC hereby approves the sale of the Property and determines doing so is reasonably expected to benefit, directly, or indirectly, the Corporation as required by Texas Local Government Code §501.156.

**Section 4.** This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**Section 5.** If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

**Section 6.** It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

**Section 7.** This Resolution shall be in force and effect from and after its final reading, and it is so resolved.

**Section 8.** The President, along with the Secretary or Executive Director of the corporation, are authorized, empowered and directed to execute any and all transactions documents necessary for and on behalf of the UCEDC and in its name, that are consistent therewith and to deliver the same to the title company and for closing to sell the property.

**PASSED, APPROVED AND DULY RESOLVED by the Universal City Economic Development Corporation on this the 11<sup>th</sup> day of April 2024.**

---

Dick Crow, President

ATTEST:

---

Roland Hinojosa, Secretary

**EXHIBIT “A”**

**PURCHASE AND SALE AGREEMENT**

[TO BE ADDED UPON APPROVAL & EXECUTION]

**Motion to Approve – Purchase and Sale Agreement – EDC-Owned Property:**

After conducting a public hearing on the request for approval of the PUD Preliminary and Final Plans and receiving the Planning and Zoning Commission’s recommendation, City Council has considered the request and moves to approve the EDC Resolution approving the associated Purchase and Sale Agreement with Reunion Development Partners, LLC for the EDC-owned tract totaling approximately 10 acres located primarily between E. Loop 1604 N. Access Road and Universal City Boulevard with the following conditions:

1. Staff approval of outstanding PUD Final Plan comments
2. Staff approval of outstanding Master Development Agreement items
3. City Council approval of the FLUP amendment from HC-Highway Commercial and OS-Open Space to HC-Highway Commercial, HDR-High Density Residential and OS-Open Space
4. City Council approval of the Zone Change from OS-Open Space and C4-General Commercial to PUD 2024-101 District
5. City Council approval of the Resolution approving the Purchase and Sale Agreement for the 33-acre tract owned by the City
6. Planning and Zoning Commission approval of the Final Plat of Subdivision within two years of PUD Final Plan approval by City Council

## CITY OF UNIVERSAL CITY

Date: 4/5/2024

**TO:** City Council**FROM:** Kim M. Turner, City Manager**SUBJECT: Public Hearings:** PCs 605, 606 & 607 & ZCs 256, 257 & 258 — A request for an amendment to the **Future Land Use Plan**, a **Zone Change**, and approval of **PUD Preliminary & Final Plans** for combined properties at 604 Bowie Drive and 206 – 218 E. Wright Boulevard to allow a residential Planned Unit Development, per zoning ordinance 581.**SUBJECT: Ordinance No. 632-PC-584-FLUP-2024**— An ordinance amending the Future Land Use Plan to change the land use designation at 604 Bowie Drive and 206 – 218 E. Wright Boulevard from MDR-Medium Density Residential to HDR-High Density Residential, per zoning ordinance 581.**SUBJECT: Ordinance No. 581-Y-PUD-2024-102**— An ordinance amending the Zoning Map for approximately 0.717 acre at 604 Bowie Drive and 206 – 218 E. Wright Boulevard from R-OT Old Town Residential District to PUD 2024-102 District and adopting the related PUD Final Plan, per zoning ordinance 581.**Historical Background**

In 2020, the City generated the Aviation District Masterplan to establish a framework and design guidelines for revitalization of the area. Included in the masterplan goals is the desire to provide for a mix of residential and commercial uses, as well as walkability in and around the Aviation District.

The applicant is proposing a residential planned unit development (PUD) comprised of 11 rowhome units on approximately 0.717 acres. A point of access will be provided on Bowie Drive. All units will have access at the back (rear-loading). The internal drive aisle can accommodate the largest fire apparatus in Universal City and a turnaround area for all vehicles (passenger, fire and garbage) will be provided at the southeast portion of the property. An approximately 5,000-square-foot, common open space area will be provided at the rear of the property. Processing the project as a PUD allows an increased number of units but provides the City with the opportunity to weigh in on the architecture, exterior materials and overall residential use type.

41 notices were mailed to surrounding property owners; one letter was returned indicating no objection. No one other than the Applicant spoke “for” or “against” the proposed development at the Planning & Zoning Public Hearings. The members of the Planning & Zoning Commission unanimously approved the project and forwarded the requests to City Council for its final determination.

**Action Requested**

City Council actions will include **three Public Hearings**: one for the FLUP; one for the Rezoning; and one for the PUD Final Plan. The Council will also act on **two ordinances**; Ordinance 632-PC-584-FLUP-2024; and Ordinance No. 581-Y-PUD-2024-102. Both Ordinances require two readings.

**Procurement Methodology**

This is a zoning procedure only and requires no procurement by the City.

**Source and Amount of Funding**

This is a zoning procedure only and requires no funding by the City.

**Staff Recommendation**

Staff recommend approval of the residential PUD. By allowing 11 rowhome dwelling units on 0.717 acres, thereby maximizing the useable space on the subject property, the proposed project constitutes a significant step forward in achieving the vision of the Aviation District Masterplan.

**ORDINANCE NO. 632-PC 584-FLUP-2024**  
(SE Bowie Dr. & E. Wright Blvd.)

**AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN TO CHANGE LAND USE DESIGNATION OF PROPERTIES LOCATED AT 604 BOWIE DRIVE AND 206-218 E. WRIGHT BOULEVARD, UNIVERSAL CITY, TEXAS (CB 5768 BLK 21 LOTS 1-5) FROM MDR-MEDIUM DENSITY RESIDENTIAL TO HDR-HIGH DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

---

**WHEREAS**, in accordance with Sections 4-5-24 of the Code of Ordinances, City Council may approve an application for a Future Land Use Plan Amendment based upon changed or changing conditions in a particular area or in the City generally, or to rezone an area, or to extend the boundary of an existing zoning district; and

**WHEREAS**, Chapter 213.003 of the Texas Local Government Code provides that the City may amend the City's comprehensive plan by ordinance following a public hearing at which the public is given the opportunity to give testimony and present written evidence and review by the City's Planning and Zoning Commission; and

**WHEREAS**, Richard Raimondi requested a change in zoning classification from R-OT Old Town Residential to PUD 2024-102 for the property described as CB 5768 BLK 21 LOTS 1-5, Universal City, Bexar County, Texas and assigned the physical addresses of 604 Bowie Drive and 206 – 218 E. Wright Boulevard, Universal City, Texas which would require an amendment to the City's Future Land Use Plan; and

**WHEREAS**, after proper delivery of notice, the Planning and Zoning Commission conducted a public hearing on the application for the Future Land Use Plan Amendment on April 1, 2024, where the public had the opportunity to provide testimony and written evidence regarding the proposed amendment to the City's Future Land Use Plan; and

**WHEREAS**, at the conclusion of the public hearing, the Planning and Zoning Commission made recommendations in favor of the application for the Future Land Use Amendment; and

**WHEREAS**, after proper publication of notice and receipt of the Planning and Zoning Commission's recommendation, City Council conducted a public hearing on the application for the Future Land Use Plan Amendment on April 16, 2024, during which the public was provided another opportunity to give testimony and written evidence for or against the proposed amendment to the Future Land Use Plan; and

**WHEREAS**, after considering all of the testimony and written evidence provided by the public as well as the recommendation made by the Planning and Zoning Commission, the City Council finds that the proposed amendment to the Future Land Use Plan is commensurate with the overall vision and growth plan of the City and is in the best interest of the City of Universal City; and

**WHEREAS**, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS:**

**SECTION 1. Recitals.** The recitals set out above are adopted herein for all purposes.

**SECTION 2. The Property.** The real property (“Property”) subject to the amendments authorized by this Ordinance is an approximate 0.717-acre parcel, more or less, legally described as CB 5768 BLK 21 LOTS 1-5, Universal City, Bexar County, Texas and assigned the physical addresses of 604 Bowie Drive and 206 – 218 E. Wright Boulevard, Universal City, Texas.

**SECTION 3. The Future Land Use Plan Amendment.** The Future Land Use Plan is hereby amended by revising the Future Land Use for the Property from **MDR-MEDIUM DENSITY RESIDENTIAL TO HDR-HIGH DENSITY RESIDENTIAL**, subject to the conditions set out in Section 5.

**SECTION 4. Map Revision.** The City Manager is hereby authorized and directed to revise the Future Land Use Plan map and take all other steps reasonably necessary to facilitate the purpose of this ordinance, subject to the conditions set out in Section 5.

**SECTION 5. Conditional Approval.** Pursuant to Section 4-5-54 (entitled “Planned Unit Development”) of the Code of Ordinances, the following conditions are imposed:

1. This ordinance shall become null and void if approval of the preliminary and final plats of subdivision by the Planning and Zoning Commission has not occurred within two years of this ordinance’s effective date.

**SECTION 6. Continuation clause.** All provisions of the Future Land Use Plan and Code of Ordinances of the City of Universal City not herein amended or repealed shall remain in full force and effect.

**SECTION 7. Repealer clause.** All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

**SECTION 8. Severability clause.** If any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

**SECTION 9.** This Ordinance shall be construed shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**SECTION 10.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**SECTION 11. Effective Date.** This ordinance will take effect upon its passage, approval and publication as provided by law.

**PASSED, on first reading** by the City Council of the City of Universal City on this the 16<sup>th</sup> day of April 2024.

**PASSED AND APPROVED, on second reading** by the City Council of the City of Universal City on this the 7<sup>th</sup> day of May 2024.

CITY OF UNIVERSAL CITY, TEXAS

---

John Williams, Mayor

ATTEST:

---

Maribel Garcia, Deputy City Clerk

APPROVED AS TO FORM:

---

Megan R. Santee, City Attorney  
DENTON NAVARRO RODRIGUEZ BERNAL SANTEE & ZECH, P.C.

## **Motion to Approve – FLUP:**

PC 605 (ZC 256)

After conducting a public hearing on the request for an amendment to the Future Land Use Plan for the properties at the southeast corner of Bowie Drive and E. Wright Boulevard, with the common addresses of 604 Bowie Drive and 206-218 E. Wright Boulevard, and receiving the Planning and Zoning Commission's recommendation, City Council has considered the request and moves to approve PC 605 (ZC 256) and the amendment to the Future Land Use Plan from MDR-Medium Density Residential to HDR-High Density Residential for the subject property with the following conditions:

1. Staff approval of outstanding PUD Final Plan comments
2. City Council approval of the Zone Change from R-OT Old Town Residential to PUD 2024-102 District
3. City Council approval of the PUD Final Plan
4. Planning and Zoning Commission approval of the Final Plat of Subdivision within two years of PUD Final Plan approval by City Council

**ORDINANCE NO. 581-Y-PUD-2024-102**

(SE Bowie Dr. & E. Wright Blvd.)

**AN ORDINANCE OF THE CITY COUNCIL OF CITY OF UNIVERSAL CITY, TEXAS AMENDING THE ZONING MAP OF THE CITY OF UNIVERSAL CITY, TEXAS FOR AN APPROXIMATELY 0.717-ACRE PROPERTY, LOCATED AT 604 BOWIE DRIVE AND 206-218 E. WRIGHT BOULEVARD, UNIVERSAL CITY, TEXAS; REZONING SAID PROPERTY FROM R-OT OLD TOWN RESIDENTIAL DISTRICT TO PUD 2024-102 DISTRICT, GENERALLY FOR HIGH-DENSITY RESIDENTIAL AND RELATED USES; ADOPTING THE PUD FINAL PLAN RELATED TO PUD 2024-102; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, in accordance with Section 4-5-24 and Section 4-5-56 of the Code of Ordinances, City Council may approve an application for an Official Zoning Map Amendment and a Planned Unit Development to provide some flexibility to traditional zoning by offering a mechanism to balance specific site constraints and development plans with the larger interest of the community and the integrity of the Zoning Ordinance; and

**WHEREAS**, Chapter 211.003 of the Texas Local Government Code provides that the City Council may regulate the height, number of stories, size of buildings, percentage of a lot that may be occupied, the size of yards, courts, and other open spaces, population density, the location and use of buildings, and land for business; and

**WHEREAS**, Chapter 211.004 of the Texas Local Government Code provides that zoning regulations must be adopted in accordance with a comprehensive plan; and

**WHEREAS**, Chapter 211.006 of the Texas Local Government Code provides the procedures that the City Council must follow to exercise the authority relating to zoning regulations and zoning district boundaries; and

**WHEREAS**, as further described in Sections Two, Three, and Four of this Ordinance, Richard Raimondi has submitted an application for a Future Land Use Plan Amendment, Zoning Map Amendment and a Planned Unit Development for an approximately 0.717-acre tract assigned the physical addresses of 604 Bowie Drive and 206 – 218 E. Wright Boulevard, Universal City, Texas, generally located at the southeast corner of the intersection of Bowie Drive and E. Wright Boulevard, which is more fully depicted and legally described on **Exhibits “A” and “B”**, attached hereto, for a rezoning from R-OT Old Town Residential District to PUD 2024-102 District, generally for high-density residential and related uses; and

**WHEREAS**, after proper delivery of notice, the Planning and Zoning Commission conducted a public hearing on the application for the Future Land Use Plan Amendment, Zoning Map Amendment and Planned Unit Development on April 1, 2024, during which parties in interest and citizens had an opportunity to be heard on the matter; and

**WHEREAS**, at the conclusion of the public hearing, the Planning and Zoning Commission made a recommendation in favor of the applications for the Future Land Use Plan Amendment, Zoning

Map Amendment and Planned Unit Development and made the findings for the Planned Unit Development required by Section 4-5-56 of the Code of Ordinances; and

**WHEREAS**, after proper publication of notice and receipt of the Planning and Zoning Commission’s recommendation, the City Council conducted a public hearing on the applications for the Future Land Use Plan Amendment, Zoning Map Amendment and Planned Unit Development on April 16, 2024, during which parties in interest and citizens had another opportunity to be heard on the matter; and

**WHEREAS**, after conducting a public hearing on the matter where parties in interest and citizens had an opportunity to be heard, and considering all of the testimony and written evidence provided by the public as well as the recommendation made by the Planning and Zoning Commission, the findings of which are included hereto as **Exhibit “C”**, the City Council finds the Zoning Map Amendment is in accordance with the City’s Comprehensive Plan for the purpose of promoting the health, safety, morals and general welfare of the City and the Planned Unit Development conforms with the requirements of Section 4-5-56 of the City Code; provided there is full compliance with the conditions set out in Section Four of this Ordinance; and

**WHEREAS**, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS:**

**SECTION 1. Recitals.** The recitals set out above are adopted herein for all purposes.

**SECTION 2. The Property.** The real property (“Property”) subject to the amendments authorized by this Ordinance is a 0.717-acre tract, more or less, assigned the physical addresses of 604 Bowie Drive and 206 – 218 E. Wright Boulevard, Universal City, Texas, generally located at the southeast corner of the intersection of Bowie Drive and E. Wright Boulevard, which is more fully depicted and legally described on **Exhibits “A” and “B”**, attached hereto.

**SECTION 3. The Zoning Map Amendment.** The City’s Official Zoning Map is hereby amended by revising the Zoning Classification of the Property from R-OT Old Town Residential District as shown on the Zoning Map to PUD 2024-102 District, generally for high-density residential and related uses, subject to the conditions set out in Section 6.

**SECTION 4. The Planned Unit Development.** Subject to the conditions set out in Section 6, the Property shall develop in accordance with the PUD 2024-102 Development Regulations, including the approved PUD Final Plan, as provided for in **Exhibit “D”**, which shall include among other things, the permitted uses, lot design standards, and the following Exhibits:

Exhibit “D-1” – PUD 2024-102 Development Regulations

Exhibit “D-2” – PUD Plans (including site plan and architectural elevations)

**SECTION 5. Map Revision.** The City Manager is hereby authorized and directed to revise the Official Zoning Map and take all other steps reasonably necessary to facilitate the purpose of this ordinance, subject to the conditions set out in Section 6.

**SECTION 6. Conditional Approval.** Pursuant to Section 4-5-54 (entitled “Planned Unit Development”) of the Code of Ordinances, the following conditions are imposed:

1. This ordinance shall become null and void if approval of the preliminary and final plats of subdivision by the Planning and Zoning Commission has not occurred within two years of this ordinance’s effective date.

