



# TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

February 2, 2023

*Persons may address the Planning and Zoning Commission on any issue. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. Each member of the public who desires to address the P&Z Commission regarding an item on an agenda for an open meeting of the P&Z Commission shall have the right to address the Commission on the item before the Commission's consideration of the item. All speakers not requiring a translator are given 3 minutes to speak and may address the Commission only once on each agenda item. Non-English Speakers who require a translator are given 6 minutes to speak and may address the Commission only once on each agenda item. In accordance with the State of Texas Open Meeting Act, the board may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. To address the Commission for any public hearing item please sign a speaker's sheet located on the tables by the front entry and submit to a Staff member.*

## 1. **5:45 PM Work Session**

## 2. **6:00 PM Regular Meeting**

### 1. **Roll Call**

### 2. **Consent Agenda**

1. Discuss and take action regarding the approval of the January 5, 2023 Regular Planning and Zoning Commission Meeting Minutes.
2. **FINAL PLAT/ PJMCP LLC Addition (FP-23-00025).** Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 1.1913 acres, situated in the H. Kendall Survey, Abstract No. 713, and the MEP & PRR Survey, Abstract No. 919, within Little Elm's Town limits, in order to establish one commercial lot with easements accordingly.
  - Presentation
  - Discussion
  - Recommendation
3. **FINAL PLAT/ Union Park Multifamily Ph. 2 (FP-22-02660).** Presentation, discussion, and consideration on a request for approval of a Final Plat for Union Park Multifamily Phase 2, establishing lot lines and easements necessary for development, on approximately 16.232 acres situated in the Thomas Navo Survey, Abstract No. 964, within Little Elm's Town limits.
  - Presentation
  - Discussion
  - Recommendation

### 3. **Regular Agenda**

1. **PUBLIC HEARING/ Puff Love Smoke Shop (SUP-22-04014).** Public hearing, discussion, and consider action on a request to rezone suite 120, approximately 1,250 sq ft. in size, currently zoned Planned Development with a Light Commercial Base through Ordinance #1539, in order to establish a new Specific Use Permit, in order to allow for a new smoking establishment for the purposes of on premises retail sales only.
  - Staff Report/Applicant Presentation
  - Open Public Hearing
  - Receive Public Comment
  - Close Public Hearing
  - Discussion and Recommendation
3. **Discussion of future agenda items, update on Council action, and requests for new business considerations**
4. **Adjourn**

#### Certificate

I certify that the above notice of the Planning & Zoning Commission meeting was posted on the bulletin board of the Town of Little Elm, Texas by January 30, 2023, prior to 5:00 p.m. The Little Elm Town Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 214-975-0404 or 972-377-5540 (fax) for arrangements.

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Olga Chernomorets - Managing Director of Planning Services



# TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/02/2023

## OVERVIEW

<b>Project</b>	Adoption of the January 5, 2023 Planning & Zoning Commission Meeting Minutes
<b>P&amp;Z Hearing</b>	02/02/2023
<b>Council Hearing</b>	N/A
<b>Size</b>	N/A
<b>Current Zoning</b>	N/A
<b>Proposed Use</b>	N/A
<b>Existing Use</b>	N/A
<b>Future Land Use Plan Designation</b>	N/A
<b>Applicant</b>	N/A
<b>Owner</b>	N/A
<b>Strategic Goal</b>	

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### Agenda Item

Discuss and take action regarding the approval of the January 5, 2023 Regular Planning and Zoning Commission Meeting Minutes.

### Location

N/A

### Planning Analysis

N/A

### Recommended Action

N/A

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### Attachments

P&Z Minutes January 19, 2023

# DRAFT



## Minutes

Town of Little Elm

### PLANNING & ZONING COMMISSION

Regular Meeting

Thursday, JANUARY 19, 2023 - 7:00 pm

Present: Ron Trees, Vice-Chair; Tom Ocelli, Commissioner; Jack Skinner, Commissioner; Stephen Horn, Commissioner; Robert Martin, Commissioner

Absent: Michael Bell, Chairperson; Brent Thibeaux, Commissioner; Chip Norman, Alternate Commissioner; Debra Cadet, Alternate Commissioner

Staff Present: Olga Chernomorets, Managing Director of Planning  
Rachel Mendoza, Development Manager

1. **5:50 PM Work Session**

2. **6:00 PM Regular Meeting**

Vice-Chair Ron Trees opened the January 19, 2023 Planning and Zoning meeting at 6:00pm.

1. **Roll Call**

2. **Consent Agenda**

Staff presented the Consent Agenda to the commission.

Motion: Approve Consent Agenda as recommended by Staff.

Motion by Commissioner Robert Martin, seconded by Commissioner Tom Ocelli

AYE: Vice-Chair Ron Trees, Commissioner Tom Ocelli, Commissioner Jack Skinner, Commissioner Stephen Horn, Commissioner Robert Martin

**5 - 0 Passed - Unanimously**

1. Discuss and take action regarding the approval of the January 5, 2023 Regular Planning and Zoning Commission Meeting Minutes.

Minutes approved in the Consent Agenda motion.



2. **FINAL PLAT/ Spring Branch Addition (FP-22-07165).** Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 4.99 acres, situated in the David M. Cule Survey, Abstract No. 226, within Little Elm's ETJ, in order to establish lot lines and the easements necessary for development.
  - Presentation
  - Discussion
  - Recommendation

Plat approved in Consent Agenda motion.

