

APPEAL APPLICATION FORM

Updated: March, 2023

Associated Case # _____-_____-_____



CONTACT INFORMATION

Appellate Name		Appellate Mailing Address	
Company		Company	
Appellate Phone #		Appellate Email	

ORIGINAL APPLICATION INFORMATION

Subject Property Address: _____

Original Application Type: _____

REASON FOR APPEAL

I am: ☐ The applicant ☐ Owner of Property within the Notification Area

Briefly describe the reason for appeal (attach additional pages if needed):

AUTHORIZATION

By submitting this digital application, 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.

Appeal, if property is located within 400ft of the subject property:

Filing Fee \$150

Technology Fee \$15

TOTAL COST \$165

All other appeals:

Filing Fee \$750

Technology Fee \$15

TOTAL COST \$765

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

Submit Appeal Application to: planninginfo@sanmarcostx.gov



Dear Members of the City Council,

I hope this message finds you well. I am writing to formally appeal the current decision regarding the Conditional Use Permit (CUP) renewal for the Holiday Inn and to provide context regarding our compliance history, past oversights, and our commitment to continued cooperation with the City moving forward.

Yes, our business was engaged in the sale of alcohol between February 2017 and August 2024. During this period, we held a valid TABC license and ensured it was actively renewed with the required signatures from the City. We also made timely payments of all associated fees to both the City and the County.

One of our concerns is the timing of CUP renewal notices. In the past, these notices were either not received in a timely manner or discarded by on-site managers without the knowledge of our owner, Vic. Previously, we relied on communication via email or physical letters to notify us of renewal requirements. To address this, we have now implemented a mandatory internal calendar to manage all compliance and renewal deadlines ourselves.

To clarify further: I personally visited the City to obtain the required signatures during each TABC renewal cycle. However, I was not fully aware of the CUP renewal timelines or the frequency required by the City. At that time, Vic was overseeing the permit matters and also was not aware of how often the CUP needed to be renewed. Unfortunately, renewal notices were being sent to the property address and discarded without Vic's awareness.

I have worked at the Holiday Inn for over eight years, and during that time, I do not recall seeing any CUP renewal notices or requests from the City. About a year ago, Vic delegated all compliance responsibilities to me. Since then, I have ensured we are fully compliant with all ordinances, including fire and health safety, and have renewed our CUP every six months as directed by the Commissioners.

Additionally, I was made aware that the Commissioners previously granted a one-year CUP renewal to another business, despite that business not renewing for over 7 to 8 years. In our case, we have maintained consistent communication and transparency with the Planning and Zoning Department, who have been extremely helpful and supportive throughout our renewal

process. The department even advocated on our behalf for a 3-year permit due to our active engagement. The conversation held by commissioners was surprising to us. Making an example of use after we had already addressed these concerns in the prior past renewal meetings and had made necessary changes to ensure that the commissioners would know our desire to be compliant. It was unexpected to be faced with such derogatory remarks again and to hear of their plan to punish us for the next three years.

Given our strong efforts to correct past mistakes, and our continued commitment to compliance, I respectfully request the following:

1. **Consideration for a 3-year CUP renewal**, in recognition of our operational consistency, internal compliance improvements, and hotel industry standards—where hotels are typically viewed as long-term fixtures with 10-15 year franchise contracts.
2. **Discussion about future CUP renewals specific to hotels**, especially those with bars, to explore more efficient and reasonable permit timelines that reflect the permanent nature of such businesses.
3. **Reimbursement of the appeal fees** I have paid in relation to this permit renewal.
4. **Willingness to pay any missed renewal fees** from previous years as part of our commitment to making amends for past oversights.

Lastly, to clarify a point from an earlier communication—the ownership of the business has not changed. The reference to a “previous owner” was incorrect, and I sincerely apologize for any confusion. Vic has remained the owner throughout the entirety of our operations. He simply has designated a manager to ensure that all his properties are compliant with the city.

Thank you for your time, understanding, and continued partnership. We remain committed to working with the City to support the success of our business and the well-being of our community.

Sincerely,

Angelica Ramirez

Compliance Manager