**SECTION 7. Continuation Clause.** All provisions of the Code of Ordinances of the City of Universal City not herein amended or repealed shall remain in full force and effect.

**SECTION 8. Repealer Clause.** All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

**SECTION 9. Severability Clause.** If any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

**SECTION 10.** This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**SECTION 11.** It is officially found, determined, and declared that the meeting at which this Ordinance was adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**SECTION 12. Effective Date.** This ordinance will take effect upon its passage, approval and publication as provided by law.

**PASSED, on first reading** by the City Council of the City of Universal City on this the 16<sup>th</sup> day of April 2024.

**PASSED AND APPROVED, on second reading** by the City Council of the City of Universal City on this the 7<sup>th</sup> day of May 2024.

CITY OF UNIVERSAL CITY, TEXAS

---

John Williams, Mayor

ATTEST:

---

Maribel Garcia, Deputy City Clerk

APPROVED AS TO FORM:

---

Megan R. Santee, City Attorney  
DENTON NAVARRO RODRIGUEZ BERNAL SANTEE & ZECH, P.C.

# EXHIBIT "A"

## NOTIFICATION MAP



**P.C. 605 (ZC 256), P.C. 606 (ZC 257), P.C. 607 (ZC 258)**  
**604 BOWIE DR AND AND 206, 214, AND 218 E. WRIGHT BLVD**

Date Prepared: Thursday, Mar. 14, 2024

0 150 300  
Feet

### Legend

-  200 Ft Buffer
-  Affected Parcels



The City of Universal City  
Texas  
2150 Universal City Blvd  
Universal City, TX 78148

**EXHIBIT "B"**

**LEGAL DESCRIPTIONS**

604 Bowie Drive: CB 5768 BLK 21 LOT 1

206 E. Wright Boulevard: CB 5768 BLK 21 LOT 2&3

214 E. Wright Boulevard: CB 5768 BLK 21 LOT 4

218 E. Wright Boulevard: CB 5768 BLK 21 LOT 5

**EXHIBIT "C"**

**FINDINGS OF FACT**

## E. WRIGHT ROWHOMES

### STANDARDS FOR GRANTING A PLANNED UNIT DEVELOPMENT

When considering the requested action, the Planning and Zoning Commission and City Council must determine that the following Findings of Fact exist. All applicants must provide a written response to each of the standards listed below. The response to each standard should thoroughly explain how the PUD being requested will meet the established criteria. **Please provide a detailed response to each of the following criteria** (*attach additional pages, if necessary*). If a standard does not apply, then mark N/A.

- A. The entire property proposed for the PUD shall be in single ownership or under such unified control as to ensure that the entire property will be developed as a unified whole. All owners of the property shall be included as joint applicants on all applications and all approvals shall bind all owners. The violation of any owner as to any tract shall be deemed a violation as to all owners of all tracts.

**Finding: The entire property is owned by Richard Raimondi.**

- B. The applicant shall have the burden of establishing that the subject property is of sufficient size and shape to be planned and developed as a unified whole capable of meeting the objectives for which the PUD may be established pursuant to this section.

**Finding: As demonstrated in the submitted PUD Plan, the 0.717-acre property is being developed as a unified whole with attached rowhomes that meet the PUD objectives and Aviation District Masterplan by providing for the efficient use of land with a creative approach that will result in a better development and design that would not be possible under the current R-OT "Old Town Residential" district.**

- C. All covenants, deed restrictions, easements and similar restrictions to be recorded in connection with the PUD shall stipulate that they may not be modified, removed or released without the express consent of the City Council and that they must be enforced by future landowners within the proposed development.

**Finding: The Applicant and Owner agree that covenants, deed restrictions, easements and similar restrictions to be recorded in connection with the City's PUD approval shall stipulate that they may not be modified, removed or released without the express consent of the City Council and that they must be enforced by future landowners within the proposed development.**

- D. The Applicant may be required to submit a proposed Development Agreement as part of the PUD application. As part of the PUD approval, the City must approve the Development Agreement.

**Finding: While not anticipated at this time, the applicant acknowledges that a Development Agreement may be required as part of the PUD process and must be approved by the City.**

- E. Any area of a PUD not used for structures, streets, or parking lots, shall be landscaped. The perimeter of the PUD shall be designed to ensure compatibility with uses surrounding the PUD by including uses within the PUD that are compatible with such surrounding uses, including setbacks, screening, or natural or man-made buffers within such perimeter.

## E. WRIGHT ROWHOMES

**Finding: The Applicant agrees that any area of the PUD not used for structures, streets or parking lots shall be landscaped in accordance with City residential standards and the perimeter of the PUD shall be designed to ensure compatibility with the surrounding context.**

F. Private streets are prohibited unless expressly approved by the City Council. If so approved, they shall meet all Universal City construction standards applicable to public streets. No such streets shall be approved except upon the condition that they shall be owned and maintained by a property owners' association meeting the requirements set forth in this section.

**Finding: Private streets are not being proposed as part of the proposed PUD project.**

G. Whenever the City Council determines that development of a PUD will create a need for land for public purposes of the City within the proposed PUD, the City Council may require that such land be designated and dedicated to the City for such use. In addition, the City Council may require evidence that all requirements of City ordinances pertaining to the dedication of land or the contribution of cash in connection with subdivisions or developments of land have been met with respect to the proposed PUD.

**Finding: Although not anticipated, the Applicant and Owner acknowledge that City Council may require that land be designated and dedicated to the City for public use.**

H. Thirty percent of the area of a residential-only PUD is required to be set aside and maintained as common open space. This thirty percent shall be calculated based on the net area of the site, which is the total area of a site available for development, excluding street rights-of-way, floodplains, and other publicly dedicated improvements. The location of common open space shall be consistent with its intended function as set forth in the application and PUD plans. No such open space shall be used for the construction of any structure or improvement except such structures and improvements as may be approved in the final plan as appropriate to the intended leisure or recreational uses for which such open space is intended.

1. The following uses shall be considered common open space:

a. Parks and playgrounds, including skate parks and dog parks.

b. Indoor or outdoor active recreation facilities, including basketball courts, ball fields, swimming pools and tennis courts.

c. Jogging trails, bike trails and fitness courses.

d. Nature preserves, bird sanctuaries, natural water features and similar conservation areas.

e. Detention/retention ponds may be counted toward common open space but must be accessible to the public via nature trails, boardwalks, and/or perimeter walkways, and they must be designed as natural water features and landscaped with native vegetation. Detention/retention ponds may only count toward twelve percent of the common open space area requirement.

**Finding: The applicant believes that due to the intended use of the property as a residential rowhome community, as well as the fact that approximately 16% common**

## E. WRIGHT ROWHOMES

**open space will be provided for use and enjoyment by the residents in the rowhomes, the common open space provide is reasonable.**

2. Adequate safeguards, including recorded covenants or dedication of development rights, shall be provided to prevent the subsequent use of common open space for any use, structure, improvement, or development other than that shown on the approved final plan. The safeguards must be perpetual and must run with the land. Such safeguards may be released, but only with the express written consent of the City Council, which shall occur at a public meeting.

**Finding: The applicant agrees that adequate safeguards shall be provided and may only be released with the express written consent of City Council at a public meeting.**

3. The final plan shall include such provisions for the ownership and maintenance of such open space and improvements as are reasonably necessary to ensure their continuity, care, conservation, maintenance, and operation in accordance with predetermined standards.

**Finding: The Applicant agrees the final plan shall include such provisions for the ownership and maintenance of such open space and improvements as are reasonably necessary to ensure their continuity, care, conservation, maintenance, and operation in accordance with predetermined standards.**

4. When the requirements of this section are to be satisfied by the ownership or maintenance of such open space or improvements by a property owners' association, such association shall meet each of the following standards:

a. The by-laws and rules of the association and all declarations, covenants, and restrictions to be recorded must be included as part of the final plan prior to the final plan becoming effective. Each such document shall provide that it shall not be amended in any manner that would result in it being in violation of the requirements of this chapter.

**Finding: N/A**

b. The association must be established and all covenants and restrictions must be recorded prior to the sale or lease of any property within the area of the PUD designated to have the use of the proposed open space or improvements.

**Finding: N/A**

c. The association must be responsible for casualty and liability insurance, taxes, and the maintenance of the open space and improvements to be deeded to it.

**Finding: N/A**

d. Membership in the association must be mandatory for each property owner and any successive owner having a right to the use or enjoyment of such open space or improvements.

**Finding: N/A**

## E. WRIGHT ROWHOMES

e. Every property owner having a right to the use or enjoyment of such open space or improvements must pay its pro rata share of the cost of the association by means of an assessment to be levied by the association that meets the requirements for becoming a lien on the property in accordance with state statutes.

**Finding: N/A**

f. The association must have the right to adjust the assessment to meet changed needs. The membership vote required to authorize such adjustment shall not be fixed at more than two-thirds of the members voting on the issue.

**Finding: N/A**

I. Planned unit developments shall not adversely affect the natural environment of the community as a whole. Natural assets and features, such as existing trees and native vegetation, shall be protected and preserved to the greatest extent practical.

**Finding: The applicant agrees that the PUD will not adversely affect the natural environment of the community as a whole. Additionally, best efforts will be taken with the PUD to protect required assets and features, such as existing trees and native vegetation.**

J. The site shall be accessible to public streets that are adequate to carry the traffic that will be generated by the proposed development. The streets and driveways within the proposed development shall be adequate to serve the uses within the development. The applicant shall be responsible for the cost and installation of additional traffic controls and regulating devices that are required.

**Finding: The PUD will be accessible to public streets that are capable of carrying necessary traffic loads generated by the PUD. Additional traffic controls and regulating devices are not anticipated for this development.**

K. The pedestrian circulation system and its related walkways shall be located to provide for separation of pedestrian and vehicular movement and for maximum pedestrian safety.

**Finding: All pedestrian circulation within the PUD will be designed to provide separation of pedestrian and vehicular movement.**

L. All planned unit developments shall provide for underground installation of utilities, including electricity, cable and telephone. Provisions shall be made for acceptable design and construction of storm sewer facilities and appropriate storm retention and detention devices. The construction and maintenance of all utilities, roadways, parking facilities and other site improvements shall be in accordance with the requirements of this Ordinance and other regulations of the City.

**Finding: The PUD will provide utilities including electricity, cable and telephone in accordance with Universal City standards and regulations. Additionally, the construction and maintenance of all utilities, common driveways, parking facilities and other site improvements will be made in accordance with Universal City standards and regulations.**

**EXHIBIT “D”**

**DEVELOPMENT REGULATIONS & PLANS**

**EXHIBIT “D-1”**

**PUD 2024-102 DEVELOPMENT REGULATIONS**

**EXHIBIT "D-1"**

**PUD 2024-102 DEVELOPMENT REGULATIONS**

- I. The subject property shall be zoned “PUD 2024-102 District” and shall conform to the development regulations contained herein. This planned unit development is intended to allow flexibility in planning and designing a mixed-use development and related uses in order to achieve a higher and better use of the overall property.
  
- II. **PERMITTED LAND USES** – Only land uses identified in the Use Table below shall be permitted (either by right or with a Specific Use Permit) on the subject property. All other uses shall be prohibited.

**Use Table**

Key:

P = Permitted use

S = Specific use

- = Not permitted

LOT 1 = Single-Family Residential; LOT 901 = Common Open Space

Use	PUD 2024-102 (E. WRIGHT ROWHOMES)	
*See Zoning Code Section 4-5-52-Use Table for description of Use categories identified below.		
	LOT 1	LOT 901
RESIDENTIAL USES		
Townhouse residential.	P	-
Condominium residential.	P	-
Apartment residential.	P	-
CIVIC USES		
Local utility services.	P	P

Notes

- 1. Ancillary uses associated with townhouses, condominiums and apartment homes and the related development shall be permitted. These uses include, but are not limited to, a dog park, outdoor recreation area, community mailbox or cluster box unit (CBU), privacy walls with gates, and residential trash enclosures. However, individual or a community shed shall not permitted on the property.

### III. LOT DESIGN STANDARDS

No. of Lots / Units	Max. Density	Min. Lot Area	Min. Lot Width	Front Setback	Min. Side Setback	Min. Rear Setback	Max. Building Height	Max. Lot Cover	Max. Development Cover
1 / 11	15 Units / Acre	0.5 Acre (subdivision)	250 Feet	5 Feet (14'-15' from back of curb)	6 Feet	65 Feet	35 Feet	78%	78%

Notes

1. The total number of lots and units in the PUD may increase or decrease per approval of a revised PUD Plan and Replat, in accordance with procedures provided in the Municipal Code and State law.
2. The size of the principal building(s) on each lot may vary as long as the lot design standards are met.
3. Permanent structures, including signs, trash enclosures and other accessory structures, shall not be placed in any easement. Parking, drive-aisle pavement, and common open space shall be allowed in an easement at the property owner’s risk; that is, the easement holder shall not be responsible for restoration of the property should easement-related work be required and performed.
4. The Front Yard for each unit shall be the area fronting E. Wright.

### IV. ARCHITECTURAL DESIGN

- a. Residential buildings shall be consistent with the Conceptual Street Elevations as depicted and described in Exhibit “D” of the Ordinance approving PUD 2024-102. A minimum of 25% of building exterior materials must be a combination of the following masonry materials: brick, stone/rock (including limestone), faux stone veneer, or stucco with at least 17% comprised of stone/rock (including limestone) and/or brick. Note masonry does not include siding product types, such as LP SmartSide Siding and HardiPlank Siding. Roof material shall consist of composite shingles, metal, or tile.

### V. FENCING/SCREENING

Fencing/Screening shall conform with Article VII of the Zoning Code with the following exceptions, as depicted further in Ordinance PUD 2024-102:

- a. A community trash enclosure shall comply with the City’s specifications as identified in the Municipal Code.
- b. Community fencing shall be either decorative metal (wrought iron, aluminum, or similar) or wooden and may be 6-feet in height.
- c. Masonry columns connecting fence sections shall be permitted.

**METAL FENCE EXAMPLE**



**WOODEN FENCE EXAMPLE**



## **VI. LIGHTING**

- a. All lighting shall be shielded or downward facing to the greatest extent possible to reduce light pollution and shall aim to emit zero footcandles at the lot line.

## **VII. PARKING**

- a. Each residential unit shall provide two parking spaces in an enclosed garage with a minimum size of 440 square feet and two parking spaces on each driveway.

## **VIII. CURB CUTS**

- a. In accordance with the approved PUD Plan, as depicted in Exhibit “A” in Ordinance PUD 2024-102, a total of one drive-aisle curb cut shall be permitted on Bowie Drive.
- b. Changes to the number and location of curb cuts shall be reflected on an updated Final PUD Plan submitted for review and approved by City Staff. A public meeting/hearing shall not be required.

## **IX. SIGNS**

- a. Unless specified below, signage shall require building permit submittal and shall comply with the requirements identified in the Universal City Sign Code.
  - i. Two community monument signs shall be permitted, one on E. Wright Boulevard and the other on Bowie Drive.
  - ii. The maximum height of the monument sign shall be six feet (6’) as measured from street grade and conform with the Visibility Triangle requirements of the Municipal Code. The monument sign shall require a building permit prior to installation. The monument sign building permit application shall include a site plan identifying the sign location and dimension, including proposed landscaping. The monument sign cannot be placed in an easement.
  - iii. A pole sign shall not be allowed.

