

PLANNED DEVELOPMENT DISTRICT

UHLAND PLAZA

Approved - March 9, 2022

ORDINANCE NO. 276

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY **35.000** ACRES OF LAND LOCATED AT **2200 HIGH ROAD, KYLE, TEXAS 78640** WITH GEO REFERENCE CODE TEXAS COORDINATE SYSTEM SOUTH CENTRAL ZONE **TX4204, NAD 83**, TO PLANNED DEVELOPMENT (“PD”); ESTABLISHING LAND USE AND DEVELOPMENT STANDARDS FOR THE CONSTRUCTION AND OPERATION OF A MIXED-USE PROJECT FEATURING **135 SINGLE FAMILY LOTS AND 7.48 ACRES OF COMMERCIAL USE ZONING**; AND PROVIDING FOR: RULES, STANDARDS, PROCEDURES, AND SEVERABILITY.

WHEREAS, the owner, or owner’s authorized agent, submitted an application to the City to rezone an approximately 35.00-acre tract of land, more or less, located wholly within the corporate limits of the City of Uhland, in Hays County and being 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 following described property to Planned Development District, designating it as the “**Uhland Plaza PD**”; and

WHEREAS, a Planned Development (“PD”) district accommodates large or complex developments under unified control planned as a single continuous project providing greater design flexibility in return for desirable features not normally required in conventional zoning districts to create a superior development to that which would occur using conventional zoning regulations; and

WHEREAS, the City of Uhland seeks to protect the health, safety, and welfare of those living in, working in, and visiting the City; and

WHEREAS, the Planning and Zoning Commission held discussions and invited public comment on the proposed PD district zoning in a public hearing held on the 15th day of December at 6 o’clock P.M.; and

WHEREAS, the City Council held discussions and invited public comment on the proposed PD district zoning in a public hearing held on the 9th day of March at 6:05 o’clock P.M.; and

WHEREAS, pursuant to Chapter 51 of the Texas Local Government Code, the City has general authority to adopt this Ordinance; 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 **Uhland Plaza PD** Project 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

The foregoing Recitals are hereby adopted as findings of facts and are incorporated fully herein.

ARTICLE II. ENACTMENT

- A. **Zoning Map.** 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 **Uhland Plaza** PD District upon the Property, as reflected in *Attachment "A"*, covered by this Ordinance. All land use and development of the **Uhland Plaza** PD District 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) Concept Plan.** The PD Concept Plan detailed in **Exhibit "B"** of *Attachment "A"*, is hereby approved.
- D. **Applicable Regulations.** Except as specifically provided by this Ordinance, the **Uhland Plaza** PD Project 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 will control.
- E. **Variances.** The approval of this Ordinance and **Exhibits A-C of Attachment "A"** constitutes the approval of the development standards and shall be deemed to be the functional equivalent of the approval of variances, exceptions, and alternative standards from conflicting provisions of City Ordinances. When considering a request for variances, exceptions, or alternative standards for the **Uhland Plaza** PD Project that were not addressed by the development standards contained herein, the City shall consider this Ordinance, the PD Concept Plan, and the City's, then existing, Ordinances collectively.
- F. **Resolution of Conflicts.** The documents governing the PD 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" – Uhland Plaza Planned Development Agreement

| | |
|--------------------|-------------------------------|
| <u>Exhibit “A”</u> | Description of the Property |
| <u>Exhibit “B”</u> | Concept Plan |
| <u>Exhibit “C”</u> | Permitted and Prohibited Uses |

ARTICLE III. REPEALER

All ordinances, or parts thereof, that 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 regulated, herein.

