

PLANNED DEVELOPMENT DISTRICT

WAYSIDE

Approved October 13, 2021

ORDINANCE NO. 274

AN ORDINANCE OF THE CITY OF UHLAND, TEXAS ADOPTING AND APPROVING AND CREATING A PLANNED DEVELOPMENT DISTRICT FOR APPROXIMATELY 187.782 ACRES OF LAND SITUATED IN THE THOMAS B. WESTBROOK SURVEY (SOMETIMES CALLED THE JOHN B. WESTBROOK SURVEY), ABSTRACT NUMBER 468, AND THE I & GN RR CO. SURVEY, ABSTRACT NUMBER 577, HAYS COUNTY, TEXAS LOCATED WITHIN THE CITY LIMITS; ESTABLISHING LAND USE AND DEVELOPMENT STANDARDS, TO INCLUDE ZONING, FOR THE CONSTRUCTION AND OPERATION OF A RESIDENTIAL SUBDIVISION; AND PROVIDING FOR: RULES, STANDARDS, PROCEDURES, AND SEVERABILITY.

- WHEREAS, Ranch Road Wayside LLC ("Owner") owns a total of 187.782 acres of land, more or less, located in City of Umland Hays County, Texas, and more particularly described by the metes and bounds description and the survey which are collectively attached as Exhibit "A" to Attachment "A" (the "Property"). The Property is located wholly within the City's corporate limits; and
- WHEREAS, Owner plans to develop 187.782 acres of the Property as a high quality mixed use development containing approximately 2.5-acres of commercial/retail along with up to 830 residential lots, open space and trails (the "Development"), which will benefit and serve the present and future citizens of the City as generally delineated in the PD Master Plan attached as Exhibit "B" to Attachment "A", and
- WHEREAS, a Planned Development accommodates large or complex developments under unified control planned as a single continuous development providing greater design flexibility in return for desirable features not normally required under conventional development standards to create a superior development to that which would occur using conventional regulations; and
- WHEREAS, the City of Umland ("City") seeks to protect the health, safety, and welfare of those living in, working in, and visiting the City; and
- WHEREAS, Owner has submitted an application to the City to rezone the Property to Planned Development District ("PDD"), designating it as the "Wayside PDD"; and
- WHEREAS, the Planning and Zoning Commission held a public hearing and discussions and invited public comment on the proposed Wayside PDD at a public hearing held on the 15th day of September at 6 o'clock p.m.; and

WHEREAS, the City Council held a public hearing and discussions and invited public comment on the proposed Wayside PDD at a public hearing held on the 13th day of October at 6 o'clock p.m.; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has broad zoning authority; and

WHEREAS, the City finds that the land use and development standards established in the proposed Wayside PDD are consistent to promote the public health, safety, and general welfare of those living in, working in, and visiting the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Uhland:

ARTICLE I. FINDINGS OF FACT AND SHORT TITLE

The foregoing Recitals are hereby adopted as findings of facts and are incorporated fully herein. This Ordinance shall be commonly cited as the "Wayside Planned Development".

ARTICLE II. ENACTMENT

- A.** The official zoning map of the City of Uhland is hereby amended to reflect the zoning designations established in **Attachment "A"**,
- B. Development Plan.** This Ordinance, together with **Attachment "A"** and the exhibits thereto constitutes the land use standards and development plan for the Wayside PDD upon the Property, as reflected in **Attachment "A"**, covered by this Ordinance. All land use and development of the Wayside PDD on the Property must conform to the limitations and conditions set forth in this Ordinance, **Attachment "A"** and the exhibits thereto. Enactment of this Ordinance shall constitute the City's approval of the land use standards and development plan.
- C. Planned Development (PD) Master Plan.** The PD Master Plan detailed in **Exhibit "B"** of **Attachment "A"**, is hereby approved. Approval of the PD Master Plan shall not constitute a waiver or approval of any plat requirements.
- D. Applicable Regulations.** Except as specifically provided by this Ordinance, the Wayside PDD is subject to all provisions of the City's Ordinances. To the extent any provisions of this Ordinance conflicts with any provisions of City Ordinances or any related regulations, the provisions of this Ordinance shall control.

- E. **Variations.** The approval of this Ordinance and **Exhibits A-E of Attachment "A"** constitutes the approval of the development standards and shall be deemed to be the functional equivalent of the approval of variations, exceptions, and alternative standards from conflicting provisions of City Ordinances. When considering a request for variations, exceptions, or alternative standards in the Wayside PDD that were not addressed by the development standards contained herein, the City shall consider this Ordinance, the PD Master Plan, and the City's, then existing, Ordinances collectively.

- F. **Resolution of Conflicts.** The documents governing the PDD should be read in harmony to the fullest extent possible. If a conflict arises between the charts included in the exhibits and the illustrations contained in the exhibits, the charts shall control. If a conflict arises between the terms of this Ordinance and the exhibits, the terms of this Ordinance shall control.

- G. **Attachments and Exhibits.** The following Attachment and exhibits thereto are incorporated into this Ordinance in their entirety, as though set forth fully in the text of this Ordinance:

Attachment "A" – WaysidePlanned Development District

Exhibit "A"	Description of the Property
Exhibit "B"	PD Master Plan
Exhibit "C"	Enhanced Landscape Plan
Exhibit "D"	Alternative Roadway Knuckle Design
Exhibit "E"	Commercial Permitted Uses

ARTICLE III. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

ARTICLE IV. PROPERTY RECORDS

The City Secretary is hereby directed to record a Notice of this Ordinance in the real property records of the County (so as to bind the City, the Owner and all future owners of the Property), and to provide regulatory certainty during the Term of this Ordinance.

ARTICLE V. PUBLICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Ordinances as authorized by Chapter 52 of the Texas Local Government Code.

ARTICLE VI. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

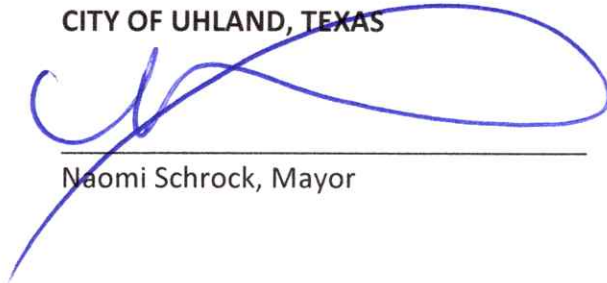
ARTICLE VII. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage by the City Council and publication as required by law.

PASSED AND APPROVED this, the 13th day of October 2021.


