

PLANNING DEPARTMENT
CITY OF CARROLLTON
DATE: 12/06/2022

SPECIAL USE PERMIT NO. 489
DEVELOPMENT NAME: Vapor Depot

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING SPECIAL USE PERMIT NUMBER 489 PROVIDING FOR A SMOKE SHOP RETAILER UPON AN APPROXIMATELY 0.48-ACRE TRACT ZONED (DTC) DOWNTOWN TRANSIT CENTER, URBAN GENERAL AND LOCATED AT 1208 EAST BELT LINE ROAD, SUITE 112, ON THE SOUTHWEST CORNER OF BELT LINE ROAD AND MYERS STREET; AMENDING THE OFFICIAL ZONING MAP ACCORDINGLY; PROVIDING PENALTY, SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Third day of November 2022, the Planning & Zoning Commission considered and made recommendation on a certain request for a Special Use Permit (Case No. PLSUP 2022-146); and

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

WHEREAS, the City Council conducted a public hearing on the Sixth day of December 2022, at which all persons were given an opportunity to present testimony; and

WHEREAS, the City Council has determined the following amendment to the zoning laws to allow the requested use is not detrimental to the surrounding property, and is consistent with the purpose of the zoning district in which the above-described property is located; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals and general welfare:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

Special Use Permit Number 489 is hereby established for a certain approximately 0.48-acre tract located at 1208 E. Belt Line Road, Ste 112, on the southwest corner of Belt Line Road And Myers Street (Lot 1, Block A Neighborhood Service Center) and being more specifically described on Exhibit A and generally depicted on Exhibit B, providing for the following:

I. Permitted Use

Smoke Shop Retailer

II. Special Development Standards

Development shall be in accordance with the following special conditions, restrictions and regulations:

1. Development shall be in accordance with the following special conditions, restrictions, and regulations:
 - a. Hours of operation shall not exceed Monday through Sunday, 10:00 a.m. to 7 p.m.
 - b. A food establishment, as that term is defined by the Carrollton Food Establishment Requirements (CFER), shall be prohibited.

Section 3.

The Comprehensive Zoning Ordinance and the Official Map are hereby amended to reflect the action taken herein.

Section 4.

Any person violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Section 5.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 6.

This ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 7.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance and the Official Zoning Map, as amended, shall remain in full force and effect.

Section 8.

This ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Sixth day of December 2022.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

Albert Thomas
Assistant City Attorney

APPROVED AS TO CONTENT:

Loren Shapiro, AICP
Planning Manager

EXHIBIT A
DESCRIPTION

Neighborhood Service Center, Block A, Lot 1, Less R.O.W. & Pt Abandoned Alley,
VOL2005187/13292 - 0.4786 Acres

**EXHIBIT B:
GENERAL DEPICTION**