ARTICLE IV. 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 V. 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 VI. 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 VII. PROPER NOTICE & MEETING

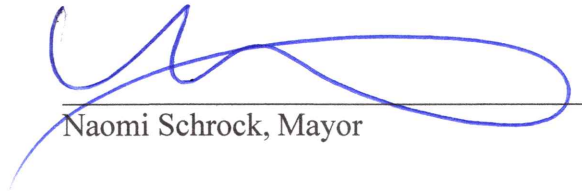
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as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

ARTICLE VIII. EFFECTIVE DATE

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

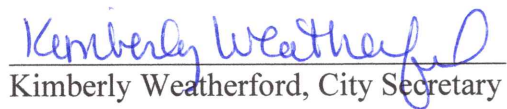
PASSED AND APPROVED this, the 9th day of March 2022.

CITY OF UHLAND, TEXAS:

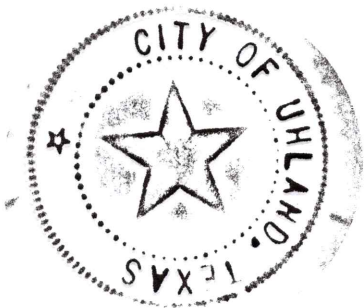


Naomi Schrock, Mayor

Attest:



Kimberly Weatherford, City Secretary



Attachment “A”

UHLAND PLAZA PLANNED DEVELOPMENT

SECTION 1. ENACTMENT PROVISIONS

1.1 Popular Name.

This Ordinance shall be commonly cited as the Uhland Plaza PD”.

1.2 Purpose.

The enactment of this Ordinance memorializes the City Council’s approval of the “**Uhland Plaza Planned Development**” and the intent to establish land use and development standards, to include zoning, for the construction and operation of a mixed-use subdivision featuring commercial space and a high-quality residential community with a private community parkland.

1.3 Scope.

This Ordinance 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 Ordinance 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.

1. **Concept Plan:** The Concept Plan attached hereto as **Exhibit “B”** shows the boundary of the Property and location of notable drainage areas. The Concept Plan, along with the other exhibits attached hereto, also provides private parkland areas, building setbacks, and other pertinent development features.

2. **Applicable Requirements:** shall mean the applicable federal and state laws, city ordinances, rules and regulations, and the **Uhland Plaza PD** District Development Standards.
3. **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.
4. **City:** shall mean the City of Uhland, Texas, a Texas Type A, general law city.
5. **City Administrator:** shall mean the person or entity engaged by City to serve in the capacity of City's chief administrative officer.
6. **City Code of Ordinances:** shall mean the collective duly adopted ordinances of the City, together with all related administrative rules and technical criteria manuals.
7. **City Council:** shall mean the governing body of the City of Uhland, Texas.
8. **City Engineer:** shall mean the person or entity engaged by the City to serve in the capacity of engineer for the City of Uhland, Texas.
9. **County:** shall mean Hays County.
10. **Development Standards:** shall mean the land use standards for the Property as described in this Ordinance. All land use and development of the Property in the **Uhland Plaza PD** District must conform to the limitations and conditions set forth in this Ordinance.
11. **Development Plan:** shall mean this Ordinance, this **Attachment "A"** and the exhibits attached hereto constitutes the development plan for the **Uhland Plaza PD** on the Property.
12. **Dwelling Unit:** shall mean a residential unit providing complete, independent living facilities including permanent provisions for living, sleeping, eating, and cooking.
13. **Effective Date:** and similar references shall mean the date this Ordinance is approved and adopted.
14. **Final Plat** shall mean a 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.
15. **Lot:** shall mean any individual parcel of land subdivided within the Project for a specific permitted use.
16. **Modular Home:** shall be defined as housing that is a residential structure that is:
 - (1) designed for the occupancy of one family;
 - (2) constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site; and

(3) designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system.

(b) Modular housing includes the structure's plumbing, heating, air conditioning, and electrical systems.

(c) Modular housing does not include:

(1) housing constructed of a sectional or panelized system that does not use a modular component;

(2) a ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location;

(3) mobile homes; or

(4) manufactured homes.

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

19. **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.

20. **Project:** shall mean the **Uhland Plaza Planned Development** on the Property as generally delineated in the PD Concept Plan attached as **Exhibit "B"**.

