

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)

Updated: September, 2020



CONTACT INFORMATION

Applicant's Name	Leeanne Calderon	Property Owner	Jessica Brenner
Company	Olive Garden Holdings, LLC	Company	EIRREK OGT LLC
Applicant's Mailing Address	PO Box 695016 Orlando, FL 32869-5016	Owner's Mailing Address	3 West 35th Street, 9th Floor New York, NY 10001
Applicant's Phone #	407-245-5401	Owner's Phone #	212-295-8464
Applicant's Email	licensinglaw@darden.com	Owner's Email	J.brenner@hohlaw.com

PROPERTY INFORMATION

Subject Property Address: 1305 IH 35 South

Zoning District: GC

Tax ID #: R 42264

Legal Description: Lot 1 Block _____ Subdivision Simon Addition

Number of Parking Spaces: 195

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

DESCRIPTION OF REQUEST

Business Name: The Olive Garden Italian Restaurant #4495 ☒ Restaurant ☐ Bar ☐ Other: _____

☐ NEW ☒ RENEWAL/AMENDMENT ☒ Mixed Beverage ☐ Beer & Wine ☐ Late Hours

Hours of Operation(ex. Mon 12pm-1am): Mon 11am - 10 pm Tue 11am - 10 pm Wed 11am - 10 pm

Thurs 11am - 10 pm Fri 11am - 11 pm Sat 11am - 11 pm Sun 11am - 10 pm

Indoor Seating Capacity: 249 Outdoor Seating Capacity: N/A Gross Floor Area: 7,757

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 793*

Technology Fee \$13

TOTAL COST \$806

Renewal/Amendment Filing Fee \$423*

Technology Fee \$13

TOTAL COST \$436

*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.

PROPERTY OWNER AUTHORIZATION

I, Jessica Brenner (owner name) on behalf of
EIRREK OGT LLC (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
1305 IH 35, San Marcos, TX 78666 (address).

I hereby authorize Leeanne Calderon (agent name) on behalf of
Olive Garden Holdings, LLC d/b/a The Olive Garden Italian Restaurant #4495 (agent company) to file this application for
the Conditional Use Permit renewal (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: Jessica Brenner Date: 11/22/21
Printed Name, Title: Jessica Brenner, as Authorized Signatory

Signature of Agent: Leeanne K Calderon Date: 11/23/21
Printed Name, Title: Leeanne K. Calderon, Sr. Paralegal - Licensing

Form Updated October, 2019

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 \$91 plus a \$13 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 \$91 plus a \$13 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: 11/23/21

Print Name: Leeanne K. Calderon