



## Legislation Details (With Text)

**File #:** CUP-20-11    **Version:** 1    **Name:**  
**Type:** Action Item    **Status:** Individual Consideration  
**File created:** 5/11/2020    **In control:** Planning and Zoning Commission  
**On agenda:** 5/26/2020    **Final action:**  
**Title:** CUP-20-11 (Surterra) Hold a public hearing and consider a request by Marcus Ruark with Surterra Texas, LLC, on behalf of Timothy D. England, SVP, Highpointe Trace, LLC, for a new Conditional Use Permit to allow the use of Bio-Medical Facilities, Distribution Center, Food Processing (no outside public consumption), and Plant Nursery (retail sales / outdoor storage) at 1105 Van Horn Trce. (A. Villalobos)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CUP-20-11 Staff Report, 2. CUP-20-11 Maps, 3. CUP-20-11 Esplanade Parkway, 4. CUP-20-11 Personal Notice, 5. CUP-20-11 Application Documents, 6. CUP-20-11 Trace Concept Plan, 7. CUP-20-11 Van Horn Trace Cross-Section, 8. CUP-20-11 Presentation updated 3.13.pdf

Date	Ver.	Action By	Action	Result
5/26/2020	1	Planning and Zoning Commission	denied	Fail

**AGENDA CAPTION:**

CUP-20-11 (Surterra) Hold a public hearing and consider a request by Marcus Ruark with Surterra Texas, LLC, on behalf of Timothy D. England, SVP, Highpointe Trace, LLC, for a new Conditional Use Permit to allow the use of Bio-Medical Facilities, Distribution Center, Food Processing (no outside public consumption), and Plant Nursery (retail sales / outdoor storage) at 1105 Van Horn Trce. (A. Villalobos)

**Meeting date:** May 26, 2020

**Department:** Planning and Development Services Department

**Amount & Source of Funding**

**Funds Required:** n/a

**Account Number:** n/a

**Funds Available:** n/a

**Account Name:** n/a

**Fiscal Note:**

**Prior Council Action:** n/a

**City Council Strategic Initiative:**

Workforce Development

**Comprehensive Plan Element (s):**

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☒ Land Use - Direct Growth, Compatible with Surrounding Uses
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☐ Core Services
- ☐ Not Applicable

### **Master Plan:**

Vision San Marcos - A River Runs Through Us

### **Background Information:**

The subject property is located within the Trace Planned Development District (PDD). The Trace PDD was approved in 2015 by the City Council. Development at Trace has been on-going and currently includes several phases of residential homes, neighborhood parks, Rodriguez Elementary, and various phases of major roadways throughout the development.

Surterra 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. The Texas Compassionate Use Program is regulated and enforced by the Texas Department of Public Safety (DPS). The proposed use of the property falls into several categories in the Land Use Matrix within the Trace PDD, therefore, this Conditional Use Permit includes a requests for several uses. Below is a list of all uses that the proposed development falls under and whether they are permitted by right, or conditional within the PDD/GC zoning district:

### **Permitted Uses**

- Offices
- Pharmacy
- Research Lab (non-hazardous)
- Retail Store (under 10,000 s.f. or more bldg.) no outside sales

### **Conditional Uses**

- Bio Medical Facilities
- Distribution Center
- Food Processing (no outside public consumption)
- Plant Nursery (retail sales/outdoor storage)

**Council Committee, Board/Commission Action:**

n/a

**Alternatives:**

n/a

**Recommendation:**

Staff provides this request to the Commission for your consideration and recommends **approval** of CUP-20-11 with the following conditions:

1. No more than 5,000 square feet of the interior of the facility shall be used for the use of distribution and the facility shall have no more than 6 distribution truck bays.
2. All distribution truck traffic associated with Surterra shall be prohibited from using Esplanade Parkway.