21. **Property:** shall have the meaning set forth in the recitals to this Ordinance, and consists of the **35.000** acres of land, more or less, located in **Hays** County, Texas, and more particularly described in **Exhibit "A"**.

22. **Residential Community:** Shall mean, collectively, all of the lots developed for residential use, open space, common areas, and park land located within the Project.

23. **Unit:** shall mean a Single-Family Residential home, which include a Modular Home.

SECTION 3. LAND USE AND ZONING

3.1 Zoning. The zoning classification of the property is hereby changed to **Uhland Plaza Planned Development District**. The base zoning district is SF-3 for the residential portion of the project, which is approximately 27.52 acres of land, and GB for the commercial portion of the property adjacent to County Road 127 (High Road), which is approximately 7.48 acres of land, as generally delineated in the PD Concept Plan attached as **Exhibit "B" to Attachment "A"**.

3.2 Permitted Uses. The project may contain **Residential and Commercial Uses** in accordance with **Exhibit "C"** ("Permitted and Prohibited Uses"). Specifically, no more than **135** Single

Family Residential lots (which may be occupied by a Modular Home) shall be located within the Property. Uses are restricted solely to those uses and standards expressly permitted in this ordinance.

3.3 Prohibited Uses. The project shall not contain any prohibited uses as described in **Exhibit “C”**.

3.4 Maximum Densities.

a. Residential Uses. The Project shall not exceed the maximum gross density of **4.90** units per acre of residential use and only one unit per lot.

3.5 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 additionally be responsible for the maintenance of private landscape areas, detention ponds, private community park and all community signage, screen walls and common open space areas within the Residential Community.

3.6 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 Ordinance shall be governed by the City Code of Ordinances.

3.7 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.

3.8 Phased Development. The Project will be developed in phases over time and the phasing of development may be changed from time to time, including phases being developed concurrently, in response to market conditions or other factors, however the phasing of the project will be in general conformity of the phases shown on **Exhibit B**.

SECTION 4.

DEVELOPMENT STANDARDS

4.1 Open Space Requirements. A minimum of ten percent (10%) of the gross Property area less the commercial portion shall be developed in the form of private parkland.

4.2 Impervious Cover. The Project shall not exceed an aggregate of sixty percent (60 %) in impervious cover of the entire Property.

4.3 Residential Site Requirements. In the event of a conflict between the Base Zoning requirements and the PDD Zoning requirements set forth in the table below, the PDD zoning requirements shall control.

| | Base Zoning: SF-3 | PDD Zoning |
|--|--|--|
| Lot Width | | |
| Minimum | 50 ft. | 40 ft. |
| Exception: Minimum for Corner Lots | | 45 ft. |
| Front Setback | Setbacks are measured from the foundation. | Setbacks are measured from the foundation. |
| Minimum | 20 ft. | 15 ft. |
| Exception: Garage setback | 20 ft. | 20 ft. |
| Side Setback | Setbacks are measured from the foundation. | Setbacks are measured from the foundation. |
| Minimum (*) *Eaves may project a maximum of 18” into side setbacks. | 5 ft. | 5 ft. |
| Exception: Minimum for side setback adjacent to a street | 15 ft. | 15 ft. |
| Rear Setback | Setbacks are measured from the foundation. | Setbacks are measured from the foundation. |
| Minimum | 10 ft. | 10 ft. |
| Building Height (maximum) | 35 ft. | 35 ft. |
| Lot Area (minimum) | 7,500 sq. ft. | 4,000 sq. ft. |

4.4. Commercial Site Requirements.

| | Base Zoning: GB and PDD |
|--------------------------------|--|
| Lot Width | |
| Minimum | 100 ft. |
| Front Setback | Setbacks are measured from the foundation. |
| Minimum | 25 ft. |
| Side Setback | Setbacks are measured from the foundation. |
| Minimum | 10 ft. |
| Street Corner | 25 ft. |
| Rear Setback | Setbacks are measured from the foundation. |
| Minimum | 20 ft. |
| Maximum Building Height | |
| Grocery Store, Movie Theater | 45 ft. or 2 stories |
| Hotel | 60 ft. or 5 stories |
| Office | 45 ft. or 3 stories |
| All Other Buildings | 32 ft. or 2 stories |

4.5 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 will be underground, other than overhead lines that are three phase or larger which are required to be brought to the project for service availability.
- b. All utilities and the improvements thereof shall be the responsibility of Owner.

