CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (GENERAL) APPLICATION

Updated: October, 2019

CONTACT INFORMATION

Applicant's Name	Marcus Ruark	Property Owner	Timothy D. England, SVP
Company	Surterra Texas, LLC	Company	Highpointe Trace, lLC
Applicant's Mailing Address	600 Congress Ave Austin, TX 78701	Owner's Mailing Address	530 Technology, Suite 100, Irvine, CA 92618
Applicant's Phone #	(512) 541-0737	Owner's Phone #	512-757-7006
Applicant's Email	mruark@liveparallel.com	Owner's Email	caren.williams@highpointeinc.com

PROPERTY INFORMATION

Subject Property Address: 1301 Van Horn Trace, San Marcos, TX 78666

Zoning District: Trace PD-GC **Tax ID #: R** 18614

Legal Description: Lot _____ **Block** _____ **Subdivision** Trace

DESCRIPTION OF REQUEST

Please use this space to describe the proposal. Attach additional pages as needed.

Conditional Use Permit for a 9.75 acre site located in the Trace Planned Development District. The site is zoned PD-GC and the uses proposed will fall into the permitted categories of Offices; Pharmacy; Research Lab (Non-Hazardous); and Retail Store (Under 10,000sf or more building) No Outside Sales; with the uses requiring a CUP of Bio-Medical Facilities; Distribution Center; Food Processing (No Outside Public Consumption) and Plant Nursery (Retail Sales/Outdoor Storage).

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.

Initial Filing Fee $793*	**Technology Fee $13**	***TOTAL COST $806***
Renewal/Amendment Filing Fee $423*	**Technology Fee $13**	***TOTAL COST $436***

**Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits*

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

PROPERTY OWNER AUTHORIZATION

I, Timothy D. England (owner name) on behalf of Highpointe Trace, LLC (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at 1301 Van Horn Trace, San Marcos, TX 78666 (address).

I hereby authorize Caren Murch (agent name) on behalf of Highpointe Trace, LLC (agent company) to file this application for Conditional Use Permit (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: T.D. England Date: 3-26-20

Printed Name, Title: Timothy D. England, SVP

Signature of Agent: Caren Williams-Murch Date: 3-26-2020

Printed Name, Title: Caren Murch, Project Manager

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 $91 plus a $13 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 $91 plus a $13 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: _____ Date: 3-26-20

Print Name: Timothy D. England, SVP

Form Updated October, 2019

CHECKLIST FOR CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (GENERAL) APPLICATION

The following items are requested for consideration of this application. These and additional items may be required at the request of the Department		Comments
☒	Pre-development meeting with staff is recommended • Please visit http://sanmarcostx.gov/1123/Pre-Development-Meetings to schedule	Completed 4-8-2020
☒	Completed Application for Conditional Use Permit (General)	attached
☒	Site Plan illustrating, where appropriate: location, square footage and height of existing and proposed structures, landscaping or fencing, setbacks, parking, ingress & egress, signs, etc.	attached
☐	Floor Plan(s) illustrating fire exits, doors, rooms, indoor & outdoor seating, kitchen, bar, restrooms, fire exits, etc.	
☒	Written statement explaining how the organization will comply with the code standards regarding fraternity / sorority	Not applicable. Not a fraternity nor sorority
☒	Business Details including Business Trade Name, Type of Entity (Individual, Partnership, Corporation, Etc), Entity Contact Person, Address, Email, Phone Number	Surterra Texas, LLC Limited Liability Company Marcus Ruark mruark@liveparallel.com (512) 541-0737
☐	Detail Entertainment Facilities (on site plan or in writing) including television locations, stages, dancing areas, live music, acoustic music, ambient speaker music, etc	Not applicable
☒	Notification Authorization	attached
☒	Authorization to represent the property owner, if the applicant is not the owner	attached
☒	Initial Application Filing Fee $793 Renewal or Amendment Filing Fee $423 Technology Fee $13	will be paid online once application is posted
**San Marcos Development Code Section 2.3.1.1(C): "Every application accepted by the responsible official for filing shall be subject to a determination of completeness…the responsible official is not required to review an application unless it is complete…"		
For Renewals, staff *may* accept a written statement that no changes have been made if original copies are available on file		

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

Additional Information

Surterra Wellness is one of three companies licensed in the Texas Compassionate Use Program to cultivate and manufacture low-THC medical cannabis for specific patient groups across Texas.

While the Compassionate Use Program was originally limited to patients with intractable epilepsy, the program has now expanded to include epilepsy, seizure disorders, multiple sclerosis, spasticity, ALS, autism, terminal cancer, and incurable neurodegenerative diseases. With this expansion of the program, Surterra is excited about the possibility of relocating and expanding its operations in San Marcos!