Ayes: 3 Nays: 0 Abstain: 0

CITY OF UHLAND, TEXAS



Naomi Schrock, Mayor

Attest:



City Secretary





Attachment "A"

WAYSIDE PLANNED DEVELOPMENT DISTRICT

SECTION 1. ENACTMENT PROVISIONS

1.1 Popular Name.

This Planned Development District ("PDD") shall be commonly cited as the "Wayside PDD".

1.2 Purpose.

This PDD establishes land use and development standards, to include zoning, for the construction and operation of a mixed-use development featuring commercial and residential uses along with trails and open space. One or more agreements between the City and the Owner further define the development standards for the Development, and well as the City's Code of Ordinances as provided in this Ordinance.

1.3 Scope.

This Planned Development District zoning applies to the Property as described in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 2. DEFINITIONS

2.1 General.

Words and phrases used in this PDD shall have the meanings set forth in this section. Terms that are not defined below but are defined elsewhere in the City Code of Ordinances, shall be given the meanings set forth in the Ordinance for which it is defined. Words and phrases not defined in any City Ordinance shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural shall include the singular, and words in the masculine gender shall include the female gender; and vise-a-versa. The word "shall" is always mandatory and the word "may" is merely directory. Headings and captions are for reference only.

2.2 Specific.

Applicable Requirements: shall mean the applicable federal and state laws, city ordinances, rules and regulations, and the Wayside PD Standards stated herein.

Applicant: shall mean any owner, developer, person or entity engaging in subdivision or development of any of the Property or applying for any permit, approval, variance or waiver for any of the Property.

Certified Inspector: shall mean an independent certified state licensed inspector to inspect the Vertical Building Improvements as to their conformity with applicable city ordinances and building codes and related building plans.

City: shall mean the City of Umland, Texas, a Texas Type A, general law city.

City Administrator: shall mean the person or entity engaged by City to serve in the capacity of City's chief administrative officer.

City Code of Ordinances: shall mean the collective duly adopted ordinances of the City, together with all related administrative rules and technical criteria manuals.

City Council: shall mean the governing body of the City.

City Engineer: shall mean the person or entity engaged by the City to serve in the capacity of engineer for the City.

County: shall mean the applicable County in which the Property is located.

Development Standards: shall mean the land use standards for the Property as described in this PDD. All land use and development of the Property in the Wayside PD must conform to the limitations and conditions set forth in this PDD.

Development Plan: shall mean this PDD and the exhibits attached hereto.

Dwelling Unit: shall mean a single family residential unit providing complete, independent living facilities including permanent provisions for living, sleeping, eating, and cooking.

Effective Date: and similar references shall mean the date of the duly passed and approved Ordinance adopting this PDD.

Final Plat: shall mean the official map of a subdivision, addition or development, together with any applicable development plan, covenants, restrictions, dedications or easements, to be recorded in the County property records after approval by City.

Lot: shall mean any individual parcel of land subdivided within the Development for a specific permitted use.

Master Plan: The Master Plan attached hereto as Exhibit “B” shows the boundary of the Property, Open Space and street layout. The Master Plan, along with the other exhibits attached hereto, also provides notable drainage detail, building setbacks, and other pertinent development features.

Open Space: shall mean and include common areas, park land and any other improved Lot for the use by the general public.

Owner: shall mean (i) the Owner named above, and (ii) any subsequent owner of a part of the Property that is a successor or assignee of rights from Owner.

Preliminary Plat: shall mean a map showing the salient features of a proposed development, submitted for the purpose of preliminary consideration and communication prior to the submission of a Final Plat.

Development: shall mean the Wayside Planned Development on the Property as generally delineated in the PD Master Plan attached as Exhibit “B”.

Property: shall consist of 187.782 acres of land, more or less, located in Hays County, Texas, and more particularly described in Exhibit “A”.

Residential Community: Shall mean, collectively, all of the lots developed for residential use located within the Development.

Residential Lot or Residential Site: Shall mean a lot upon which a residential use is located.

Residential Structure or Residential Unit: Shall mean a detached Single Family Dwelling or Two Family Dwelling (Duplex).

Residential Uses: Shall mean Single-Family Dwellings, Two-Family Dwellings and Accessory Uses and Accessory Buildings authorized for Single Family Zoning Districts. Residential uses do not include multiple-family dwellings, manufactured homes, or mobile homes, except for duplexes.

Unit: shall mean each individual space to be occupied for a particular use on a Lot.

Vertical Building Improvements: shall mean the construction and reconstruction of a building, structure or any above ground improvement or development, not including roads, drainage facilities or utility facilities, and not including manufactured homes, modular housing or industrialized buildings covered by Chapters 1201 or 1202 of the Texas Occupations Code.

**SECTION 3.
LAND USE AND ZONING**

- 3.1 Zoning.** The zoning classification of the property is hereby changed to Wayside Planned Development District.
- 3.2 Permitted Uses.** The development may contain residential uses in accordance with this Ordinance. Specifically, no more than 830 residential lots shall be located within the Property, with a maximum of 108 lots being duplex lots.
- 3.3 Maximum Densities.**
- a. Residential Uses.** The Development shall not exceed the maximum gross density of 4.5 units per acre of residential use and only one unit per lot.
- 3.4 Restrictive Covenants and Private Homeowners Association.** For the better development and benefit of the Property, Owner shall impose certain covenants, conditions and restrictions applicable to the use and maintenance thereof. Owner shall establish a private Homeowners Association (HOA) to enforce such covenants, conditions and restrictions upon any and all residential lots. The HOA shall be responsible for the maintenance of private landscape areas, private community park, water quality ponds, detention ponds, water features, all community signage, community perimeter walls and common open space areas within the Residential Community.
- 3.5 Permitting and Approval Criteria.** All applications for permits required by the City for the use and development of the Property shall be consistent with this Ordinance. All aspects of such approvals which are not specifically covered by this PDD shall be governed by the City Code of Ordinances. This PDD shall not constitute a site development permit or building permit.
- 3.6 Unified Development.** The Property shall be treated as a unified development for the purposes of requirements relating to drainage, structural and non-structural water quality and detention control, impervious cover, utility service, traffic impact analysis, landscaping, open space, green space, and tree replacement and mitigation.
- 3.7 Phased Development.** The Development may be developed in phases, as indicated by Final Plats, over time and the phasing of development may be changed from time to time, including phases being developed concurrently provided that the Final Plat for each phase has been approved by the City Council and recorded with the County.

SECTION 4.

DEVELOPMENT STANDARDS

4.1 Open Space Requirements. The development shall dedicate at least forty-two acres of open space to be used as passive parkland with trails as shown on Exhibit “C”. The open space shall be owned and maintained by the homeowner’s association but will be accessible to the public.