## **X. LANDSCAPING**

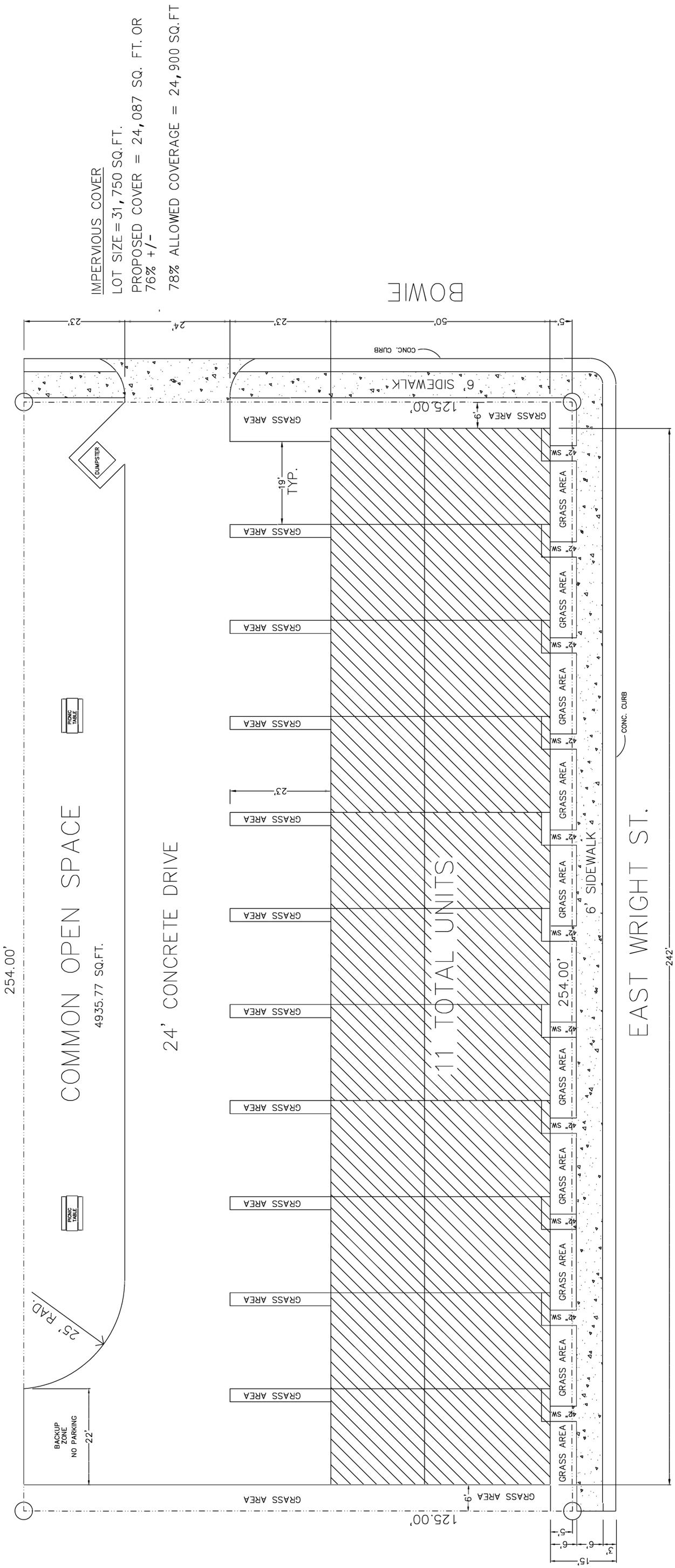
As part of the building permit submittal, a final landscape plan shall be included and shall meet the following guidelines:

- The grass area fronting each unit shall be landscaped.
- The grass area on the sides of the two end units shall be landscaped.
- 15% minimum landscaping requirement on the common open space area of the subject property; additionally, at least two shade trees shall be provided in the common open space area.
- Shrubs and groundcover shall be maintained so as not to exceed 30 inches in height to ensure driver visibility.

- Tree and shrub species shall be selected and located to maintain safe sight line distances.
- Plant selection and location should consider and avoid conflicts with both underground and above ground utilities. All utilities shall be located on the final landscape plan submitted as part of the building plans submittal.
- Irrigation of all landscaping is required and shall be reflected on an irrigation plan submitted as part of the building plans submittal.
- A combination of the shade trees, ornamental trees, shrubs, ground cover, succulents, and turf grass shall be planted on the subject property in conformance with these PUD Development Regulations.

**EXHIBIT "D-2"**

**PUD PLANS**



IMPERVIOUS COVER  
 LOT SIZE = 31,750 SQ.FT.  
 PROPOSED COVER = 24,087 SQ. FT. OR  
 76% +/-  
 78% ALLOWED COVERAGE = 24,900 SQ.FT

BOWIE

11 TOTAL UNITS

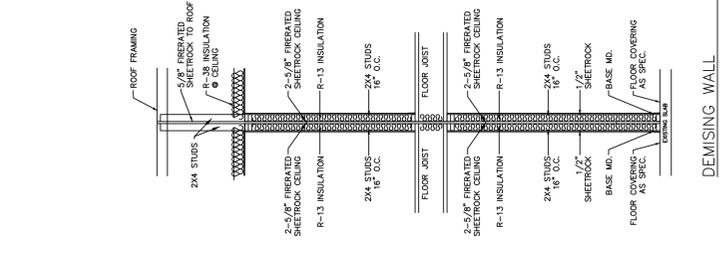
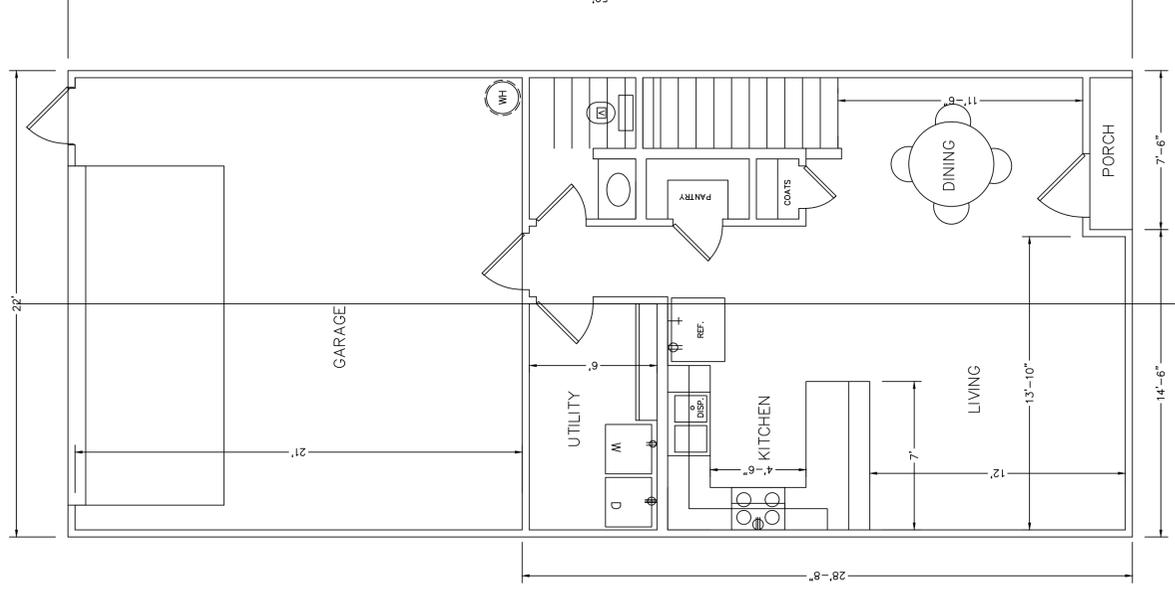
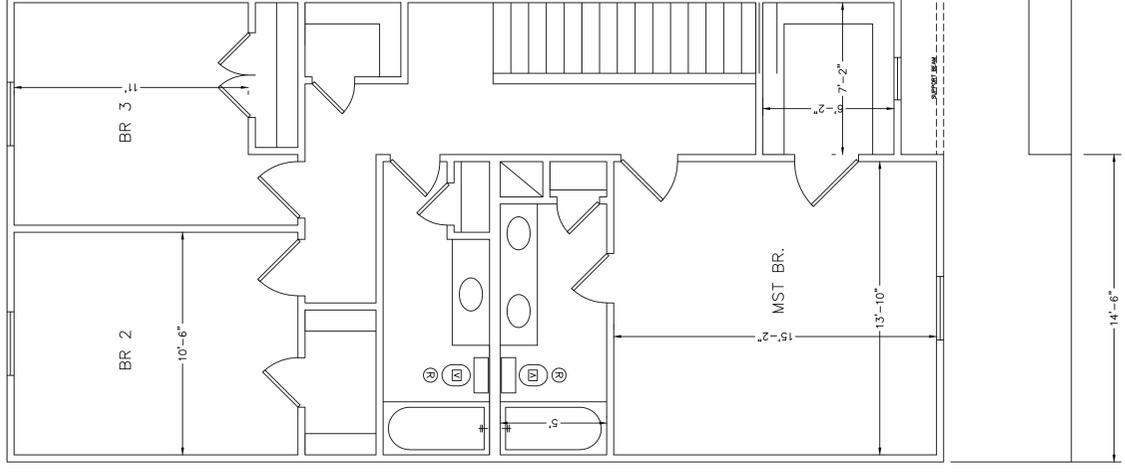
EAST WRIGHT ST.

LEGEND	
◇	LIGHT
⊙	RECESSED LIGHT
⊕	SWITCH
⊕	ELECTRICAL PLUG (110)
⊕	ELECTRICAL PLUG (220)
⊕	HIDDEN PLUG
⊕	WATERPROOF PLUG
REF	REFRIGERATOR
⊕	TELEVISION ANTENNA
⊕	TELEPHONE JACK
⊕	OUTLET FOR ICE MAKER IN REFRIG.
⊕	CO2 CARBON MONOXIDE & SMOKE DETECTOR
⊕	FLUORESCENT
⊕	UNDER COUNTER FLUORESCENT
HEAT	HEATER, LIGHT, VENT
HEAT	HEATER, VENT
M.C.	MEDICINE CABINET
WH	WATER HEATER
WS	WATER SOFTENER
S/R	SHELF AND ROD
S/ZR	SHELF AND TWO RODS
A/C	AIR-CONDITIONER
HB	HOSE BIB
⊕	GAS OUTLET
SHL	SHELVES

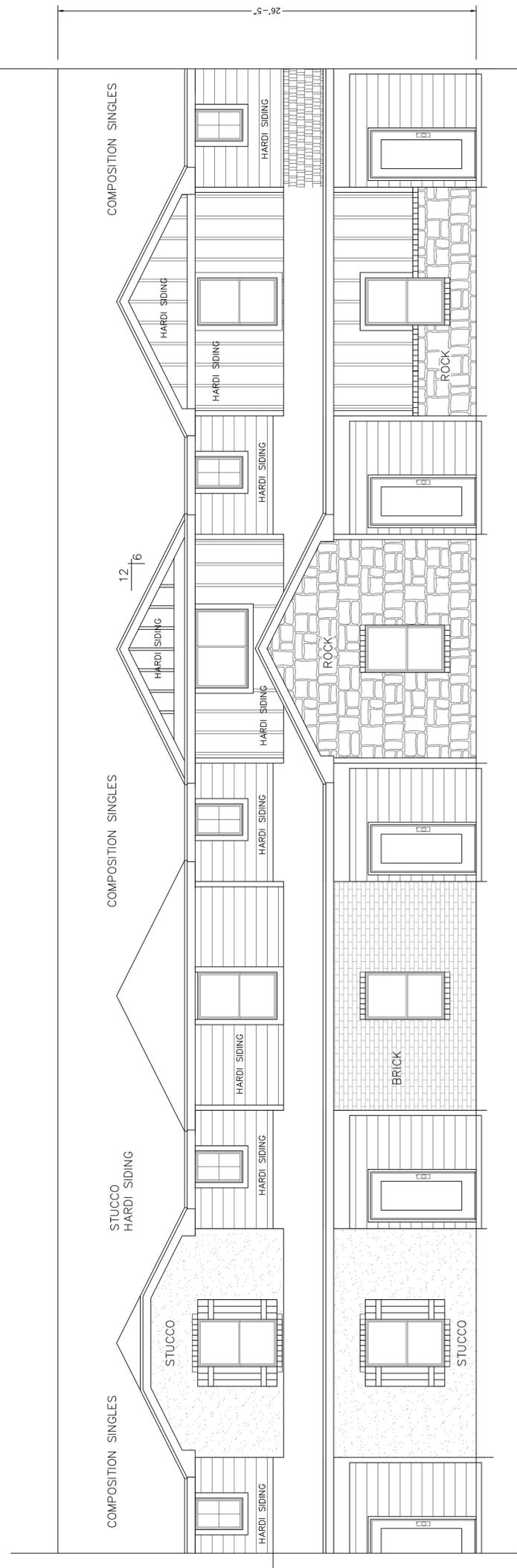
DRAWINGS, PLANS AND SKETCHES ARE THE PROPERTY OF BRIAN SMITH DESIGNERS, INC. PURCHASER'S RIGHT IS CONDITIONAL AND LIMITED TO A ONE TIME USE TO CON-  
 STRUCT A SINGLE PROJECT. PRELIMINARY SKETCHES ARE  
 PROHIBITED AS CONSTRUCTION DRAWINGS. UNAUTHORIZED  
 USE OR REPRODUCTION OF THESE PLANS AND SKETCHES  
 ARE STRICTLY PROHIBITED. VIOLATORS WILL BE PROSECUTED.

**Brian Smith**  
 DESIGNERS INC.  
 (210)658-9726  
 REF. #6279-00

COPYRIGHT 19 BRIAN SMITH DESIGNERS



REF# 6279-00  
 RICHARD RAIMONDI  
 210-387-3791  
 rraimondi10@gmail.com  
 LIVING AREA  
 DOWN = 616  
 UP = 908  
 TOTAL LIVING = 1524  
 GARAGE = 469  
 PORCH = 15



**NOTE: ALL PLANS ARE TO BE BUILT TO ALL LOCAL BUILDING CODES AND PROPERTY RESTRICTIONS.**  
 BRIAN SMITH DESIGNERS, INC. SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS AFTER START OF CONSTRUCTION DUE TO ERRORS ON PLANS OR IN SPECIFICATIONS. BUILDER TO VERIFY ALL PLANS, DIMENSIONS, SPECIFICATIONS, SQUARE FOOTAGE, & SITES OF CONSTRUCTION, AS WELL AS ALL REGULATIONS, ORDINANCES, AND PERMITS. ALL FOUNDATION PLANS ARE TO BE ENGINEERED THROUGH BUILDER OF PROJECT.  
 COPYRIGHT ©  
 DRAWINGS, PLANS AND SKETCHES ARE THE PROPERTY OF BRIAN SMITH DESIGNERS, INC. PURCHASER'S RIGHT IS CONDITIONAL AND LIMITED TO A ONE TIME USE TO CONSTRUCT A SINGLE PROJECT. PRELIMINARY SKETCHES ARE PROHIBITED AS CONSTRUCTION DRAWINGS. UNAUTHORIZED USE OR REPRODUCTION OF THESE PLANS AND SKETCHES ARE STRICTLY PROHIBITED. VIOLATORS WILL BE PROSECUTED.



**Brian Smith**  
 DESIGNERS INC.  
 210-658-9726

RAIMONDI  
 TOWN HOMES

DATE  
 2/15/24

SHT. NO.  
 1 of 1

**Motion to Approve – Zone Change:**

PC 606 (ZC 257)

After conducting a public hearing on the request for a Zone Change for the properties located at the southeast corner of Bowie Drive and E. Wright Boulevard, with the common addresses of 604 Bowie Drive and 206-218 E. Wright Boulevard, and receiving the Planning and Zoning Commission’s recommendation, City Council has considered the request and moves to approve PC 606 (ZC 257) and the Zone Change from R-OT Old Town Residential to PUD 2024-102 District for the subject property with the following conditions:

1. Staff approval of outstanding PUD Final Plan comments
2. City Council approval of the FLUP amendment from MDR-Medium Density Residential to HDR-High Density Residential
3. City Council approval of the PUD Final Plan
4. Planning and Zoning Commission approval of the Final Plat of Subdivision within two years of PUD Final Plan approval by City Council

**Motion to Approve – PUD Preliminary and Final Plans:**

PC 607 (ZC 258)

After conducting a public hearing on the request for approval of the PUD Preliminary and Final Plans and receiving the Planning and Zoning Commission’s recommendation, City Council has considered the request and moves to approve PC 607 (ZC 258) and the associated PUD Preliminary and Final Plans and PUD Ordinance 581-Y-PUD-2024-102 for the properties at the southeast corner of Bowie Drive and E. Wright Boulevard, with the common addresses of 604 Bowie Drive and 206-218 E. Wright Boulevard, with the following conditions:

1. Staff approval of outstanding PUD Final Plan comments
2. City Council approval of the FLUP amendment from MDR-Medium Density Residential to HDR-High Density Residential
3. City Council approval of the Zone Change from R-OT Old Town Residential to PUD 2024-102 District
4. Planning and Zoning Commission approval of the Final Plat of Subdivision within two years of PUD Final Plan approval by City Council

## CITY OF UNIVERSAL CITY

Date: 04/16/2024

**TO:** City Council

**FROM:** Kim M. Turner, City Manager

**SUBJECT:** Ord. 307-B-2024--Vehicle Wrecker/Tow Services

**Historical Background**

The Ordinance has been revised based on the conversation and direction provided at the 02 April 2024 Council meeting. Everything in **RED** were the items presented at the 02 April meeting for which staff believes Council took no issue. Changes in **BLUE** are the most recent changes. A map has been provided identifying the tow/wrecker services within a 5, 10, and 15 mile radius of the City.