We have identified a tract of land for a new construction facility at the TRACE development off of IH-35 as our new potential home in Texas and are ready, willing and able to relocate our operations once your Department endorses our plan. Our build-out of the facility would include the following components and follow any and all permitting required by all state and local permitting agencies;

- *Offices for our Surterra Texas Headquarters*
- *A small retail space (up to 10k SF) for patients to pick-up their medication and to receive product consultation*
- *Cultivation rooms and cultivation-related activities spaces*
- *Tissue culture lab*
- *Bio-Medical space for extraction, refinement, formulation, and product assembly*
- *Space for testing and analytics*
- *Packaging space*
- *Inventory space/storage*
- *Space for distribution activities (our location in San Marcos would distribute to 5-7 regional distribution centers around Texas)*
- *Maximum allowable signage*
- *Connecting the existing curb cut to improved parking areas for ingress/egress*

Please note we are trying to obtain a Conditional Use Permit (CUP) which will allow Bio-Medical Facilities; Distribution Center; Plant Nursery (Retail Sales/Outdoor Storage) and possibly Food Processing (if any of the product is edible).

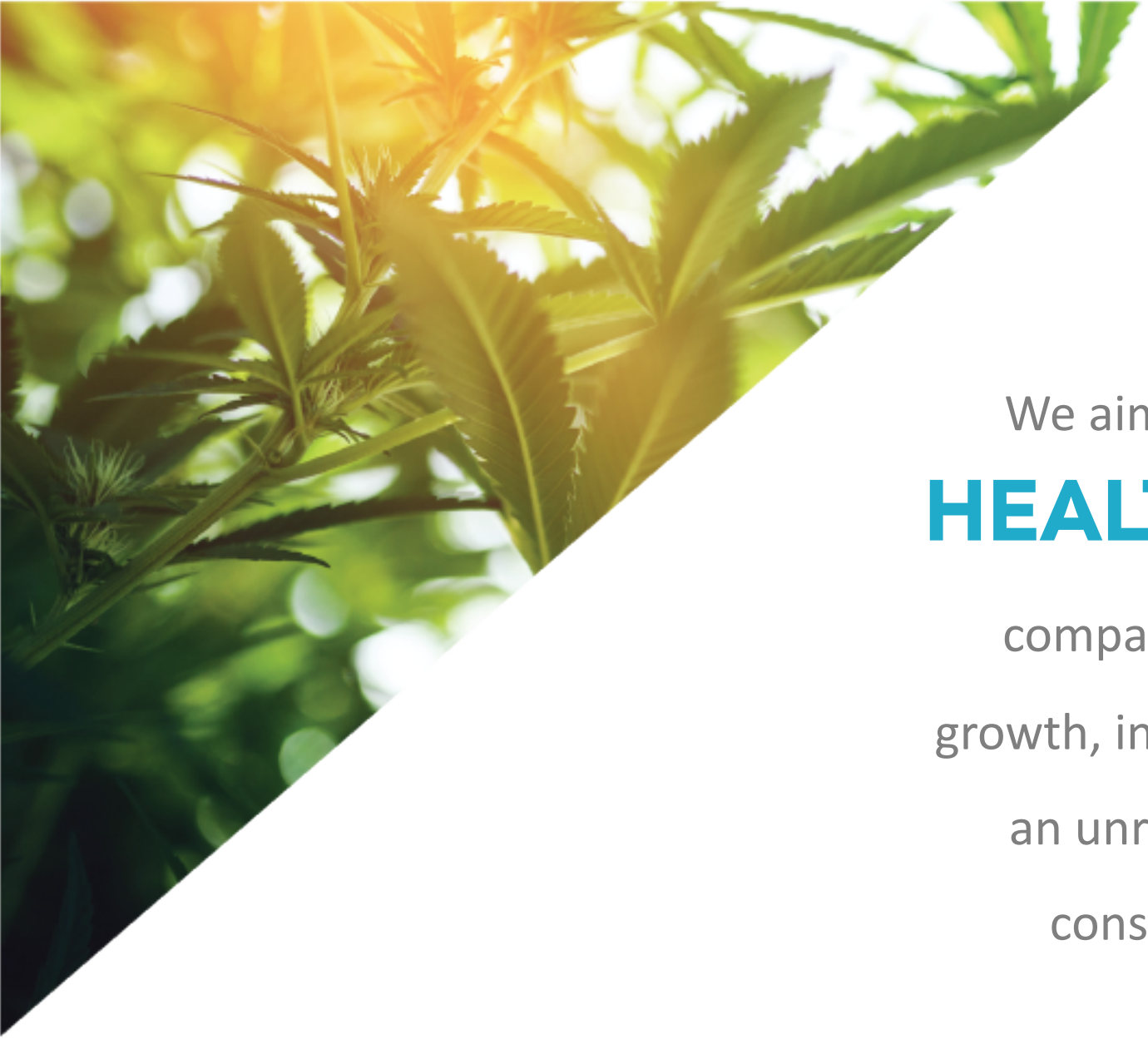
The uses already allowed with TRACE are Offices, Pharmacy, Research lab (non-Hazardous) and Retail Store under 10,000sf or more building with no outdoor sales.

Surterra anticipates to relocate/start with 25 employees when they begin to operate and should scale to 200 employees by the end of Year 1.

SURTERRA
WELLNESS
10761

SURTERRA WELLNESS

COMPANY OVERVIEW



We aim to become the leading global

HEALTH *AND* WELLNESS

company through continued strategic growth, industry leading best practices, and an unrelenting focus on empowering consumers to find their wellness.

