

ORDINANCE NO. 310

AN ORDINANCE OF THE CITY OF UHLAND, TEXAS REZONING APPROXIMATELY 187.782 ACRES OF LAND FROM PLANNED DEVELOPMENT DISTRICT TO PLANNED DEVELOPMENT DISTRICT BY AMENDING ORDINANCE 274 FOR THE PLANNED DEVELOPMENT DISTRICT KNOWN AS WAYSIDE, RELATED TO REVISING THE PD MASTER PLAN, ENHANCED LANDSCAPE PLAN, AND PERMITTED USES AND MAXIMUM DENSITIES AS EACH ARE DEFINED IN ATTACHMENT “A” THERETO AND OTHER MATTERS IN CONNECTION THEREWITH; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Uhland, Texas (the “City”) is a Texas General Law Municipality operating under the laws of the State of Texas; and

WHEREAS, the City is empowered by Chapter 211 of the Texas Local Government Code to establish a zoning ordinance establishing zoning districts and permissible land uses within the incorporated limits of the City; and

WHEREAS, the Subject Property, being approximately 187.782 acres and as described in Exhibit “A” included herein, was rezoned to Planned Development District with Ordinance #274 that was approved by City Council on October 13, 2021, and the property owners of the Subject Property submitted an application to rezone the Subject Property to Planned Development District by amending Ordinance #274; and

WHEREAS, on February 21, 2024 the Planning and Zoning Commission conducted a public hearing and after consideration offered a recommendation of approval of the zoning request; and

WHEREAS, on March 6, 2024 the City Council conducted a public hearing and after consideration determined that the requested zoning be approved as provided herein; and

WHEREAS, the City Council of the City of Uhland, Texas finds that the amendments to the Zoning Ordinance of the City of Uhland, Texas as depicted in this Ordinance are compliant with the requisites of the state law, including Texas Local Government Code; 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 UHLAND, TEXAS, AS FOLLOWS:

SECTION 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

SECTION 2. Planned Development (PD) Master Plan. The PD Master Plan detailed in Exhibit “B” of Attachment “A” is hereby replaced in its entirety with the PD Master Plan attached hereto in “Exhibit B”. Approval of the PD Master Plan shall not constitute a waiver or approval of any plat requirements.

SECTION 3. Enhanced Landscape Plan. The Enhanced Landscape Plan detailed in Exhibit “C” of Attachment “A” is hereby replaced in its entirety with the Enhanced Landscape Plan attached hereto as “Exhibit C”.

SECTION 4. Permitted Uses. Section 3.2 of Attachment “A” is hereby amended and restated in its entirety with the following:

“3.2 **Permitted Uses.** The development may contain residential uses in accordance with this Ordinance. Specifically, no more than 842 residential lots shall be located within the Property, with a maximum of 108 lots being duplex lots.”

SECTION 5. Maximum Densities. Section 3.3(a) of Attachment “A” is hereby amended and restated in its entirety with the following:

“3.3 **Maximum Densities.**

a. **Residential Uses.** The Development shall not exceed the maximum gross density of 4.6 units per acre of residential use and only one unit per lot.”

SECTION 6. Residential Site Requirements. Section 4.3 of Attachment “A” is hereby amended and restated in its entirety with the following:

“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. **
Lot Depth	Measured from the front lot line.
Minimum	100 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. There shall be no side setback on one side of each duplex lot.	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) Exception: Duplex lots	4,000 sq. ft. 3,000 sq. ft.

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

** A maximum of 1 corner lot per phase may be 50 feet in width with a maximum of 5 for the entire project."

SECTION 7. Landscaping. The landscaping shown on **Exhibit "C"** shall be installed in phases corresponding with the phasing of the development. The Developer shall install the landscaping along North Plum Creek Road associated with each phase prior to the first certificate of occupancy for that corresponding phase. The landscaping for the interior portions of each phase shall be complete prior to the earlier of 90% of the final certificate of occupancies issued for that phase or 18 months from recordation of the final plat for that phase. The developer shall post financial surety in the amount of 110% of the estimated cost of the interior landscaping within each phase with the City to guarantee completion – the surety shall be posted prior to the first certificate of occupancy for that phase.