4.2 Impervious Cover. The Development shall not exceed an aggregate of 65 percent (65%) in impervious cover of the single family lot portion of the Property. The duplex portion of the development shall not exceed an aggregate of 75 percent (75%) in impervious cover.

4.3 Residential Site Requirements.

Lot Width	
Minimum for single family lots	40 ft. *
Minimum for duplex lots	30 ft *
Exception: Minimum for Corner Lots	55 ft.
Front Setback	Setbacks are measured from the lot line.
Minimum	15 ft.
Exception: Garage setback	20 ft.
Side Setback	Setbacks are measured from the lot line.
Minimum (*) *Eaves may project a maximum of 18” into side setbacks.	5 ft.
Exception: Minimum for side setback adjacent to a street	15 ft.
Rear Setback	Setbacks are measured from the lot line.
Minimum	10 ft.
Building Height (maximum)	40 ft.
Lot Area (minimum)	4,000 sq. ft.
Exception: Duplex lots	3,000 sq. ft.

* The Minimum Lot Width shall be measured at the Front Setback line.

4.4 Underground Utility Service. Except where approved in writing by the City Administrator, all utilities shall adhere to the following:

- a. All dry utilities to include electrical, telephone and cable television distribution and service lines shall be underground, other than overhead lines that are three phase or larger which are required to be brought to the development for service availability.
- b. All utilities and the improvements thereof shall be the responsibility of Owner.

4.5 Fencing Plan.

- a. **Concrete Panel, Enhanced Wood Fencing, and Tubular Steel Fencing.** Enhanced concrete panel fencing shall be constructed consistent with the locations and lengths illustrated on **Exhibit "C"**, Enhanced Landscape Plan. Enhanced concrete panel fencing, enhanced wood fencing, and tubular steel fencing shall be at six feet (6') in height. Masonry columns shall be constructed at certain corners along the length of the enhanced concrete panel fencing as illustrated in **Exhibit "C"**.
- b. **Residential Boundary Fencing.** Fencing may be located along the residential property lines and shall not encroach into public right of ways or extend past the front elevation of residential houses into the front street yard. Wood fencing or tubular steel fencing in certain view areas, is permitted along the property lines of all remaining residential lots.

4.6 Pedestrian Circulation. All residential roadways shall be constructed with a four-foot (4') wide sidewalk at the time of residential home construction prior to final home construction inspection. All sidewalks shall be made of concrete. Sidewalks shall be free of any encroachment to include mailboxes, road signs, light poles, landscaping or any other vertical obstruction that would reduce the clear width of the sidewalk to less than four feet (4'). There shall be a 5 foot (5') wide minimum sidewalk along both sides of Plum Creek Road. ADA approved ramps shall be placed at intersection corners to provide unimpeded pedestrian access in all directions and shall be constructed in conjunction with the streets and curb and gutters. Sidewalks constructed in the course of this Development that connect to existing sidewalks shall be constructed to align the location and width at the point of connection in such a way as to provide a seamless and unobstructed transition.

4.7 Curbs and Gutters. All roadways constructed within the Development shall be constructed with standard curb and gutter or mountable curb. Mountable curbs shall only be used to permit driveway access.

4.8 Roadways. All local roadways within the development shall be constructed with a minimum of fifty-two feet (52') Right-of-Ways and a minimum of thirty-two feet (32') of pavement to allow for on-street parking. Plum Creek Road shall be constructed with a minimum of eighty feet (80') Right of Way and a minimum of forty-eight feet (48') of pavement. The unloaded collector stubbed to the north-west shall be constructed with a minimum of seventy feet

(70') Right of Way with a minimum of forty feet (40') of pavement. An alternative roadway knuckle design may be utilized as depicted in Exhibit "D".

4.9 Parking Requirements. Each parking space shall be a minimum of nine feet (9') wide by eighteen feet (18') deep.

a. Residential Uses. All residential lots shall include a concrete driveway to provide a minimum for two (2) off-street parking spaces with the exception that the duplex lots shall provide a minimum of one (1) off-street parking space.

4.10 Lighting. Streetlights shall be provided at all four-way intersections. No fixture or light source shall be turned up so as to disperse light into the night sky. All fixtures shall utilize Light-Emitting Diode (LED) lighting. Solar fixtures may be used.

4.11 Landscaping Requirements. All landscaping shall enhance the natural aesthetic beauty of the City area through diverse use of both native and non-invasive adapted species of plants. A minimum of eighty percent (80%) of the required landscaping shall be native plants and the remaining twenty percent (20%) may be non-invasive adapted plants. Invasive species, as defined by the Ladybird Johnson Wildflower Center, are prohibited. All landscaping materials shall be drought tolerant and native type materials. Native plants shall be defined as plants identified by the Ladybird Johnson Wildflower Center. Under no circumstance shall any non-invasive existing tree in excess of eighteen-inch (18") DBH in diameter be removed or demolished from the site without prior specific approval of the City. Enhanced landscaping shall be installed and maintained in substantial accordance with **Exhibit "C"**.

a. Tree Protection, Mitigation and Preservation. A tree survey, protection, mitigation and preservation plan for all healthy non-invasive trees with an eight-inch (8") DBH in diameter shall be created and submitted to the City prior to the start of site development work. Prior to the start of site work all protection and preservation of all existing trees to remain on site shall be completed to prevent any disturbance within each tree's critical root zone. Replacement trees for all existing non-invasive trees shall be planted prior to completion of the Development.

b. Residential Lots. At a minimum the following shall be installed on each residential lot:

- (1) one (1) – two-inch (2") caliper shade tree and three (3) – one (1)-gallon shrubs outside of the easements along the right-of-way located in the front yard;
- (2) one (1) – two-inch (2") caliper shade tree, five (5) – one (1)-gallon shrubs and three (3) – five (5)-gallon shrubs and other drought tolerant natural landscaping for front, sides, and rear yards

c. Planting Criteria.

- (1) Planting shall remain at least five feet (5') from edge of roadways and driveways.
- (2) Planting should be at least five feet (5') from underground utilities and twenty-five feet (25') from overhead lines

(3) Planting should be at least five feet (5') from fire hydrants.

d. Shade Trees shall be defined as the following:

Bald Cypress
Burr Oak
Cedar Elm
Chinquapin Oak
Chinese (Lacebark) Elm
Chinese Pistache
Live Oak
Monterey Oak
Pecan
Shumard Oak
Texas Ash
Texas Red Oak

e. Evergreen Ornamental Trees shall be defined as the following:

Wax Myrtle
Yaupon Holly
Mountain Laurel
Little Gem Magnolia
Eastern Red Cedar
Cherry Laurel

**SECTION 5.
SINGLE-FAMILY AND DUPLEX DESIGN STANDARDS**

5.1 Minimum Square Footage Requirements. The living area of the primary residential structure, exclusive of porches and garages, located on any lot shall adhere to the following standards:

- a.** Residential units on forty foot (40') and forty-five foot (45') wide lots shall have a minimum square footage of twelve hundred square feet (1,200 sq. ft.) of living space.
- b.** Each residence shall have a fully enclosed garage for no less than two (2) standard car parking spaces with the exception that the duplexes shall have a fully enclosed garage for no less than one (1) standard car.
- c.** Residential driveways shall provide for two (2) additional off-street parking spaces that shall be a minimum of twenty feet (20') by eighteen feet (18') with the exception that the duplexes shall provide for one (1) additional off-street parking space that shall be a minimum of twenty feet (20') by nine feet (9'). This area shall be located between the front property line to the front of the garage door.