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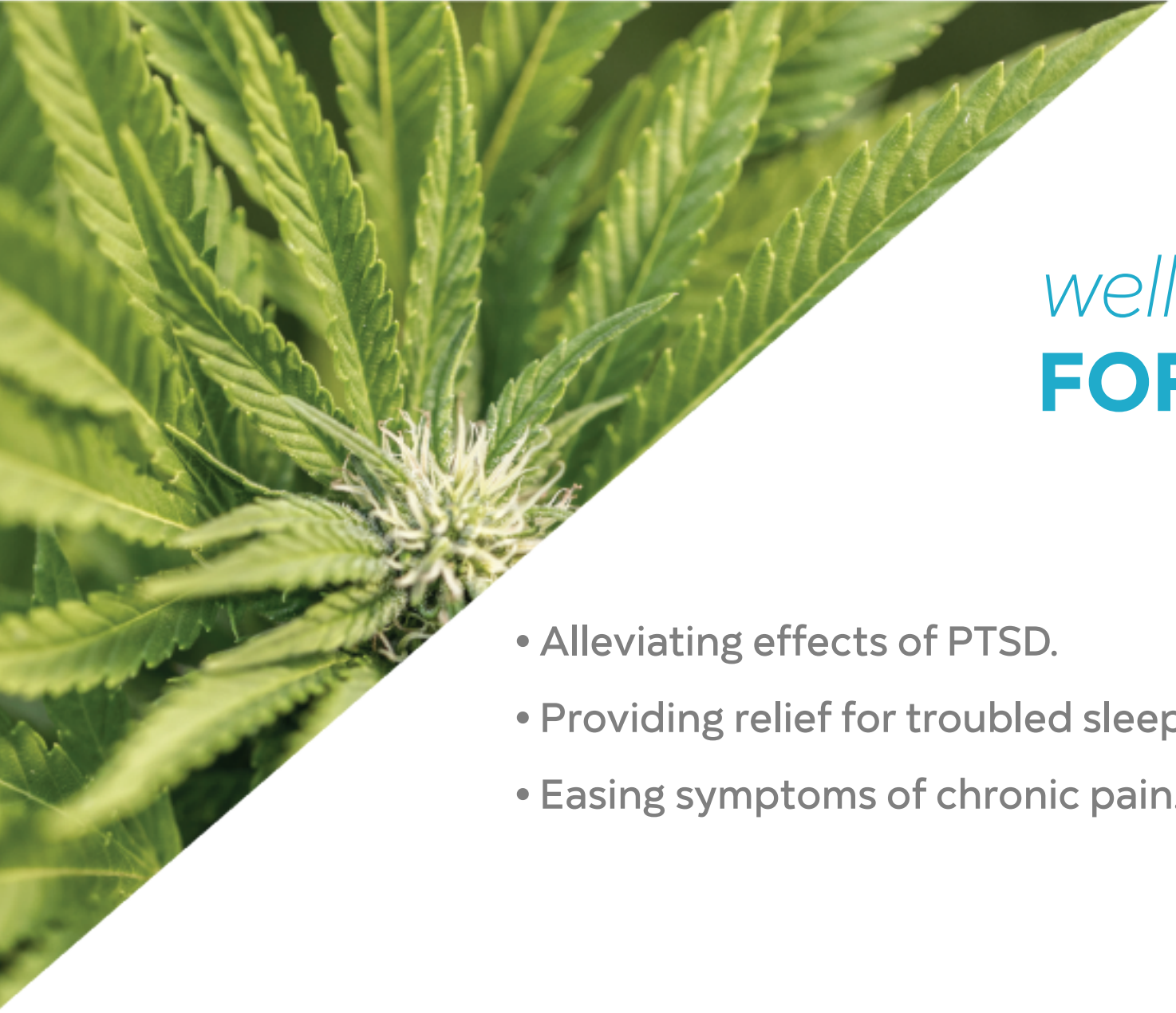
SURTERRA WELLNESS



wellness FOR ALL

- Alleviating effects of PTSD.
- Providing relief for troubled sleep.
- Easing symptoms of chronic pain.

The science shows clear effectiveness and natural health benefits of cannabis-based care.

Meeting the needs of individuals who choose the natural medical relief and wellness enhancing benefits of cannabis products.

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SURTERRA WELLNESS

safe CONSISTENT PRODUCTS

CALM	SERENE	SOOTHE	ZEN	RELIEF
12.5 CBD : 1 THC	5 CBD : 1 THC	1 CBD : 1 THC	1 CBD : 4 THC	1 CBD : 9 THC

Organic and Natural Products

engineered to take the guesswork out of cannabis treatments by delivering targeted wellness benefits, in measured ratios, predictable dosing mechanisms and child-proof packaging.

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vertical OPERATIONS

Cultivation & Processing

Consumer Education and Support

Wellness Centers

Products

Product Delivery

Empowering Health and Wellness

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SURTERRA WELLNESS

natural CULTIVATION EXPERTISE

Surterra has substantial expertise producing very low cost cannabis in greenhouse environments – crucial for partnership longevity.

Largest cultivation facility on the East Coast – key for securing low costs in long term

Indoor and greenhouse grow conditions for flexible grow strategies

Best in class natural raw materials program and multiple extraction technologies that support multiple product families

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SURTERRA WELLNESS

expanding RETAIL FOOTPRINT

25+ Surterra Wellness Centers in Florida, and Growing.