**Action Requested**

Approve Ordinance 307-B-2024—Vehicle Wrecker/Tow Services

**Procurement Methodology**

This is an Ordinance update only and requires no procurement by the City.

**Source and Amount of Funding**

This is an Ordinance update only and requires no funding by the City.

**Staff Recommendation**

Staff recommends approval of Ordinance 307-B-2024

RANGE: 15 MILES

RANGE: 10 MILES

RANGE: 5 MILES

Comal

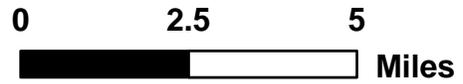
Guadalupe

Universal City

Bexar

**Legend**

● WRECKER SERVICE LOCATIONS



**ORDINANCE NO. 307-B-2024**

AN ORDINANCE AMENDING THE REQUIREMENTS FOR VEHICLE WRECKER/TOW SERVICES; SUPERSEDING ORDINANCE 307-A-1989; AMENDING CHAPTER 3-3, ARTICLE XI: VEHICLE WRECKER SERVICES IN ITS ENTIRETY, PROVIDING FOR SEVERABILITY; SETTING AN EFFECTIVE DATE; AND AMENDING OF THE UNIVERSAL CITY CODE OF ORDINANCES ACCORDINGLY.

---

WHEREAS, the City Council has determined that any person or entity engaged in operating a vehicle storage facility, as that term is defined in Texas Occupations Code § 2303.002(8), within the city limits shall comply with the provisions of state law, including Texas Occupations Code Ch. 2303 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing or Regulation.; and,

WHEREAS, the City Council has determined that any person or entity engaged in operating a tow truck, as that term is defined in Texas Occupations Code § 2308.002(11), within the city limits shall comply with the provisions of state law, including Texas Occupations Code Ch. 2308 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing and Regulation; and,

WHEREAS, the City of Universal City has an obligation to provide for the protection of the general public by the removal of disabled or wrecked motor vehicles.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS:

**SECTION 1:** That the Vehicle Wrecker/Tow Service regulations as full attached hereto and all actions taken by City Council of the City of Universal City in accordance with the Code of Ordinances to repeal, adopt, and amend such ordinances are hereby adopted as outlined in “Exhibit A”.

**SECTION 2: Severability.** It is declared to be the intention of the City Council that if any of the sections, paragraphs, sentences, clauses and phrases of this Ordinance shall be declared unconstitutional or otherwise illegal by the valid judgment or decree of any court of competent jurisdiction, such event shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional or illegal phrase, clause, sentence, paragraph or section.

**SECTION 3:** This Ordinance shall be construed shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**SECTION 4:** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**SECTION 5: Effective Date.** This ordinance will take effect upon its passage, approval and publication as provided by law.

**SECTION 6:** This ordinance hereby supersedes Ordinance 307-A-1989.

**SECTION 7:** The Universal City Code of Ordinances, Chapter 3-3, Article XI: Vehicle Wrecker Services shall be amended accordingly.

**PASSED** on first reading by the City Council of the City of Universal City on this the 16<sup>TH</sup> day of APRIL 2024.

**PASSED AND APPROVED** in substantial form, on second reading by the City Council of the City of Universal City on this the 7<sup>TH</sup> of MAY 2024.

CITY OF UNIVERSAL CITY, TEXAS

APPROVED:

---

John Williams, Mayor

ATTEST:

APPROVED FOR LEGAL SUFFICIENCY:

---

Maribel Garcia, Deputy City Clerk

---

Megan R. Santee, City Attorney  
Denton Navarro Rodriguez Bernal Santee & Zech, P.C.

Attachments:

Exhibit A: CLEAN COPY Article XI. Vehicle Wrecker/Tow Service (5 pgs)

Exhibit B: REDLINE COPY Article XI. Vehicle Wrecker/Tow Service (6 pgs)

Exhibit C: Old Ordinance Article XI. Vehicle Wrecker/Tow Service (3 pgs)

**ARTICLE XI. VEHICLE WRECKER/TOW SERVICE<sup>1</sup>**

**CLEANED UP COPY—04/02/2024**

**CLEANED UP COPY—04/10/2024**

**Sec. 3-3-161. Compliance with state law.**

- (a) Any person or entity engaged in operating a vehicle storage facility, as that term is defined in Texas Occupations Code § 2303.002(8), within the city limits shall comply with the provisions of state law, including Texas Occupations Code ch. 2303 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing or Regulation.
- (b) Any person or entity engaged in operating a wrecker/tow truck, as that term is defined in Texas Occupations Code § 2308.002(11), within the city limits, **or under contract with the City**, shall comply with the provisions of state law, including Texas Occupations Code ch. 2308 and any rules or regulations with regard to the same adopted by the Texas Department of Licensing and Regulation.

**Sec. 3-3-162. Definitions.**

As used in this article, the following terms shall have the respective meanings ascribed to them:

*Abandoned vehicle* means the condition of being abandoned as defined in V.T.C.A., Transportation Code ch. 683 as amended.

*City* means the City of Universal City, Texas.

*Department* means the Texas Department of Labor and Standards.

*Disabled vehicle* means a vehicle which has been rendered unsafe to be driven as the result of some occurrence other than a wreck, including but not limited to mechanical failures or breakdowns, fire, vandalism, or a vehicle which is in a safe driving condition, but the owner is not present or permitted to drive so as to reasonably necessitate that the vehicle be removed by a wrecker.

*Incident management tow* means the towing or other transportation of a vehicle by a tow truck which is the result of a police officer exercising his/her authority to effect the removal of said vehicle pursuant to state law and/or this article.

**Junked vehicle means a vehicle as defined in Section 683.071; V.T.C.A. Transportation Code, as amended, and further defined in Section 4-1-10 of the Universal City Code of Ordinances**

*Motor vehicle* means every vehicle that is self-propelled.

*Nonconsent tow* means any tow conducted without the permission of, or not at the direction of, the towed vehicle's legal or registered owner, or such owner's authorized representative. Regardless of this definition, certified law enforcement officials may control the scene of an accident in the manner they deem appropriate.

*Owner* means any person who holds the legal title of a motor vehicle, or who has the legal right of possession thereof, or the legal right of control of such vehicle.

---

<sup>1</sup>Editor's note(s)—Ord. No. 307-A, §§ 1—13, adopted February 21, 1989, has been treated as superseding the provisions of former §§ 3-3-161—3-3-170 in their entirety. Former §§ 3-3-161—3-3-170 were concerned with similar provisions and derived from Ord. No. 307, §§ 1—10, adopted October 3, 1978.

---

*Person* means an individual person, firm or corporation and shall include representatives, servants, employees or agents.

*Street* means any street, alley, boulevard, avenue, highway, public place or square within the corporate limits of the City.

*Vehicle Storage Facility* means a garage, parking lot, or other facility that is owned by a person other than a governmental entity and used to store or park at least 10 vehicles each year. **Nonconsent tows may only be kept in vehicle storage facilities within Bexar County or Guadalupe County.**

*Wrecker/tow truck* means a motor vehicle or mechanical device adapted or used to tow, winch, or otherwise move disabled motor vehicles.

*Wrecker/tow truck driver* means a person engaged, contracted, or employed by a wrecker/towing business or company using a tow truck to tow, winch, or otherwise move a motor vehicle.

*Wrecker/tow truck owner* means a person engaged in the business of using a tow truck to tow, winch, or otherwise move a motor vehicle.

*Wrecker/towing business* means the business of towing or removing disabled or wrecked vehicles.

*Wrecker/towing company* means any person engaged in the wrecker business.

### **Sec. 3-3-163. Registration requirements.**

A person may not operate a wrecker/tow truck for compensation within the City prior to obtaining a State Certificate of Registration. **To identify who is authorized to conduct non-consent tows with Universal City, and to ensure the tow business and its employees comply with this Ordinance,** a City permit is required for all tow trucks performing nonconsent tows within the boundaries of the City without regard to the location of the place of business of the tow truck owner.

### **Sec. 3-3-164. Identification requirement.**

Every wrecker/tow truck shall have painted, **vinyl decals, or wraps** on the doors of such vehicle, the name of the wrecker/tow truck owner or the name under which the owner operates, together with the owner's **address and** telephone number. ~~The name of the owner and the telephone number of the owner shall also be painted on the rear of such vehicles.~~ The lettering shall be not less than two ~~and a half~~ inches in height and not less than one-quarter inch wide.

### **Sec. 3-3-165. Following emergency vehicles prohibited.**

No person in a wrecker/tow truck shall follow any ambulance or police car which is traveling on a public street in response to report of an automobile collision or accident.

### **Sec. 3-3-166. No wrecker/tow truck allowed at scene of accident unless called by police; certain exceptions.**

No person shall drive a wrecker/tow truck to or near the scene or site of an accident or collision on the streets of the City of Universal City unless such person has been called to the scene by the Police Department of the City of Universal City. Provided that when it is necessary to prevent death or bodily injury to any person involved in an accident or collision, this section shall not apply.

---

### **Sec. 3-3-167. Wrecker/tow truck solicitations prohibited.**

No person shall solicit in any manner, directly or indirectly, the business of towing, removing, repairing, wrecking, storing, trading, or purchasing any vehicle which is wrecked or disabled on a public street of the City of Universal City. Proof of the presence of any person engaged in the wrecker/towing business or the presence of any wrecker/tow truck or motor vehicle owned or operated by any person engaged in the wrecker/towing business, either as owner, operator, employee or agent, on any public street in the City, at or near the location of a wreck, accident, or collision within one (1) hour after the happening of a wreck, accident, or collision shall be prima facie evidence of a solicitation in violation of this section **unless the on scene officer determines otherwise.**

### ~~Sec. 3-3-168. Contract wrecker/tow truck service.~~

~~The City Manager is authorized to contract with a single wrecker/towing business or company that will be designated as the authorized contractor that will remove vehicles from the scene of an accident or collision on a public street when the vehicle is unable to proceed safely under its own power, or when the owner thereof is physically unable to drive such vehicle, or when removal is otherwise directed by the Police Department. The contract will establish fees for towing and storage, specification of a storage area, and procedures for release of vehicles and collection of fees for services provided.~~

### ~~Sec. 3-3-169. Contract wrecker/tow truck not available.~~

~~If the wrecker/tow truck authorized contractor cannot arrive at the scene of an accident or collision within twenty (20) minutes, and the Police Officer investigating the incident determines that to delay would increase the hazard, he will request the service of another wrecker/tow truck business or company.~~

### **Sec. 3-3-168. Use of flashing lights.**

A wrecker/tow truck must utilize flashing lights with a vehicle in tow. **All lights must be consistent with TRC 547.305(d)(4), 547.305(e-4), 547.105** and must be clearly visible to approaching and following traffic.

### **Sec. 3-3-169. Speed limits.**

No wrecker/tow truck may exceed the posted speed limit at any time.

### **Sec. 3-3-170. Removing wrecked or abandoned vehicles without permission of the police.**

It shall be unlawful for any person in the operation of an wrecker/tow truck on the public streets and ways of the City and not having been directed to do so by the Chief of Police or his authorized representative, knowingly to move, tow, haul or otherwise transport in, on or over the public streets and ways of the City any vehicle which has been abandoned within the City limits of Universal City or which has been involved in a collision within the City limits of the City of Universal City.

### **Sec. 3-3-171. Incident management and non-consent tows - Authority**

A police officer of the city is hereby authorized to order removal of a vehicle, require the driver or other person in charge of a vehicle to move the same or have the vehicle removed by the wrecker/towing authorized contractor or other wrecker/towing business or company to the nearest place of safety or to the premises of the wrecker/towing business or company that meets the criteria in this article, or as otherwise directed by the city police department, under the following circumstances:

- 
- (1) When any vehicle is left unattended upon any bridge, viaduct or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic;
  - (2) When a vehicle upon a street is so wrecked or disabled and because of the wreck or disability its normal operation is impossible or impractical;
  - (3) The person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such extent as to be unable to provide for its removal or custody or are not in the immediate vicinity of the wrecked or disabled vehicle;
  - (4) When any such police officer arrests any person driving or in control of a vehicle for an alleged offense and such officer is by this Code or other law required to take the person arrested immediately before a magistrate and it is unsafe to leave the vehicle unattended at the scene, or the vehicle is being seized as evidence;
  - (5) When, in the opinion of a police officer, said vehicle constitutes a hazard or interferes with a normal function of a governmental agency;
  - (6) When, in the opinion of a police officer, the safety of said vehicle is imperiled by reason of any catastrophe, emergency or unusual circumstance;
  - (7) When any vehicle is found to be a junked vehicle;
  - (8) Where otherwise authorized by law.

**Sec. 3-3-172. Technical requirements.**

Each wrecker/tow truck must display a wrecker/tow truck license plate issued by the Department of Motor Vehicles and have in possession the permit issued by the City and comply with the **Contract Tow Truck Rules herein** as part of this article. The wrecker/tow truck business or company agrees that all vehicles and/or other equipment used by its employees, agents or contractors, will meet the state minimum safety requirements.

**Sec. 3-3-173. Contract wrecker/tow truck service.**

The City Manager is authorized to contract with a single wrecker/towing business or company that will be designated as the authorized contractor that will remove vehicles from the scene of an accident or collision on a public street when the vehicle is unable to proceed safely under its own power, or when the owner thereof is physically unable to drive such vehicle, or when removal is otherwise directed by the Police Department. The contract will establish fees for towing and storage, specification of a storage area, and procedures for release of vehicles and collection of fees for services provided.

**Sec. 3-3-174. Contract wrecker/tow truck not available.**

If the wrecker/tow truck authorized contractor cannot arrive at the scene of an accident or collision within twenty (20) minutes, and the Police Officer investigating the incident determines that to delay would increase the hazard, he will request the service of another wrecker/tow truck business or company.

**Sec. 3-3-175. Contract Driver responsibilities.**

- (a) Wrecker/tow truck drivers shall not have or permit any prohibited weapon or alcoholic beverages in or around a wrecker/tow truck when in operation. This provision does not prohibit a peace officer certified by the Texas Commission on Law Enforcement ~~Officer Standards and Education~~ from carrying a firearm while operating or riding in a wrecker/tow truck.

- 
- (b) Wrecker/tow truck drivers must have a valid Texas driver's license for type of vehicle being driven, current identification and proof of a valid incident management towing permit. Drivers shall wear a company uniform, be neatly groomed and be prompt and courteous in order to provide services.
  - (c) Wrecker/tow truck drivers shall ensure that while lifting a vehicle in preparation for towing that no one but the driver and/or designated helper shall be within a safe distance of the truck and vehicle to be towed. A safe distance is at least twice the distance between the end of the boom and the point of hook-up on the vehicle being winched or twice the distance the car is being lifted, whichever is greater. If a hydraulic lift is being used, a safe distance is twice the distance to which the lift arm is extended.
  - (d) Wrecker/tow truck drivers shall ensure that if at any time during the process of connecting or winching, the tow truck or vehicle to be towed is in line of traffic, the flow of traffic must be diverted. If the tow truck cable is across lane/lanes of traffic, the traffic must be stopped or diverted by a law enforcement officer to permit safe winching or lifting of the vehicle to be towed.
  - (e) Wrecker/tow truck drivers shall make all efforts to sweep and clean, remove debris, and use absorbent material at the accident scene as necessary for public safety.
  - (f) Wrecker/tow truck drivers shall conduct themselves in a professional manner at all times.
  - (g) Wrecker/tow truck drivers shall obey all lawful or direct orders from any and all police officers managing a scene or call where a wrecker is requested.