**SECTION 6.
COMMERCIAL AND DEVELOPMENT RESERVE STANDARDS**

- 6.1 Commercial Permitted Uses.** The permitted uses for the commercial and development reserve portions of the Property are listed on Exhibit “E”.

**SECTION 7.
DEDICATIONS AND IMPACT FEES**

- 7.1 Park and Open Space Dedication.** A parkland fee of One Thousand Two Hundred Dollars (\$1,200) per residential lot shall be assessed and paid at the time of final plat approval. However, as illustrated on Exhibit “C”, the PD Master Plan provides for an activation of private open space in which Owner shall provide improved recreational facilities in a private ownership/management format, when platted and constructed. Owner shall install improvements with an estimated value of Nine Hundred Ninety Six Thousand Dollars (\$996,000), that may include a trails, trail heads, solar lights, picnic and overlook areas, shade structures, benches and open space landscaping. The actual value of the required improvements shall be adjusted based on the final lot count as shown on the Preliminary Plat multiplied by One Thousand Two Hundred Dollars (\$1,200). Any actual improvement value will be credited towards the parkland dedication fee with the remaining balance being paid in full to the City at final plat approval.
- a. All private open space areas within the Property and all drainage facilities including basins, channels, detention, retention and water quality ponds constructed as part of the PDD on the Property shall be maintained by the Homeowner’s Association.
 - b. The Owner shall provide a Public Access Easement in a form acceptable to the City in order to allow non-residents of Wayside the use and enjoyment of the trails and open space areas.
- 7.2 Roadway Impact Improvements.** A Roadway Impact Fee of One Thousand Two Hundred Twenty Eight Dollars (\$1,228) per residential lot shall be assessed and paid at the time of building permit application. The Roadway Impact Fee shall be credited against any required offsite roadway improvements.

**SECTION 8.
AMENDMENTS**

Due to the fact that the Development comprises a significant land area and its development may occur in phases over a number of years, Owner may make major or minor amendments to the PD Master Plan upon notification to, and approval from, the City. Major amendments shall be those that (a) increase the density of single-family home dwelling or duplex lots or units allowed by the Development Standards; (b) seek to allow a use that is not otherwise permitted by the Development Standards; (c) increase the total Development's impervious cover; or (d) reduces the amount of open space. Major amendments to the PD Master Plan shall require approval by City Council. Any amendment which is not classified as a major amendment, including an amendment which alters the relative percentages of the various residential use types without changing the density permitted for a type of residential use, shall be classified as a minor amendment. Minor amendments shall be administratively approved by the City Administrator except that the City Administrator may at the City Administrator's sole discretion seek approval from the City Council. If the City Administrator and Owner dispute the classification of an amendment as major or minor, the issue shall be referred to City Council for final determination.

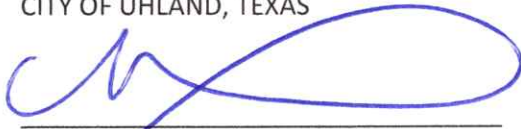
**SECTION 9.
LIST OF EXHIBITS**

The following list of exhibits, attached hereto, together with this Attachment and addenda, constitute the land use standards and development plan for the Wayside Planned Development District.

- Exhibit "A":** Description of The Property
- Exhibit "B":** PD Master Plan
- Exhibit "C":** Enhanced Landscape Plan
- Exhibit "D":** Alternative Roadway Knuckle Design
- Exhibit "E"** Commercial Permitted Uses

PASSED AND APPROVED ON THIS THE 13th DAY OF OCTOBER, 2021.

CITY OF UHLAND, TEXAS



Naomi Schrock, Mayor

Attest:



Kimberly Weatherford, City Secretary

EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

187.782 ACRES
JOHN B. WESTBROOK SURVEY NO. 7, ABSTRACT NO. 468
I & GN RR CO. SURVEY, ABSTRACT NO. 577
HAYS COUNTY, TEXAS

FIELD NOTES

BEING ALL OF THAT CERTAIN 187.782 ACRE TRACT OF LAND, SITUATED IN THE JOHN B. WESTBROOK SURVEY NUMBER 7, ABSTRACT NUMBER 468, AND THE I & GN RR CO. SURVEY, ABSTRACT NUMBER 577, HAYS COUNTY, TEXAS, BEING ALL OF THAT CALLED 187.782 ACRE TRACT OF LAND CONVEYED TO RANCH ROAD WAYSIDE, LLC IN INSTRUMENT NUMBER 21021957, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 187.782 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found at a southwestern corner of said 187.782 acre tract of land, being in the southeast line of a called 6.59 acre tract of land conveyed to Feliciano Roman in Instrument Number 16019598, Official Public Records of Hays County, Texas, same being in the northwest line of a called 203 acre tract of land conveyed to S.R. Scott Family, LP. in Volume 1703, Page 587, Official Public Records of Hays county, Texas, for a southwestern corner and the **POINT OF BEGINNING** of the herein described tract of land, and from which a 1/2 inch iron rod found at the westernmost corner of said 203 acre tract, being at the southernmost corner of Lot 1, 35 South Ranches, Section 1, a subdivision recorded in Volume 7, Page 189, Plat Records of Hays County, Texas, same being in the northeast right-of-way line of County Road 127 (R.O.W. Varies), also known as High Road, bears S43°19'29"W, a distance of 516.24 feet,