Surterra has substantial expertise creating and operating some of the cannabis industry's most cutting edge experiential retail concepts.

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Established and SUSTAINABLE COMPANY

Striving to be the gold standard for quality, safety and education

- Offering high-quality and trusted brands
- Putting consumers and employees first
- Executing a profitable business
- Developing a highly scalable business platform
- Implementing industry-leading standards
- Following state and federal regulations

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innovation through science,
RESEARCH AND THE USE OF TECHNOLOGY

Surterra's dedication to innovation can be seen through our pending acquisition of Molecular Infusions, a leading R&D operator focused on the cannabis space and a recently announced partnership with public genetics firm Intrexon.

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strong

LEADERSHIP

Chairman and CEO William "Beau" Wrigley, Jr., visionary experienced business leader, bringing decades of experience in global brand building.

> "As an industry leader, we have the privilege and the responsibility to create a framework for this new paradigm in the cannabis industry and to demystify outdated notions – separating myths from today's reality."
>
> - William "Beau" Wrigley, Jr.
> Chairman & CEO

Experienced Leadership Team with diverse array of experience from best-in-class companies and a vast array of industries from consumer packaged goods, technology, e-commerce, government, healthcare and beyond.

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SURTERRA WELLNESS

we care ABOUT DIVERSITY

- Dedicated to building the most compassionate and talented team in the industry
- Attracting diverse employees from a variety of backgrounds
- Bringing their own unique experience

52.1%

Female Team Members

Commitment to fairness and equality

Building a culture of responsibility and respect

40.5%

Minority Team Members

Partnership with Minorities 4 Medical Marijuana

Employees with experiences from all over the world

8.2%

Veteran

Partnership with Objective Zero

Job fairs with Veteran focus

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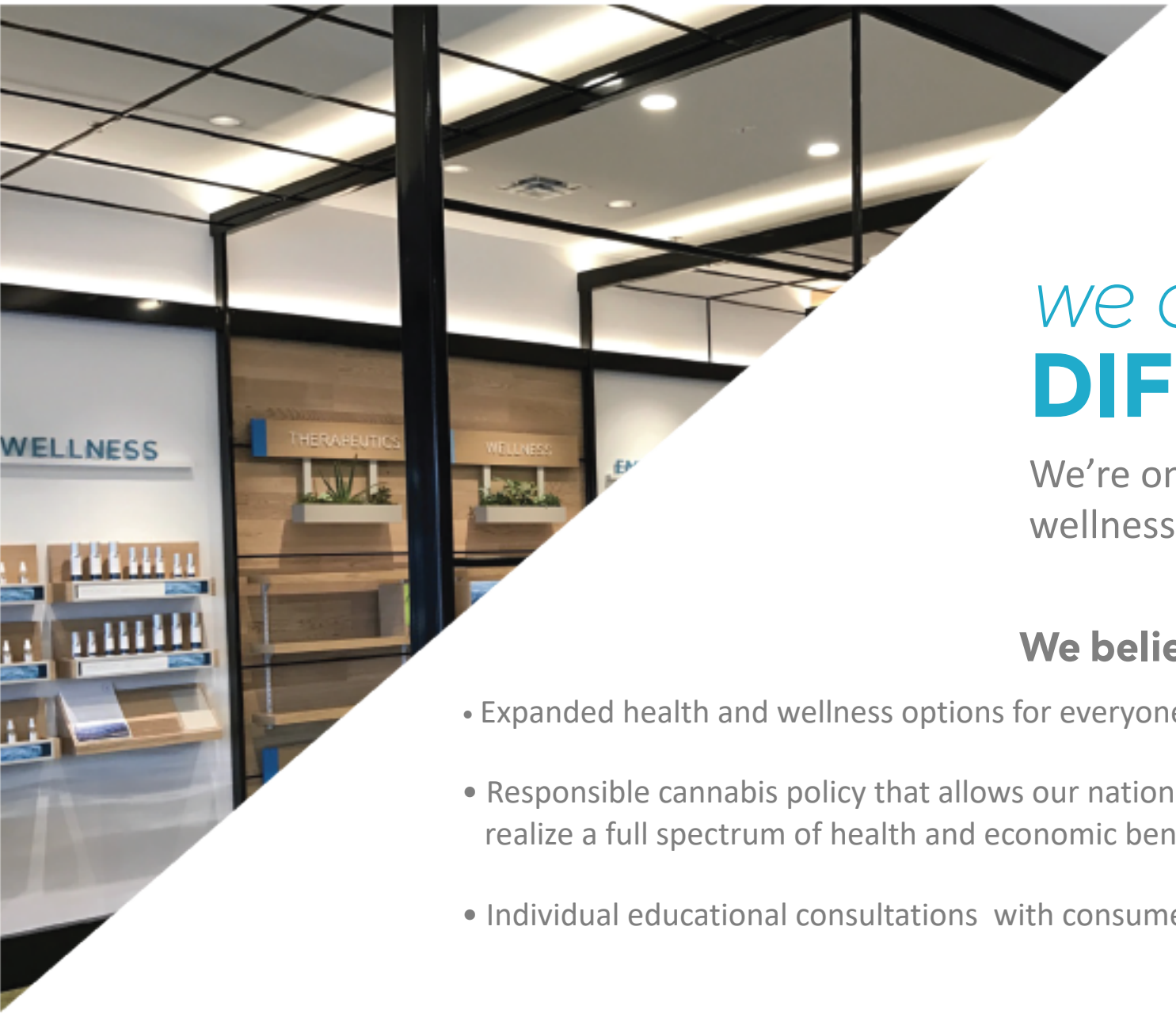
SURTERRA WELLNESS



we do things DIFFERENTLY

We're one of the fastest growing health and wellness companies In the United States.