### **Sec. 3-3-176 Contract Vehicle Storage Facility.**

- (a) *City limits.* The vehicle storage facility must be located within **10 miles** of the corporate limits of the city and in compliance with the provisions of state law, Texas Occupations Code ch. 2303, any rules or regulations with regard to the same adopted by the Texas Department of Licensing or Regulation and city ordinances. **If operator desires to change the location of its storage facility, the operator must obtain prior written approval from the Chief of Police of the new location and facility.**
- (b) *Vehicle Storage Facility requirements.* The vehicle storage facility must be secure, completely enclosed by at least a six-foot high fence, well lit, and have an all-weather surface parking lot. **The vehicle storage facility shall be equipped with security cameras that record the ingress/egress points of the parking lot, the parking lot itself, and the perimeter of the parking lot. Recorded data shall be accessible to the police department for review for a term of not less than 21 calendar days.** The vehicle storage facility must be of sufficient capacity to handle all vehicles requiring storage pursuant to this article and exclusive of other vehicles stored not pursuant to this article at any given time. There shall be enough room to store semi-trucks and trailers if necessary. A separate, on site, storage area for electric vehicles is required due to fire hazards they pose. At no time will cars be stored on a road or thoroughfare. All police department initiated non-consent towed vehicles will be towed to the storage facility or a secure location as determined by the Police Department of the City of Universal City.

### **Sec. 3-3-177. Penalty.**

Any person found in violation of the provisions of this article shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine not exceeding two hundred dollars (\$200.00).

### **Sec. 3-3-178. Indemnification.**

- (a) The wrecker/tow truck driver, employee, owner, agent, business or company shall and does hereby agree to indemnify and hold harmless the city and its officials, officers, employees, agents and representatives from any and all loss, liability, obligation, penalties, judgments, claims, deficiency, expense or damages of any kind whatsoever by reason of any claim arising from a third person occasioned by any act, error or omission in the performance under this article.

- 
- (b) The wrecker/tow truck owner, agent, business or company will, at its sole cost and expense, defend and protect the city against any and all claims and demands set out in subsection (a) above.

**Sec. 3-3-179. Contractual rights.**

This article does not create any contractual rights for a wrecker/tow truck owner, employee, agent, business or company or any third party.

**Secs. 3-3-180. Reserved.**

# CITY OF UNIVERSAL CITY

DATE: 03/21/2024

**TO:** Members of City Council  
**FROM:** Kim Turner, City Manager  
**COPY:**  
**SUBJECT:** Consider Approval of Pay Application #2 invoice for the Ivy Lane Street Improvements - Construction

The attached pay application #2 invoice requires the approval of City Council for the City to receive federal funding reimbursement from the Bexar County Community Development Block Grant (CDBG).

Staff recommends approval of pay application #2 in the amount of \$85,599.23 to D&D Contractors Inc. for the Ivy Lane Street Improvements construction.

# APPLICATION FOR PAYMENT

CAP702  
Page: 1 of 4

To:

City of Universal City  
2150 Universal City Blvd  
Universal City, TX 78148

PROJECT:

1411  
Ivy Lane Street Improvements

From Contractor:

D&D CONTRACTORS, INC.  
1463 Bolton Rd  
Marlton, TX 78124

VIA ARCHITECT:

GEL / Givler Engineering, Inc.  
515 Busby Dr, Suite 101  
San Antonio, TX 78209

Application No.: Application Date: Period To: Contract Date:  
2 MAR 21, 2024 MAR 21, 2024 JAN 24, 2024

Project No.:

Distribution List:  Owner  Construction Mgr  
 Architect  Field  
 Contractor  Other

CONTRACT FOR: 667,739.76

## Contractor's Application for Payment

Application is made for payment as shown below, with attached Continuation Sheet.

1. Original Contract Amount: \$ 667,739.76
2. Net of Change Orders: \$ 0.00
3. Net Amount of Contract: \$ 667,739.76
4. Total Completed & Stored to Date: \$ 362,669.99
5. Retainage Summary:
  - a. 10.00 % of Completed Work \$ 36,266.99
  - b. 0.00 % of Stored Material \$ 0.00
- Total Retainage: \$ 36,266.99
6. Total Completed Less Retainage: \$ 326,402.86
7. Less Previous Applications: \$ 230,803.63
8. Current Payment Due, This Application: \$ 95,599.23
9. Contract Balance (Including Retainage): \$ 341,336.92

CHANGE ORDER Activity	Additions	Subtractions
Total previously approved:	0.00	0.00
Total approved this Month:	0.00	0.00
Sub Totals:	0.00	0.00
NET of Change Orders:	0.00	0.00

## CONTRACTOR'S CERTIFICATION:

The Contractor's signature here certifies that, to the best of their knowledge, this document accurately reflects the work completed in this Application for Payment. The Contractor also certifies that all payments have been made for work on previous Applications for Payment and also that the Current Payment is Due.

(Authorizing Signature)

D&D CONTRACTORS, INC.

Date: MAR 21, 2024

State Authorized: Texas

County of: Comal

Subscribed and sworn to before me this 21 day of March 2024

Notary Public: [Signature]

My Commission expires: 1/8/2027



## ARCHITECT'S CERTIFICATION:

The Architect's signature here certifies that, based on their own observations, the Contract Documents and the information contained herein, this document accurately reflects the work completed in this Application for Payment. The Architect also certifies the Contractor is entitled to the amount certified for payment.

AMOUNT CERTIFIED: 95,599.23

(Architect's Signature) [Signature]

Date: 4/1/2024

(City Manager Signature) [Signature]

Date: 4/2/2024

Acct# 03-5640-4900-4980

PROJECT : Ivy Lane Street Improvements  
 Contractor Project ID Number: 1411  
 CONTRACTOR: D&D Contractors, Inc.  
 Estimate #: 2.00  
 Original Contract Amount: \$667,739.78  
 Contract: \$667,739.78  
 Estimate Period: 3/1/24 to 3/29/24

BID ITEM NO.	ITEM DESCRIPTION	UNIT	BID QTY	CO QTY	REVISED QTY	UNIT PRICE	ITEM PRICE	PREVIOUS QTY DONE	QTY THIS PERIOD	REMAINING QTY	% COMP	Amount \$ Remaining	TOTAL QTY DONE	PAY AMOUNT THIS PERIOD	TOTAL AMOUNT COMPLETED
1	Mobilization	LS	1.00		1.00	\$ 56,947.44	\$ 56,947.44	0.50	0.50	0.50	50%	\$28,473.72	0.50	\$0.00	\$28,473.72
2	Insurance & Bonds	LS	1.00		1.00	\$ 12,041.07	\$ 12,041.07	1.00		0.00	100%	\$0.00	1.00	\$0.00	\$12,041.07
3	Storm Water Pollution Prevention Plan	LS	1.00		1.00	\$ 5,108.48	\$ 5,108.48	0.70	0.30	0.00	100%	\$0.00	1.00	\$1,531.94	\$5,108.48
4	Traffic Control	LS	1.00		1.00	\$ 6,309.83	\$ 6,309.83	0.33	0.33	0.34	66%	\$1,805.95	0.66	\$1,782.24	\$3,504.48
5	PROJECT SIGN	LS	1.00		1.00	\$ 1,444.93	\$ 1,444.93	1.00		0.00	100%	\$0.00	1.00	\$0.00	\$1,444.93
6	REMOVE CONCRETE HEADER CURB	LF	1483.70		1483.70	\$ 2.84	\$ 4,213.71	785.70	698.00	0.00	100%	\$0.00	1483.70	\$1,982.32	\$4,213.71
7	REMOVE CONCRETE CURB & GUTTER	LF	16.30		16.30	\$ 46.29	\$ 46.29	0.00	16.30	0.00	100%	\$0.00	16.30	\$46.29	\$46.29
8	REMOVE SIDEWALK	SY	77.30		77.30	\$ 14.34	\$ 1,108.48	77.30		0.00	100%	\$0.00	77.30	\$0.00	\$1,108.48
9	REMOVE DRIVEWAY APRON WITH FLUSH CURB	SY	408.63		408.63	\$ 12.94	\$ 5,287.67	218.64	189.79	0.00	100%	\$0.00	408.63	\$2,455.88	\$5,287.67
10	REMOVE CONCRETE INLET APRON	SY	3.72		3.72	\$ 206.72	\$ 768.00	0.00	3.72	0.00	100%	\$0.00	3.72	\$768.00	\$768.00
11	REMOVE & STORE MAILBOXES	EA	28.00		28.00	\$ 79.25	\$ 2,219.00	6.00	22.00	0.00	100%	\$0.00	28.00	\$1,743.50	\$2,219.00
12	REMOVE CONCRETE RESIDENTIAL ENTRY SIDEWALK	SY	39.00		39.00	\$ 37.25	\$ 1,452.75	19.50	19.50	0.00	100%	\$0.00	39.00	\$726.40	\$1,452.75
13	ROADWAY EXCAVATION INCLUDING HAULING	CY	2400.00		2400.00	\$ 31.27	\$ 75,048.00	1,200.00	1200.00	0.00	100%	\$0.00	2400.00	\$37,524.00	\$75,048.00
14	ADJUST EXISTING SANITARY SEWER MANHOLES TO PROPOSED GRADE	EA	2.00		2.00	\$ 1,972.72	\$ 3,945.44	0.00	2.00	2.00	0%	\$3,945.44	0.00	\$0.00	\$0.00
15	INSTALL CONCRETE RESIDENTIAL ENTRY SIDEWALK	SY	39.00		39.00	\$ 85.49	\$ 3,724.11	0.00	39.00	39.00	0%	\$3,724.11	0.00	\$0.00	\$0.00
16	INSTALL CONCRETE CURB & GUTTER	LF	1441.00		1441.00	\$ 21.97	\$ 31,688.77	947.00	494.00	494.00	68%	\$10,853.18	947.00	\$0.00	\$20,805.59
17	INSTALL RESIDENTIAL CONCRETE DRIVEWAY APRON INCLUDING LAYDOWN CURB	LF	84.75		84.75	\$ 21.97	\$ 1,861.98	51.00	33.75	33.75	60%	\$741.49	51.00	\$0.00	\$1,120.47
18	INSTALL 4" CONCRETE SIDEWALK	SY	448.40		448.40	\$ 107.11	\$ 48,028.12	0.00	448.40	448.40	0%	\$48,028.12	0.00	\$0.00	\$0.00
19	INSTALL 4" CONCRETE SIDEWALK	SY	80.00		80.00	\$ 91.11	\$ 7,288.80	0.00	80.00	80.00	0%	\$7,288.80	0.00	\$0.00	\$0.00
20	INSTALL CONCRETE INLET APRON	SY	3.72		3.72	\$ 231.91	\$ 862.71	0.00	3.72	3.72	0%	\$862.71	0.00	\$0.00	\$0.00
21	LIME STABILIZE SUBGRADE	SY	3829.00		3829.00	\$ 12.98	\$ 49,700.42	2,113.02	1715.98	0.00	100%	\$0.00	3829.00	\$22,273.42	\$49,700.42
22	INSTALL TENSAR GEOGRID TX-5 ON LIME-STABILIZED SUBGRADE	SY	3829.00		3829.00	\$ 4.11	\$ 15,737.19	2,113.02	1715.98	0.00	100%	\$0.00	3829.00	\$7,052.68	\$15,737.19
23	OVERBUILD EMBANKMENT	CY	113.00		113.00	\$ 17.80	\$ 2,022.70	56.50	56.50	56.50	100%	\$0.00	113.00	\$1,011.35	\$2,022.70
24	INSTALL CRUSHED MOISTURE CONDITIONED LIMESTONE FLEXIBLE BASE (6" COMPACTED DEPTH)	SY	3829.00		3829.00	\$ 17.12	\$ 65,562.48	2,113.02	1715.98	1715.98	55%	\$28,377.58	2113.02	\$0.00	\$36,174.80
25	PRIME COAT	GAL	400.00		400.00	\$ 4.70	\$ 1,880.00	0.00	400.00	400.00	0%	\$1,880.00	0.00	\$0.00	\$0.00
26	INSTALL ASPHALT TREATED BASE (4" COMPACTED DEPTH)	SY	3175.62		3175.62	\$ 26.49	\$ 84,119.52	0.00	3175.62	3175.62	0%	\$84,119.52	0.00	\$0.00	\$0.00
27	TACK COAT	GAL	400.00		400.00	\$ 4.09	\$ 1,636.00	0.00	400.00	400.00	0%	\$1,636.00	0.00	\$0.00	\$0.00
28	PAVE 2" TYPE 1D HMAC 70-22 VIRGIN MIX	SY	3175.62		3175.62	\$ 16.26	\$ 51,633.96	0.00	3175.62	3175.62	0%	\$51,633.96	0.00	\$0.00	\$0.00
29	REINSTALL & MAILBOXES	EA	28.00		28.00	\$ 213.26	\$ 5,971.00	0.00	28.00	28.00	0%	\$5,971.00	0.00	\$0.00	\$0.00
30	REPAIR IRRIGATION	LS	1.00		1.00	\$ 4,543.30	\$ 4,543.30	0.00	1.00	1.00	0%	\$4,543.30	0.00	\$0.00	\$0.00
31	PROVIDE AND INSTALL TOP SOIL & SOD	SY	1624.00		1624.00	\$ 10.42	\$ 16,922.08	0.00	1624.00	1624.00	50%	\$8,461.04	812.00	\$8,461.04	\$8,461.04
32	PREPARE 10' DRAINAGE EASEMENT	LS	1.00		1.00	\$ 4,728.41	\$ 4,728.41	0.00	1.00	0.00	100%	\$0.00	1.00	\$0.00	\$4,728.41
33	REMOVE WOOD FENCE	LF	20.00		20.00	\$ 10.26	\$ 205.20	20.00		0.00	100%	\$0.00	20.00	\$0.00	\$205.20
34	REMOVE METAL PLANTER EDGING	LF	8.00		8.00	\$ 1.71	\$ 13.68	0.00	8.00	8.00	0%	\$13.68	0.00	\$0.00	\$0.00
35	PROVIDE & INSTALL 5" CURB INLET, INCL. EXCAVATION, BACKFILL & HAULING	EA	1.00		1.00	\$ 9,106.62	\$ 9,106.62	1.00	1.00	0.00	100%	\$0.00	1.00	\$0.00	\$9,106.62
36	PROVIDE & INSTALL 24" HDPE, INCL. EXCAVATION, BACKFILL & HAULING	LF	195.00		195.00	\$ 113.81	\$ 22,192.95	195.00		0.00	100%	\$0.00	195.00	\$0.00	\$22,192.95