SECTION 8. Exhibits. The following exhibits are incorporated into this Ordinance in their entirety as replacement exhibits to **Attachment "A"** to the Wayside Planned Development District, as though set forth fully in the text of this Ordinance:

Exhibit "B" to Attachment "A" PD Master Plan

Exhibit "C" to Attachment "A" Enhanced Landscape Plan

SECTION 9. Zoning Map. The Official Zoning Map of the City of Umland, shall be revised to reflect the above amendment.

SECTION 10. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the

final judgment or decree of any court of competent jurisdiction, such invalidity 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 of this Ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance is illegal, invalid or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid or unenforceable provision, a provision as similar in terms to the illegal, invalid or unenforceable provisions as is possible and is legal, valid and enforceable will be added to this Ordinance.

SECTION 11. Conflicting Ordinances. This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which even the conflicting provisions of such ordinances are hereby repealed.

SECTION 12. Open Meetings. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted 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 13. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

PASSED, APPROVED, and ADOPTED on the 6th day of March, 2024.



Lacee Duke, Mayor
City of Umland, Texas

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,

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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

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- 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,

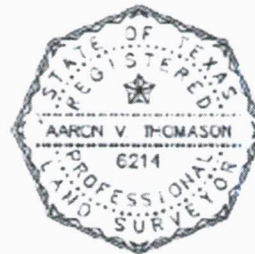
THENCE, over and across said 203 acre tract and along a southern line of said 187.782 acre tract, the following two (2) courses and distances, numbered 1 and 2,

- 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.

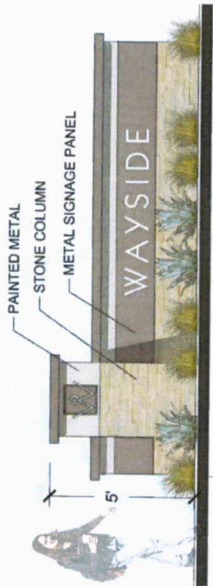
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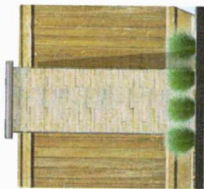
Aaron V. Thomason, R.P.L.S. NO. 6214
Carlson, Brigance and Doering, Inc.
REG.# 10024900
5501 West William Cannon
Austin, TX 78749
Ph: 512-280-5160 Fax: 512-280-5165
Aaron@cbdeng.com