We believe strongly in:

- Expanded health and wellness options for everyone.
- Responsible cannabis policy that allows our nation to realize a full spectrum of health and economic benefits.
- Individual educational consultations with consumers.
- Extraordinary service.
- Strong community partnerships.
- Leading government relations.

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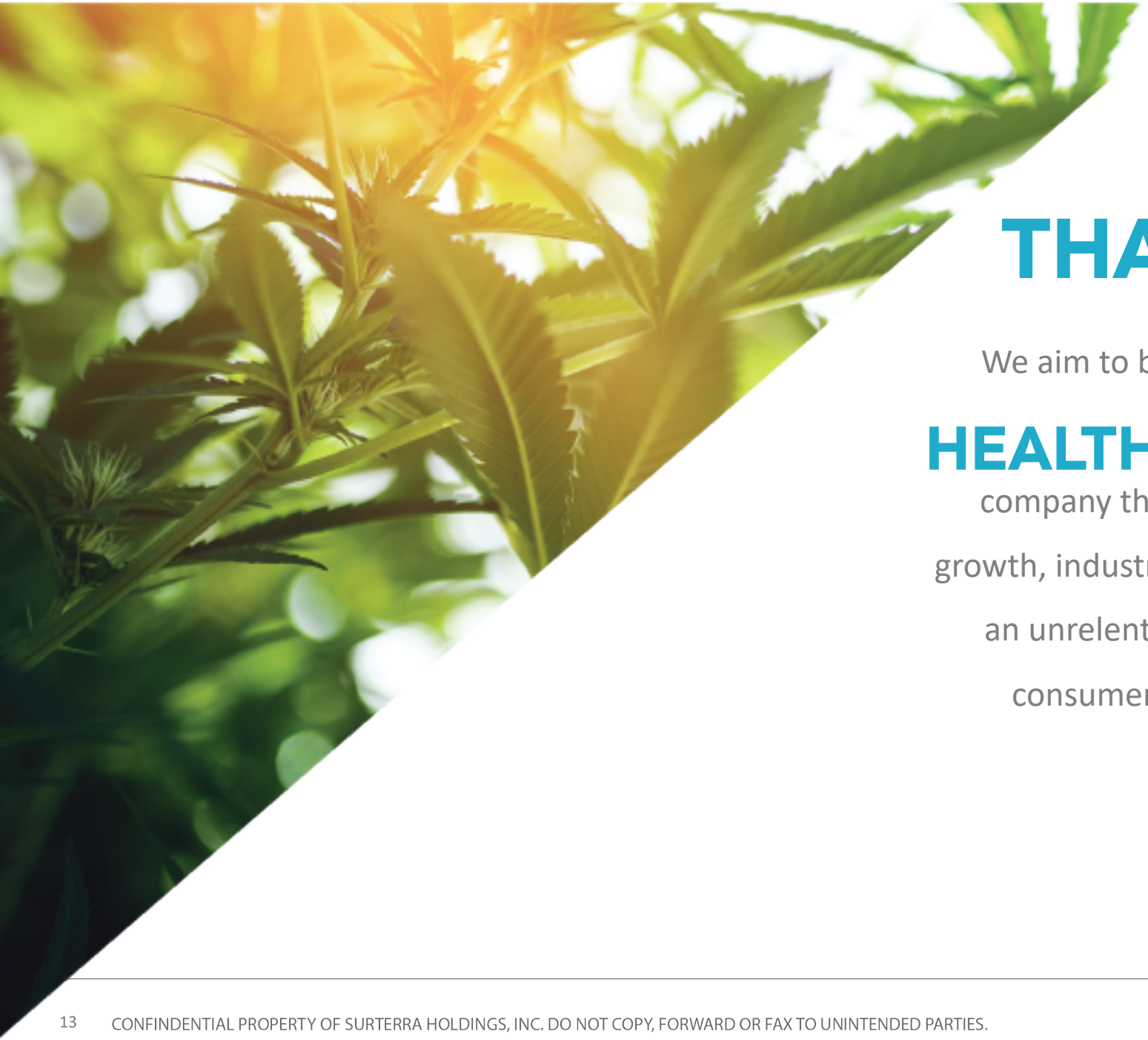

THANK YOU

We aim to become the leading global

HEALTH *AND* WELLNESS

company through continued strategic growth, industry leading best practices, and an unrelenting focus on empowering consumers to find their wellness.