PROJECT: Ivy Lane Street Improvements										Estimate #: 2.00					
Contractor Project ID Number: 1411										Estimate Period: 3/1/24 to 3/29/24					
CONTRACTOR: D&D Contractors, Inc.										Contract: \$687,738.78					
Original Contract Amount: \$687,738.78										Amount \$ Remaining					
BID ITEM NO.	UNIT	ITEM DESCRIPTION	BID QTY	CO QTY	REVISED QTY	UNIT PRICE	ITEM PRICE	PREVIOUS QTY DONE	QTY THIS PERIOD	REMAINING QTY	% COMP	QTY DONE	TOTAL QTY	PAY AMOUNT THIS PERIOD	TOTAL AMOUNT COMPLETED
37	CY	CONCRETE ENCASUREMENT, CRADLES, SADDLES AND COLLARS FOR TIE INTO 8" CURB INLET & EXISTING JUNCTION	2.00		2.00	\$ 2,133.60	\$ 4,267.20	0.00	2.00	0.00	100%	2.00	2.00	\$4,267.20	\$4,267.20
38	SY	Provide & Install Topsoil & Sod	236.30		236.30	\$ 10.49	\$ 2,476.79	0.00	236.30	0.00	100%	236.30	236.30	\$2,476.79	\$2,476.79
39	LS	REPAIR IRRIGATION	1.00		1.00	\$ 985.32	\$ 985.32	0.00	1.00	0.00	0%	0.00	1.00	\$0.00	\$0.00
40	LF	REPLACE WOOD FENCE	20.00		20.00	\$ 53.85	\$ 1,077.00	0.00	20.00	0.00	0%	0.00	20.00	\$0.00	\$0.00
41	LF	REPLACE METAL PLANTER EDGING	8.00		8.00	\$ 17.11	\$ 136.88	0.00	8.00	0.00	0%	0.00	8.00	\$0.00	\$0.00
All Bid Items															
42	LS	Mobilization	1.00		1.00	\$ 301.03	\$ 301.03	1.00	0.00	0.00	100%	0.00	1.00	\$0.00	\$301.03
43	LS	Insurance & bonds	1.00		1.00	\$ 2,408.21	\$ 2,408.21	1.00	0.00	0.00	100%	0.00	1.00	\$0.00	\$2,408.21
44	LS	Storm Water Pollution Prevention Plan	1.00		1.00	\$ 1,902.86	\$ 1,902.86	1.00	0.00	0.00	100%	0.00	1.00	\$0.00	\$1,902.86
45	LS	Traffic Control	1.00		1.00	\$ 2,052.86	\$ 2,052.86	1.00	0.00	0.00	100%	0.00	1.00	\$0.00	\$2,052.86
46	LF	REMOVE CONCRETE HEADER CURB	171.40		171.40	\$ 2.84	\$ 486.78	171.40	0.00	0.00	100%	171.40	171.40	\$0.00	\$486.78
47	SY	REMOVE CONCRETE RESIDENTIAL ENTRY SIDEWALK	3.00		3.00	\$ 46.66	\$ 139.98	3.00	0.00	0.00	100%	3.00	3.00	\$0.00	\$139.98
48	SY	REMOVE SIDEWALK	78.60		78.60	\$ 13.73	\$ 1,079.18	78.60	0.00	0.00	100%	78.60	78.60	\$0.00	\$1,079.18
49	EA	REMOVE & STORE MAILBOXES	1.00		1.00	\$ 30.97	\$ 30.97	1.00	0.00	0.00	100%	0.00	1.00	\$0.00	\$30.97
50	CY	ROADWAY EXCAVATION INCLUDING HAULING	61.00		61.00	\$ 33.11	\$ 2,019.71	61.00	0.00	0.00	100%	61.00	61.00	\$0.00	\$2,019.71
51	CY	MILL ASPHALT PAVEMENT IN 50' GAS EASEMENT	87.00		87.00	\$ 85.70	\$ 7,452.90	87.00	0.00	0.00	100%	87.00	87.00	\$0.00	\$7,452.90
52	LF	INSTALL CONCRETE CURB & GUTTER	171.40		171.40	\$ 36.28	\$ 6,218.38	171.40	0.00	38.40	77%	132.00	171.40	\$0.00	\$4,788.86
53	SY	INSTALL RESIDENTIAL ENTRY SIDEWALK	3.00		3.00	\$ 163.83	\$ 491.49	0.00	3.00	0.00	100%	3.00	3.00	\$491.49	\$491.49
54	SY	INSTALL 4" CONCRETE SIDEWALK	76.00		76.00	\$ 114.86	\$ 8,728.36	0.00	76.00	0.00	100%	76.00	76.00	\$8,728.36	\$8,728.36
55	SY	LIME STABILIZE SUBGRADE	314.00		314.00	\$ 9.91	\$ 3,111.74	314.00	0.00	0.00	100%	314.00	314.00	\$0.00	\$3,111.74
56	SY	INSTALL TENSAR GEOGRID TX-5 ON LIME-STABILIZED SUBGRADE	314.00		314.00	\$ 4.48	\$ 1,408.72	314.00	0.00	0.00	100%	314.00	314.00	\$0.00	\$1,408.72
57	CY	OVERBUILD EMBANKMENT	8.90		8.90	\$ 2.33	\$ 20.74	8.90	0.00	0.00	100%	8.90	8.90	\$0.00	\$20.74
58	SY	INSTALL CRUSHED MOISTURE CONDITIONED PRIME COAT	314.00		314.00	\$ 17.66	\$ 5,553.84	314.00	0.00	0.00	100%	314.00	314.00	\$0.00	\$5,553.84
59	GAL	PRIME COAT	20.00		20.00	\$ 4.70	\$ 94.00	0.00	20.00	0.00	0%	0.00	20.00	\$0.00	\$0.00
60	SY	INSTALL ASPHALT TREATED BASE (4" COMPACTED DEPTH)	257.00		257.00	\$ 26.49	\$ 6,807.83	0.00	257.00	0.00	0%	0.00	257.00	\$0.00	\$0.00
61	GAL	TACK COAT	20.00		20.00	\$ 16.26	\$ 325.20	0.00	20.00	0.00	0%	0.00	20.00	\$0.00	\$0.00
62	SY	PAVE 2" TYPE "D" HMAc 70-22 VIRGIN MIX	171.40		171.40	\$ 4.09	\$ 701.03	0.00	171.40	0.00	0%	0.00	171.40	\$0.00	\$0.00
63	EA	REINSTALL & MAILBOXES	1.00		1.00	\$ 164.14	\$ 164.14	0.00	1.00	0.00	0%	0.00	1.00	\$0.00	\$0.00
64	LS	REPAIR IRRIGATION	1.00		1.00	\$ 604.04	\$ 604.04	0.00	1.00	0.00	100%	1.00	1.00	\$604.04	\$604.04
65	SY	PROVIDE AND INSTALL TOP SOIL & SOD	100.80		100.80	\$ 23.02	\$ 2,320.42	0.00	100.80	0.00	100%	100.80	100.80	\$2,320.42	\$2,320.42
Adjusted Contract Amount:										\$ 687,738.78					
										(\$%) Retainage		\$ 362,669.85			
										Previous Paid Amount Due		\$ 230,803.63			
										(\$%) Retainage		\$ 10,622.13			
										Amount Due		\$ 55,599.23			
										% of Contract Billed		15.91%			

## CITY OF UNIVERSAL CITY

Date: 04/16/2024

**TO:** City Council

**FROM:** Kim M. Turner, City Manager

**SUBJECT:** Consider Bid Acceptance of the Kitty Hawk to Meadowland Drive Sanitary Sewer Improvements

Historical Background

This year's sanitary sewer improvements include the Kitty Hawk Drive to Meadowland Drive Sanitary Sewer Outfall Improvements which was included in the Utility Department 2023 CIP bond program. In 2023, the City Council approved \$4.5 million in Utility Capital bond projects which included the Kitty Hawk Drive to Meadowland Drive Sanitary Sewer Outfall Improvements. This sewer line is a major outfall line that carries the northern west side of Pat Booker Road sanitary sewer effluent under loop 1604. This sewer outfall line will be replaced and upgraded from an 8" clay sewer pipe to a 12" HDPE sewer line.

Action Requested

Award the contract to T Construction (lowest responsive bidder) in the amount of \$1,049,359.15 and authorize the City Manager to execute the contract.

Procurement Methodology

The Public Works Department advertised for bids and received a total of five (5) responsive bids with T Construction as the lowest responsive responsible bidder. One bid received for this project was lower but was rejected based on the contractor's inability to perform the work as described. Please reference attached engineer letter of recommendation and bid tabulation sheet.

Source and Amount of Funding

The Kitty Hawk to Meadowland Drive Sanitary Sewer Improvements were provided in this year's Utility fund CIP Budget in the amount of \$2,027,111.00.

Staff Recommendation

Staff recommends approval of the low bid in the amount of \$1,049,359.15 to T-Construction for the Kitty Hawk Drive to Meadowland Sanitary Sewer Improvements.



April 5<sup>th</sup>, 2024

Via Electronic Mail

Randy Luensmann  
City of Universal City  
265 Kitty Hawk Rd.  
Universal City, TX 78148

**RE: Recommendation Letter – Lowest Responsive Bidder**

**Universal City Kitty Hawk Drive to Meadowland Sanitary Sewer Improvements  
KHA No. 068721202**

Dear. Mr. Luensmann:

We have T Construction's reference and qualification package. In addition, we have contacted references from current and prior projects, listed in T Construction's Reference Package. A summary of these reference contacts are attached for your use.

Based upon our review of the qualifications and references, it is our opinion that T Construction is the lowest responsive bidder for the Universal City Kitty Hawk Drive to Meadowland Sanitary Sewer Improvements Project.

Should you have any questions, do not hesitate to call me at 210-660-2922.

Sincerely,

Kimley-Horn and Associates, Inc.  
State of Texas Registered Firm #F-928

Trevor Stokes, P.E.

Copy to: Matthew Otte, City of Universal City  
Stephen Aniol, Kimley-Horn  
Nolan Pierce, Kimley-Horn

Attachments: T Construction Reference Summary  
Bid Tabulation

City of Universal City  
Kitty Hawk Drive to Meadowland Sanitary Sewer Improvements

T Construction  
Reference Evaluation

Location	Project Name	Date Completed	Construction Cost
San Antonio, Texas	BPC Sewershed Package 5 Pipe Burst & Open Cut Projects	8/22/2022	\$3,619,636.50
	<b>Owner</b> SAWS		<b>Comments -</b> Was the work completed on schedule? <i>Still on site, not complete in time but it isn't T Construction's fault. Delayed other reasons.</i>
	<b>Project Contact</b> Reddy Kajuluri		Any issues with change orders? <i>One change order - \$20,000 on \$3m project. Related to a request from a property owner and SAWS regarding driveway access</i>
	<b>Project Background</b> Sewer lateral repairs		How was the contractor's quality of work?  <i>Good</i>
			Was the contractor responsive to owner, engineer, or citizen concerns? <i>Reddy noted that there were crew availability issues that were resolved in 4-5 weeks. Contractor made up on the delay, which did not impact the overall schedule. Make sure the team is available.</i>

Location	Project Name	Date Completed	Construction Cost
City of Cotulla, Texas	La Salle Airport Sewer Main	11/07/2022	\$1,484,487.00
	<b>Owner</b> City of Cotulla		<b>Comments -</b> Was the work completed on schedule? <i>Schedule issues due to TxDOT permitting, not T Construction's fault</i>
	<b>Project Contact</b> Jimmy Oranday		Any issues with change orders? <i>One change order related to delay of the project, nothing to do with T Construction</i>
	<b>Project Background</b> Sewer main repair		How was the contractor's quality of work?  <i>Good job</i>
			Was the contractor responsive to owner, engineer, or citizen concerns? <i>Yes they were</i>

Location	Project Name	Date Completed	Construction Cost
Olmos Park, Texas	Sanitary Sewer Bond Project Phase D	2/20/2024	\$847,145.00
	<b>Owner</b> City of Olmos Park		<b>Comments -</b> Was the work completed on schedule? <i>Delay, defect in pipe that was installed that needed to be repaired from the inside. They hired an inspection company to fix it instead of removing the pipe, as it was in a backyard.</i>
	<b>Project Contact</b> Greg Wassom		Any issues with change orders? <i>There were change orders to remove items from the contract. Had nothing to do with T Construction.</i>
	<b>Project Background</b> Sewer main installation within easements		How was the contractor's quality of work?  <i>Really good, Sergio Solis and Sergio Contreras are helpful and comunitative</i>
			Was the contractor responsive to owner, engineer, or citizen concerns? <i>Yes. Most of the work was in backyards and easements, and T Construction handled it well.</i>



# T CONSTRUCTION, L.L.C.

12601 McNair St. Houston, Texas 77015 Phone 832-582-8420 Fax 832-582-8421

April 3, 2024

Kimley-Horn  
10101 Reunion Place, Ste 400  
San Antonio, Texas 78216

**RE: CITY OF UNIVERSAL CITY- KITTY HAWK DRIVE TO MEADOWLAND SS IMPROVEMENTS**

Dear Trevor Stokes,

This letter serves to confirm that T Construction LLC has worked hand in hand with Subcontractor Silva Underground in the below listed projects. We have successfully worked on these projects involving tunneling. Silva Underground has continuously displayed reliability, efficiency and professionalism.

1. City of Baytown- Kimley Horn- IFB-22-1006 Chambers Commons Infrastructure Improvements QN 8244402  
\*This project includes construction of the Old Needlepoint Road Lift Station and 16-INCH Force Main plus a Force Main discharge connection, the 18-INCH gravity sewer improvements and abandonment and the 8-INCH to 10-INCH gravity sewer improvements.\*
2. COH- R-0035-0013-4- City of Houston- Forcemain R-R Eldridge Parkway Beechnut & West Orem  
\*
3. HCWC & ID NO 21- ARKK Engineers – FY 2022 Water Supply and Fire Protection Improvements Project  
\*The project includes the installation of approximately 8,050 linear feet of new 8-inch water lines and associated work.

We appreciate the opportunity to work with you.

Thank you,

  
Yovani Villares  
Managing Director  
T Construction, LLC.  
Phone: (832)-582-8420  
Fax: (832)-582-8421  
Email: [yvillares@tconstructionllc.com](mailto:yvillares@tconstructionllc.com)