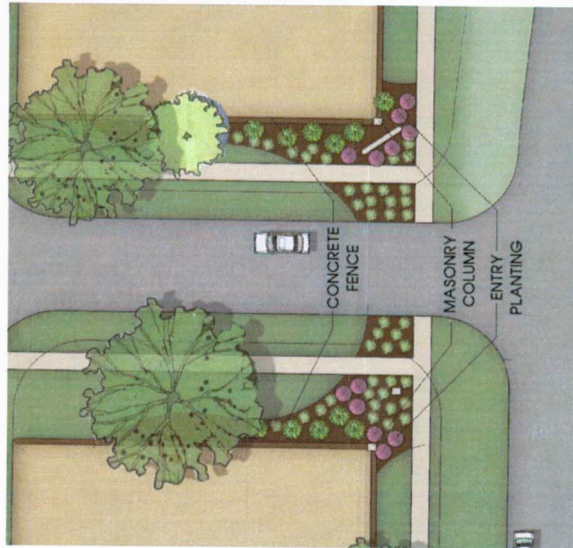
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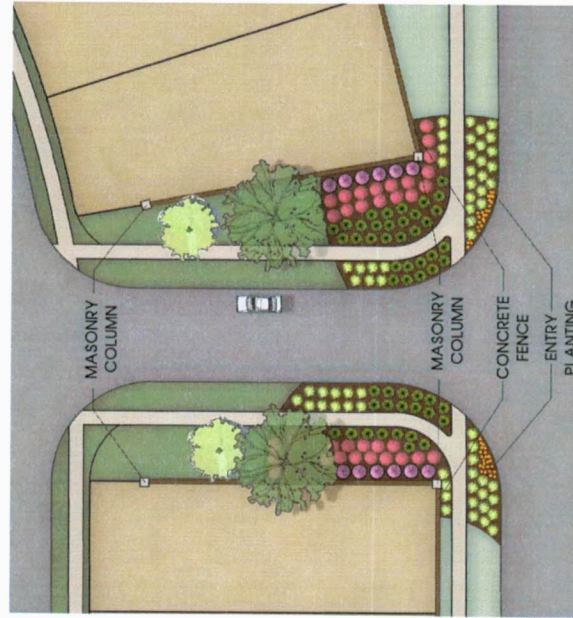
N PLUM CREEK ENTRY MONUMENT
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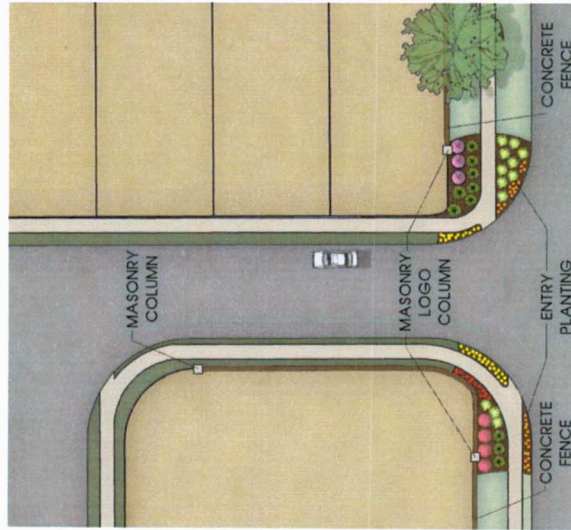
MASONRY COLUMN
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A N PLUM CREEK ENTRY MONUMENT - PLAN



B N PLUM CREEK ENTRY COLUMN, TYP.



C N PLUM CREEK ENTRY COLUMN, TYP.

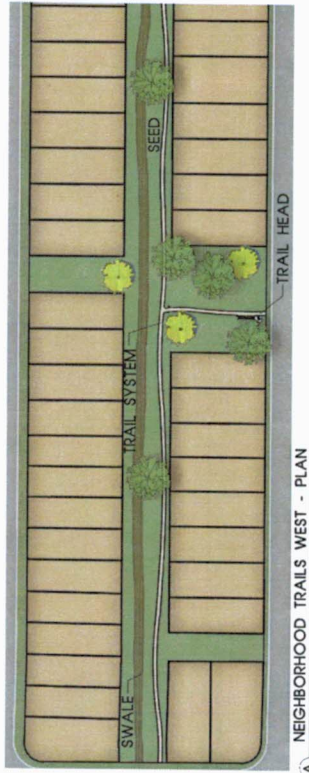


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NEIGHBORHOOD ENTRIES
WAYSIDE
UHLAND, TEXAS



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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.