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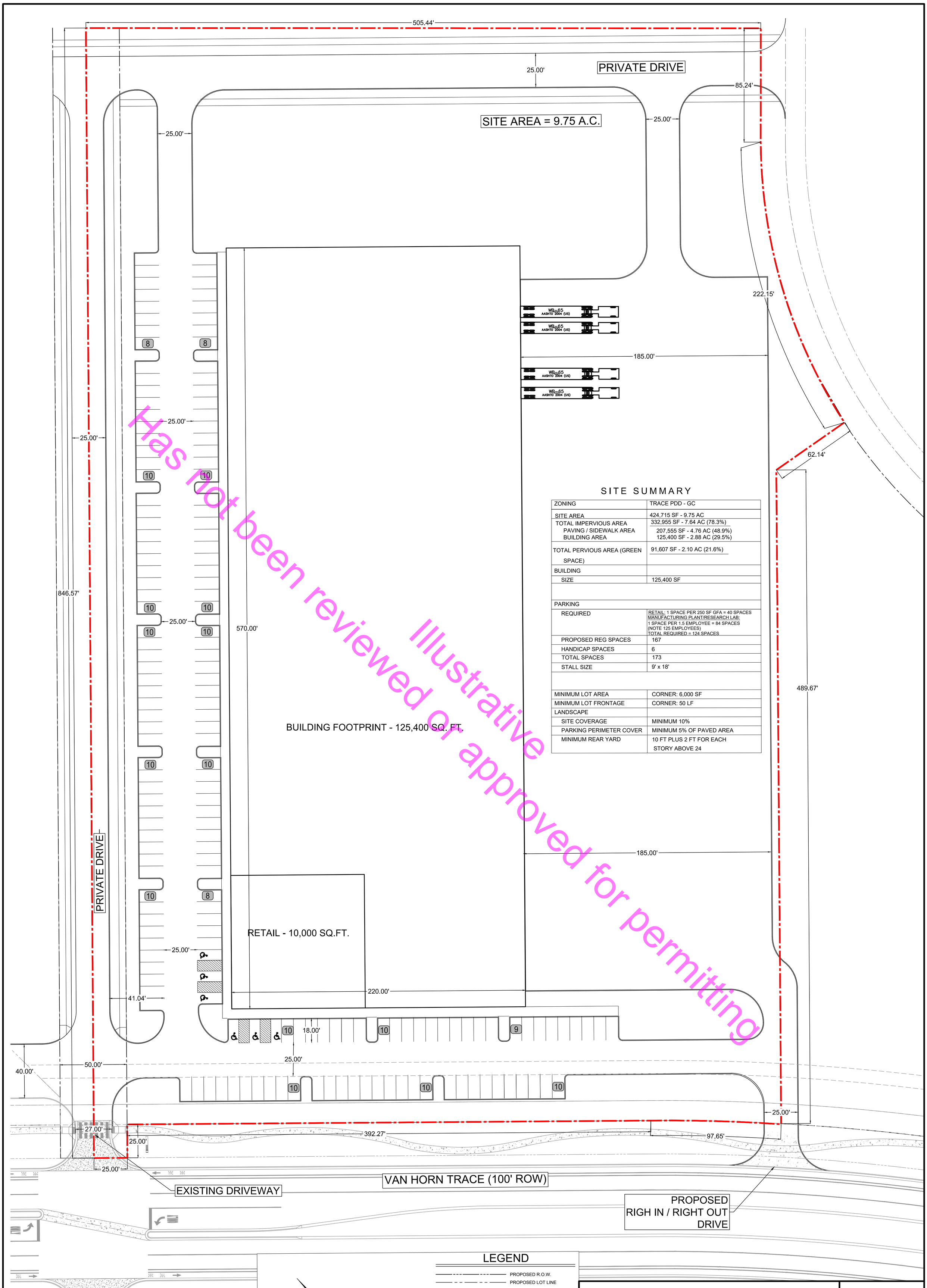
SURTERRA WELLNESS



SITE SUMMARY

ZONING	TRACE PDD - GC
SITE AREA	424,715 SF - 9.75 AC
TOTAL IMPERVIOUS AREA PAVING / SIDEWALK AREA BUILDING AREA	332,955 SF - 7.64 AC (78.3%) 207,555 SF - 4.76 AC (48.9%) 125,400 SF - 2.88 AC (29.5%)
TOTAL PERVIOUS AREA (GREEN SPACE)	91,607 SF - 2.10 AC (21.6%)
BUILDING	
SIZE	125,400 SF
PARKING	
REQUIRED	RETAIL: 1 SPACE PER 250 SF GFA = 40 SPACES MANUFACTURING PLANT/RESEARCH LAB: 1 SPACE PER 1.5 EMPLOYEE = 84 SPACES (NOTE 125 EMPLOYEES) TOTAL REQUIRED = 124 SPACES
PROPOSED REG SPACES	167
HANDICAP SPACES	6
TOTAL SPACES	173
STALL SIZE	9' x 18'
MINIMUM LOT AREA	CORNER: 6,000 SF
MINIMUM LOT FRONTAGE	CORNER: 50 LF
LANDSCAPE	
SITE COVERAGE	MINIMUM 10%
PARKING PERIMETER COVER	MINIMUM 5% OF PAVED AREA
MINIMUM REAR YARD	10 FT PLUS 2 FT FOR EACH STORY ABOVE 24

Has not been reviewed or approved for permitting
Illustrative

Know what's below. Call before you dig.