3. **Discussion of future agenda items, update on Council action, and requests for new business considerations**
4. **Adjourn**

Meeting adjourned at 6:01pm.



# TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/02/2023

## OVERVIEW

<b>Project</b>	FINAL PLAT/ PJMCP LLC Addition (FP-23-00025)
<b>P&amp;Z Hearing</b>	02/02/2023
<b>Council Hearing</b>	N/A
<b>Size</b>	Approximately 1.1913 acres
<b>Current Zoning</b>	Light Commercial (LC)
<b>Proposed Use</b>	Light Commercial (LC)
<b>Existing Use</b>	Light Commercial (LC)
<b>Future Land Use Plan Designation</b>	Commercial/Retail
<b>Applicant</b>	David Petree
<b>Owner</b>	Pamela McPartland
<b>Strategic Goal</b>	

## Agenda Item

**FINAL PLAT/ PJMCP LLC Addition (FP-23-00025).** Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 1.1913 acres, situated in the H. Kendall Survey, Abstract No. 713, and the MEP & PRR Survey, Abstract No. 919, within Little Elm's Town limits, in order to establish one commercial lot with easements accordingly.

- Presentation
- Discussion
- Recommendation

## Location

Generally located 750 feet west of the intersection of Old Witt Road and FM 423, within Little Elm's Town Limits.

## Planning Analysis

The purpose of a final plat is to ensure that the proposed subdivision and development of the land is consistent with all standards of the Town's Subdivision Ordinance pertaining to the adequacy of public facilities, that public improvements to serve the subdivision or development have been installed and accepted by the Town or that provision for such installation has been made, that all other requirements and conditions have been satisfied or provided to allow the final plat to be recorded.

Currently the property consists of two unplatted tracts of land, considered as abstracts through Denton

County. In order for the property owner to obtain any building permits, the property needs to be platted per the Town's Subdivision Ordinance.

Engineering Staff has reviewed the submitted plat document and there are outstanding comments that still need to be addressed in order to fully comply with the Town's Subdivision Ordinance.

**Recommended Action**

Applicant has requested an extension to the February 16, 2023, Planning and Zoning Commission Meeting.

Staff recommends approval of this extension request.

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# TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/02/2023

## OVERVIEW

<b>Project</b>	FINAL PLAT/ Union Park Multifamily Ph. 2 (FP-22-02660)
<b>P&amp;Z Hearing</b>	02/02/2023
<b>Council Hearing</b>	N/A
<b>Size</b>	Approximately 16.232 acres
<b>Current Zoning</b>	Planned Development (Mixed Use Base)
<b>Proposed Use</b>	Multi-Family Residence
<b>Existing Use</b>	Vacant
<b>Future Land Use Plan Designation</b>	High Density Residential
<b>Applicant</b>	Rachel Korus, PE
<b>Owner</b>	Elaine Ford
<b>Strategic Goal</b>	

## Agenda Item

**FINAL PLAT/ Union Park Multifamily Ph. 2 (FP-22-02660).** Presentation, discussion, and consideration on a request for approval of a Final Plat for Union Park Multifamily Phase 2, establishing lot lines and easements necessary for development, on approximately 16.232 acres situated in the Thomas Navo Survey, Abstract No. 964, within Little Elm's Town limits.

- Presentation
- Discussion
- Recommendation

## Location

Generally located east of the Navo Road and Union Park Boulevard intersection.

## Planning Analysis

The purpose of a final plat is to ensure that the proposed subdivision and development of the land is consistent with all standards of the Town's Subdivision Ordinance pertaining to the adequacy of public facilities, that public improvements to serve the subdivision or development have been installed and accepted by the Town or that provision for such installation has been made, that all other requirements and conditions have been satisfied or provided to allow the final plat to be recorded.

This plat document establishes Lot 2 of Block A, with all the necessary easements necessary for the development of Phase 2 of multifamily residential development within the Union Park subdivision.

Engineering Staff has reviewed the submitted plat document and there are outstanding comments that still need to be addressed in order to fully comply with the Town's Subdivision Ordinance.

**Recommended Action**

Staff believes the outstanding comments are minor enough to be considered for conditional approval and recommends that the Planning and Zoning Commission approve the plat document with the following conditions.

Prior to recording this Final Plat, the applicant must revise the plat document to:

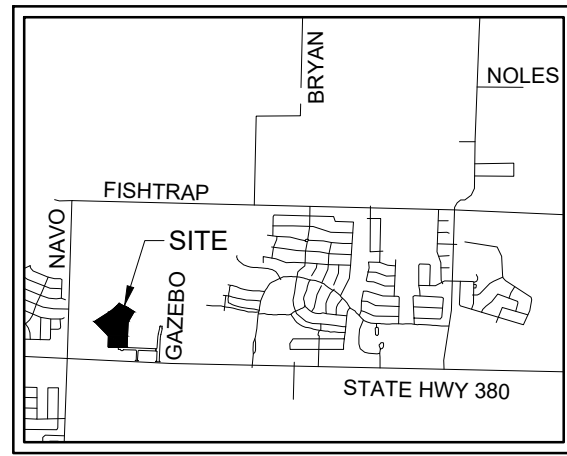
1. Add missing note "All common areas will be owned and maintained by the HOA/POA."
2. Ensure all separate instrument document numbers are included.
3. Add "BY THIS PLAT" to the easements being recorded as part of this plat document, or "BY SEPARATE INSTRUMENT" if they are to be recorded as such.
4. Revise labels for Firelane, Access, and Utility Easement to "FAUE" and add dimension for 26 feet.
5. Add 10 foot Building Line where applicable.