THENCE, N43°19'29"E, with the northwest line of said 187.782 acre tract and the northwest line of said 203 acre tract, passing at a distance of 687.92 feet a 1/2 inch iron rod found 0.23 feet left of line, being at the easternmost corner of said 6.59 acre tract, same being at a southern corner of a called 8.43 acre tract of land conveyed to Antonio Vajello in Volume 1264, Page 27, Official Public Records of Hays County, Texas, passing at a distance of 1487.83 feet a 1/2 inch iron rod found 0.25 feet right of line, being at the easternmost corner of said 8.43 acre tract, same being at the southernmost corner of a called 80.00 acre tract of land conveyed to Jackie & Vicki Schawe in Volume 1679, Page 405, Official Public Records of Hays County, Texas, described in Volume 189, Page 556, Deed Records of Hays County, Texas, passing at a distance of 2488.48 feet a 1/2 inch iron rod found 0.73 feet right of line, being at the easternmost corner of said 80.00 acre tract of land, same being at the southernmost corner of a called 82.00 acre tract of land (Tract 1) conveyed to Jackie R. Schawe, Et al in Volume 2707, Page 738, Official Public Records of Hays County, Texas, passing at a distance of 3513.87 feet a 1/2 inch iron rod found 1.02 feet right of line, being at the easternmost corner of said 82.00 acre tract of land, same being at the southernmost corner of a called 77.6 acre tract of land conveyed to Brandon & Breann Schawe in Instrument Number 13001675, Official Public Records of Hays County, Texas, described in Volume 325, Page 205, Deed Records of Hays County, Texas, passing at a distance of 4487.73 feet a 1/2 inch iron pipe found 0.76 feet right of line, being at the easternmost corner of said 77.6 acre tract of land, same being at the southernmost corner of a called 79.95 acre tract of land (Tract 2) conveyed to Jackie R. Schawe, Et al in Volume 2707, Page 738, Official Public Records of Hays County, Texas, passing at a distance of 5492.03 feet a 1/2 inch iron rod found 0.21 feet left of line, being at the easternmost corner of said 79.95 acre tract of land, and continuing for a total distance of 5573.10 feet to a 1/2 inch iron rod found at the northernmost corner of said 187.782 acre tract, being at the northernmost corner of said 203 acre tract of land, same being in the southwest line of a called 522.84 acre tract of land conveyed to Walton Texas, LP. in Volume 3410, Page 274, Official Public Records of Hays County, Texas, for the northernmost corner of the herein described tract of land,

J: AC3D\5193-076\SURVEY\FIELD NOTES\FN -187.782 ACRE TITLE SURVEY.DOC

EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

187.782 ACRES
JOHN B. WESTBROOK SURVEY NO. 7, ABSTRACT NO. 468
I & GN RR CO. SURVEY, ABSTRACT NO. 577
HAYS COUNTY, TEXAS

THENCE, with the common line of said 187.782 acre tract and said 522.84 acre tract of land, the following two (2) courses and distances, numbered 1 and 2,

- 1) S50°21'17"E, a distance of 406.54 feet to 1/2 inch iron rod found for corner, from which a 1/2 inch iron rod found with cap stamped "TRI-TECH" bears N46°20'02"E, a distance of 2.22 feet, and
- 2) S45°20'03"E, passing the southernmost corner of said 522.84 acre tract of land, being at the westernmost corner of a called 395.35 acre tract of land conveyed to Walton Texas, LP. in Volume 3440, Page 208, Official Public Records of Hays County, Texas, and continuing for a total distance of 1037.16 feet to a concrete monument found at the easternmost corner of said 203 acre tract, same being at the easternmost corner of said 187.782 acre tract of land, also being at the northernmost corner of a called 221.858 acre tract of land conveyed to Hays C.I.S.D. in Volume 3365, Page 790, Official Public Records of Hays County, Texas, also being in the southwest line of said 395.35 acre tract, for the easternmost corner of the herein described tract of land,

THENCE, with the southeast line of said 203 acre tract, the southeast line of said 187.782 acre tract, and the northwest line of said 221.858 acre tract, the following five (5) courses and distances, numbered 1 through 5,

- 1) S42°53'18"W, a distance of 384.15 feet to a 1/2 inch iron rod found for corner,
- 2) S43°19'42"W, a distance of 2631.51 feet to a 1/2 inch iron rod found for corner,
- 3) S42°28'17"W, a distance of 445.56 feet to a concrete monument found for corner,
- 4) S42°58'46"W, a distance of 630.79 feet to a 1/2 inch iron rod found for corner, and
- 5) S43°22'38"W, passing the northernmost corner and the westernmost corners of a called 0.46 acre tract of land conveyed to County Line Special Utility District in Instrument Number 16024633, Official Public Records of Hays County, Texas, and continuing for a total distance of 1483.21 feet to a 1/2 inch iron rod found for a southern corner of the herein described tract of land,

THENCE, over and across said 203 acre tract and along a southern line of said 187.782 acre tract, the following two (2) courses and distances, numbered 1 and 2,

- 1) N46°40'09"W, a distance of 309.11 feet to a 1/2 inch iron rod found for corner, and
- 2) S43°19'49"W, a distance of 525.68 feet to a 1/2 inch iron rod found in the southwest line of said 203 acre tract, being at the southernmost corner of said 187.782 acre tract, same being in the northeast line of aforesaid High Road, for the southernmost corner of the herein described tract of land, and from which a 1/2 inch iron rod found bears S47°05'01"E, a distance of 327.24 feet,

THENCE, N46°52'22"W, with the common line of said High Road, said 203 acre tract, and said 187.782 acre tract, a distance of 80.03 feet to a 1/2 inch iron rod found for corner,

THENCE, over and across said 203 acre tract and along a southern line of said 187.782 acre tract, the following three (3) courses and distances, numbered 1 through 3,

- 1) N43°20'30"E, a distance of 526.05 feet to a 1/2 inch iron rod found for corner,
- 2) N46°40'23"W, a distance of 659.29 feet to a 1/2 inch iron rod found for corner, and

J: AC3D\5193-076\SURVEY\FIELD NOTES\FN -187.782 ACRE TITLE SURVEY.DOC

EXHIBIT "A"

DESCRIPTION OF THE PROPERTY


187.782 ACRES
JOHN B. WESTBROOK SURVEY NO. 7, ABSTRACT NO. 468
I & GN RR CO. SURVEY, ABSTRACT NO. 577
HAYS COUNTY, TEXAS

- 3) S43°19'33"W, a distance of 521.30 feet to a 1/2 inch iron rod found in the southwest line of said 203 acre tract, being at a southern corner of said 187.782 acre tract, same being in the northeast line of said High Road, for a southern corner of the herein described tract of land,

THENCE, N45°48'43"W, with the common line of said High Road, said 203 acre tract, and said 187.782 acre tract, a distance of 80.13 feet to a 1/2 inch iron rod found for corner,

THENCE, over and across said 203 acre tract and along a southern line of said 187.782 acre tract, the following two (2) courses and distances, numbered 1 and 2,

- 1) N43°20'19"E, a distance of 520.16 feet to a 1/2 inch iron rod found for corner, and
2) N46°40'28"W, a distance of 326.09 feet to the **POINT OF BEGINNING** and containing 187.782 acres of land.

