

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)



Updated: September 2025

CONTACT INFORMATION

Applicant's Name	Michael Norsworthy	Property Owner	Peggy Friedmann
Company	Five Four	Company	FF Trust
Applicant's Mailing Address	1425 Swift Street, Suite 200 North Kansas City, MO 64116	Owner's Mailing Address	91 Bacon Ct. Lafayette, CA
Applicant's Phone #	[REDACTED]	Owner's Phone #	[REDACTED]
Applicant's Email	[REDACTED]	Owner's Email	[REDACTED]

PROPERTY INFORMATION

Subject Property Address: 1303 S IH 35

Zoning District: GC Tax ID #: R 11863

Legal Description: Lot 1 Block _____ Subdivision Simon Place

Number of Parking Spaces: 123

Is property more than 300' from church, school, hospital, or residential district? Y N

DESCRIPTION OF REQUEST

Business Name: Five Four Restaurant Bar Other: _____

NEW RENEWAL/AMENDMENT Mixed Beverage Beer & Wine Late Hours

Hours of Operation(ex. Mon 12pm-1am): Mon 11am-11pm Tue 11am-11pm Wed 11am-11pm

Thurs 11am-11pm Fri 11am-12am Sat 11am-12am Sun 11am-11pm

Indoor Seating Capacity: 114 Outdoor Seating Capacity: 9 Gross Floor Area: _____

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 \$1,050* Technology Fee \$15 TOTAL COST \$1,065

Renewal/Amendment Filing Fee \$768* Technology Fee \$15 TOTAL COST \$783

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

Apply Online at MGOCONNECT.ORG

PROPERTY OWNER AUTHORIZATION

I, Peggy Friedmann (owner name) on behalf of
Five Four (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
1425 Swift St Suite 200 North Kansas City, MO 64116 (address).

I hereby authorize Matthew Mack (agent name) on behalf of
Five Four (agent company) to file this application for
Restaurant Renewal (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: Peggy Friedmann Date: Dec 22, 2025

Printed Name, Title: Peggy Friedmann

Signature of Agent: Matthew Mack Date: 12-24-25

Printed Name, Title: Matthew Mack Accounting Associate

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 \$158 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 \$158 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: Peggy Friedmann

Date: Dec 22, 2025

Print Name: Peggy Friedmann

Form Updated March, 2023



CHECKLIST FOR CONDITIONAL USE PERMIT (ALCOHOL OUTSIDE CENTRAL BUSINESS AREA (CBA))

The following items are requested for consideration of this application. These and additional items may be required, at the request of the Department, in order to determine the application complete and filed.	Comments
<input type="checkbox"/> Pre-development meeting with staff is required unless waived by the Responsible Official <ul style="list-style-type: none"> • Please visit http://sanmarcostx.gov/1123/Pre-Development-Meetings to schedule, or email planninginfo@sanmarcostx.gov with any questions. 	N/A
<input checked="" type="checkbox"/> Completed Application for Conditional Use Permit (Alcohol Outside CBA)	
<input type="checkbox"/> Site Plan illustrating, where appropriate: location, square footage and height of existing and proposed structures, landscaping or fencing, setbacks, parking, ingress & egress, signs, etc.	Nothing has changed
<input type="checkbox"/> Interior Layout of all buildings illustrating indoor & outdoor seating, kitchen, bar, restrooms, fire exits, etc.	Nothing has changed
<input type="checkbox"/> Business Details including Business Trade Name, Type of Entity (Individual, Partnership, Corporation, Etc), Entity Contact Person, Address, Email, Phone Number	Nothing has changed
<input type="checkbox"/> Detail Entertainment Facilities (on site plan or in writing) including television locations, stages, dancing areas, live music, acoustic music, ambient speaker music, etc	
<input type="checkbox"/> Notification Authorization	
<input type="checkbox"/> Authorization to represent the property owner, if the applicant is not the owner	
<input type="checkbox"/> Copy of State TABC License Application	
<input type="checkbox"/> Proposed Menu	
<input type="checkbox"/> Initial Application Filing Fee \$1,050 <input type="checkbox"/> Renewal or Amendment Filing Fee \$788 <input type="checkbox"/> Technology Fee \$15	
**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..."	
<i>*For Renewals, staff may accept a written statement that no changes have been made if copies are available on file</i>	
<u>Notice to Applicants for Alcoholic Beverages Sales:</u> The City of San Marcos requires an additional and separate City Alcohol License Fee (<u>City Code Sec. 18.026</u>) in the amount of ½ the state TABC license and permit fee. This fee is collected by the Utility Billing Department of the City of San Marcos and is not related to this Conditional Use Permit process. To determine the amount and deadline for payment, please contact Olivia Romero via email at oromero@sanmarcostx.gov , via phone at (512) 393.8109, or visit the Utility Billing Department at 1040 Highway 123, San Marcos, TX 78666.	

Apply Online at MGDCONNECT.ORG