

DEVELOPMENT AGREEMENT APPLICATION

Updated: March, 2023



CONTACT INFORMATION

Applicant's Name	John David Carson	Property Owner	Carson Select Investments, LP
Company	Carson Select Investments, LP Sabey Data Center Properties LLC	Company	Carson Select Investments, LP
Applicant's Mailing Address	407 S Stagecoach Trl, Ste 203 San Marcos, TX 78666	Owner's Mailing Address	407 S Stagecoach Trl, Ste 203 San Marcos, TX 78666
Applicant's Phone #	(512) 392-3322	Owner's Phone #	(512) 392-3322
Applicant's Email	johndavid@carsonproperties.net	Owner's Email	johndavid@carsonproperties.net

PROPERTY INFORMATION

Subject Property Address(es): 5801 Old Bastrop Highway, San Marcos, TX 78666

Legal Description: Lot N/A Block N/A Subdivision N/A

Total Acreage: 785 acres Tax ID #: R R10832; R12991; R12992

Preferred Scenario Designation: Conservation/Cluster Existing Use of Property: Agricultural

DESCRIPTION OF REQUEST

Proposed New Preferred Scenario Designation, if any: N/A
Conservation Cluster Planning Area District

Proposed Base Zoning Districts: (Character Districts and Light Industrial per Development Agreement)

Proposed Land Uses: Agricultural, data center, and future complete neighborhood

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$2,500 plus \$200 per acre Technology Fee \$15 MAXIMUM COST \$7,515

Submittal of this digital Application shall constitute as acknowledgment and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

I, John David Carson (owner name) on behalf of
Carson Select Investments, LP (company, if applicable) acknowledge that I/we
 am/are the rightful owner of the property located at
5801 Old Bastrop Highway, San Marcos, TX 78666 (address).

I hereby authorize John Wilson and/or his delegates (agent name) on behalf of
Sabey Data Center Properties LLC (agent company) to file this application for
the Light Industrial areas of the Development Agreement (application type), and, if necessary, to work with
 the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 4/25/2025

Printed Name, Title: John David Carson, Member/Manager of the General Partner

Signature of Agent:  Date: 4/25/2025

Printed Name, Title: John Wilson John Wilson CFO

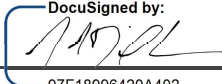
Form Updated October, 2019

AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$150 plus a \$15 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$150 plus a \$15 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature:  _____
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Date: 4/25/2025

Print Name: John David Carson, Member/Manager of the General Partner

Form Updated March, 2023

April 25, 2025

Planning and Development Services Department
City of San Marcos
630 East Hopkins Street
San Marcos, TX 78666

Re: Development Agreement Application – 785 acres, Old Bastrop Highway

Planning and Development Services,

Enclosed, please find a Development Agreement application for approximately 785 acres generally located at 5801 Old Bastrop Highway, currently within the City's extraterritorial jurisdiction.

Per the City's VisionSMTX Comprehensive Plan adopted October 15, 2024, this property is situated within a Conservation/Cluster place type. The base zoning under the proposed Development Agreement is a Conservation Cluster Planning Area District, which is consistent with Section 4.1.1.3. of the San Marcos Development Code and the Preferred Growth Scenario Map.

The property is generally bounded by Old Bastrop Highway and the Trace residential subdivision to the north, Francis Harris Lane to the west, the Hays Energy Power Plant to the south, and Centerpoint Road and the proposed Mason subdivision to the east (which opted out of the City's ETJ to develop to County regulations).

We have been intentional with the creation of the conceptual land use plan accompanying this application such that proposed uses and open spaces situate in areas compatible with the existing/proposed uses of abutting properties. This includes the approximately 184-acres directly abutting the Hays Energy power plant for use by Sabey Data Centers ("Sabey"). After being overwhelmed with unsolicited offers on our entire property, we selected Sabey in July 2024 for this more focused area. Sabey is a vertically integrated company that has been constructing, owning, and operating data centers for over 25 years. A testament to their capability, Sabey's existing location in Round Rock will be home to the Texas Advanced Computer Center (TACC) at the University of Texas's new Horizon supercomputer. Their representatives intend to be active participants in this application.

In contrast to opting out of the ETJ, this Development Agreement would provide for the stewardship of this property in general accordance with the City's development standards and master plans as well as provide for the phased annexation of the property into the city limits.

We respectfully request this Development Agreement application be placed on the June 3, 2025 City Council meeting for initial authorization, and we look forward to working with the City on this matter.

Sincerely,



John David Carson

johndavid@carsonproperties.net