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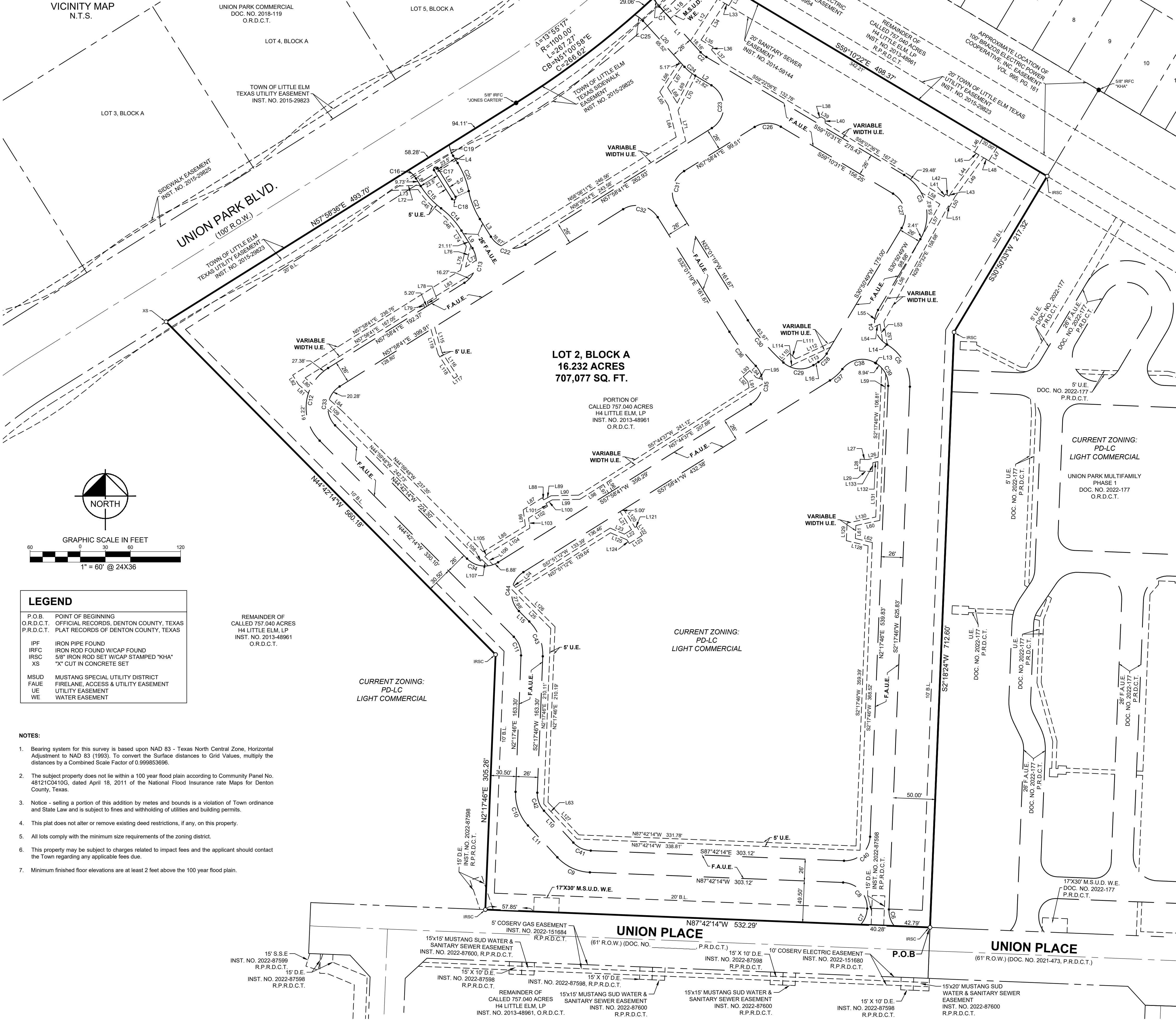
**Attachments**

Plat Document

Conditions of Approval



VICINITY MAP  
N.T.S.



LEGEND

P.O.B.	POINT OF BEGINNING
O.R.D.C.T.	OFFICIAL RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T.	PLAT RECORDS OF DENTON COUNTY, TEXAS
IPF	IRON PIPE FOUND
IRFC	IRON ROD FOUND W/CAP FOUND
IRSC	5/8" IRON ROD SET W/CAP STAMPED "KHA"
XS	"X" CUT IN CONCRETE SET
MSUD	MUSTANG SPECIAL UTILITY DISTRICT
FAUE	FIRELANE, ACCESS & UTILITY EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT

NOTES:

- Bearing system for this survey is based upon NAD 83 - Texas North Central Zone, Horizontal Adjustment to NAD 83 (1993). To convert the Surface distances to Grid Values, multiply the distances by a Combined Scale Factor of 0.999853696.
- The subject property does not lie within a 100 year flood plain according to Community Panel No. 48121C0410G, dated April 18, 2011 of the National Flood Insurance rate Maps for Denton County, Texas.
- Notice - selling a portion of this addition by metes and bounds is a violation of Town ordinance and State Law and is subject to fines and withholding of utilities and building permits.
- This plat does not alter or remove existing deed restrictions, if any, on this property.
- All lots comply with the minimum size requirements of the zoning district.
- This property may be subject to charges related to impact fees and the applicant should contact the Town regarding any applicable fees due.
- Minimum finished floor elevations are at least 2 feet above the 100 year flood plain.