4.6. Fencing Plan.

a. **Perimeter Boundary Wall.** Enhanced concrete panel fencing along the common boundaries of the commercial lots and parkland or residential lots (the “Fence Improvement”) shall be constructed with the improvements of each final plat of the residential section that contain that segment of the Fence Improvement. The Fence Improvement shall be included in the construction plans for the residential phase in which the Fence Improvement will be located. Enhanced concrete panel 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.

b. **Residential Boundary Fencing.** Fencing will 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 in certain view areas, is permitted along the property lines of all remaining residential lots.

4.7. **Pedestrian Circulation.** A six-foot (6’) wide sidewalk shall be constructed along County Road 127 (High Road) and County Road 156 (N Plum Creek Road) and along all non-residential roadways constructed within the Project. 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, except when made of cinder or decomposed granite material as a component of any walking/jogging trail that may be included as parkland improvements and located in one of the park tracts.

4.8. **Curbs and Gutters.** All roadways constructed within the Project shall be constructed with standard curb and gutter or mountable curb.

4.9. **Roadways.** All roadways within the project shall be constructed with 50’ Right-of-Ways and thirty-two feet (32’) of pavement face-of-curb to face-of-curb to allow for on-street parking.

4.10 **Parking Requirements.** Each parking space shall be a minimum of 9 feet wide by 18 feet deep.

a. **Residential Uses.** All residential lots shall include an attached two car garage and a concrete driveway to provide a minimum for two off-street parking spaces.

b. **Commercial Uses.** All commercial uses shall meet the parking requirements as described in City of Umland Ordinance 47: Zoning, and adjoining parking lots shall provide for circulation and connecting access through each lot from and to roadways so as to limit the number of roadway attachments:

4.11. **Lighting.** Streetlights shall be provided at all internal intersections and along residential roadways, spaced no greater than three-hundred (300) feet apart. 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.

4.12 Landscaping Requirements. All landscaping shall enhance the natural aesthetic beauty of the Uhland area through diverse use of both native and non-invasive adapted species of plants. A minimum of 80 percent of the required landscaping shall be native plants and the remaining 20 percent 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 in the City of Austin’s Grow Green Guide, 5th Edition Revised 2016.

a. Tree Protection, Mitigation and Preservation. A tree survey, protection, mitigation and preservation plan for all healthy non-invasive trees with an eight (8) inch 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 Project.

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

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

c. Commercial Bufferyards. A fifteen feet (15’) wide landscape bufferyard shall be provided between commercial uses and any adjoining residential lots. The bufferyard shall be located on the subject commercial lot. Landscape planting located within the required bufferyard shall consist of one (1) shade tree and two (2) evergreen ornamental trees per each fifty feet (50’) of bufferyard.

d. Commercial Uses. All commercial landscaping shall be maintained by the Owner and each successive Owner. Parking lot islands shall be purposefully configured to accommodate existing trees on site.

e. 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.

f. 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

g. 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 ARCHITECTURAL AND 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.** All homes shall be a minimum square footage of 1,200 square feet of living space.
- b.** Each residence shall have a fully enclosed garage for no less than two (2) standard car parking spaces.
- c.** Residential driveways will provide for two (2) additional off-street parking spaces that will be a minimum of twenty feet (20') by eighteen feet (18'). This area will be located between the front property line and the garage door.

**SECTION 6.
RESERVED**

SECTION 7.