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

40 0 40 80
SCALE: 1 INCH = 40 FT

LEGEND

- PROPOSED R.O.W.
- PROPOSED LOT LINE
- EASEMENT LINE
- PROPOSED CURB & GUTTER
- 830 EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- 830 PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- PROPOSED SIDEWALK BY DEVELOPER
- PROPOSED SIDEWALK BY HOMEBUILDER
- IRRIGATION SLEEVES
- BERM
- SWALE
- RETAINING WALL

SITE PLAN

NE CORNER OF I-35 FRONTAGE AND VAN HORN TRACE
SAN MARCOS, TX

Bowman CONSULTING
1120 S. Capital of Texas Hwy. ▪ Building 3, Suite 220 ▪ Austin, Texas 78746
Phone: (512) 327-1180 ▪ Fax: (512) 327-4062 ▪ www.bowmanconsulting.com
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TBPE Firm Registration No. F-14309

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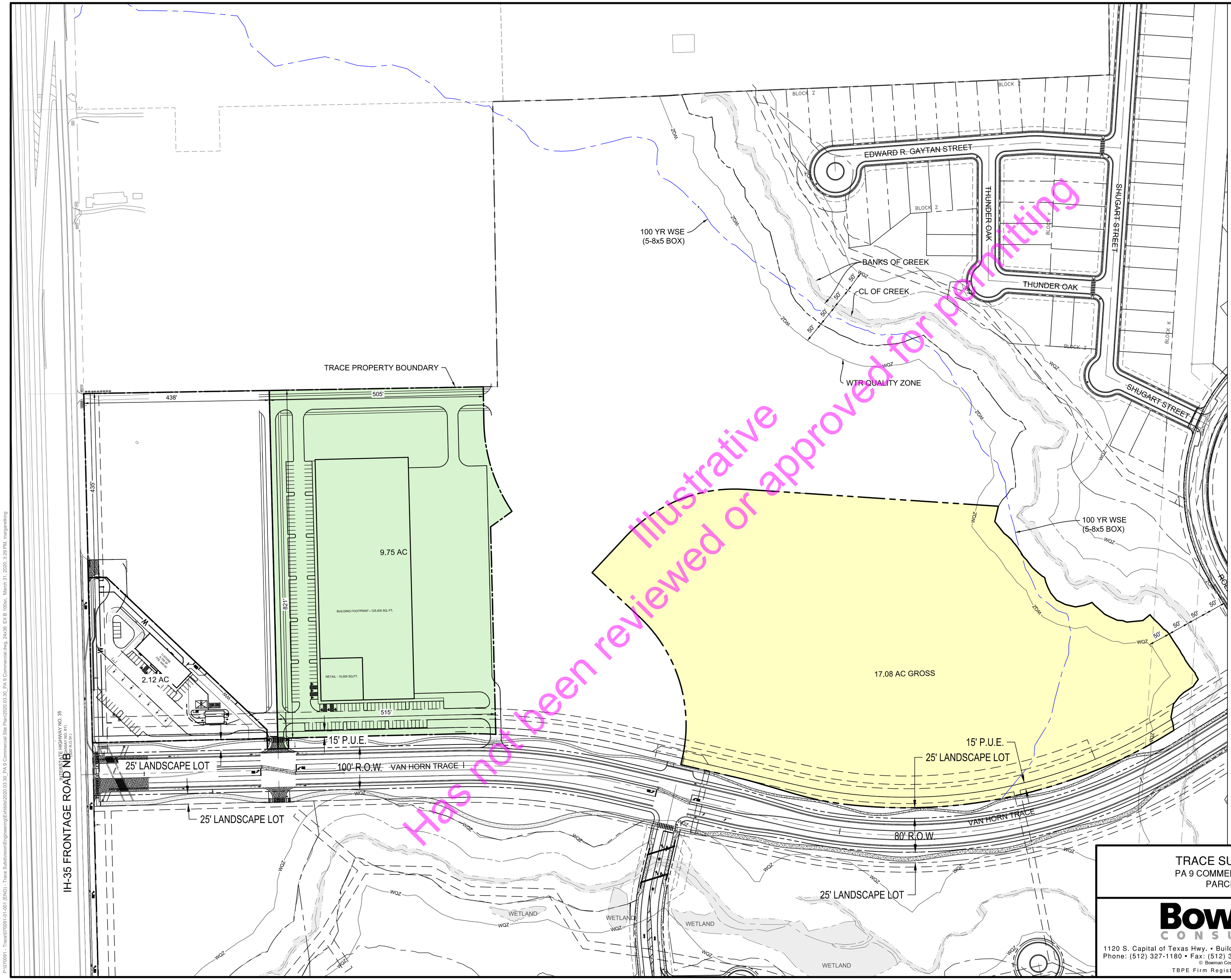
April 7, 2020

PRELIMINARY NOT FOR CONSTRUCTION



Illustrative
Has not been reviewed or approved for permitting

100 0 100 200
SCALE: 1 INCH = 100 FT

NOTES:
1. THIS PROJECT IS IN THE NAD 1983 STATE PLANE TEXAS SOUTH CENTRAL COORDINATE SYSTEM.