LINE TABLE	LINE TABLE	LINE TABLE	LINE TABLE	LINE TABLE
NO. BEARING LENGTH	NO. BEARING LENGTH	NO. BEARING LENGTH	NO. BEARING LENGTH	NO. BEARING LENGTH
L1 S42°06'53"E 73.57'	L31 N30°49'38"E 20.00'	L61 S02°17'46"W 15.60'	L91 S12°02'59"E 7.45'	L121 S57°58'41"W 2.33'
L2 N59°10'31"W 22.53'	L32 S30°49'38"W 20.00'	L62 S76°43'30"E 20.89'	L92 S42°19'11"E 8.09'	L122 N32°01'19"W 12.65'
L3 S32°01'19"E 24.89'	L33 N59°10'22"W 5.41'	L63 N43°24'34"W 57.77'	L93 S47°40'49"W 10.65'	L123 N57°58'41"E 18.33'
L4 S32°01'19"E 10.30'	L34 S32°59'29"W 52.24'	L64 N14°11'58"W 39.17'	L94 N42°19'11"W 11.42'	L124 S32°01'19"E 5.26'
L5 N66°20'38"E 17.18'	L35 S59°10'31"E 16.82'	L65 N32°01'19"W 18.84'	L95 N74°40'35"W 7.44'	L125 S66°54'39"E 21.36'
L6 S32°01'19"E 40.74'	L36 S30°49'29"W 3.75'	L66 N32°59'29"E 43.54'	L96 N32°01'19"W 12.15'	L126 N44°59'48"W 61.38'
L7 N32°01'19"W 40.74'	L37 S41°38'07"E 18.92'	L67 N32°59'29"E 32.79'	L97 S32°01'19"E 12.13'	L127 N43°24'34"W 53.63'
L8 N32°01'19"W 10.80'	L38 N69°51'19"E 4.77'	L68 N32°01'19"W 21.61'	L98 N57°44'37"E 33.12'	L128 S76°43'30"E 26.65'
L9 N32°01'19"W 24.89'	L39 S59°10'31"E 5.20'	L69 S27°08'10"W 39.38'	L99 N88°54'05"E 33.03'	L129 S02°17'46"W 21.07'
L10 S42°42'14"E 51.86'	L40 S01°54'10"E 4.65'	L70 N27°08'10"E 46.33'	L100 N60°43'51"E 8.66'	L130 S77°57'40"W 35.09'
L14 S32°01'19"E 51.86'	L41 N30°49'29"E 3.77'	L71 S14°11'58"E 37.69'	L101 N32°01'19"W 3.89'	L131 S02°17'46"W 66.37'
L12 N32°59'29"E 59.80'	L42 S59°10'31"E 4.96'	L72 N88°02'12"E 25.54'	L102 N57°58'41"E 26.92'	L132 N77°07'22"E 6.17'
L13 N59°10'17"W 1.12'	L43 N28°38'24"E 3.28'	L73 S88°02'12"W 31.31'	L103 N07°50'25"W 12.05'	L133 N02°17'46"E 10.51'
L14 S59°10'17"E 0.55'	L44 N36°19'29"E 57.68'	L74 N32°01'19"W 19.01'	L104 N58°40'11"E 59.31'	
L15 S44°42'14"E 17.65'	L45 N59°10'22"W 6.32'	L75 N13°36'51"E 29.46'	L105 N45°00'12"E 4.57'	
L16 S57°58'41"W 7.02'	L46 N30°49'38"E 20.00'	L76 S13°36'51"W 26.45'	L106 N44°59'48"W 13.76'	
L17 N42°05'00"W 31.95'	L47 N30°49'38"E 20.00'	L77 N57°58'41"E 15.05'	L107 N44°59'48"W 10.67'	
L18 S47°55'00"W 34.74'	L48 S59°10'22"E 7.15'	L78 N16°08'35"W 4.66'	L108 S45°00'12"W 2.50'	
L19 S42°05'00"E 32.90'	L49 N36°19'29"E 57.87'	L79 N16°08'35"W 4.81'	L109 N48°09'34"W 14.45'	
L20 N42°05'00"W 74.16'	L50 N28°38'24"E 13.43'	L80 N48°09'34"W 11.65'	L110 S44°19'33"W 13.26'	
L21 S32°01'19"E 25.50'	L51 S59°10'31"E 1.62'	L81 N48°09'34"W 15.88'	L111 N45°40'27"W 9.69'	
L22 S57°58'41"W 10.06'	L52 N08°20'28"W 27.72'	L82 N32°01'19"W 13.15'	L112 S65°00'40"W 51.20'	
L23 N68°54'39"W 18.45'	L53 S08°20'28"E 20.65'	L83 N58°08'14"E 65.19'	L113 N65°00'40"E 48.11'	
L24 N44°59'48"W 4.37'	L54 N65°00'40"E 6.92'	L84 N48°09'34"W 21.53'	L114 N57°44'37"E 5.71'	
L25 N44°59'48"W 65.72'	L55 S65°00'40"W 1.38'	L85 S58°40'11"W 59.38'	L115 S16°08'35"E 31.78'	
L26 S77°07'22"W 12.63'	L56 S29°07'32"W 110.13'	L86 S07°50'25"E 19.53'	L116 S33°17'57"E 33.78'	
L27 N87°42'14"W 9.26'	L57 S29°07'32"W 45.09'	L87 S57°58'41"W 27.08'	L117 S56°42'03"W 5.00'	
L28 S02°17'46"W 14.00'	L58 S58°07'36"E 26.46'	L88 N32°01'19"W 2.97'	L118 N33°17'57"W 34.54'	
L29 S87°42'14"E 15.50'	L59 S02°17'46"W 175.44'	L89 S60°43'51"W 10.16'	L119 N16°08'35"W 31.11'	
L30 N59°10'22"W 4.59'	L60 S77°57'40"W 29.25'	L90 S88°54'05"W 32.89'	L120 N32°01'19"W 25.50'	

