



Olive Garden ■ LongHorn Steakhouse ■ Cheddar's Scratch Kitchen ■ Yard House ■ The Capital Grille ■ Seasons 52 ■ Bahama Breeze ■ Eddie V's

Leeanne K. Calderon
Sr. Paralegal, Licensing Dept.
Phone (407) 245-5401
Fax: (407) 241-7454
lcalderon@arden.com

November 30, 2017

VIA OVERNIGHT MAIL

City of San Marcos
Planning & Development Services Department
Attn: Matt Johnson
630 East Hopkins, 2nd floor
San Marcos, TX 78666

Re: Olive Garden of Texas, Inc. d/b/a The Olive Garden Italian Restaurant #4495
1305 IH 35 South
San Marcos, TX 78666
Case No. CUP-16-33

Dear Matt:

Enclosed please find the following documents for the renewal of the above-referenced Conditional Use Permit:

1. Conditional Use Permit Application;
2. Site Plan;
3. Floor Plan;
4. Menus;
5. Copy of the TABC Mixed Beverage Permit; and
6. GMRI's check in the amount of \$411.00 representing the associated renewal fee.

If you have any questions or need anything further, please contact me.

Sincerely,

Leeanne K. Calderon

/lk
Enclosures



CONDITIONAL USE PERMIT (ALCOHOL OUTSIDE CBA) APPLICATION

Updated: September, 2017

Case # CUP- 16 - 33



CONTACT INFORMATION

Applicant's Name	Olive Garden Holdings, LLC	Property Owner	EIRREK OGT LLC
Applicant's Mailing Address	P.O. Box 695016, Orlando, FL 32869	Owner's Mailing Address	3 West 35th St, 9th Floor, New York, NY 10001
Applicant's Phone #	407-245-5401	Owner's Phone #	212-461-6139
Applicant's Email	licensinglaw@darden.com	Owner's Email	v.kozhich@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: Mon 11a-10p Tue 11a-10p Wed 11a-10p Thurs 11a-10p Fri 11a-11p Sat 11a-11p Sun 11a-10p
(ex. Mon 12pm-1am)

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

AUTHORIZATION

All required application documents are attached. I understand the fees for and the process to obtain a Conditional Use Permit and understand my responsibility to be present at meetings regarding this application.

Initial Filing Fee \$750 Technology Fee \$11 TOTAL COST \$761

Renewal/Amendment Filing Fee \$400 Technology Fee \$11 TOTAL COST \$411

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

To be completed by Staff: Accepted By: _____ Date Accepted: _____

Proposed Meeting Date: _____ Application Deadline: _____

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

APPLICATION PURPOSE

The Conditional Use Permit (Alcohol outside CBA) Application is used to request a permit for on premise consumption of Alcoholic Beverages for establishments outside of the Central Business Area

CHECKLIST FOR CONDITIONAL USE PERMIT (ALCOHOL OUTSIDE CBA)

Items Required* for Complete Submittal		Staff Verification & Comments	
<input type="checkbox"/>	Pre-application conference with staff is recommended Please call 512-393-8230 to schedule	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Completed Application for Conditional Use Permit (Alcohol Outside CBA)	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Site Plan illustrating, where appropriate: location, square footage and height of existing and proposed structures, landscaping or fencing, setbacks, parking, ingress & egress, signs, etc.	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Interior Layout of all buildings illustrating indoor & outdoor seating, kitchen, bar, restrooms, fire exits, etc.	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Business Details including Business Trade Name, Type of Entity (Individual, Partnership, Corporation, Etc), Entity Contact Person, Address, Email, Phone Number	<input type="checkbox"/>	
<input type="checkbox"/>	Detail Entertainment Facilities (on site plan or in writing) including television locations, stages, dancing areas, live music, acoustic music, ambient speaker music, etc	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Notification Authorization (see following pages)	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Authorization to represent the property owner, if the applicant is not the owner (see following pages)	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Copy of State TABC License Application	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Proposed Menu	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Initial Application Filing Fee \$750 Renewal or Amendment Filing Fee \$400 Technology Fee \$11	<input type="checkbox"/>	Staff, Please Note: New vs Renewal and any: Change in License Holder, Change in Business Name

Additional information may be required at the request of the Department

*For Renewals, staff may accept a written statement that no changes have been made if copies are available on file

I hereby certify and attest that this application and all required documentation is complete and accurate. I hereby submit this application and attachments for review by the City of San Marcos.


Type Name: Leeanne K. Calderon Date: 11/21/17
☐ Engineer ☐ Architect/Planner ☐ Surveyor ☐ Property Owner ☒ Agent

AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Land 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 is the responsibility of the applicant to periodically check the sign locations to verify that the signs remain in place until final action is taken on the application and have not been vandalized or removed until after such final decision or when such application is withdrawn by the applicant. It is the responsibility of the applicant to immediately notify the Planning and Development Services Department of missing or defective signs.***
- 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 \$85 plus an \$11 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 \$85 plus an \$11 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: 11/21/17

Print Name: Leeanne K. Calderon

To be completed by Staff: Case # _____ - _____ - _____

AGENT AUTHORIZATION TO REPRESENT PROPERTY OWNER

I, EIRREK OGT LLC (owner) acknowledge that I am the rightful owner of the property located at 1305 IH 35, San Marcos, TX 78666 (address).

I hereby authorize Olive Garden Holdings, LLC/Leeanne K. Calderon (agent name) to serve as my agent to file this application for the Conditional Use Permit renewal (application type), and to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: _____

Date: 11/21/2017

Printed Name: Valeria A. Kozhich, Authorized Signatory

Signature of Agent: _____

Date: 11/21/17

Printed Name: Leeanne K. Calderon

To be completed by Staff:

Case # _____