Surveyed by: 

Aaron V. Thomason, R.P.L.S. NO. 6214
Carlson, Brigrance and Doering, Inc.
REG.# 10024900
5501 West William Cannon
Austin, TX 78749
Ph: 512-280-5160 Fax: 512-280-5165
Aaron@cbdeng.com



BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83

EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

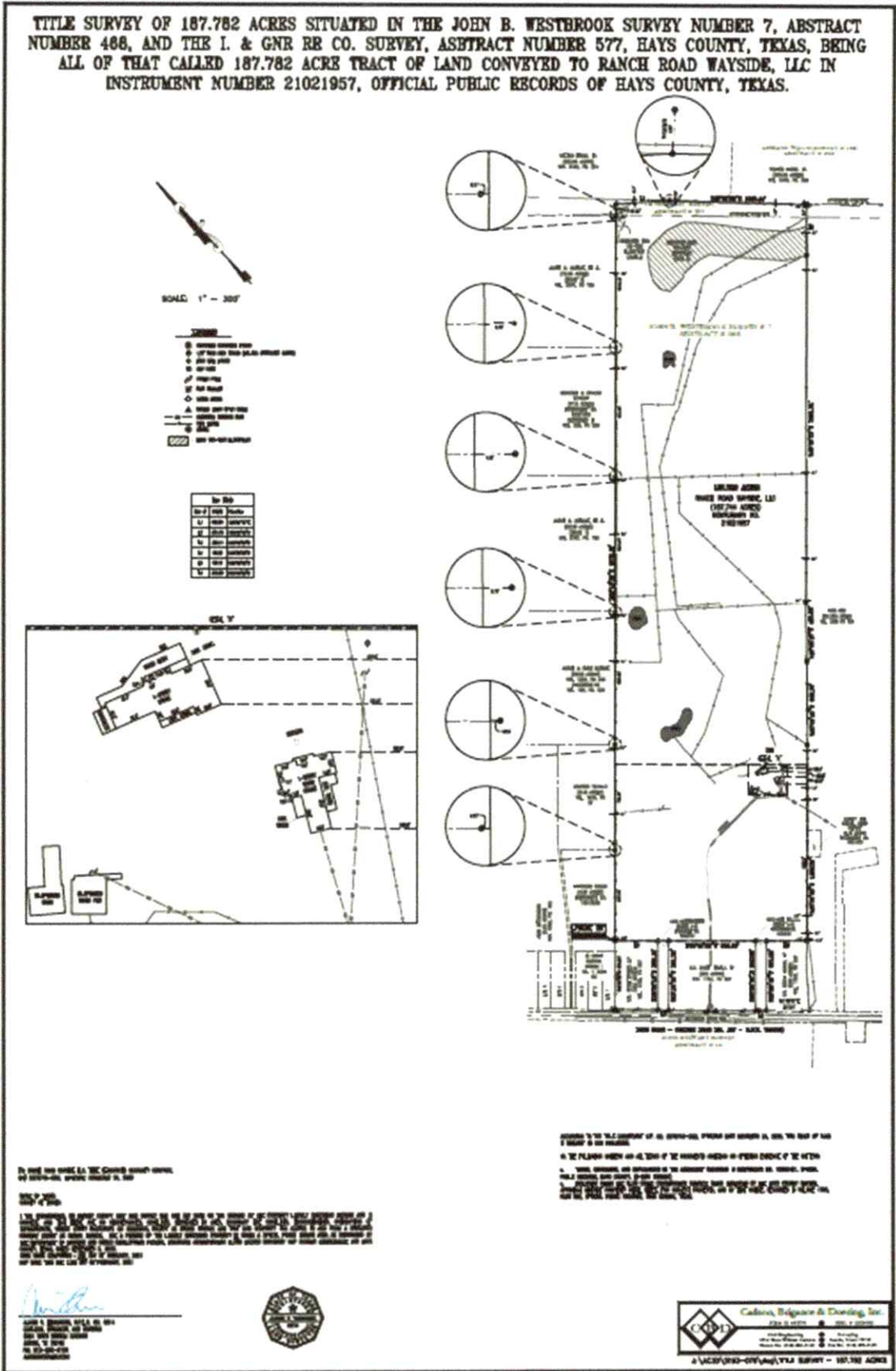


EXHIBIT "B"