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NEIGHBORHOOD TRAILS
WAYSIDE

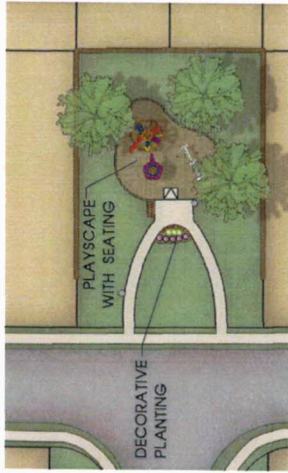
UHLAND, TEXAS



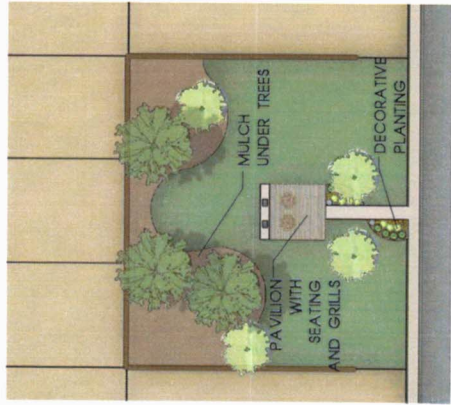
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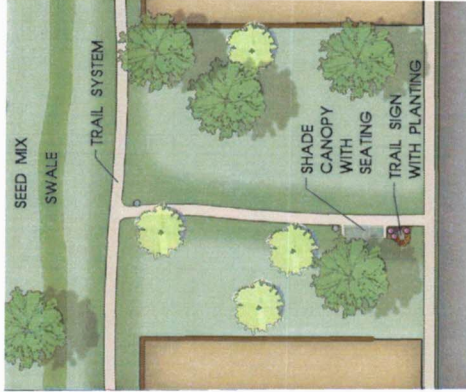
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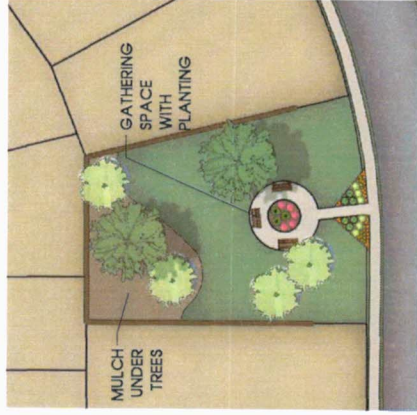
A PLAYSCAPE - PLAN



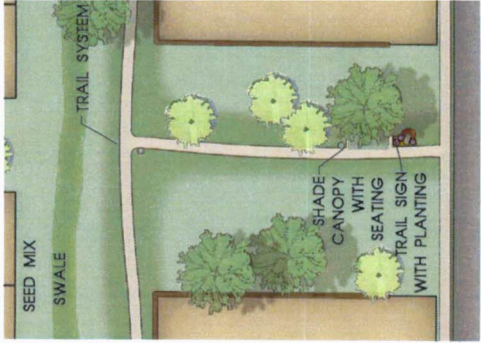
B ENTRY PARK PAVILION - PLAN



C GATHERING AREA - PLAN



D GATHERING AREA - PLAN



E GATHERING AREA - PLAN



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NEIGHBORHOOD PARKS
WAYSIDE

UHLAND, TEXAS

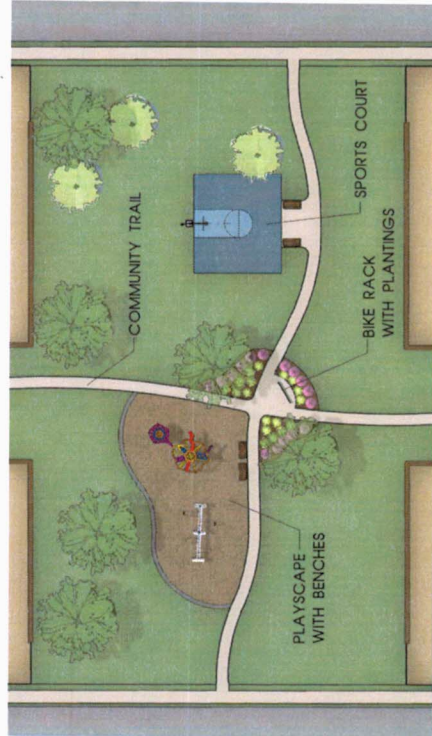


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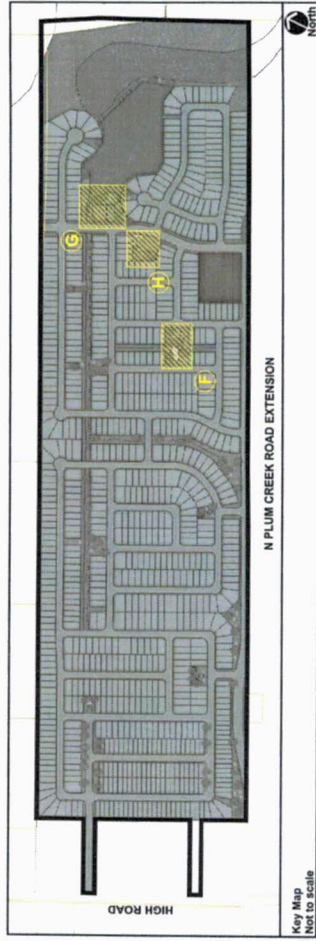
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F PARK PAVILION - PLAN



