



**DRAFT Minutes  
City of Carrollton  
Planning & Zoning Commission  
May 2, 2024**

**Briefing Session and Meeting**

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, May 2, 2024 at 6:15 p.m. in the Council Chambers at City Hall.

**Commission Members Present:**

Scott Windrow, Chair  
Jim Doyle  
John Powell  
Greg Kramer  
Al Overholt  
Kathleen Foster  
Dave Hermon

**Commission Members Absent:**

Mark Yarbrough, 1<sup>st</sup> Vice Chair  
Willadean, Martin, Vice Chair

**Staff Members Present:**

Loren Shapiro, Planning Manager  
Mike McCauley, Senior Planner  
  
Emily Offer, Planner  
Ed Green, Plan Review Manager  
Lydia Tormos, Admin Support Specialist

Herb Cavanaugh, Assistant Fire Chief  
Brian Passwaters, Community Services  
Division Manager  
John Romberger, Transportation Engineer  
Albert Thomas, Asst. City Attorney  
Cory Heiple, Director of Environmental  
Services

**Guests Present:**

Councilmember Rusty Pendleton

*(Note: \* = designation of a motion)*

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8. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow A Smoke Shop Retailer On An Approximately 0.80-Acre Tract Zoned (DTC) Downtown Transit Center District And Historic Square Sub-District, And Located At 1014 South Broadway Street, Suite 104; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-036 Vape And Smoke Retail.** Case Coordinator: Michael McCauley

Michael McCauley advised this item is a request for a special use permit for a vape and smoke shop in the Downtown Transit Center District. He reviewed that the Commission previously approved a similar request for this area several months prior. He advised the suite under consideration is approximately 1,200 square feet and currently vacant. The surrounding businesses in this area were described. Staff recommends approval with stipulations.

**PLANNING & ZONING COMMISSION**  
**DRAFT MAY 2, 2024 MINUTES**

Commissioner Foster inquired what the status is of the previous request for a smoke shop downtown. Mr. McCauley responded he is unaware of the status.

Chair Windrow asked if there was an applicant present who would like to speak.

The applicant, Malik Velani, 4730 Windhaven Parkway, Suite 140, The Colony, stated that he has other shops in Denton and The Colony/Lewisville. He stated that no consumption will occur inside the store, only retail sales.

Commissioner Overholt expressed his concerns regarding the health and safety of vaping, in particular as it relates to minors, and stated he will vote against this item. The applicant responded that they do not sell to anyone under the age of 21 and will card the purchasers if in doubt of the age.

Albert Thomas, Assistant City Attorney, reminded the Commission to only consider what has been presented to them for consideration.

Chair Windrow opened the public hearing. There being no speakers he asked if the Commissioners had any questions or motions.

Commissioner Doyle asked the applicant whether he notified the other occupants in the building of his intent with this business. The applicant responded that he had not; he has not yet signed a lease agreement. Commissioner Doyle expressed his concern that the adjacent tenants have not been made aware of this request.

Loren Shapiro, Planning Manager, responded to Commissioner Doyle's comment stating that the law requires the property owners within 200 feet of the address under consideration to be notified, and those notifications were made. He added that the applicant is not required to make notifications.

Mr. McCauley reminded the Commission that this case is identical to one previously approved by the Commission in the Downtown Transit Area. He stated that selling vaping products to minors is illegal. He also stated that signage was placed on the suite door noticing of the zoning change. Some of the adjacent business operators contacted staff for more information as to what is under consideration.

Chair Windrow opened the floor for discussion or a motion.

- \* ***Commissioner Foster moved to close the public hearing and approve Item 8, Case No. PLSUP 2024-036 Vape And Smoke Retail with staff stipulations. Commissioner Powell seconded the motion. The motion was approved with a 6-1 vote (Windrow, Powell, Foster, Doyle, Kramer and Hermon in favor, Overholt opposed, Yarborough and Martin absent).***