DEDICATIONS AND IMPACT FEES

- 7.1 Park and Open Space Dedication.** A parkland fee of \$1,200.00 per lot will be assessed and paid at the time of final plat recordation. However, as illustrated on **Exhibit “B”**, the PD Concept Plan provides for an activation of private open space and community parkland in which Owner will provide improved recreational facilities in a private ownership/management format, when platted and constructed. Owner agrees to install improvements in the minimum value of **\$162,000** total, that may include a trail, open space complete with benches, picnic tables and trash receptacles, trailheads, a covered gathering area and a trailside orchard intended to utilize the abundant natural amenities of the Property. The park improvements will be provided with each final plat with a total value equal to or greater than the number of units in the final plat multiplied by \$1,200.00. Any improvement value will be credited towards the parkland dedication fee for each development phase. In the event that such credited amount is less than the parkland fees owed, the remaining balance of the parkland fee shall be paid in full to the City at final plat recordation for the final residential phase.

All private landscape areas and common open space areas within the Property will be maintained by the homeowner’s association including supplemental maintenance of the detention pond areas.

- 7.2 Roadway Impact Improvements.** Each single-family residential lot on the recorded final plat shall be required to pay a fee to the City in the amount of \$1,228.00 at the time of a building permit application for the improvement and/or maintenance of public roadways affected by the Project in the City.

SECTION 8.

AMENDMENTS

Due to the fact that the Project comprises a significant land area and its development may occur in phases over a number of years, Owner request the City consider approving major or minor amendments to the PD Concept Plan. Major amendments shall be those that (a) increase the density of single-family home dwelling lots or units allowed by the Development Standards; (b) seek to allow a use which is prohibited by the Development Standards; or (c) increase the total Project’s impervious cover. Major amendments to the PD Concept Plan shall require approval by City Council after notice, public hearing, and recommendation by the Planning and Zoning Commission in accordance with the City’s zoning ordinance and Chapter 211, Texas Government Code. 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 may 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 **Uhland Plaza** PD District.

Exhibit "A": Description of The Property

Exhibit "B": PD Concept Plan

Exhibit "C": Permitted and Prohibited Uses

EXHIBIT "A"
DESCRIPTION OF THE PROPERTY

METES AND BOUNDS

Being 35.000 acres of land, more or less, out of the John Stewart Survey, Abstract No. 14, Hays County, Texas, being out of Lot 6, Ike Wranitzky Subdivision, according to plat recorded in Volume 5, Page 65, Plat Records, Hays County, Texas, and being all of the 43.967 acres in a Correction Warranty Deed recorded in File No. 17021782, Official Public Records, Hays County, Texas, **SAVE & EXCEPT**, Lot 1, Block 1, and Lot 2, Block 2, Diego Subdivision, Unit 1, recorded in File No. 17023476, Plat Records, Hays County, Texas, and that certain tract of land recorded in Volume 1430, Page 683, Official Public Records, Hays County, Texas, said 35.000 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found being the North corner of this 35.000 acres, same being the northeast corner of said Lot 1, and on the southwest Right-of-Way of High Road, same also being the **POINT OF BEGINNING**;

THENCE along the southwest Right-of-Way of High Road, South 46 degrees 24 minutes 29 seconds East (called South 46 degrees 31 minutes 29 seconds East), a distance of 419.81 feet (called 420.00 feet) to a 1/2 inch iron rod found for the angle corner of this 35.000 acres, and the North corner of said Lot 2;

THENCE along the line common to this 35.000 and said Lot 2 the following courses and distances:

South 43 degrees 11 minutes 50 seconds West (called South 43 degrees 12 minutes 23 seconds West), a distance of 522.76 feet (called 522.77 feet) to a 1/2 inch iron rod found for the interior corner of this 35.000 acres;

South 46 degrees 39 minutes 01 seconds East (called South 46 degrees 38 minutes 33 seconds East), a distance of 250.69 feet (called 250.71 feet) to a 1/2 inch iron rod found for the interior corner of this 35.000 acres;

North 43 degrees 12 minutes 32 seconds East (called North 43 degrees 12 minutes 23 seconds East), at a distance of 519.31 feet passing a 1/2 inch iron rod found, and continuing to a total distance of 529.31 feet (called 529.51 feet) to an angle corner of this 35.000 acres, same also being on the southwest Right-Of-Way line of said High Road;