G SPORTS AND PLAY PARK - PLAN



G DOG PARK - PLAN



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NEIGHBORHOOD PARKS

WAYSIDE

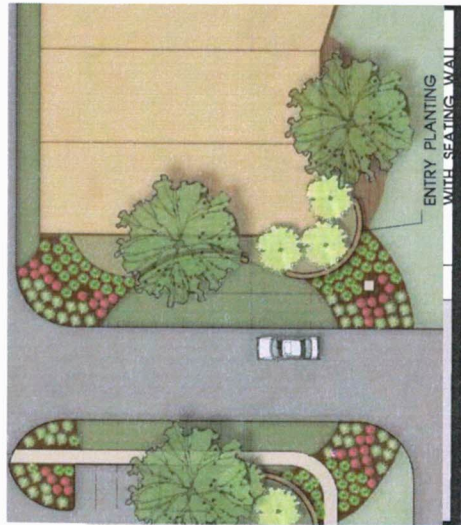
UHLAND, TEXAS



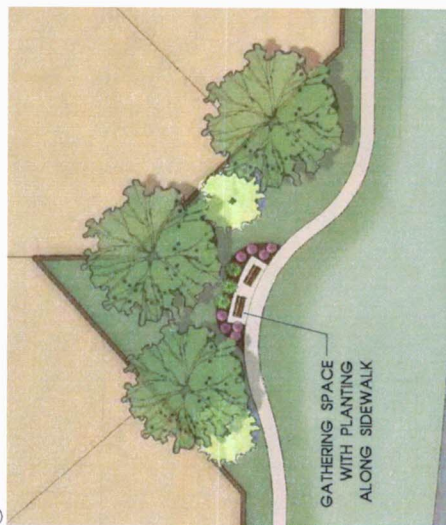
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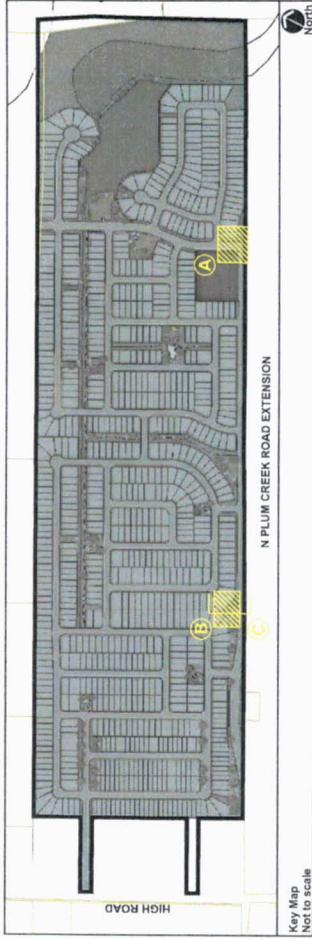
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A COMMERCIAL ENTRY - PLAN



B TYPICAL NODE ALONG WALKWAY - PLAN



Key Map
Not to scale



C TYPICAL NODE ALONG WALKWAY - SECTION
SCALE: 1/12"=1'



RANCH ROAD
DEVELOPMENT

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ROAD TREATMENT
WAYSIDE

UHLAND, TEXAS



Scale: 1" = 50'

North

Date: December 11, 2023

SHEET FILE: V:\2023\SRD_Coffee\PLANNING\SUBWAYS\FOOT AVES EXHIBIT 2023.12.15.dwg
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.