#	Item No.	Item Description	Quantity	Unit	Sovrex		Pronto		T Construction		Nerie		D&D	
					Unit Cost	Item Cost	Unit Cost	Item Cost	Unit Cost	Item Cost	Unit Cost	Item Cost	Unit Cost	Item Cost
1	201	PRIME COAT (0.20 Gal/SY)	2	GAL	\$ 120.00	\$240.00	\$ 20.00	\$40.00	\$ 60.00	\$120.00	\$ 50.00	\$100.00	\$ 492.83	\$985.66
2	203	HOT MIX ASPHALTIC PAVEMENT - TYPE B (10" COMPACTED DEPTH)	6	SY	\$ 850.00	\$5,100.00	\$ 250.00	\$1,387.50	\$ 195.00	\$1,082.25	\$ 300.00	\$1,665.00	\$ 492.83	\$2,735.21
3	203	HOT MIX ASPHALTIC PAVEMENT - TYPE D (2" COMPACTED DEPTH)	10	SY	\$ 480.00	\$4,800.00	\$ 300.00	\$3,000.00	\$ 185.00	\$1,850.00	\$ 280.00	\$2,800.00	\$ 492.83	\$4,928.30
4	360	CONCRETE PAVEMENT (INSTALL/REMOVE) (UNKNOWN THICKNESS)	144	SY	\$ 380.00	\$54,720.00	\$ 250.00	\$36,000.00	\$ 235.00	\$33,840.00	\$ 135.00	\$19,440.00	\$ 211.61	\$30,471.84
5	403	24-INCH STEEL CASING PIPE (0.5" THICKNESS)	413	LF	\$ 190.00	\$78,675.00	\$ 250.00	\$103,125.00	\$ 260.00	\$107,250.00	\$ 208.00	\$85,800.00	\$ 268.27	\$110,661.38
6	403	JACKING, BORING OR TUNNELING 24" PIPES (ALL DEPTH)	413	LF	\$ 420.00	\$173,250.00	\$ 850.00	\$350,625.00	\$ 850.00	\$350,625.00	\$ 690.00	\$284,625.00	\$ 833.86	\$343,967.25
7	550	TRENCH EXCAVATION SAFETY PROTECTION	251	LF	\$ 10.00	\$2,507.00	\$ 10.00	\$2,507.00	\$ 10.00	\$2,507.00	\$ 50.00	\$12,535.00	\$ 59.14	\$14,826.40
8	848	8-INCH SDR 26 HDPE GRAVITY SANITARY SEWER PIPE (ALL DEPTHS) (OPEN-CUT)	145	LF	\$ 62.00	\$8,990.00	\$ 300.00	\$43,500.00	\$ 175.00	\$25,375.00	\$ 185.00	\$26,825.00	\$ 143.15	\$20,756.75
9	848	12-INCH SDR 19 HDPE GRAVITY SANITARY SEWER PIPE (ASTM D-3350) (ALL DEPTHS) (OPEN-CUT)	106	LF	\$ 80.00	\$8,480.00	\$ 380.00	\$40,160.00	\$ 235.00	\$24,835.00	\$ 245.00	\$25,895.00	\$ 205.84	\$21,757.29
10	848	12-INCH SDR 19 HDPE GRAVITY SANITARY SEWER PIPE (ASTM D-3350) (ALL DEPTHS) (CARRIER PIPE)	413	LF	\$ 38.00	\$15,679.00	\$ 150.00	\$61,890.00	\$ 125.00	\$51,575.00	\$ 245.00	\$101,087.00	\$ 150.05	\$61,910.63
11	852	SANITARY SEWER MANHOLES (4' DIAMETER) (SAWS SPEC)	4	EA	\$ 9,800.00	\$39,200.00	\$ 15,000.00	\$60,000.00	\$ 10,365.00	\$41,460.00	\$ 12,000.00	\$48,000.00	\$ 13,482.12	\$53,928.48
12	852	SANITARY SEWER DROP MANHOLES (4' DIAMETER) (SAWS SPEC)	1	EA	\$ 14,000.00	\$14,000.00	\$ 18,000.00	\$18,000.00	\$ 12,000.00	\$12,000.00	\$ 14,000.00	\$14,000.00	\$ 23,003.36	\$23,003.36
13	852	EXTRA DEPTH (>6') CONCRETE MANHOLE (4' DIAMETER)	34	VF	\$ 1,000.00	\$34,000.00	\$ 600.00	\$20,400.00	\$ 875.00	\$29,750.00	\$ 900.00	\$30,600.00	\$ 663.50	\$22,559.00
14	862	ABANDONMENT AND FILL OF SANITARY SEWER MANHOLES (LEAVE BELOW GRADE REMOVE CONE)	2	EA	\$ 3,500.00	\$7,000.00	\$ 2,000.00	\$4,000.00	\$ 3,000.00	\$6,000.00	\$ 2,500.00	\$5,000.00	\$ 5,833.58	\$11,667.16
15	865	BYPASS PUMPING SMALL DIAMETER SANITARY SEWERS (<24-INCH) (SAWS SPEC)	1	LS	\$ 24,000.00	\$24,000.00	\$ 80,000.00	\$80,000.00	\$ 15,000.00	\$15,000.00	\$ 35,000.00	\$35,000.00	\$ 160,940.60	\$160,940.60
16	866	PRE SEWER MAIN TELEVISION INSPECTION (8"-15") (SAWS SPEC)	2,187	LF	\$ 4,000.00	\$8,748.00	\$ 7.00	\$15,309.00	\$ 7.00	\$15,309.00	\$ 8.00	\$17,496.00	\$ 15.38	\$33,636.06
17	900	RECONSTRUCTION OF SANITARY SEWER BY PIPE BURSTING REPLACEMENT PROCESS 12"(SAWS SPEC)	2,187	LF	\$ 61,500.00	\$135,594.00	\$ 160.00	\$349,920.00	\$ 83.00	\$181,521.00	\$ 125.00	\$273,375.00	\$ 147.85	\$323,347.95
18	910	MANHOLE REHABILITATION	46	VF	\$ 450.00	\$20,520.00	\$ 1,000.00	\$45,620.00	\$ 420.00	\$19,160.00	\$ 800.00	\$36,496.00	\$ 709.05	\$32,346.86
19	1109	SERVICE RECONNECTION, ALL DEPTHS (W OPEN CUT)	2	EA	\$ 1,400.00	\$2,800.00	\$ 3,000.00	\$6,000.00	\$ 2,985.00	\$5,970.00	\$ 3,500.00	\$7,000.00	\$ 4,139.72	\$8,279.44
20	502 6025	BARRICADES, SIGNS, AND TRAFFIC HANDLING (TXDOT SPEC)(KITTY HAWK DR.)	1	LS	\$ 21,000.00	\$21,000.00	\$ 75,000.00	\$75,000.00	\$ 32,000.00	\$32,000.00	\$ 25,000.00	\$25,000.00	\$ 1,768.25	\$1,768.25
21	SP 01270	POST CONSTRUCTION CONCRETE DRAINAGE DITCH RESTORATION	5	CY	\$ 1,800.00	\$9,000.00	\$ 2,000.00	\$10,000.00	\$ 425.00	\$2,125.00	\$ 500.00	\$2,500.00	\$ 1,626.79	\$8,133.95
22	100.01	INSURANCE AND BOND (3% OF ITEMS 1-18)	1	LS	\$ 17,000.00	\$17,000.00	\$ 39,800.00	\$39,800.00	\$ 20,000.00	\$20,000.00	\$ 31,000.00	\$31,000.00	\$ 45,503.71	\$45,503.71
23	SP100	MOBILIZATION (MAX 10% OF ITEMS 1-18)	1	LS	\$ 40,000.00	\$40,000.00	\$ 132,700.00	\$132,700.00	\$ 60,000.00	\$60,000.00	\$ 105,000.00	\$105,000.00	\$ 151,679.04	\$151,679.04
24	SP101	PREPARING RIGHT-OF-WAY (MAX 5% OF ITEMS 1-18)	1	LS	\$ 24,000.00	\$24,000.00	\$ 66,300.00	\$66,300.00	\$ 10,000.00	\$10,000.00	\$ 52,000.00	\$52,000.00	\$ 75,839.52	\$75,839.52
					\$748,606.00		\$1,565,289.50		\$1,049,359.15		\$1,243,240.50		\$1,565,634.08	

BID REJECTED

## CITY OF UNIVERSAL CITY

Date: 4/9/2024

**TO:** City Council

**FROM:** Kim M. Turner, City Manager

**SUBJECT:** **Public Meeting:** Sign Code Amendment regarding Off-Premises Signs in Aviation District

**SUBJECT:** **Ordinance No. 352-K-2024**— Amending Section 4-4-82 – Off Premises Signs

**Historical Background**

In an effort to meet the vision of the Aviation District Masterplan and foster revitalization and economic activity in that area of town, Staff is proposing an amendment to the Sign Code, Section 4-4-82 – Off Premises Signs, to allow certain off-premises signs in the Aviation District that promote or advertise businesses physically located in that district. Note that in Appendix A, page 9, Principal Street – Pat Booker Road section, the Aviation District Masterplan calls for signage as part of a larger set of streetscaping tools. As such, staff is proposing the following wording be added to the Sign Code, Section 4-4-82 – Off Premises Signs.

Within the City’s Aviation District, as identified in the 2020 Aviation District Masterplan, along properties adjacent to Pat Booker Road. Per the 2020 Aviation District Masterplan, the southern boundary is FM 78 and the northern boundary is National Boulevard. A maximum of one (1) Off Premises Sign shall be permitted on each of these properties that promotes or advertises a business physically located within the Aviation District; that is, an Off Premises Sign installed in the Aviation District shall not be permitted to promote or advertise a business not physically located within the Aviation District. An Off Premises Sign shall also be permitted in the Pat Booker Road right-of-way within the City’s Aviation District with the permission of TxDOT and the City Manager, or designee. A business physically located in the Aviation District can only have one (1) Off Premises Sign in the Aviation District. An Off Premises Sign located in the Aviation District shall not exceed thirty-two (32) square feet on each side of the sign face and shall not exceed a height of fifteen (15) feet, unless the off-premises sign is currently existing and, therefore, shall be allowed to remain with its current dimensions.

On March 14, 2024, and April 1, 2024, the EDC Board of Directors and Planning & Zoning Commission, respectively, reviewed and supported the proposed Sign Code amendment.

**Action Requested**

City Council will need to conduct a **Public Meeting** on the proposed Sign Code text amendment and then make a final consideration on **Ordinance 352-K-2024**, which is attached. Per the City Charter, each Ordinance will require two readings.

**Procurement Methodology**

This is a Sign Code text amendment procedure only and requires no procurement by the City.

**Source and Amount of Funding**

This is a Sign Code text amendment procedure only and requires no funding by the City.

**Staff Recommendation**

Staff recommends approval of proposed Sign Code text amendment in order to assist businesses in the Aviation District.

ORDINANCE 352-K-2024

AN ORDINANCE AMENDING CERTAIN SECTIONS OF SECTION 4-4-82. – OFF PREMISES SIGNS OF THE CITY CODE OF ORDINANCES TO AMEND THE ALLOWED LOCATIONS AND OTHER REQUIREMENTS OF OFF PREMISES SIGNS, PROVIDING SEVERABILITY, SETTING AN EFFECTIVE DATE, AND TO AMEND THE UNIVERSAL CITY CODES ACCORDINGLY

---

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS:

**SECTION I. The following Section 4-4-82 of the Code of Ordinances shall be amended in its entirety to read:**

**Section 4-4-82. – Off premises signs.**

(a)Location. Except as authorized in this Section, Off Premises Signs are prohibited within the City's jurisdictional limits or extraterritorial jurisdiction. Off Premises Signs may only be placed at locations as follows:

(1)Within the City's jurisdictional limits, Off Premises Signs may be located on those platted lot that fronts on Interstate Highway 35 and is located in a Commercial "C-5 Zoning District; and

(2)Within the City's extraterritorial jurisdiction, Off Premises Signs may be located on those platted lot that fronts on Interstate Highway 35.

(3) Within the City's Aviation District, as identified in the 2020 Aviation District Masterplan, along properties adjacent to Pat Booker Road. Per the 2020 Aviation District Masterplan, the southern boundary is FM 78 and the northern boundary is National Boulevard. A maximum of one (1) Off Premises Sign shall be permitted on each of these properties that promotes or advertises a business physically located within the Aviation District; that is, an Off Premises Sign installed in the Aviation District shall not be permitted to promote or advertise a business not physically located within the Aviation District. An Off Premises Sign shall also be permitted in the Pat Booker Road right-of-way within the City's Aviation District with the permission of TxDOT and the City Manager, or designee. A business physically located in the Aviation District can only have one (1) Off Premises Sign in the Aviation District. An Off Premises Sign located in the Aviation District shall not exceed thirty-two (32) square feet on each side of the sign face and shall not exceed a height of fifteen (15) feet, unless the off-premises sign is currently existing and, therefore, shall be allowed to remain with its current dimensions.

(b)Size. Off Premises Signs face area may not exceed a total size of seven hundred (700) square feet on each side of the sign face. Off Premises Signs located in the Aviation District shall comply with Section 4-4-82(3).

(c)Height. The maximum height of an Off Premises Sign shall be sixty (60) feet. Off Premises Signs located in the Aviation District shall comply with Section 4-4-82(3).

(d)Monopole support. The Off Premises Sign structure shall be mounted on a single steel pole or column, except in the Aviation District which shall be determined by the Building Official.

(e)Advertising display. An Off Premises Sign advertising may be displayed by CEVMS or LED.

## **SECTION II. Conflict with City Ordinances**

All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

## **SECTION III. Severability**

If any section, subsection, sentence, clause, phrase, or word of the Ordinance is for any reason held to be unconstitutional, such holdings shall not affect the validity of the remaining parts of this Ordinance.

If any section of this Ordinance is in conflict with State or Federal law, then the applicable State or Federal law shall control.

## **SECTION IV. Effective Date**

This ordinance shall become effective on 8 May 2024.

## **SECTION V. The City of Universal City Code of Ordinances shall be amended accordingly.**

**PASSED, on first reading** by the City Council of the City of Universal City on this the 16<sup>th</sup> day of April 2024.

**PASSED AND APPROVED, on second reading** by the City Council of the City of Universal City on this the 7<sup>th</sup> day of May 2024.

CITY OF UNIVERSAL CITY, TEXAS

---

John Williams, Mayor

ATTEST:

---

Maribel Garcia, Deputy City Clerk

APPROVED AS TO FORM:

---

Megan R. Santee, City Attorney  
DENTON NAVARRO RODRIGUEZ BERNAL SANTEE & ZECH, P.C.

**RESOLUTION NO. 970-C-2024**

**A RESOLUTION OF THE CITY OF UNIVERSAL CITY  
AUTHORIZING THE PURCHASE OF REAL PROPERTY  
LOCATED AT 216 PAT BOOKER ROAD, UNIVERSAL CITY, TEXAS,  
BY THE UNIVERSAL CITY ECONOMIC DEVELOPMENT  
CORPORATION, FOR PROJECTS TO PROMOTE  
NEW OR EXPANDED BUSINESS DEVELOPMENT**

**WHEREAS,** The City Council of the City of Universal City recalls that the Universal City Economic Development Corporation (UCEDC), in November 2020, issued Sales Tax Revenue Bonds in order to undertake various projects that have been found to promote new or expanded business development, and which was subsequently approved by the City Council on November 23, 2020; and

**WHEREAS,** The UCEDC has negotiated for the purchase of real property consisting of approximately 0.2150 acres and located at 216 Pat Booker Road in Universal City, Texas, and as provided in substantial form by the contract in **Exhibit A** to this Resolution (the “Property”), as a part of projects to develop and revitalize the “Aviation District” in order to promote new or expanding business development; and,

**WHEREAS,** The City Council finds that the UCEDC passed a resolution accepting the offer to purchase the Property, as shown as **Exhibit B** to this resolution; and

**WHEREAS,** The City Council further finds that the purchase of the Property by the UCEDC will effectuate the projects’ aims of rehabilitating existing structures, acquiring property for future sale or lease to new or expanding businesses, and creating a town plaza, and as such promoting new and expanded business development and thereby serving a public purpose and providing a benefit to the City.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY OF UNIVERSAL CITY:**

**Section 1.** That the foregoing recitals are hereby found to be true and correct findings of the UCEDC and are fully incorporated into the body of this Resolution.

**Section 2.** That the purchase of the Property presented and approved in the UCEDC Resolution is approved.

**FIRST READING PASSED AND APPROVED ON THIS THE 16<sup>TH</sup> DAY OF APRIL 2024.**

**SECOND READING PASSED AND ADOPTED THIS 7<sup>TH</sup> DAY OF MAY 2024.**

\_\_\_\_\_  
John Williams, Mayor

**ATTEST:**

\_\_\_\_\_  
Maribel Garcia, Deputy City Clerk

**EXHIBIT “A”**

**PURCHASE AND SALE AGREEMENT**

[TO BE ADDED UPON APPROVAL & EXECUTION]

**EXHIBIT “B”**

**EDC RESOLUTION APPROVING PURCHASE OF PROPERTY**

[FINAL VERSION TO BE ADDED UPON APPROVAL & EXECUTION]

## ANIMAL CARE & CONTROL FACILITY MONTHLY PERFORMANCE REPORT

March 2024

	Current Month			Year to Date		
	Dogs	Cats	Total	Dogs	Cats	Total
Visitors to the Facility			185			628
Total Calls Outs			95			337
Wild Animal Complaints			23			75
Nuisance Complaints Barking, Animals at Large	60	10	70	214	46	260
Animals Licensed	58	7	65	166	28	194
Quarantined	0	0	0	3	0	3
Verbal Warnings Issued	0	0	0			2
Written Warnings Issued	30	3	33			132
Summons Issued	1	0	1			1

<b>Animals Remaining at Shelter February 2024</b>	10	6	16			
Impounded	12	6	18	55	25	80
Owner Surrendered Pets	2	0	2	2	1	3
Shelter transfer - IN	5	0	5	6	0	6
Returned to Owner	8	0	8	27	4	31
Escaped or Released from Facility	0	0	0	0	0	0
Adopted	5	5	10	21	11	32
Adopted - Owner Surrender	0	0	0	0	0	0
Shelter Transfer - OUT	2	0	2	3	0	3
Shelter Transfer - Owner Surrender	0	0	0	0	0	0
Animals Euth (Non- Rehabilitatable)	3	2	5	9	9	18
Animals Euthanized (Space)	0	0	0	0	0	0
Animals Euthanized (Medical)	2	0	2	4	2	6
Animals Euthanized -Owner Surrender-No Rehab	0	0	0	0	0	0
Animals Euthanized-Owner Surrender-Space	0	0	0	0	0	0
Animals Euthanized-Owner Surrender-Medical	0	0	0	0	0	0
Total Euthanasias	5	2	7	13	11	24
Died @ Facility (Natural Causes)	0	0	0	0	0	0
<b>Animals Remaining at Shelter March 2024</b>	<b>9</b>	<b>5</b>	<b>14</b>			

ACCF Maximum Holding Capacity	22	Dog Runs	32	Cat Kennels
-------------------------------	----	----------	----	-------------