TRACE SUBDIVISION
PA 9 COMMERCIAL TRACTS
PARCEL MAP

Bowman CONSULTING
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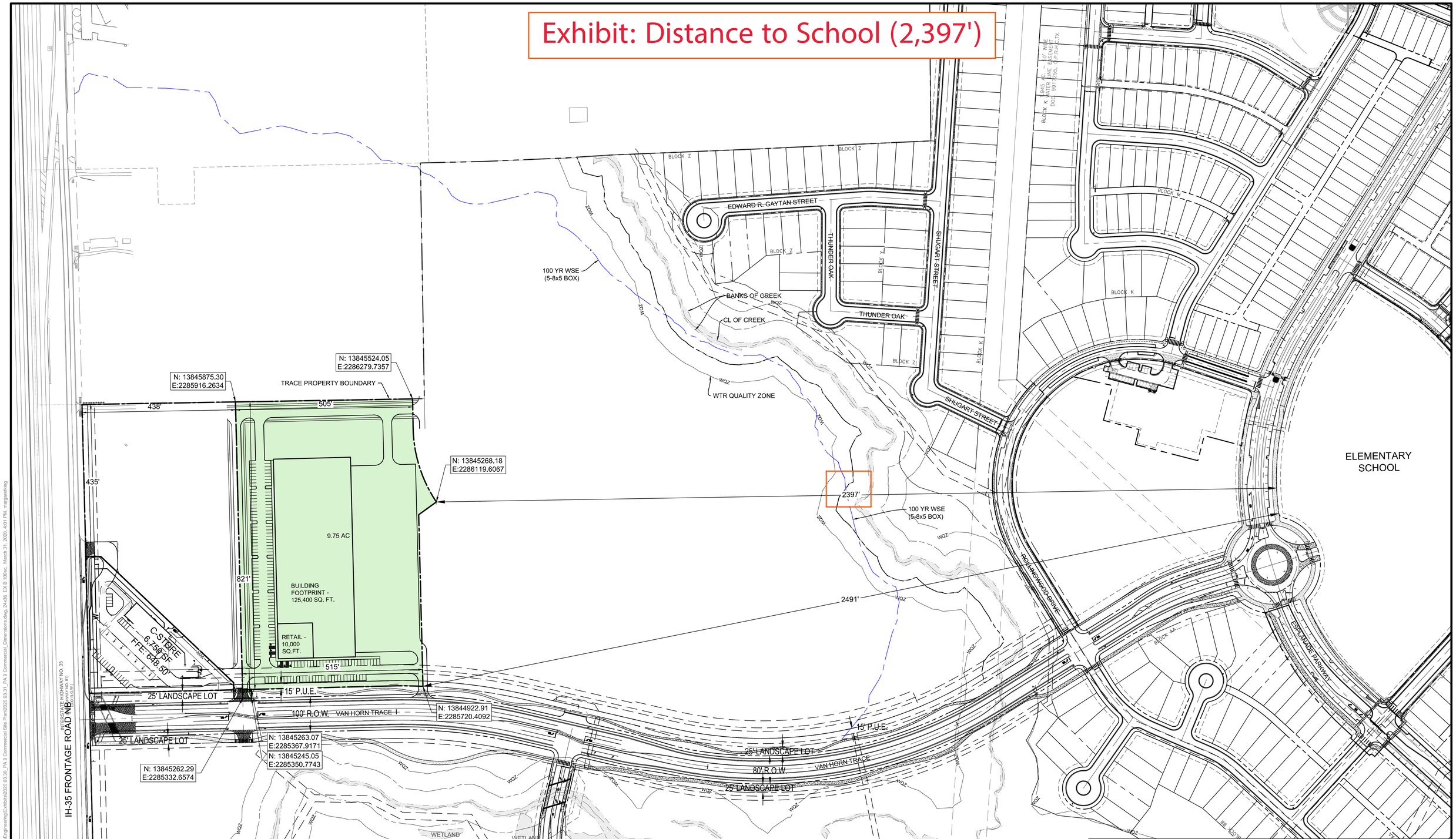
March 31, 2020

SHEET 1 OF 1

PRELIMINARY NOT FOR CONSTRUCTION

P:\070091 - Trace\070091-01-001 (ENG) - Trace Subdivision\Engineering\Exhibits\2020.03.30_PA 9 Commercial Site Plan\2020.03.30_PA 9 Commercial.dwg, 24x36 EX B 100sc, March 31, 2020, 3:29 PM, margaret\kng

Exhibit: Distance to School (2,397')



NOTES:

1. THIS PROJECT IS IN THE NAD 1983 STATE PLANE TEXAS SOUTH CENTRAL COORDINATE SYSTEM.

120 0 120 240

SCALE: 1 INCH = 120 FT

TRACE SUBDIVISION
PA 9 COMMERCIAL TRACTS
INDUSTRIAL SITE DIMENSIONS TO SCHOOL

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SHEET 1 OF 1

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P:\070091 - Trace\070091-01-001 (ENG) - Trace Subdivision\Engineering\Exhibits\2020.03.30_PA 9 Commercial Site Plan\2020.03.31_PA 9 Commercial_Dimensions.dwg, 24x36, EXB 100sc, March 31, 2020, 4:01 PM, margaretking