CURVE TABLE	CURVE TABLE
NO. DELTA RADIUS LENGTH CHORD BEARING CHORD	NO. DELTA RADIUS LENGTH CHORD BEARING CHORD
C1 24°44'55" 30.00' 12.96' S29°42'32"E 12.86'	C23 117°09'11" 30.00' 61.34' N00°35'55"W 51.20'
C2 17°05'31" 30.00' 8.95' S00°37'45"E 8.92'	C24 17°05'31" 56.00' 16.71' S50°37'45"E 16.64'
C3 90°01'20" 56.00' 87.99' N14°09'51"W 79.21'	C25 24°37'22" 28.74' 12.35' N54°07'31"W 12.26'
C4 90°01'07" 30.00' 47.13' S14°09'44"E 42.43'	C26 62°50'49" 30.00' 32.91' S89°24'05"W 31.28'
C5 61°28'03" 56.00' 80.08' N28°26'16"W 57.24'	C27 90°01'20" 30.00' 47.14' N14°09'51"W 42.43'
C6 40°32'30" 30.00' 21.23' S17°56'29"E 20.79'	C28 27°07'51" 30.00' 14.21' N44°24'45"E 14.07'
C7 40°47'04" 29.77' 21.19' N22°14'10"E 20.74'	C29 73°58'17" 30.00' 38.73' S85°02'11"E 36.10'
C8 90°00'00" 30.00' 47.12' N42°42'14"W 42.43'	C30 16°01'43" 237.00' 66.30' S40°02'11"E 66.09'
C9 45°00'00" 56.00' 43.98' S65°12'14"E 42.86'	C31 90°00'00" 30.00' 47.12' S12°58'41"W 42.43'
C10 45°00'00" 56.00' 43.98' S20°12'14"E 42.86'	C32 90°00'00" 30.00' 47.12' N77°01'19"W 42.43'
C11 47°00'00" 30.00' 24.61' N21°12'14"W 23.92'	C33 102°40'55" 30.00' 53.76' S06°38'13"W 46.85'
C12 102°40'55" 56.00' 100.36' S06°38'13"W 87.46'	C34 77°19'05" 30.00' 40.48' S83°21'47"E 37.48'
C13 90°00'00" 30.00' 47.12' N12°58'41"E 42.43'	C35 101°14'56" 30.00' 53.01' N07°21'13"E 46.38'
C14 20°46'18" 100.00' 36.25' N42°24'28"W 36.06'	C36 11°14'56" 263.00' 51.64' S37°38'47"E 51.55'
C15 20°46'18" 100.00' 36.25' S42°24'28"E 36.06'	C37 20°40'09" 56.00' 20.20' N47°38'36"E 20.09'
C16 25°54'42" 30.00' 13.57' N44°58'40"W 13.45'	C38 83°31'11" 30.00' 43.73' S79°04'07"W 39.96'
C17 180°00'00" 2.50' 7.85' S57°58'41"W 5.00'	C39 61°28'03" 30.00' 32.18' N28°26'16"W 30.66'
C18 180°00'00" 2.50' 7.85' N57°58'41"E 5.00'	C40 90°00'00" 30.00' 47.12' N47°17'46"E 42.43'
C19 26°59'39" 30.00' 14.13' S18°31'30"E 14.00'	C41 45°00'00" 30.00' 23.56' S65°12'14"E 22.96'
C20 20°46'19" 100.00' 36.25' N21°38'10"W 36.06'	C42 45°00'00" 30.00' 23.56' S20°12'14"E 22.96'
C21 20°46'19" 100.00' 36.25' S21°38'10"E 36.06'	C43 47°00'00" 56.00' 45.94' N21°12'14"W 44.66'
C22 90°00'00" 30.00' 47.12' S77°01'19"E 42.43'	C44 102°40'55" 30.00' 53.76' S06°38'13"W 46.85'

FINAL PLAT  
UNION PARK MULTIFAMILY PHASE 2

LOT 2, BLOCK A

BEING 16.232 ACRES SITUATED IN THE  
THOMAS NAVO SURVEY, ABSTRACT NO. 964  
TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS

**Kimley»Horn**

6160 Warren Parkway, Suite 210 Tel. No. (972) 335-3580  
Frisco, Texas 75034 FIRM # 10193822 Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet
1" = 60'	SG	KHA	01/19/2023	063407024	1 OF 2

OWNERS:  
Union House, LP  
9800 Hillwood Parkway, Suite 300  
Fort Worth, Texas 76177  
P (817) 224-6016  
matt.nunley@hillwood.com  
Contact: Matt Nunley

ENGINEER / SURVEYOR:  
Kimley-Horn and Associates  
260 East Davis Street, Suite 100  
McKinney, Texas 75069  
P (469) 301-2580  
F (972) 238-3820  
rachel.korus@kimley-horn.com  
Contact: Rachel Korus, P.E.