THENCE along the southwest Right-Of-Way line of said High Road the following courses and distances:

South 45 degrees 49 minutes 50 seconds East (called South 45 degrees 49 minutes 28 seconds East), a distance of 1202.26 feet to a 1/2 inch iron rod found for the East corner of this 35.000 acres;

South 02 degrees 45 minutes 02 seconds West (called South 02 degrees 46 minutes 08 seconds West), a distance of 48.70 feet (called 48.68 feet) to a 1/2 inch iron rod found for the upper southeast corner of this 35.000 acres, same being at the intersection of said High Road and County Road No. 156;

THENCE along the northwest Right-of-Way of said County Road No. 156, South 44 degrees 39 minutes 18 seconds West (called South 46 degrees 10 minutes 25 seconds West), a distance of 165.66 feet to a point for the angle corner of this 35.000 acres, and the northeast corner of the Manuel Diego, Remaining of Lot 6, of said Ike Wranitzky Subdivision;

THENCE along the line common to this 35.000 acres and said Ike Wranitzky Subdivision, the following courses and distances:

North 46 degrees 38 minutes 24 seconds West (called North 45 degrees 07 minutes 17 seconds West), a distance of 289.54 feet (called 290.50 feet) to a point for the interior corner of this 35.000 acres;

South 44 degrees 42 minutes 11 seconds West (called South 44 degrees 41 minutes 53 seconds West), at a distance of 109.41 passing a 1/2 inch iron rod found, at a distance of 149.48 feet passing a 1/2 inch iron rod found, at a distance of 149.29 feet pass a 1/2 inch iron rod found, at a distance of 150.21 feet pass 1/2 inch iron rod found, at a distance of 150.71 feet pass 1/2 inch iron rod found, and continuing to a total distance of 859.09 feet to a 1/2 inch iron rod found for the South corner of this 35.000 acres, same being the West corner of Lot 1 of said Ike Wranitzky Subdivision, and on the northeast line of the Georgina Chaires-Garcia 22.120 acres (Volume 3705, Page 41);

THENCE along the line common to this 35.000 acres and said Garcia 22.120 acres, North 46 degrees 38 minutes 24 seconds West (called North 46 degrees 38 minutes 46 seconds West), a distance of 1344.52 feet to a 1/2 inch iron rod found for the West corner of this 35.000 acres, and the South corner of said Lot 1, Diego Subdivision;

THENCE along the line common to this 35.000 acres and said Lot 1 the following courses and distances:

North 44 degrees 02 minutes 07 seconds East (called North 43 degrees 12 minutes 23 seconds East), a distance of 486.99 feet (called 486.98 feet) to a 1/2 inch iron rod found for the interior corner of this 35.000 acres;

North 46 degrees 38 minutes 51 seconds West (called North 46 degrees 38 minutes 33 seconds West), a distance of 250.76 feet (called 250.72 feet) to a 1/2 inch iron rod found for the northwest corner of this 35.000 acres;

North 43 degrees 13 minutes 00 seconds East (called North 43 degrees 12 minutes 23 seconds East), a distance of 586.61 feet (called 585.75 feet) to the **POINT OF BEGINNING**, and containing 35.000 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings shown herein are based on actual GPS observations, Texas State Plane Coordinates, Central Zone, Grid.



