

# CONDITIONAL USE PERMIT (ALCOHOL WITHIN CBA) APPLICATION



Updated: April, 2018

Case # CUP- \_\_\_\_\_

## CONTACT INFORMATION

Applicant's Name	OSCAR A. HERNANDEZ	Property Owner	FRAYEZUR PROPERTIES LP
Applicant's Mailing Address	1210 IH 35 SOUTH, SAN MARCOS, TX. 78666	Owner's Mailing Address	P.O. BOX 629, SAN MARCOS, TX. 78666
Applicant's Phone #	512-644-5738	Owner's Phone #	512-353-1900
Applicant's Email	oscar_hernandez6280@yahoo.com	Owner's Email	fred@stokesconstruction.net

## PROPERTY INFORMATION

Subject Property Address: 179 S LBJ  
 Zoning District: CD-5D Tax ID #: R 24459  
 Legal Description: Lot 1 Block 9 Subdivision M E COFFIELD  
 Number of Parking Spaces: \_\_\_\_\_  
 Is the property more than 300' from church, school, hospital, or residential district?  Y  N

## DESCRIPTION OF REQUEST

Business Name: TOMA TACO  Restaurant (Eating Establishment)  Bar  
 NEW  RENEWAL/AMENDMENT  Mixed Beverage  Beer & Wine  Late Hours  
 Hours of Operation: Mon 6am-12am Tue 6am-12am Wed 6am-12am Thurs 6am-12am Fri 6am-12am Sat 6am-12am Sun 6am-12am  
 (ex. Mon 12pm-1am)  
 Indoor Seating Capacity: \_\_\_\_\_ Outdoor Seating Capacity: \_\_\_\_\_ Gross Floor Area: \_\_\_\_\_

## AUTHORIZATION

All required application documents are attached. I understand the fees for and the process to obtain a Conditional Use Permit and understand my responsibility to be present at meetings regarding this application.

Initial Filing Fee \$750\* Technology Fee \$11 TOTAL COST \$761

Renewal/Amendment Filing Fee \$400\* Technology Fee \$11 TOTAL COST \$411

\*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.

To be completed by Staff: \_\_\_\_\_ Accepted By: \_\_\_\_\_ Date Accepted: \_\_\_\_\_  
 Proposed Meeting Date: \_\_\_\_\_ Application Deadline: \_\_\_\_\_

**APPLY ONLINE – [WWW.MYGOVERNMENTONLINE.ORG/](http://WWW.MYGOVERNMENTONLINE.ORG/)**

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

The City of San Marcos Land 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 is the responsibility of the applicant to periodically check the sign locations to verify that the signs remain in place until final action is taken on the application and have not been vandalized or removed until after such final decision or when such application is withdrawn by the applicant. It is the responsibility of the applicant to immediately notify the Planning and Development Services Department of missing or defective signs.*
- 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 \$85 plus an \$11 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 \$85 plus an \$11 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: \_\_\_\_\_

*Oscar A. Hernandez*

Date: \_\_\_\_\_

*10-1-18*

Print Name: \_\_\_\_\_

OSCAR A. HERNANDEZ

To be completed by Staff: \_\_\_\_\_

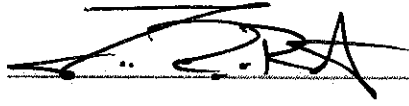
Case # \_\_\_\_\_

AGENT AUTHORIZATION TO REPRESENT PROPERTY OWNER

I, FRED BOST (owner) acknowledge that I am the rightful owner of the property located at 179 S LBJ DRIVE, SAN MARCOS, TX. (address).

I hereby authorize OSCAR A. HERNANDEZ (agent name) to serve as my agent to file this application for CONDITIONAL USE PERMIT(ALCOHOL WITHIN CBA)APPLICATION (application type), and to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner:



Date: 10.1.2018

Printed Name:

FRED BOST

Signature of Agent:



Date: 10-1-18

Printed Name:

OSCAR A. HERNANDEZ

To be completed by Staff:

Case # \_\_\_\_\_

NEW  RENEWAL

WITHDRAWAL

ABANDONMENT

Original Date: \_\_\_\_\_

Doc. No.: \_\_\_\_\_

### HAYS COUNTY CLERK

LIZ Q. GONZALEZ

712 S. STAGECOACH TRAIL, STE. 2008

SAN MARCOS, TX 78666

PHONE: (512) 393-7738



### ASSUMED NAME (DBA) CERTIFICATE FOR UNINCORPORATED/INCORPORATED BUSINESS

NOTICE: "Assumed Names/DBA" are valid only for a period not to exceed 10 years from the date filed in the County Clerk's Office.

TIME PERIOD BUSINESS NAME WILL BE USED 10 YEAR(S)

The county clerk is not responsible for verifying the accuracy of the information contained in a "assumed name/dba" certificate. This certificate properly executed is to be filed with the county clerk.

BUSINESS NAME: TOMA TACO

BUSINESS ADDRESS: 179 S LBJ DRIVE, SAN MARCOS, TX. 78666

MAILING ADDRESS: 1122 JONES STREET, SAN MARCOS, TX. 78666

BUSINESS/OWNER'S PHONE NUMBER: (512) 644-5738

#### BUSINESS IS TO BE CONDUCTED AS (CHECK ONLY ONE):

UNINCORPORATED (Sole Proprietorship, General Partnership, Joint Venture, Estate, Real Estate Investment Trust)  INCORPORATED (Corporation, Limited Partnership)  OTHER: LIMITED LIABILITY COMPANY

#### CERTIFICATE OF OWNERSHIP

I/We, the undersigned, are the owner(s) of the above business and my/our name(s) and physical address(es) given is/are true and correct, and there is/are no ownership(s) in said business other than those listed herein below.

#### NAMES OF OWNER(S)

HERNANDEZ TOMA TACO LLC.

Printed Name or Corporation Name

*Oscar A Hernandez*

Signature

OSCAR A. HERNANDEZ MACIAS

If Corporation, Print Name and Title

1122 JONES STREET SAN MARCOS TX 78666  
Residence Address City State Zip

Printed Name or Corporation Name Signature

If Corporation, Print Name and Title

Residence Address City State Zip

This instrument was acknowledged before me on this 30 day of AUGUST, 20 18

by \_\_\_\_\_

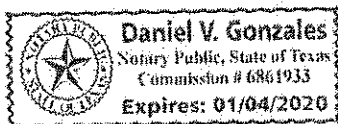
Business Owner Name(s) Must Appear Here

*[Signature]*

NOTARY PUBLIC, STATE OF TEXAS

"OR"

HAYS COUNTY CLERK, DEPUTY



A person conducting business or rendering a professional service in this state under an assumed name who intentionally violates a provision of Chapter 71 of the Business and Commerce Code commits a Class A misdemeanor criminal offense.