

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)



Updated: August, 2024

CONTACT INFORMATION

Applicant's Name	Nicholas Bolio	Property Owner	Tanger San Marc LLC
Company	Shake Shack Texas Beverage Company LLC	Company	Tanger San Marc LLC
Applicant's Mailing Address	ATTN: Alcohol Licensing 225 Varick St, Suite 301 New York, NY 10014	Owner's Mailing Address	3200 Northline Avenue, Suite 360 Greensboro, NC 27408
Applicant's Phone #	929-777-4727	Owner's Phone #	366-292-3010
Applicant's Email	alcohollicensing@shakeshack.com	Owner's Email	Legalnotices@tanger.com

PROPERTY INFORMATION

Subject Property Address: 4025 S IH 35 San Marcos, TX 78666

Zoning District: General Commercial District **Tax ID #: R** 94620

Legal Description: Lot 1C Block _____ Subdivision Tanger Factory Outlet

Number of Parking Spaces: 102

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

DESCRIPTION OF REQUEST

Business Name: Shake Shack #1408 San Marcos **Restaurant** **Bar** **Other:** _____

NEW **RENEWAL/AMENDMENT** **Mixed Beverage** **Beer & Wine** **Late Hours**

Hours of Operation(ex. Mon 12pm-1am): Mon 10 am - 12am Tue 10 am - 12am Wed 10 am - 12am
 Thurs 10 am - 12am Fri 10 am - 12am Sat 10 am - 12am Sun 10 am - 12am

Indoor Seating Capacity: 97 **Outdoor Seating Capacity:** 52 **Gross Floor Area:** 3546 sq ft interior
 additional patio sqft

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.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG

PROPERTY OWNER AUTHORIZATION

Thomas J. Guerrieri, Jr., as VP and Treasurer of
I, Tanger Devco, LLC who is the manager of owner _____ (owner name) on behalf of

Tanger San Marc, LLC _____ (company, if applicable) acknowledge that I/we

am/are the rightful owner of the property located at

4025 IH 35, San Marcos, TX 78666 _____ (address).

I hereby authorize Nicholas Bolio _____ (agent name) on behalf of

Shake Shack Texas Beverage Company LLC _____ (agent company) to file this application for

Beer and Wine on Premise Conditional Use Permit _____ (application type), and, if necessary, to work with

the Responsible Official / Department on my behalf throughout the process.

Tanger San Marc, LLC, a North Carolina limited liability company
By: Tanger Devco, LLC, a North Carolina limited liability company, its Manager

Signature of Owner: Tom Guerrieri _____ Date: 8/12/2024 _____

Printed Name, Title: Thomas J. Guerrieri, Jr., VP and Treasurer of Tanger Devco, LLC _____

Signature of Agent: [Signature] _____ Date: 8/19/2024 _____

Printed Name, Title: NICHOLAS BOLIO ALCOHOL COMPLIANCE & LICENSING ADMIN _____

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: _____



Date: _____

8/19/2024

Print Name: _____

ROBERT LYNCH

Form Updated March, 2023