



CITY OF DALLAS

APPLICATION FOR A VARIANCE FROM THE
MINIMUM DISTANCE REGULATIONS
RELATED TO THE SALE OF ALCOHOLIC BEVERAGES

Chapter 6—Alcoholic Beverages, City of Dallas Code of Ordinances

Applicant

Chef Luke Rogers, LLC

(Must match the business name on TABC application)

Contact person, title

WARRON COHEN

(Land owner, business owner, representative)

Property owner's name

Beckley Properties Ltd
Joseph McELROY

Contact person's phone

(214) 244-1947

Address of request site

1115 N Beckley Ave, Dallas, TX

Contact person's address

948 Valley View DR

Protected use's address

1144 N Madison Ave, Dallas, TX

LEWISVILLE, TX 75067

Type of protected use:

- Church
- Public school / open-enrollment charter school
- Private school
- Public hospital
- Daycare/child-care facility

Type of business seeking to sell alcohol:

- Alcoholic beverage manufacturing
- General merchandise or food store with 10,000 square feet or more floor area
- Microbrewery, microdistillery, or winery
- Restaurant without drive-in or drive-through service

Type of TABC permit(s) to be sought:

- Brewer's permit, "B" / Manufacturer's license, "BA"
- Distiller's and rectifier's permit, "D"
- Food and beverage certificate, "FB"
- Mixed beverage permit, "MB"
- Wine and beer retailer's off-premises permit, "BO"
- Wine and beer retailer's permit, "BG"
- Winery, "G"

The nonrefundable variance application fee is \$1,200.00 and the sign fee, which is between \$10 and \$50 depending on street frontages. A statement explaining how the request meets the standard below is required as part of this application. The burden of proving that the request meets the standard is solely the responsibility of the applicant. Additional evidence supporting the request may be submitted along with this application.

Enforcement of the spacing requirements in this particular instance (1) is not in the best interest of the public; (2) constitutes waste or inefficient use of land or other resources; (3) creates an undue hardship on an applicant for an alcohol permit; (4) does not serve its intended purpose; is not effective or necessary; or (5) for any other reason that the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

REQUIRED ATTACHMENTS:

- Statement of request
- Sealed alcohol survey showing 300 foot radius and door to door measurements (protected use must be indicated on this survey)
- List of officers for alcohol business and property owner

AUTHORIZATION BY PROPERTY OWNER(S)

I, JOSEPH M^E ELROY, the owner of the property to be considered, hereby authorize the above business and representative to file this application for a variance from the requirements of Chapter 6, Section 6-4 of the City of Dallas Code of Ordinances.

Beckley Properties Ltd
JOSEPH M^E ELROY, VP of General
Owner's Printed Name

J. M. E.
Owner's Signature

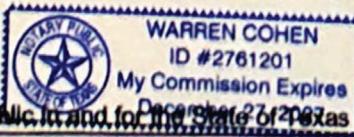
APPLICANT ACKNOWLEDGEMENT AND AFFIDAVIT

I have read, examined, and completed this application; and know the information provided to be true and correct. I hereby apply for a variance from the distance requirements in Chapter 6, Section 6-4 of the City of Dallas Code of Ordinances. I understand that this application, including all submitted documentation, are public information and can be made available through an Open Records Request per the Texas Public Information Act (Texas Government Code, Chapter 552).

Luke Rogers
Applicant's Printed Name

Luke Rogers
Applicant Signature

Sworn to and subscribed before me by on this day 18th of July in the year 2024, to certify which witness my hand and seal of office.

Date received: 7/18/24Receipt No.: 11366Case number: AV 234-002

**LETTER OF AUTHORIZATION
BUSINESS OPERATOR**

May 10, 2024

City of Dallas
Planning
1500 Marilla, 5CN
Dallas, TX 75201

To Whom It May Concern:

I am Luke Rogers, Managing Member of Chef Luke Rogers, LLC. and business operator of the business located at 1115 N. Beckley Avenue, Dallas, TX 75203 known as Swank – A Neighborhood Restaurant, hereby gives Warren Cohen, the authority to act on my behalf to process an application for an alcohol variance from the protected use of a Public School located at 1144 N. Madison Avenue, Dallas, TX 75208 known as James S. Hogg Elementary School.

Respectfully,



Luke Rogers
Managing Member

**LETTER OF AUTHORIZATION
PROPERTY OWNER**

May 10, 2024

City of Dallas
Planning
1500 Marilla, 5CN
Dallas, TX 75201

To Whom It May Concern:

I am Joseph McElroy, Vice President/Secretary of MagHag 1, Inc., General Partner of Beckley Properties, Ltd., owner of the property located at 1115 N. Beckley Avenue, Dallas, TX 75203, hereby gives Luke Rogers, the authority to act on my behalf to process an application for an alcohol variance from the protected use of a Public School located at 1144 N. Madison Avenue, Dallas, TX 75208 known as James S. Hogg Elementary School.

Respectfully,



Joseph McElroy
Vice President/Secretary

STATEMENT OF REQUEST
For An Alcohol Distance Variance
to a Public School

Request is being made to allow a variance for a restaurant located within 300 feet of a DISD public school known as James S. Hogg Elementary School located at 1144 N. Madison Avenue, Dallas, TX 75208.

The restaurant located across from the back side of the school at 1115 N. Beckley Avenue, Dallas, TX 75203 is currently operated by Chef Luke Rogers, LLC. d/b/a Swank – A Neighborhood Restaurant.

The history of this location has shown to have had a restaurant operation since 2011. Mr. Luke Rogers and Mrs. Geniselys Smith, the current tenants of the property, took over the operation at the restaurant in December 2023 and has been trying to obtain a Mixed Beverage Permit.

The current tenants entered a one-year lease with Beckley Properties, Ltd in December 2023 and will upgrade their lease for an additional five-years, in July 2024.

The current tenants are requesting the approval for a variance to allow the restaurant to operate with a Mixed Beverage Permit with required Food and Beverage Certificate. Mr. Luke Rogers and Mrs. Geniselys Smith wants to keep the restaurant sales around 75% in food sales and remainder 25% in alcohol sales.

The current tenants request this variance be approved as their business has slacked as customers like to have a glass or bottle of wine or beer with their meal and have gone elsewhere as they do not want to do the BYOB approach.

TENANT AND PROPERTY OWNER INFORMATION

Officers of Restaurant:

Chef Luke Rogers, LLC.

Luke Rogers – Managing Member

Geniselys Smith – Managing Member

Owner of Property:

Beckley Properties, Ltd (Landlord)

Maghag 1, Inc. (General Partner)

Robert Stimson – Director/President

Joseph McElroy – Director/Vice President/Secretary

Richard Patten - Stockholder

Alcohol Variance

From: Morgan, Chloe (chloe.morgan1@dallas.gov)
To: wscohencc@yahoo.com
Cc: sheila.segovia@dallas.gov; jennifer.allgaier@dallas.gov; liliana.lopez@dallas.gov; juanita.cappio@dallas.gov; tasfia.zahin@dallas.gov
Date: Tuesday, June 18, 2024 at 02:26 PM CDT

Good Afternoon,

Please see the attached Alcohol variance application along with the case number, AV234-002. Also your sign is ready for pickup at the front desk.

Thank you.

 AV234-002.pdf
75.7kB

670 4299
(214) 2144