Mark J. Ewald
Registered Professional Land Surveyor
Texas Registration No. 5095
July 25, 2019

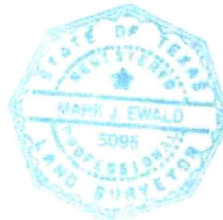


EXHIBIT "B"
PD CONCEPT PLAN

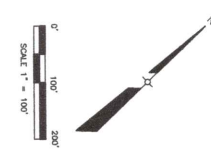
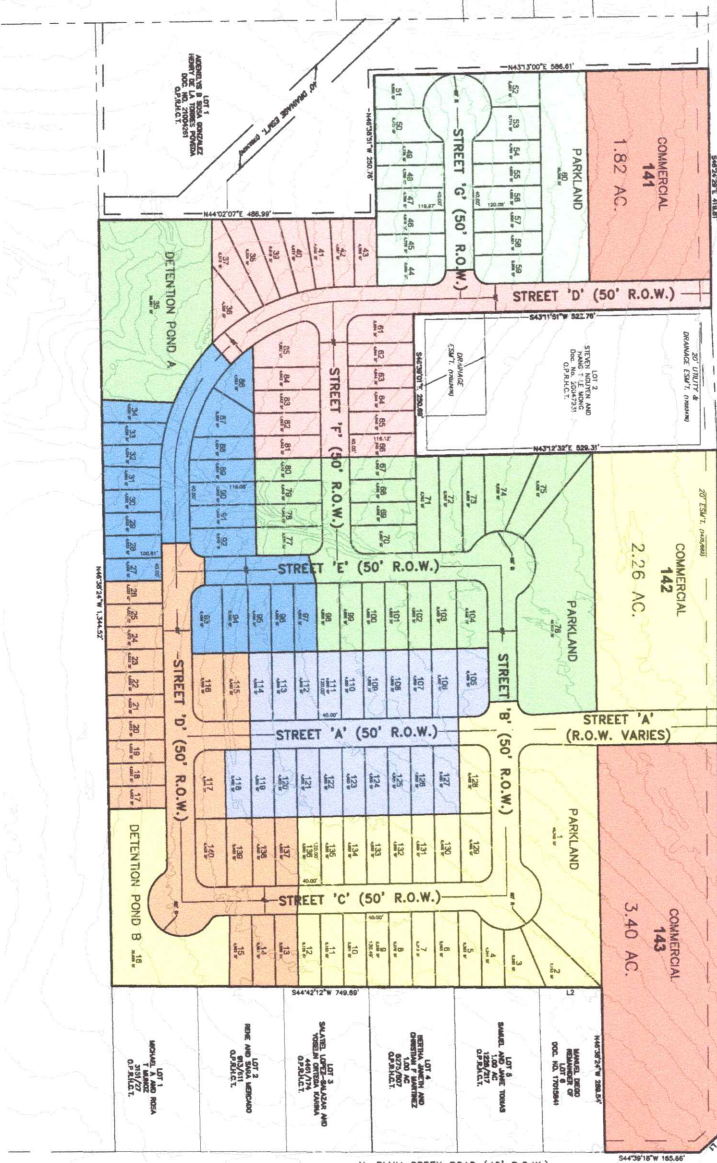
PLATTING DATE

| LAND USE | ACRES |
|----------|-------|
| PHASE 1 | 1.82 |
| PHASE 2 | 2.26 |
| PHASE 3 | 2.26 |
| PHASE 4 | 2.26 |
| PHASE 5 | 2.26 |
| PHASE 6 | 2.26 |
| PHASE 7 | 2.26 |
| PHASE 8 | 2.26 |