PD MASTER PLAN

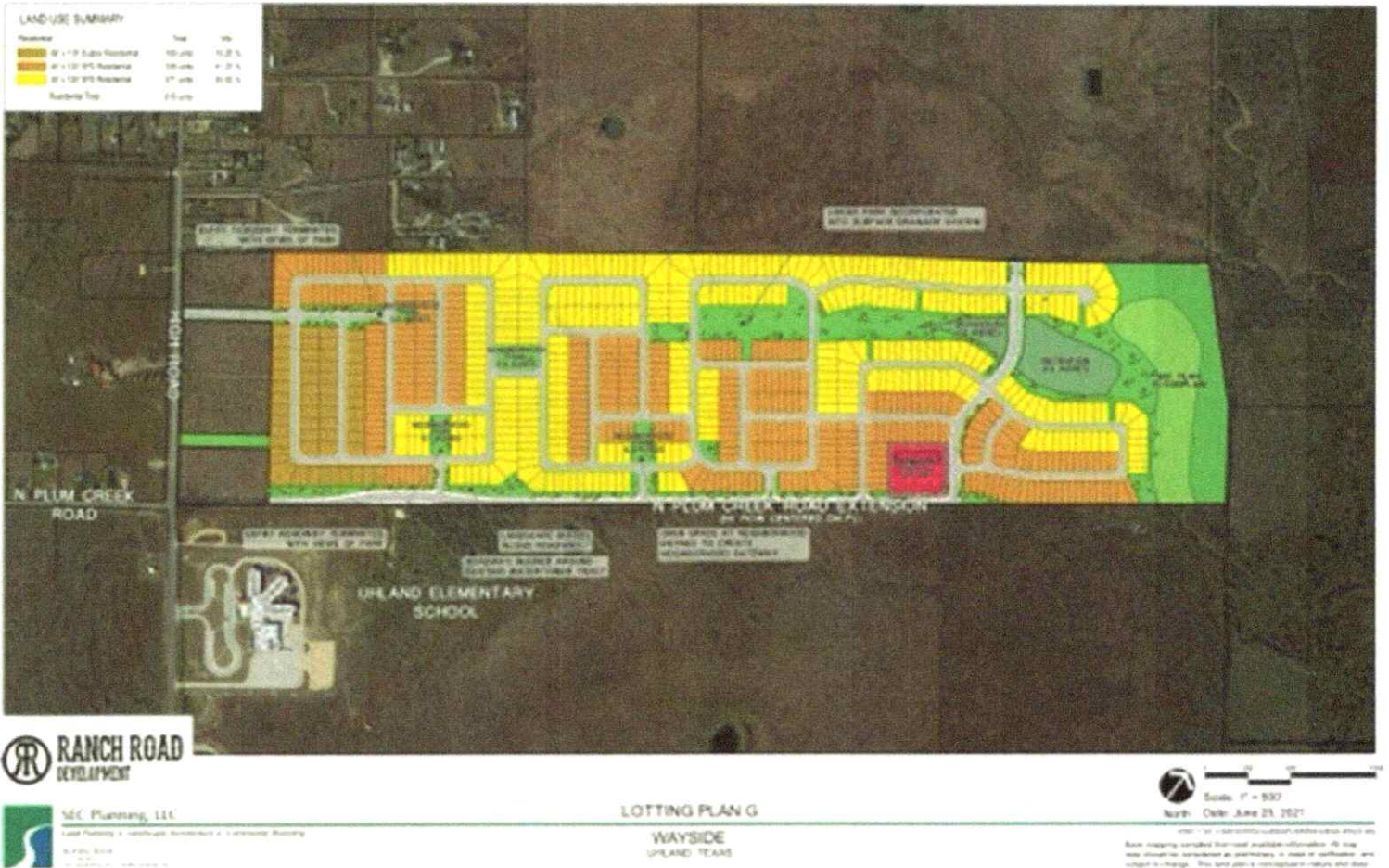


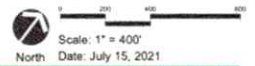
EXHIBIT "C"

ENHANCED LANDSCAPE PLAN



ENHANCED LANDSCAPE PLAN

WAYSIDE
UHLAND, TEXAS



Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

EXHIBIT "C"

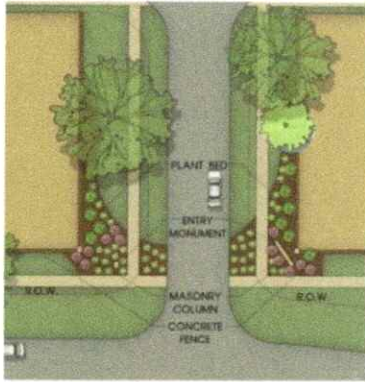
ENHANCED LANDSCAPE PLAN



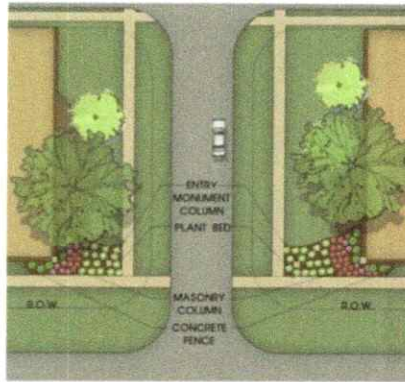
N PLUM CREEK ENTRY MONUMENT
SCALE: 1/8"



N PLUM CREEK ENTRY COLUMN
SCALE: 1/8"



A N PLUM CREEK ENTRY MONUMENT - PLAN



B N PLUM CREEK ENTRY COLUMN, TYP.



C N PLUM CREEK ENTRY COLUMN, TYP.



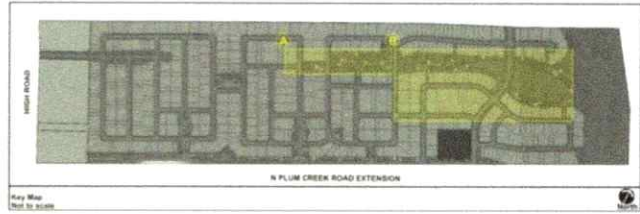
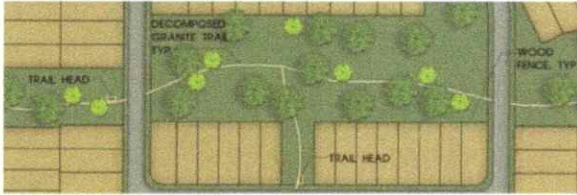
NEIGHBORHOOD ENTRIES
WAYSIDE
UPLAND, TEXAS



Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This and other information is provided for informational purposes only and does not represent any regulatory approval. Plan is subject to change.

EXHIBIT "C"

ENHANCED LANDSCAPE PLAN



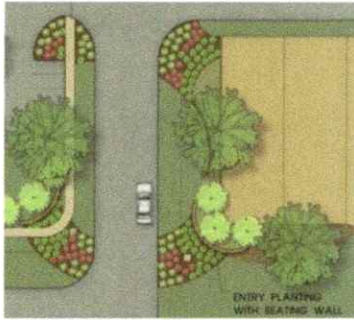
NEIGHBORHOOD TRAILS
WAYSIDE
URLAND, TEXAS



THIS PLAN IS AN PRELIMINARY CONCEPTUAL PLAN AND SHOULD NOT BE USED FOR CONSTRUCTION. ALL INFORMATION IS BASED ON AVAILABLE INFORMATION. ALL INFORMATION SHOULD BE VERIFIED AS NECESSARY. THIS PLAN IS CONCEPTUAL IN NATURE AND DOES NOT REPRESENT ANY REGULATORY APPROVAL. IT IS SUBJECT TO CHANGE.

EXHIBIT "C"

ENHANCED LANDSCAPE PLAN



A COMMERCIAL ENTRY - PLAN



B TYPICAL NODE ALONG WALKWAY - PLAN



C TYPICAL NODE ALONG WALKWAY - SECTION
SCALE: 1/2"=1'



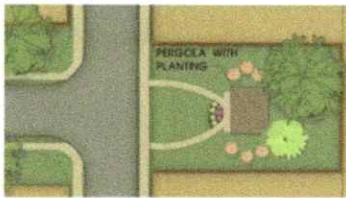
ROAD TREATMENT
WAYSIDE
UHLAND, TEXAS



©2021 SEC Planning, LLC. All rights reserved. This drawing is the property of SEC Planning, LLC. All other rights reserved. This drawing is for informational purposes only. Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

EXHIBIT "C"