PERCENTAGE OF OCCUPANCY	41%	Dogs	16%	Cats
-------------------------	-----	------	-----	------

**MUNICIPAL COURT MONTHLY STATISTICS**

	2024 Fines Collected						2022 Fines Collected						2021 Fines Collected			
	#Tkts	#FTAs	Total of Tickets	Total \$	Retained \$	Warrant \$	#Tkts	#FTAs	Total of Tickets	Total \$	Retained \$	Warrant \$	#Tkts	Total \$	Retained \$	Warrant \$
January	528	136	392	176,881	127,704	75,994	769	224	545	179,400	122,584	46,504	357	131,296	97,279	54,622
February	535	147	388	192,852.00	145,935	100,104	675	270	405	136,714.00	90,742	47,418	291	161,835	121,373	101,512
March	601	161	440	193,234	144,570	89,286	812		812	282,601	205,523	148,663	571	227,516	179,417	161,317
April							670	134	536	178,085	127,049	70,752	545	140,086	104,830	68,199
May							678	137	541	190,454	130,156	76,784	636	149,068	110,534	77,370
June							813	215	598	188,765	131,234	61,857	747	143,549	100,135	63,239
July							879	94	785	177,224	121,073	57,100	563	166,071	117,286	59,904
August							804	230	574	216,074	138,889	82,038	685	185,422	124,940	79,797
September							739	195	544	175,055	119,173	49,755	758	151,030	101,576	47,413
October							570	171	399	183,292	126,285	56,268	832	167,922	116,943	54,745
November							545	107	438	140,620	100,362	53,052	563	133,342	95,779	64,734
December							513	169	344	137,763	98,476	40,277	749	167,727	112,399	51,184
<b>TOTALS</b>							<b>8467</b>	<b>1946</b>	<b>6521</b>	<b>2,186,047</b>	<b>1,511,546</b>	<b>790,468</b>	<b>7,297</b>	<b>1,924,864</b>	<b>1,382,491</b>	<b>883,036</b>
<b>AVERAGE</b>							<b>706</b>	<b>161.33</b>		<b>182,171</b>	<b>125,962</b>	<b>65,872</b>	<b>608</b>	<b>160,405</b>	<b>115,208</b>	<b>73,670</b>

# DEVELOPMENT SERVICES DEPARTMENT

## MONTHLY REPORT

MARCH 2024

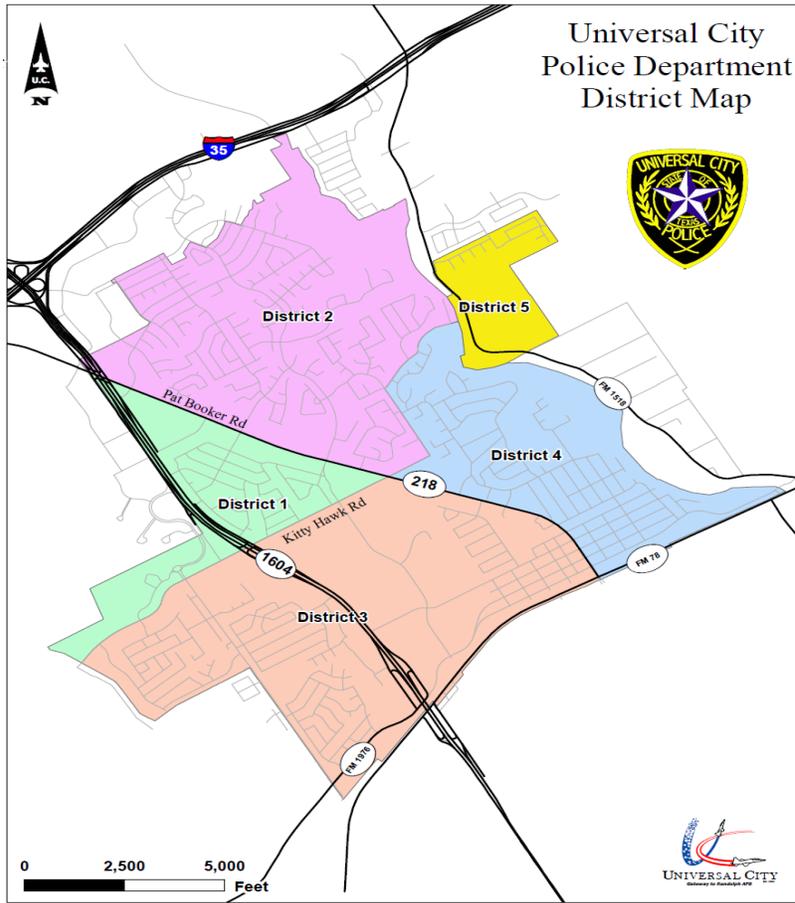
BUILDING		
<u>PERMITS ISSUED</u> <b>119</b>	<u>CERTIFICATES OF OCCUPANCY</u> <b>17</b>	
<u>TOTAL INSPECTIONS</u> <b>491</b>	<u>1<sup>ST</sup> TIME INSPECTIONS</u> <b>431</b>	<u>RE-INSPECTIONS</u> <b>60</b>
HEALTH		
<u>TOTAL INSPECTIONS</u> <b>45</b>	<u>1<sup>ST</sup> TIME INSPECTIONS</u> <b>34</b>	<u>RE-INSPECTIONS</u> <b>11</b>
CODE COMPLIANCE		
<u>CASES OPENED</u> <b>47</b>	<u>CASES CLOSED</u> <b>67</b>	



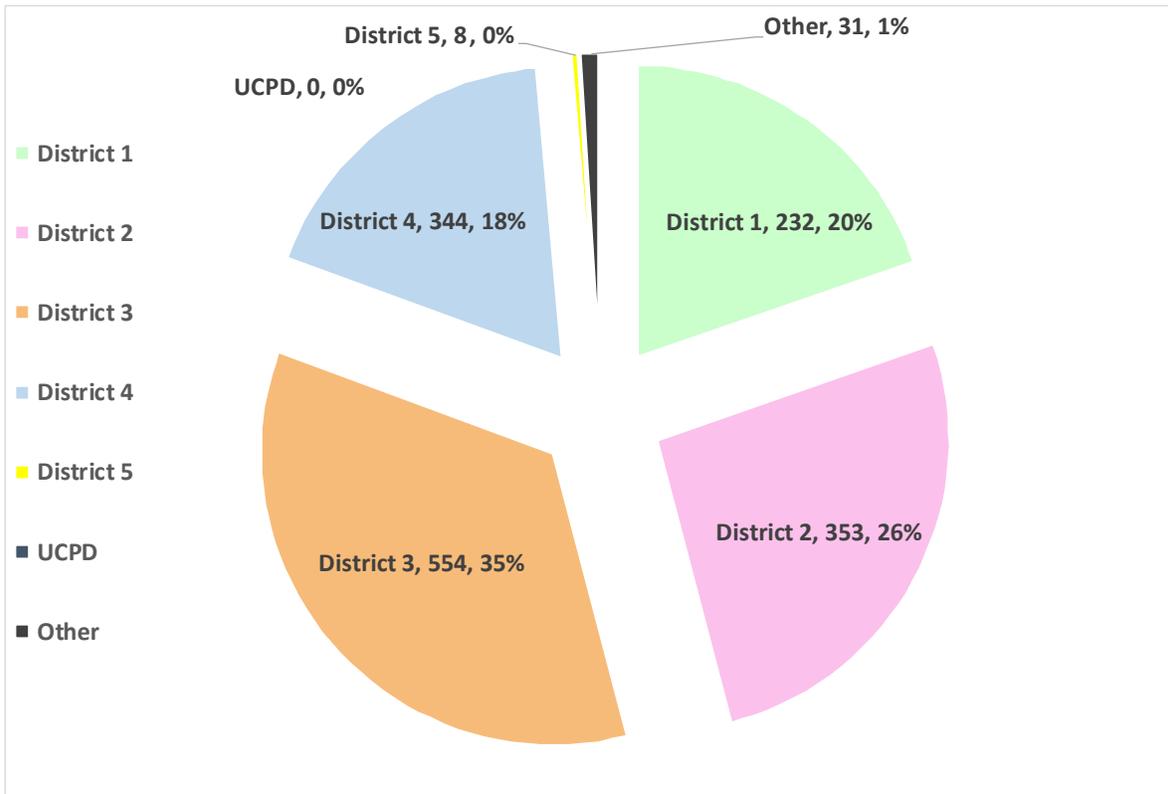
March 2024

## ACTIVITY REPORT

“To provide patrol services, respond to emergencies, investigate crimes, and develop crime prevention programs that will render a safe environment for our community”.



Call activity received by Communication Technicians include the following: Officer initiated, backup calls, 911 emergency and non-emergency telephone calls.



**WRITTEN REPORTS**

ORIGINAL	206
SUPPLEMENTAL	130
TOTAL	336

**CALL TYPES**

PRIMARY	715
BACK-UP	378
CALL FOR SERVICE	2290
TOTAL	3383

**INVESTIGATIONS**

ASSIGNED	345
CLEARED	17
TOTAL	328

**SUMMONS**

CITATIONS	420
WARNINGS	321
TOTAL	741

**ARREST**

ADULT	71
JUVENILE	2
TOTAL	73

**ACCIDENTS**

MAJOR	13
MINOR	39
TOTAL	52

UNIVERSAL CITY POLICE DEPARTMENT

MAR-2024

Case ID	Crash Date	Occurred On	Intersecting Road	Intersection Offset Amt	Direction	Private Drive / Parking Lot
FM0078		6 crashes				
240002936	03/05/2024	FM0078	SH0218	0		NO
240003835	03/23/2024	FM0078	SH0218	230.000 FEET	W	NO
240002875	03/04/2024	FM0078	BROOKS AVE	48.000 FEET	SW	NO
240002946	03/05/2024	FM0078	BROOKS AVE	0		NO
240003135	03/09/2024	FM0078	PAT BOOKER RD	0		NO
240003214	03/10/2024	FM0078	KNEUPPER RD	919.000 FEET	E	NO
SL1604		9 crashes				
240003109	03/08/2024	SL1604	NOT REPORTED	0		NO
240002749	03/01/2024	SL1604	FM0078	0.840 MILES	NW	NO
240003308	03/12/2024	SL1604	SL1604	150.000 FEET	N	NO
240002847	03/01/2024	SL1604	ATHENIAN	0		NO
240003302	03/12/2024	SL1604	SH0218	137.000 FEET	SW	NO
140003660	03/20/2024	SL1604	SH0218	379.000 FEET	N	NO
240002740	03/01/2024	SL1604	PLAZA DR	655.000 FEET	NW	NO
240003215	03/10/2024	SL1604	PAT BOOKER RD	153.000 FEET	W	NO
240002743	03/01/2024	SL1604	FM 78	48.000 FEET	NE	NO
UNIVERSAL CITY BLVD		1 crash				
240002928	03/05/2024	UNIVERSAL CITY BLVD	SH0218	350.000 FEET	N	NO
ATHENIAN		2 crashes				
240003307	03/12/2024	ATHENIAN	SH0218	500.000 FEET	W	NO
240003855	03/24/2024	ATHENIAN	SH0218	685.000 FEET	N	NO
SH0218		9 crashes				
240003257	03/11/2024	SH0218	UNKNOWN	32.000 FEET	W	NO
240003163	03/09/2024	SH0218	ATHENIAN DR	250.000 FEET	S	YES
240003533	03/17/2024	SH0218	ATHENIAN DR	0		NO
240002947	03/05/2024	SH0218	ATHENIAN	0		NO
240002796	03/02/2024	SH0218	W AVIATION BLVD	0		NO

UNIVERSAL CITY POLICE DEPARTMENT

MAR-2024

Case ID	Crash Date	Occurred On	Intersecting Road	Intersection Offset Amt	Direction	Private Drive / Parking Lot
240002851	03/03/2024	SH0218	KITTY HAWK RD	26.000 FEET	W	NO
240003111	03/08/2024	SH0218	KITTY HAWK RD	155.000 FEET	W	NO
240003327	03/13/2024	SH0218	KITTY HAWK RD	20.000 FEET	S	NO
240002760	03/01/2024	SH0218	RANDOLPH PLAZA DR	0		NO
		KITTY HAWK RD				2 crashes
240002893	03/04/2024	KITTY HAWK RD	SL1604	500.000 FEET	S	YES
240003029	03/07/2024	KITTY HAWK RD	E 1604 LOOP	32.000 FEET	SW	NO
		CORONADO BLVD				1 crash
240003786	03/22/2024	CORONADO BLVD	PAT BOOKER RD	79.000 FEET	SW	NO
		PHEONIX AVE				1 crash
240003036	03/07/2024	PHEONIX AVE	OAK MEADOWS	150.000 FEET	E	NO
Grand Total: 31						

# Agency Executive Dashboard: UNIVERSAL CITY POLICE DEPARTMENT

## Crash Summary by Year

by Crash Category	2021	2022	2023	2024 *
Total Crashes	505	401	438	102
Fatal (K)	2	1	1	--
Other Injury (A,B,C)	125	126	117	30
Non-Injury (N, U)	378	274	320	72
DUI	21	25	19	6
DWI	13	14	7	3
Speed Related	134	97	124	18
CMV Involved	14	8	5	3
Intersection Related	195	175	216	46
Motorcycle Involved	11	6	6	3
Cell Phone Related	3	9	4	1

by Crash Severity	2021	2022	2023	2024 *
FATAL INJURY	2	1	1	0
NOT INJURED	369	267	311	72
POSSIBLE INJURY	46	58	45	15
SUSPECTED MINOR INJURY	57	62	60	7
SUSPECTED SERIOUS INJURY	22	6	12	8

by Weather Condition	2021	2022	2023	2024 *
CLEAR	448	372	368	84
CLOUDY	22	10	39	11
FOG	1	0	0	0
OTHER (EXPLAIN IN NARRATIVE)	1	0	0	0
RAIN	25	19	31	6
SLEET/HAIL	2	0	0	1
SNOW	6	0	0	0

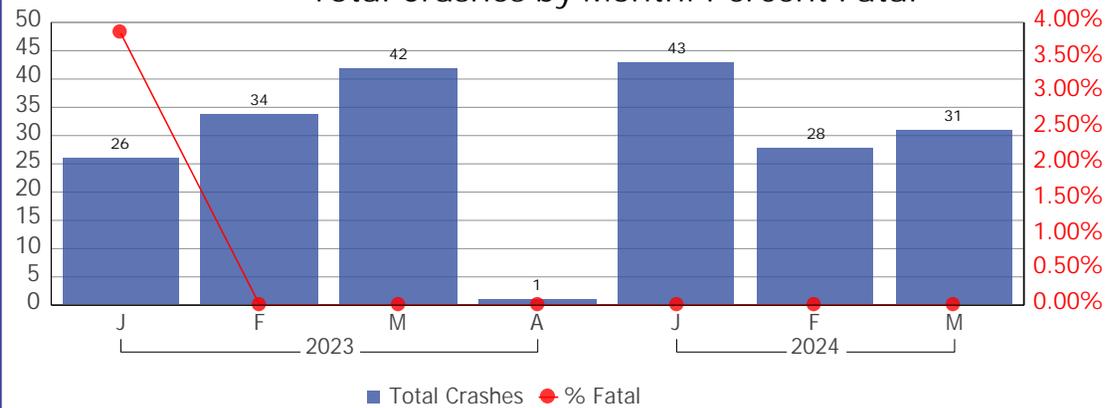
-- = No crash data

\*Thresholds are based on YTD vs. YTD LY values

## Crash Summary YTD

Top 5 Crash Contributing Factors YTD	Crashes	Crashes YTD LY	DUI Crashes	Fatal Crashes	Fatalities
DRIVER INATTENTION	25	29	--	--	--
FAILED TO YIELD RIGHT OF WAY - TURNING LEFT	16	6	--	--	--
FAILED TO CONTROL SPEED	14	27	1	--	--
CHANGED LANE WHEN UNSAFE	11	9	--	--	--
FAULTY EVASIVE ACTION	10	5	--	--	--

### Total Crashes by Month: Percent Fatal



### Total Crashes Last 16 Weeks: Percent Fatal

