

Caldwell, Shavon

From: Marcus Schwartz <Marcus@txliquorlaw.com>
Sent: Friday, August 7, 2020 11:38 AM
To: Caldwell, Shavon
Subject: [EXTERNAL] Project CUP-20-15
Attachments: Project CUP-20-15 - Payment Required Notification

Follow Up Flag: Follow up
Flag Status: Completed

Ms. Caldwell,

In response to the attached email, please find this email to confirm that outside an updated menu (which was attached to the online submission), there have been no changes made since the previous application.

Nonetheless, should you need an updated application or any additional information, please do not hesitate to let me know.

Best regards,
Marcus

Marcus Schwartz

Partner

BrackinSchwartz & Associates

511 W. 7th St.

Austin, TX 78701

P: 512-549-8904

F: 512-549-8902

marcus@txliquorlaw.com

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CONDITIONAL USE PERMIT (ALCOHOL OUTSIDE CBA) APPLICATION

Updated: March, 2017

Case # CUP- 17-27 (renewal)



CONTACT INFORMATION

Applicant's Name	TW Restaurant Holder, LLC d/b/a Hooters	Property Owner	Scott and Lisa Little
Applicant's Mailing Address	1815 The Exchange, Atlanta, GA 30339	Owner's Mailing Address	1507 Live Oak Lane, Andrews, TX 79714
Applicant's Phone #	512-542-7012	Owner's Phone #	432-448-5363
Applicant's Email	sfulton@hooters.com and mschwartz@gardere.com	Owner's Email	scott@rresources.net

PROPERTY INFORMATION

Subject Property Address: 310 N IH 35, Suite 201, San Marcos, TX 78666

Zoning District: GC (General Commercial)

Tax ID #: R 151808

Legal Description: Lot 1B

Block 1B

Subdivision Thornton Addition

Number of Parking Spaces: 161

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

DESCRIPTION OF REQUEST

Business Name: TW Restaurant Holder, LLC d/b/a Hooters ☒ Restaurant ☐ Bar ☐ Other: _____

☐ NEW ☒ RENEWAL

☒ Mixed Beverage

☐ Beer & Wine

☒ Late Hours

Hours of Operation: Mon 11am-11pm Tue 11am-11pm Wed 11am-11pm Thurs 11am-11pm Fri 11am-12am Sat 11am-12am Sun 11am-11pm
(ex. Mon 12pm-1am)

Indoor Seating Capacity: 227 Outdoor Seating Capacity: 50 Gross Floor Area: 6618 sq. ft.

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

Applicant's Signature: _____ Date: _____

Printed Name: _____

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

Proposed Meeting Date: _____ Application Deadline: _____

**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: _____

Print Name: _____

Marcus Schwartz

To be completed by Staff: _____

Case # _____ - _____ - _____

AGENT AUTHORIZATION TO REPRESENT PROPERTY OWNER

I, Scott and Lisa Little (owner) acknowledge that I am the rightful owner of the property located at 310 N IH 35, Suite 201, San Marcos, TX 78666 (address).

I hereby authorize Marcus Schwartz, Gardere Wynne Sewell LLP (agent name) to serve as my agent to file this application for Conditional Use Permit (Alcohol Outside CBA) (application type), and to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: _____

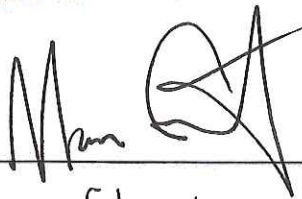


Date: 8/8/17

Printed Name: _____

Scott Little

Signature of Agent: _____



Date: _____

8/9/17

Printed Name: _____

Marcus Schwartz

To be completed by Staff: _____

Case # _____

BUSINESS DETAILS

Applicant Entity Name: TW Restaurant Holder, LLC

Business Trade Name: Hooters

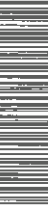
Type of Entity: Limited Liability Company, LLC

Entity Contact Person, Address, Email, and Phone Number:

- 1) Shauna Fulton, 1815 The Exchange, Atlanta, GA 30339; sfulton@hooters.com; (770)799-2316
- 2) Marcus Schwartz, 600 Congress Ave., Ste. 3000, Austin, TX 78701; mschwartz@gardere.com; (512) 542-7012



458203410000820101



HOOTERS
1815 THE EXCHANGE
ATLANTA GA 30339

Dear Licensee/Permittee

Please detach and display your license/permit in a conspicuous place at all times on the licensed premise.

Sincerely,

A handwritten signature in black ink, reading "A. Bentley Nettles".

A. Bentley Nettles

676989

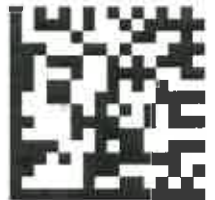
TEXAS ALCOHOLIC BEVERAGE COMMISSION

MB 930571

EXPIRES 12/28/2021

RENEW
SIGN =BLUE

MIXED BEVERAGE PERMIT
BEVERAGE CARTAGE PERMIT
CATERER'S PERMIT
FOOD AND BEVERAGE CERTIFICATE
MIXED BEVERAGE LATE HOURS PERMIT



HOOTERS
310 IH 35N SUITE 201
SAN MARCOS HAYS

TW RESTAURANT HOLDER LLC

A handwritten signature in black ink, reading "A. Bentley Nettles".

EXECUTIVE DIRECTOR