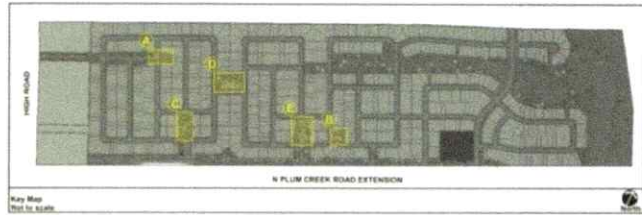
ENHANCED LANDSCAPE PLAN



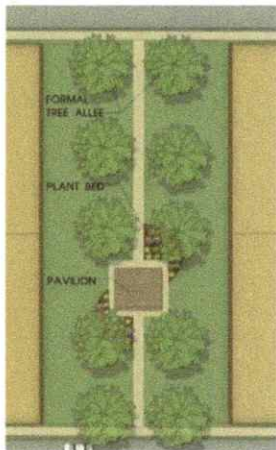
A. POCKET PARK - PLAN



B. CORNER POCKET PARK - PLAN



Key Map
Dist. to North



C. ENTRY PARK PAVILION - PLAN



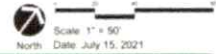
D. SPORTS AND PLAY PARK - PLAN



E. LINEAR PARK - PLAN



NEIGHBORHOOD PARKS
WAYSIDE
UPLAND, TEXAS



Scale: 1" = 50'
North
Date: July 15, 2021
Base mapping compiled from best available information. All map data should be considered as preliminary in need of verification and subject to change. This final plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

EXHIBIT "D"

ALTERNATIVE KNUCKLE DESIGN

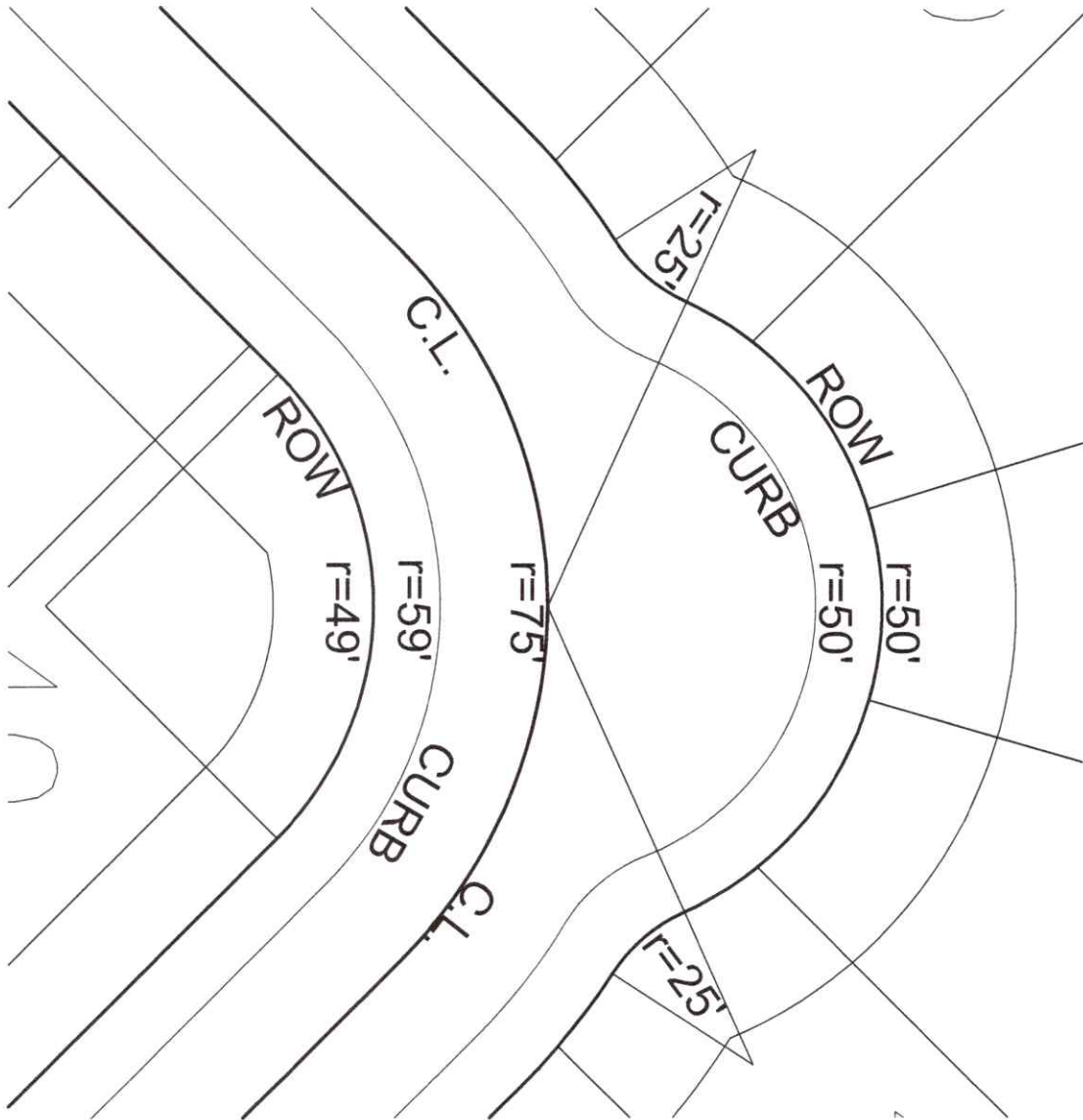


EXHIBIT "E"

COMMERCIAL PERMITTED USES

The permitted uses for the commercial parcel shall be as follows:

Office & Service

- Bank, credit union or savings & loan
- Insurance agency
- Brokerage office
- Legal office
- Medical office
- Professional office
- Real estate office

Personal & Business Service

- Barber/beauty shop
- Chiropractic services
- Dentistry & orthodontics
- Financial services
- Medical supplies or equipment
- Nail salon
- Postal and printing services
- Shoe repairs
- Tailor shop
- Tanning salon

Retail & Service

- Retail bakery
- Bicycle sales and repairs
- Book store
- Computer repairs
- Florist with indoor sales only
- Meat market or neighborhood grocery store
- Furniture sales
- Hardware store less than 10,000 SF
- Liquor store
- Pet store less than 10,000 SF
- Pharmacy with or without drive through
- Restaurant or prepared food sales
- Retail store with or without drive through
- Veterinarian with indoor kennels only

Amusement & Recreational

- Health club less than 10,000 SF
- Martial arts studio
- PC gaming venue
- Yoga or Pilates studio

Food & Beverage

- Sit down dining
- Fast casual dining

- Fast food with double drive through
- Coffee house with alcohol sales

THE STATE OF TEXAS
COUNTY OF HAYS

I hereby certify that this instrument was FILED on the
date and the time stamped hereon by me and was duly
RECORDED in the Records of Hays County, Texas.

21060382 ORDINANCE
11/01/2021 01:44:32 PM Total Fees: \$138.00

 Elaine H. Cardenas

Elaine H. Cardenas, MBA, PhD, County Clerk
Hays County, Texas