## ENGINEERING DEPARTMENT

100 W. Eldorado Parkway | Little Elm, TX 75068

214-975-0470

Second Floor Town Hall

January 27, 2023

Kimley-Horn and Associates  
Attention: Rachel Korus, P.E.  
260 East Davis Street, Suite 100  
McKinney, TX 75069

Re: Union Park Multifamily Phase 2 Final Plat Review 2

Ms. Korus,

As the Town's review engineer, Cobb, Fendley & Associates, Inc. (CobbFendley) has reviewed the following plat for compliance with Town of Little Elm requirements.

Development: Union Park MF Phase 2  
Town Project #: FP-22-02660

Plat Review: 2<sup>nd</sup> Submittal  
Plat Received: January 23, 2023  
Plat Date: January 19, 2023

CobbFendley recommends the Town grant **conditional approval**. CobbFendley has reviewed the plat and determined that the attached remaining comments are minor and can be addressed prior to submittal for recording.

This review does not relieve the design engineer, developer, and / or contractor from meeting all Town of Little Elm, TCEQ, TxDOT, TDLR, and other state and federal requirements that apply to this project that may or may not have been identified through this review.

Please make the appropriate plan revisions per the attached comments prior to final approval.

If you have any questions, feel free to call at 972.335.3214 or email at [pmistry@cobbhendley.com](mailto:pmistry@cobbhendley.com).

Sincerely,  
COBB, FENDLEY & ASSOCIATES, INC.

A handwritten signature in blue ink that reads "Priya Mistry".

Priya Mistry, P.E.  
Municipal Infrastructure





**Town of Little Elm**  
**Summary of Review Comments**

Date: January 27, 2023  
 Plan Review #: 2  
 Received: January 19, 2023  
 Plan Date: January 23, 2023  
 Development: Union Park MF Phase 2

Town Project #: FP-22-02660

Prepared by: PM

**All comments on Plan Review Set and Summary of Review Comment form must be addressed. Summary of Review Comment form may NOT be all inclusive of comments made directly on the Plan Review Set.**

PDF Page No. (may not correspond to Sht # Label)	Comments	Response (See Note)	Explanation
GENERAL	Reference markups for clarifications and any additional comments/questions that may not be specifically identified here.		
1	Missing note - "All common areas will be owned and maintained by the HOA/POA." Include if applicable or update as needed if special district		
1	Missing filing information. Ensure document number is included on plat prior to recording.		
1	Add "BY THIS PLAT" to the easements being recorded by this plat. If easements will be recorded separately, indicate as "BY SEPARATE INSTRUMENT".		
1	Consider revising it to read "FAUE" and add a dimension for 26' at this location.		
1	Appears a 10' BL is missing from this property line; confirm.		
2	Confirm the phase; Phase 2?		

- Notes:**
- Response: Appropriate response is Agree (Correction Made) or Disagree (Correction Not Made), Explanation
  - This form must be completed and returned with future submittals.
  - Failure to submit Completed Summary of Review Comments form will result in a delay of future plan sets being reviewed.**
  - Send all plan submittals directly to the Town of Little Elm**



# TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/02/2023

## OVERVIEW

<b>Project</b>	PUBLIC HEARING/ Puff Love Smoke Shop (SUP-22-04014)
<b>P&amp;Z Hearing</b>	02/02/2023
<b>Council Hearing</b>	March 7, 2023
<b>Size</b>	1,250 sq. ft.
<b>Current Zoning</b>	Planned Development - Light Commercial Base
<b>Proposed Use</b>	Retail/Commercial
<b>Existing Use</b>	Commercial
<b>Future Land Use Plan Designation</b>	Retail/Commercial
<b>Applicant</b>	Srinivas Chaluvadi
<b>Owner</b>	Srinivas Chaluvadi
<b>Strategic Goal</b>	

## Agenda Item

**PUBLIC HEARING/ Puff Love Smoke Shop (SUP-22-04014).** Public hearing, discussion, and consider action on a request to rezone suite 120, approximately 1,250 sq ft. in size, currently zoned Planned Development with a Light Commercial Base through Ordinance #1539, in order to establish a new Specific Use Permit, in order to allow for a new smoking establishment for the purposes of on premises retail sales only.

- Staff Report/Applicant Presentation
- Open Public Hearing
- Receive Public Comment
- Close Public Hearing
- Discussion and Recommendation

## Location

Generally located on the northeast corner of the intersection of FM423 and Smotherman Road, within Little Elm's Town limits.

## Planning Analysis

**Background.**

Subject property is zoned Planned Development through Ordinance #1539, with a Light Commercial base and currently houses a total of two newly constructed, single-story commercial buildings. The two buildings are currently vacant but are primarily intended for retail purposes.

