

# CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)

Updated: September, 2020



## CONTACT INFORMATION

Applicant's Name		Property Owner	
Company		Company	
Applicant's Mailing Address		Owner's Mailing Address	
Applicant's Phone #		Owner's Phone #	
Applicant's Email		Owner's Email	

## PROPERTY INFORMATION

Subject Property Address: \_\_\_\_\_

Zoning District: \_\_\_\_\_ Tax ID #: R \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Number of Parking Spaces: \_\_\_\_\_

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

## DESCRIPTION OF REQUEST

Business Name: \_\_\_\_\_ ☐ Restaurant ☐ Bar ☐ Other: \_\_\_\_\_

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

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

Thurs \_\_\_\_\_ Fri \_\_\_\_\_ Sat \_\_\_\_\_ Sun \_\_\_\_\_

Indoor Seating Capacity: \_\_\_\_\_ Outdoor Seating Capacity: \_\_\_\_\_ Gross Floor Area: \_\_\_\_\_

## 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.**

**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: 01/18/2021

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

**Edwin Mendez**

Form Updated October, 2019

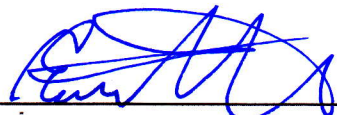
PROPERTY OWNER AUTHORIZATION

I, David Chiu (owner name) on behalf of  
n/a (company, if applicable) acknowledge that I/we  
am/are the rightful owner of the property located at  
2550 Hunter Rd ste 1106 San Marcos, Tx 78666 (address).

I hereby authorize Edwin Mendez (agent name) on behalf of  
El Jefe Mexican Restaurant (agent company) to file this application for  
Conditional Use Permit (application type), and, if necessary, to work with  
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 01/18/2021

Printed Name, Title: David Chiu- Property Owner

Signature of Agent:  Date: 01/18/2021

Printed Name, Title: Edwin Mendez --Restaurant Owner

Form Updated October, 2019





# TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texans Helping Businesses & Protecting Communities

## ON-PREMISE PREQUALIFICATION PACKET

L-ON (12/2020)

**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:	<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 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 checked="" 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 checked="" 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.)			
EL JEFE MEXICAN RESTAURANT			
5. Location Address			
2550 HUNTER RD SUITE 1106			
City	County	State	Zip Code
SAN MARCOS	HAY	TX	78666
6. Mailing Address	City	State	Zip Code
2550 HUNTER RD SUITE 1106	SAN MARCOS	TX	78666
7. Business Phone No.	Alternate Phone No.	E-mail Address	
737-213-4202	210-355-8353	edwin.mendez0685@yahoo.com	

### OWNER INFORMATION

8. Type of Owner		
<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Corporation	<input type="checkbox"/> City/County/University
<input type="checkbox"/> Partnership	<input 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.)		
EDWIN N M MENDEZ		

### 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 permit/license.**

10. Contact Person:	Relation to Business:
EDWIN N M MENDEZ	OWNER
Phone (mandatory):	Email (mandatory):
210-355-8353	edwin.mendez0685@yahoo.com

TABC DATESTAMP





## San Marcos Consolidated Independent School District

631 Mill Street | San Marcos, Texas 78666 | OFFICE 512.393.6700 | FAX 512.393.6787

April 14, 2021

City of San Marcos  
Attn: Julia Cleary  
Planning & Zoning Commission  
630 East Hopkins  
San Marcos, TX 78666

Dear Ms. Cleary:

As Superintendent of San Marcos Consolidated Independent School District, I hereby notify the City of San Marcos that the District agrees to the proposed operations and does not oppose the granting of a variance from the distance requirements associated with El Jefe Mexican Restaurant's Conditional Use Permit for on-premises consumption of alcoholic beverages at 2550 Hunter Road, Suite 1106, San Marcos, TX.

Additionally, the District respectfully request that the following language, or substantially identical language, be printed on El Jefe Mexican Restaurant's menus:

"Due to the close proximity of a school campus, please be alert for students and drive carefully. This restaurant will accommodate, as necessary, any individual that needs transportation after consuming alcoholic beverages."

Sincerely,

Michael Cardona  
Superintendent of Schools