



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 La Lucha, LLC (Olmy Sanchez, LLC Manager) dba Del Sur Tacos
(Must match the business name on TABC application)

Contact person, title Pamela Craig, Representative Property owner's name Israel Lopez
(Land owner, business owner, representative)

Contact person's phone 972-215-8851 Address of request site 720 E Jefferson Blvd.

Contact person's address 1202 Misty Meadow Dr Midlothian, TX 76065 Protected use's address 700 E 8th St.

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-premise permit, "BQ"
- 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, Israel Lopez, 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.

Israel Lopez
Owner's Printed Name

[Signature]
Owner's Signature

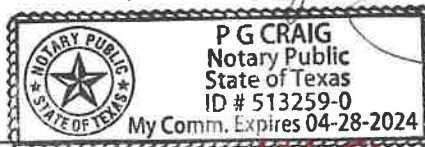
APPLICANT ACKNOWLEDGEMENT AND AFFIDAVIT

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).

Olmy Sanchez
Applicant's Printed Name

[Signature]
Applicant Signature

Sworn to and subscribed before me by on this day 23rd of June in the year 2022, to certify which witness my hand and seal of office.



[Signature]
Notary Public in and for the State of Texas

Date received: 6/24/22

Receipt No.: 10650

Case number: AV212-002

incl. 3 signs

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 Hector Garcia Middle School located at 700 E 8th St, Dallas, TX 75203.

The restaurant is located across from the back side of the school at 720 E Jefferson Blvd, Dallas, TX 75203 is currently operated by Mucha Lucha, LLC dba Del Sur Tacos. (NOTE: The corporate name will be changing to La Lucha, LLC)

The history of this location has shown to have had a restaurant operation since 2003. Mr. Lopez, the current owner of the property, was once an operator at the location in 2003. He then leased the location to a Mr. Jesus Cuellar in 2009. In 2013 Mr. Lopez took over the operations at the restaurant and obtained a Private Club Permit through the Texas Alcoholic Beverage Commission.

The current tenants entered a seven-year lease with Mr. Lopez in 2019 and currently has 4 years remaining. Mr. Lopez had just renewed the TABC permit in December 2019 to assist the current tenant until they could do a change of officers on the Private club. In March 2020 the Covid Virus shut down occurred and put the restaurant business operations on hold. The TABC took the opportunity during this time to implement their new online system. Because of this transitioned into a new online system they were giving permit holders to the end of March 2022 to renew. Unfortunately, Mr. Lopez did not understand the new system and the private club permit lapsed.

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. During the time when they were working with Mr. Lopez and the private club permit was active, the restaurant has shown that 70% of their sales were mostly in food and only 30% in alcohol sales.

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