LAND USE SUMMARY

| TRACT AREA, I | ACRES |
|---------------|-------|
| TRACT 1 | 14.3 |
| TRACT 2 | 7.44 |
| TRACT 3 | 7.44 |
| TRACT 4 | 7.44 |
| TRACT 5 | 7.44 |
| TRACT 6 | 7.44 |
| TRACT 7 | 7.44 |
| TRACT 8 | 7.44 |
| TRACT 9 | 7.44 |
| TRACT 10 | 7.44 |
| TRACT 11 | 7.44 |
| TRACT 12 | 7.44 |
| TRACT 13 | 7.44 |
| TRACT 14 | 7.44 |
| TRACT 15 | 7.44 |
| TRACT 16 | 7.44 |
| TRACT 17 | 7.44 |
| TRACT 18 | 7.44 |
| TRACT 19 | 7.44 |
| TRACT 20 | 7.44 |
| TRACT 21 | 7.44 |
| TRACT 22 | 7.44 |
| TRACT 23 | 7.44 |
| TRACT 24 | 7.44 |
| TRACT 25 | 7.44 |
| TRACT 26 | 7.44 |
| TRACT 27 | 7.44 |
| TRACT 28 | 7.44 |
| TRACT 29 | 7.44 |
| TRACT 30 | 7.44 |
| TRACT 31 | 7.44 |
| TRACT 32 | 7.44 |
| TRACT 33 | 7.44 |
| TRACT 34 | 7.44 |
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| TRACT 36 | 7.44 |
| TRACT 37 | 7.44 |
| TRACT 38 | 7.44 |
| TRACT 39 | 7.44 |
| TRACT 40 | 7.44 |
| TRACT 41 | 7.44 |
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| TRACT 46 | 7.44 |
| TRACT 47 | 7.44 |
| TRACT 48 | 7.44 |
| TRACT 49 | 7.44 |
| TRACT 50 | 7.44 |
| TRACT 51 | 7.44 |
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| TRACT 89 | 7.44 |
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| TRACT 91 | 7.44 |
| TRACT 92 | 7.44 |
| TRACT 93 | 7.44 |
| TRACT 94 | 7.44 |
| TRACT 95 | 7.44 |
| TRACT 96 | 7.44 |
| TRACT 97 | 7.44 |
| TRACT 98 | 7.44 |
| TRACT 99 | 7.44 |
| TRACT 100 | 7.44 |

LEGAL DESCRIPTION:
 BEING A 35.00 ACRE TRACT OF LAND OUT OF THE JOHN STEWART TRACT, HAYS COUNTY, TEXAS, AS SHOWN ON A CERTAIN PLAT OF SURVEY RECORDED IN DOCUMENT NO. 1804337 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.



| NO. | DATE | DESCRIPTION |
|-----|---------------|--------------|
| 1 | NOVEMBER 2021 | CONCEPT PLAN |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |

CLIENT:
JOHN PATTON
 UNILAND PLEZA, L.L.C.
 206 CLOUD PEAK CV
 ROUND ROCK, TX 78681

CONCEPT PLAN
 2200 HIGH ROAD
 HAYS COUNTY, TEXAS

4 CUATRO
 consultants, LTD.
 Registration No. F-5924
 1401 Kyle County, Suite A, P.O. Box 61212-1000, Fort Worth, TX 76162-1000
 Fort Worth, Texas 76103
 email: info@cuatros.com website: www.cuatros.com

| REVISION | DESCRIPTION | BY: | DATE: |
|----------|-------------|-----|-------|
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DATE: NOVEMBER 2021
 PROJECT: 14-21-208
 DRAWING NAME: CONCEPT PLAN
 DESIGN: CONCEPT
 CHECK: APPROVED
 SHEET: 1 OF 1

EXHIBIT "C"

PERMITTED AND PROHIBITED USES

PERMITTED USES

- GYMNASIUM
- SPORTS STORE
- NAIL SALON
- SPA
- LAUNDRY MAT
- FOOD SALES
- GENERAL OFFICES
- INSURANCE SERVICES
- PHARMACY
- PET GROOMING
- HARDWARE STORE
- AUTO PARTS STORE
- BARBER SHOP/BEAUTY SALON
- COFFEE SHOP
- LARGE RETAILER
- GENERAL MERCHANDICE
- DOCTOR'S OFFICE
- RESTAURANT
- RELIGIOUS ASSEMBLY
- VETERINARY SERVICES
- FINANCIAL SERVICES (BANK)
- CAR WASH

THE USES LISTED ABOVE ARE THE ONLY USES PERMITTED.

PROHIBITED USES

- S.O.B
- STRIP CLUBS
- BING PARLORS
- FUEL SALES
- MANUFACTURED HOMES
- MOBILE HOMES

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.

22015147 ORDINANCE
03/29/2022 08:47:31 AM Total Fees: \$110.00

 Elaine H. Cardenas

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