The proposed retail-only smoking establishment would occupy a currently vacant 1,250 square-foot Suite 120, one of the middle suites in Building 1, the southernmost building .

*A smoking establishment is defined as "an establishment that sells products and devices primarily for the purpose of smoking or vaping in various forms. These establishments sometimes provide a contained area with a separate ventilation system for the purpose of smoking within the associated structure. "*

Chapter 106 of the Little Elm Code of Ordinances requires a Specific Use Permit (SUP) be issued for smoking establishment use within the Light Commercial District. Because a smoking establishment requires a Specific Use Permit, the applicant is requesting a Specific Use Permit in order to be able to occupy and operate within this space.

**Proposal.**

The applicant is requesting approval of a smoking establishment as an allowed use on the subject property, within Suite 120, for the purposes of establishing a retail-only vape shop operated as Puff Love.

The proposal includes a total SUP area of 1,250 square feet. The submitted floor plan depicts a typical retail floor plan, with a large open retail area with counter height display cases and slat wall merchandise displays along the walls. The rest of the site is shown as a restroom, office, and janitor closet. The proposed hours of operation are 8am to 12am, which is a later hour of operation than the Town's typical retail establishments.

The applicant already has two stores under the same name "Puff Love" in Flower Mound and Plano, interior photos of one of the existing stores have been included in the exhibits.

**Parking.**

The proposed use is required to be parked at a ratio of 1 space per 200 sq feet of floor area, requiring 7 parking spaces for the 1,250 square feet. The existing site was developed with 18,062 square feet between the two buildings, requiring 91 parking spaces, the site has 103 parking spaces.

**Development Standards.**

This site was developed following Ordinance #1539, based on Light Commercial building standards and since the applicant is not making any exterior changes or site improvements in order to accommodate the proposed use, no additional site requirements were reviewed at this time.

**Comprehensive Plan.**

The Future Land Use Plan (FLUP) designates the subject property with a retail/commercial land use category, which is appropriate for the proposed retail establishment. Therefore, the requested SUP, if approved, would not be in conflict with the Town's vision for this area.

**Recommended Action**

The purpose of an SUP is to add or modify specific land use rights to those already granted within a zoning district. Section 106.02.17 provides that each request considers the intensity of the proposed use within the context of the proposed location based on compatibility and suitability, and in evaluating the compatibility of the proposed use within the existing area context, "the town council may impose such additional development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, odor, gas, explosion, glare, offensive view, or other undesirable or hazardous conditions."

It should be noted that the Town has additional requirements for smoking establishments which allow for the

actual smoking of product on site. At this time, the SUP request is specifically for the retail component and if the applicant chooses to in the future allow for on premise smoking, they would be required to go back through the zoning process in order to amend the SUP.

Staff has some concerns with the proposed late hours of operation. Considering this is a retail establishment, with most of the Town's similar types of retail establishments closing around 9 or 10 pm. Staff believes that in order to ensure the retail operation stays within the parameters of the Town's expectations, the hours of operation should not exceed 11pm. It should be noted that even most of the restaurants in the area close by 11pm.

Given the purpose of a Specific Use Permit, Staff believes that if the Planning and Zoning Commission considers supporting this request, the following conditions should be included. These conditions help to make the request more appropriate within the context of the existing shopping center, as well as its proximity to other uses.

1. Hours of Operation shall not exceed 11 pm on any given day.
2. All windows shall remain clear, especially from shelving and product display, and maintain an active storefront.

