

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)

Updated: October, 2019



CONTACT INFORMATION

Applicant's Name	Pascal Boudreau	Property Owner	Virgilio Altamirano
Company	TheCoKitchen (dba of Vita Environmental LLC)	Company	Apante Investments
Applicant's Mailing Address	365 Golden Eagle Loop, Canyon Lake, TX 768133	Owner's Mailing Address	PO Box 160788, Austin, TX 78716
Applicant's Phone #	512-537-1902	Owner's Phone #	512-413-3948
Applicant's Email	info@thecokitchen.com	Owner's Email	valtamiranotx@gmail.com

PROPERTY INFORMATION

Subject Property Address: 801 Chestnut St

Zoning District: Zoning Code: NC

Tax ID #: R 37724

Legal Description: Lot 117 Block Subdivision Park Addition

Number of Parking Spaces: 23

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

DESCRIPTION OF REQUEST

Business Name: TheCoKitchen (dba of Vita Environmental LLC) ☒ Restaurant ☐ Bar ☐ Other:

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

Hours of Operation(ex. Mon 12pm-1am): Mon 7am-11pm Tue 7am-11pm Wed 7am-11pm

Thurs 7am-11pm Fri 7am-12:30am Sat 7am-12:30am Sun 7am-11pm

Indoor Seating Capacity: 0 Outdoor Seating Capacity: 48 Gross Floor Area: 1800

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

Virgilio Altamirano


I, Virgilio Altamirano (owner name) on behalf of
Apante Investment LLC
_____ (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
801 Chestnut St, San Marcos, TX 78666
_____ (address).

Pascal Boudreau

I hereby authorize Pascal Boudreau (agent name) on behalf of
TheCoKitchen (Vita Environmental LLC)
_____ (agent company) to file this application for
TABC BG Permit (Beer & Wine)
_____ (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 3/15/2020

Printed Name, Title: Virgilio Altamirano, Owner of Apante Investments LLC and of the property
at 801 Chestnut St, San Marcos, TX 78666

Signature of Agent:  Date: 3/15/2020

Printed Name, Title: Pascal Boudreau, owner of TheCoKitchen (dba of Vita Environmental LLC)


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:  _____
Pascal Boudreau

Date: 3/16/2020

Print Name: _____



TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texans Helping Businesses & Protecting Communities

ON-PREMISE PREQUALIFICATION PACKET

L-ON (9/2019)

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

LOCATION INFORMATION

1. Application for:	<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Add Late Hours Only	License/Permit Number _____
<input type="checkbox"/> Reinstatement	<input type="checkbox"/> Reinstatement and Change of Trade Name	License/Permit Number _____	
<input type="checkbox"/> Change of Location	<input type="checkbox"/> Change of Location and Trade Name	License/Permit Number _____	
2. Type of On-Premise License/Permit			
<input checked="" type="checkbox"/> BG	Wine and Beer Retailer's Permit	<input type="checkbox"/> LB	Mixed Beverage Late Hours Permit
<input type="checkbox"/> BE	Beer Retail Dealer's On-Premise License	<input type="checkbox"/> MI	Minibar Permit
<input type="checkbox"/> BL	Retail Dealer's On-Premise Late Hours License	<input type="checkbox"/> CB	Caterer's Permit
<input type="checkbox"/> BP	Brewpub License	<input type="checkbox"/> FB	Food and Beverage Certificate
<input type="checkbox"/> V	Wine & Beer Retailer's Permit for Excursion Boats	<input type="checkbox"/> PE	Beverage Cartage Permit
<input type="checkbox"/> MB	Mixed Beverage Permit	<input type="checkbox"/> RM	Mixed Beverage Restaurant Permit with FB
<input type="checkbox"/> O	Private Carrier's Permit - Brewpubs (BP) with a BG only	<input type="checkbox"/> E	Local Cartage Permit - Wine/Beer retailers (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 (Name of restaurant, bar, store, etc.)			
TheCoKitchen			
5. Location Address			
801 Chestnut St.			
City	County	State	Zip Code
San Marcos	Hays	TX	78666
6. Mailing Address			
365 Golden Eagle Loop			
City	County	State	Zip Code
Canyon Lake	Canyon Lake	TX	78133
7. Business Phone No.	Alternate Phone No.	E-mail Address	
512-537-1902	512-992-8093	info@thecokitchen.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. Owner of Business/Applicant (Name of Corporation, LLC, etc.)		
TheCoKitchen (dba of Vita Environmental LLC)		

PRIMARY CONTACT PERSON

The primary contact person should be a person who can answer questions TABC may have about the application. The contact phone and email are mandatory and must be active and updated regularly. If additional information is needed, it will be requested from this contact person. Delays in responding to requests may delay the processing and approval of your license/permit.

10. Contact Person:	Relation to Business:
Pascal Baudreau	Owner
Phone (mandatory):	Email (mandatory):
512-992-8093	info@thecokitchen.com

TABC DATESTAMP

From: [Pascal Boudreau](#)
To: [Carpenter, Tory](#)
Subject: [EXTERNAL] Re: CUP Questions
Date: Tuesday, April 7, 2020 3:54:41 PM

Hello Tory, please see below for answers to your questions. We spoke with the San Marcos TABC Auditor a couple of weeks ago to get educated on the rules and regulations as they pertain to BF Permit. We look forward to your guidance and help on this.

1. We have small speakers on site playing XMRadio or something similar, they are currently on a timer and turn off at 10pm. Volume is always low, as they are for background music and not intended to compete with people talking.
2. We would like to occasionally have the option to have live music. We would like to request the ability to have live music until 10pm. Our intent is to create an ambiance where people can still carry on a discussion so volumes would be relatively low.
3. No, we don't currently and have no plans for other games at this time.
4. Beer and wine would be sold from our serving window
5. We are applying for a BG Permit (**Permit** authorizes the holder to sell for consumption on or off the premises where sold but not for resale). The on-premises consumption area would be the food park in its entirety so that patrons can buy wine or beer and enjoy it while eating food from one of our food trucks.
6. We do not intend to have an enclosure defining any specific areas since TABC does not require it and any clients purchasing beer or wine is able to legally walk off premisses after purchase.

Thank you,
Pascal