

# CONDITIONAL USE PERMIT APPLICATION (ALCOHOL WITHIN DOWNTOWN CBA)



Updated: December, 2025

## CONTACT INFORMATION

Applicant's Name	Axis	Property Owner	Walker Molinare
Company	R&B South Sisters INC.	Company	202 North LBJ Venture Group, LP
Applicant's Mailing Address	202 N.LBJ Dr. Ste A	Owner's Mailing Address	2606 RR 620 North, Austin, TX 78734

## PROPERTY INFORMATION

Subject Property Address: 202 N.LBJ Dr. Ste A

Zoning District: CBA Downtown Square Tax ID #: R 1-04-3786952-1

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Number of Parking Spaces: 0

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

## DESCRIPTION OF REQUEST

Business Name: Axis CUP Permit Type:  Eating Establishment  Bar

NEW  RENEWAL/AMENDMENT  Mixed Beverage  Beer & Wine  Late Hours

Hours of Operation (Ex. Mon 12pm-1am): Mon 6PM-2AM Tue 6PM-2AM Wed 6PM-2AM

Thurs 6PM-2AM Fri 6PM-2AM Sat 6PM-2AM Sun 6PM-2AM

Indoor Seating Capacity: 200 Outdoor Seating Capacity: 30 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 \$788\* Technology Fee \$15 TOTAL COST \$803

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

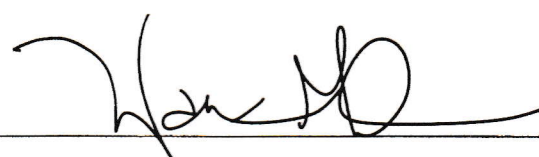
Apply Online at [MGOCONNECT.ORG](http://MGOCONNECT.ORG)

PROPERTY OWNER AUTHORIZATION


I, Walker Molinare (owner name) on behalf of  
202 North LBJ Venture Group, LP (company, if applicable) acknowledge that I/we  
am/are the rightful owner of the property located at  
202 N LBJ, Ste. A, San Marcos, TX 78666 (address).

**Henry Hogensen**

I hereby authorize \_\_\_\_\_ (agent name) on behalf of  
R & B South Sisters INC. (DBA AXIS) (agent company) to file this application for  
CUP within CBA (application type), and, if necessary, to work with  
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 10/3/2024

Printed Name, Title: Walker Molinare, Managing Member

Signature of Agent:  Date: 10/3/24

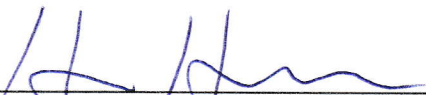
Printed Name, Title: Henry Hogensen, President

**AGREEMENT TO THE PLACEMENT OF POSTED NOTICE AND  
ACKNOWLEDGEMENT OF PERSONAL NOTICE REQUIREMENTS**

The City of San Marcos Development Code requires public notification in the form of posted signs on the subject property, and personal notice presented to the Planning Commission and / or City Council.

- **Posted 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.***
- **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: 

Date: 3/30/2026

Print Name: Henry Hlogensen

## AGREEMENT TO THE CITY OF SAN MARCOS LAND DEVELOPMENT CODE DOWNTOWN CENTRAL BUSINESS AREA (CBA) REQUIREMENTS

The establishment must hold a valid Conditional Use Permit for the on-premise sale and consumption of alcohol issued and effective under [Section 2.8.3.1](#), [Section 5.1.5.5](#) of the Development Code and any conditions of such permit. Within the Downtown Central Business Area (CBA) the establishment can either request an **“Eating Establishment”** or a **“Bar”** Conditional Use Permit, subject to the maximum allowed permits, and in accordance with the Development Code.

Where an **“Eating Establishment”** includes the sale of alcohol for on premise consumption the following standards shall apply:

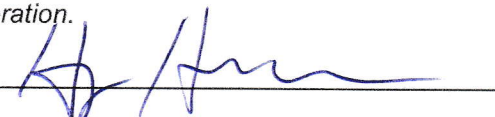
- In the Downtown Central Business Area (CBA) boundary, the total number of eating establishments which include the sale and on-premise consumption of alcohol is limited to 25.
- The business must have a kitchen and food storage facilities of sufficient size to enable food preparation. The kitchen must be equipped with, and must utilize, a commercial grill, griddle, fryer, oven, or similar heavy food preparation equipment.
- The business must serve meals to customers during at least two meal periods each day the business is open. A meal must consist of at least one entree, such as a meat serving, a pasta dish, pizza, a sandwich or similar food in a serving that serves as a main course for a meal. At least three entrees must be available during each meal period. A meal period means a period of at least four hours.
- The business must be used, maintained, advertised and held out to the public as a place where meals are prepared and served.
- The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within **50** feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times.
- Noise - The activities of the establishment selling alcoholic beverages for on-premises consumption shall not produce noise levels in excess of those described in [Section 7.4.2.1](#) so as to not interfere with the reasonable use and enjoyment of adjacent property or public areas.
- Additional conditions may be added following a review by the Planning Staff, Planning & Zoning Commission, and/or City Council.

Where a **“Bar”** that primarily sells alcohol beverages for on premise consumption and **may** include the sale of food, the following standards shall apply:

- In the Downtown Central Business Area (CBA) boundary, the total number of bars is limited to 14.
- The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within **100** feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times.
- Noise - The activities of the establishment selling alcoholic beverages for on-premises consumption shall not produce noise levels in excess of those described in [Section 7.4.2.1](#) so as to not interfere with the reasonable use and enjoyment of adjacent property or public areas.
- Additional conditions may be added following a review by the Planning Staff, Planning & Zoning Commission, and/or City Council.

Not all standards are listed, please review [Land Development Code Section 5.1.5.5 Restaurant/Bar](#) for more information.

*I have read the above standards and agree to follow City of San Marcos Land Development Code. I understand that if I do not follow the requirements, my Conditional Use Permit may be revoked. Please notify staff of any changes to the business operation.*

Signature: 

Date: 3/30/2026

Print Name: Henry Hogensen