

# CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)

Updated: October, 2018

Case # CUP-\_\_\_\_-\_\_\_\_



## CONTACT INFORMATION

Applicant's Name	Gumby's Pizza	Property Owner	312 Ventures LLC
Applicant's Mailing Address	312 W Hopkins, San Marcos TX 78666	Owner's Mailing Address	14209 Montour Dr. Austin TX 78717
Applicant's Phone #	(512) 633-7641	Owner's Phone #	(512) 633-7651
Applicant's Email	forrest@gumbyssanmarcos.com	Owner's Email	fhighdon@gmail.com

## PROPERTY INFORMATION

Subject Property Address: 312 W Hopkins, San Marcos TX 78666

Zoning District: T5 Tax ID #: R41597

Legal Description: Lot 2 Block 17 Subdivision original town

Number of Parking Spaces: 15

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

## DESCRIPTION OF REQUEST

Business Name: Gumby's Pizza ☒ Restaurant ☐ Bar ☐ Other: \_\_\_\_\_

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

Hours of Operation(ex. Mon 12pm-1am): Mon 11-4am Tue 11-4am Wed 11-4am

Thurs 11-4am Fri 11-4am Sat 11-4am Sun 11-4am

Indoor Seating Capacity: 52 Outdoor Seating Capacity: 35 Gross Floor Area: 3822

## 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 773\*

Technology Fee \$12

TOTAL COST \$785

Renewal/Amendment Filing Fee \$412\*

Technology Fee \$12

TOTAL COST \$424

\*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.

**APPLY ONLINE – [WWW.MYGOVERNMENTONLINE.ORG/](http://WWW.MYGOVERNMENTONLINE.ORG/)**

PROPERTY OWNER AUTHORIZATION

I, Forrest G Higdon (owner) acknowledge that I am the rightful owner of the property located at 312 W Hopkins, San Marcos TX 78666 (address).

I hereby authorize Forrest G Higdon (agent name) to file this application for Gumby's Pizza (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: \_\_\_\_\_

Date: 8/25/19

Printed Name: \_\_\_\_\_

Forrest G Higdon

Signature of Agent: \_\_\_\_\_

Date: 8/25/19

Printed Name: \_\_\_\_\_

Forrest G Higdon



## 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 \$88 plus an \$12 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 \$88 plus a \$12 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: \_\_\_\_\_

Print Name: \_\_\_\_\_

**Forrest G Higdon**



## ON-PREMISE PREQUALIFICATION PACKET

L-ON  
(12/2017)

**Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13**

**Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.**

*All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. [www.tabc.texas.gov/laws/code\\_and\\_rules.asp](http://www.tabc.texas.gov/laws/code_and_rules.asp)*

### LOCATION INFORMATION

1. Application for: ☒ Original ☐ Add Late Hours Only License/Permit Number

☐ Reinstatement License/Permit Number

☐ Change of Licensed Location License/Permit Number

2. Type of On-Premise License/Permit

- |   |   |
|---|---|
| <input type="checkbox"/> <b>BG</b> Wine and Beer Retailer's Permit                            | <input type="checkbox"/> <b>LB</b> Mixed Beverage Late Hours Permit         |
| <input type="checkbox"/> <b>BE</b> Beer Retail Dealer's On-Premise License                    | <input type="checkbox"/> <b>MI</b> Minibar Permit                           |
| <input type="checkbox"/> <b>BL</b> Retail Dealer's On-Premise Late Hours License              | <input type="checkbox"/> <b>CB</b> Caterer's Permit                         |
| <input type="checkbox"/> <b>BP</b> Brewpub License  | <input checked="" type="checkbox"/> <b>FB</b> Food and Beverage Certificate |
| <input type="checkbox"/> <b>V</b> Wine & Beer Retailer's Permit for Excursion Boats           | <input type="checkbox"/> <b>PE</b> Beverage Cartage Permit                  |
| <input type="checkbox"/> <b>Y</b> Wine & Beer Retailer's Permit for Railway Dining Car        | <input type="checkbox"/> <b>RM</b> Mixed Beverage Restaurant Permit with FB |
| <input checked="" type="checkbox"/> <b>MB</b> Mixed Beverage Permit                           |   |
| <input type="checkbox"/> <b>O</b> Private Carrier's Permit – For Brewpubs (BP) with a BG only |   |

3. Indicate Primary Business at this Location

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Restaurant | <input type="checkbox"/> Sporting Arena, Civic Center, Hotel | <input type="checkbox"/> Bar                 |
| <input type="checkbox"/> Grocery/Market        | <input type="checkbox"/> Sexually Oriented                   | <input type="checkbox"/> Miscellaneous _____ |

4. Trade Name of Location

Gumby's Pizza

5. Location Address

312 W Hopkins

City	County	State	Zip Code
San Marcos	Hays	TX	78666

6. Mailing Address

City	State	Zip Code
San Marcos	TX	78666

7. Business Phone No.

(512) 754-8629

Alternate Phone No.

(512) 633-7651

E-mail Address

forrest@gumbyssanmarcos.com

### OWNER INFORMATION

8. Type of Owner

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Individual                    | <input type="checkbox"/> Corporation                          | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Partnership                   | <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other _____            |
| <input type="checkbox"/> Limited Partnership           | <input type="checkbox"/> Joint Venture                        |   |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Trust                                |   |

9. Business Owner/Applicant

Gumby's of San Marcos LLC

10. Are you, the applicant a veteran-owned business? ☐ Yes ☒ No

11. Are you, the applicant a Historically Underutilized Business (HUB)? ☐ Yes ☒ No