

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL WITHIN CBA)



Updated: August, 2023

CONTACT INFORMATION

Applicant's Name	Mark Dalton	Property Owner	Ben Samouha
Company	DW Restaurants TX, LLC	Company	Guadalupe Real Property & Investments, LLC c/o Investar Real Estate Svcs, Inc
Applicant's Mailing Address	410 Buttercup Lane, Wimberley, TX 78676	Owner's Mailing Address	9993 IH 10 West, ste 102, San Antonio, TX 78230
Applicant's Phone #	214-668-1444	Owner's Phone #	210-298-3990
Applicant's Email	mark@hangrydevtx.com	Owner's Email	elaina@investarinc.com

PROPERTY INFORMATION

Subject Property Address: 310 N. Guadalupe St, suite 154, San Marcos, TX 78666
 Zoning District: CD-5D Tax ID #: R 135947
 Legal Description: Lot 1 & 2 & PT LT 8 Block 25 Subdivision S7500- Original town of San Marcos
 Number of Parking Spaces: 42
 Is property more than 300' from church, school, hospital, or residential district? Y N

DESCRIPTION OF REQUEST

Business Name: Hangry Joe's Hot Chicken and Wings Restaurant Bar Other: _____
 NEW RENEWAL/AMENDMENT Mixed Beverage Beer & Wine Late Hours
 Hours of Operation(ex. Mon 12pm-1am): Mon 11am-9pm Tue 11am-9pm Wed 11am-9pm
 Thurs 11am-9pm Fri 11am-10pm Sat 11am-10pm Sun 11am-9pm
 Indoor Seating Capacity: 50 Outdoor Seating Capacity: 0 Gross Floor Area: 1800

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.

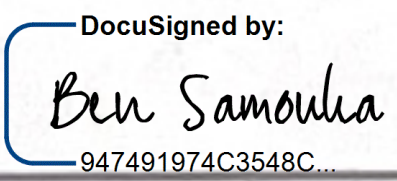
Initial Filing Fee 1,000*	Technology Fee \$15	<u>TOTAL COST \$1,015</u>
Renewal/Amendment Filing Fee \$750*	Technology Fee \$15	<u>TOTAL COST \$765</u>

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

PROPERTY OWNER AUTHORIZATION

I, Ben Samouha (owner name) on behalf of Guadalupe Real Property & Investments, LLC (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at 301 N. Guadalupe St, San Marcos, TX 78666 (address).

I hereby authorize Mark Dalton, Brandon Wilhelm, and/or Brett Tatsumi (agent name) on behalf of DW Restaurants TX, LLC (agent company) to file this application for Retail Dealer's On-Premise License (BE) (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 6/20/2024

Printed Name, Title: Ben Samouha owner/buyer

Signature of Agent:  Date: 6/14/24


Printed Name, Title: Mark Dalton, co-owner, Hungry Joe's

**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: 
Print Name: Mark Dalton

Date: June 14, 2024