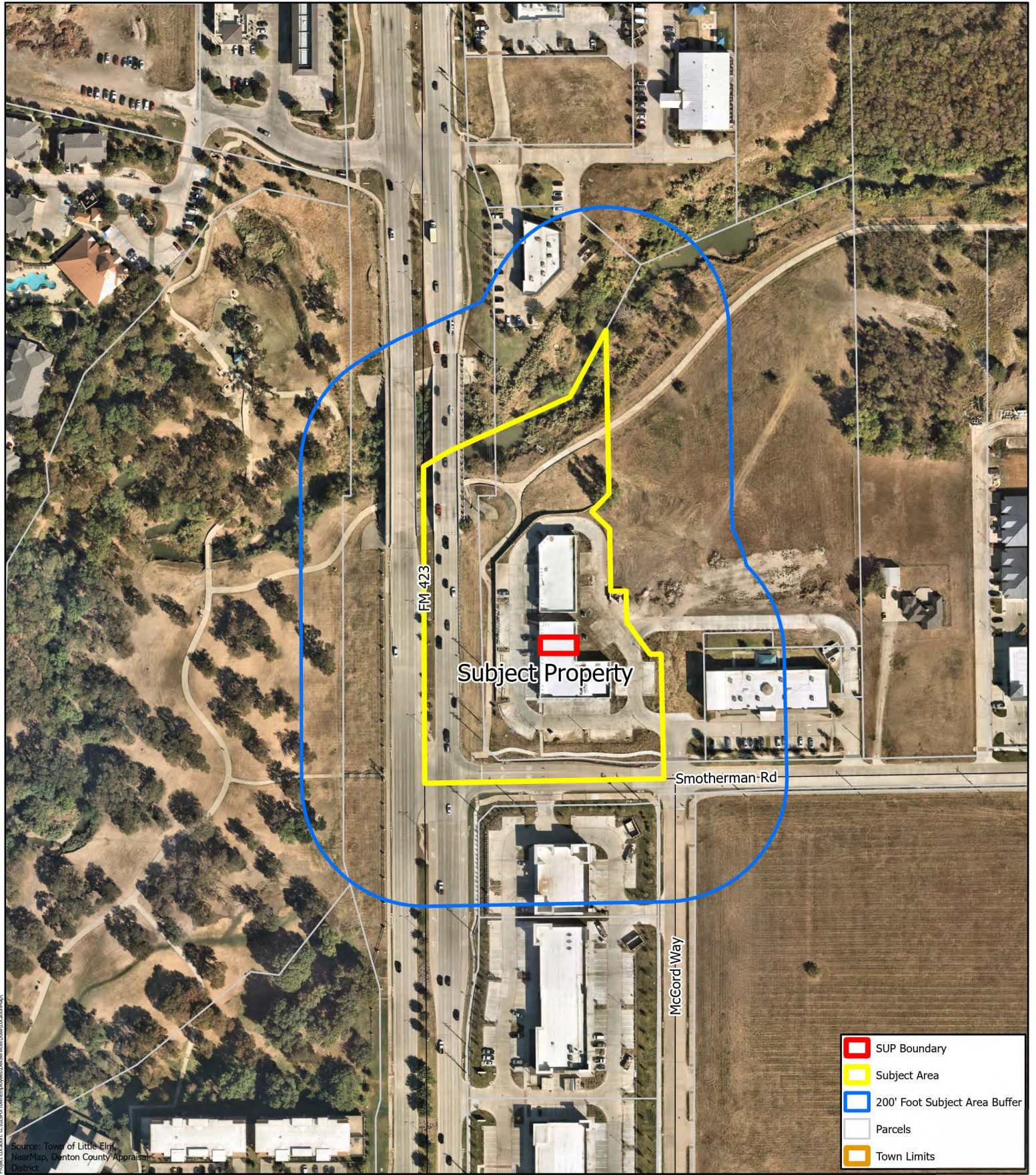
Staff recommends the Planning and Zoning Commission evaluate the proposed SUP request based on the presented information, in accordance with Section 106.02.17, as well as the vision for this area and the requests that have come before the Commission most recently, and make a recommendation accordingly.

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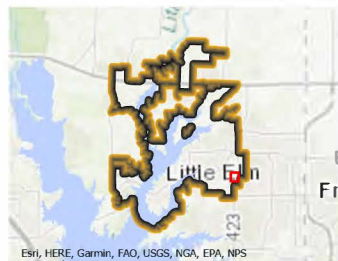
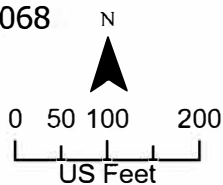
#### **Attachments**

Location Map  
SUP Exhibits





Specific Use Permit: 22-04014  
 25691 Smotherman Rd,  
 Suite 120, Frisco, TX, 75068



**Town of Little Elm**  
**Denton County, Tx**  
 Date: 1/6/2023

This product is to be used for graphical representation only. The accuracy is not to be taken/used as data produced for engineering purposes or by a Registered Professional Land Surveyor for the State of Texas. For this level of detail, supervision and certification of the produced data by a Registered Professional Land Surveyor for the State of Texas would have to be performed. Town of Little Elm and its members assume no responsibility for the accuracy of said data.





Danish Dawood  
Owner of PUFF LOVE 4 LLC  
972-814-9911  
[Danish.dawood01@gmail.com](mailto:Danish.dawood01@gmail.com)

Subject: SUP-22-04014

To: City of Little Elm Zoning Dept.

As the owner of PUFF LOVE 4 LLC, I am reaching out to you regarding our pending SUP application with the City of Little Elm. Please refer to the paragraphs below for additional information about PUFF LOVE.

PUFF LOVE was established in 2020 in Flower Mound, TX. We currently have 2 operating locations (in Flower Mound and Plano, TX). PUFF LOVE specializes in providing the highest quality smoking products to the communities we operate in. We are a customer centric business, and our primary focus is on customer satisfaction. This is evident in our 720+ five-star Google reviews over the 2 operating locations within 2 years of operation. We hope to bring the same level of customer service in the City of Little Elm as we believe that we have the knowledge and business acumen to provide products and services that exceed in quality compared to other similar businesses in the city.

We conduct our business under the trade name "PUFF LOVE". Our operating hours are from 8AM to 12AM. PUFF LOVE specializes in variety of products, however the biggest categories of products that we sell are as follows: tobacco, vaporizers, vapes, candles/air fresheners, CBD, kratom, miscellaneous novelty items. We design our stores in a modern and clean-cut look. We focus on making our stores comfortable for all people; therefore we refrain from putting posters or signs on the glass walls that may block the view of the inside of the store. At PUFF LOVE, we also understand the role we play in the community, and we take extra care in making sure that we are complying with all city, county, state and federal laws. We also strictly only sell products to adults over the age of 21. Additionally, we also review, on a consistent basis, any changes in regulatory laws relating to the categories of products that we carry. All products that we sell at PUFF LOVE are always 100% legal to buy/sell and consume. We do not allow smoking activities within our premises.

We believe that allowing us to do business in the City of Little Elm with special use permission to operate our business would be beneficial for the community as well as the city. We truly believe that we can benefit the community by providing additional competition in the industry, which would not only provide the members of the community with highest quality products, but also bring additional tax

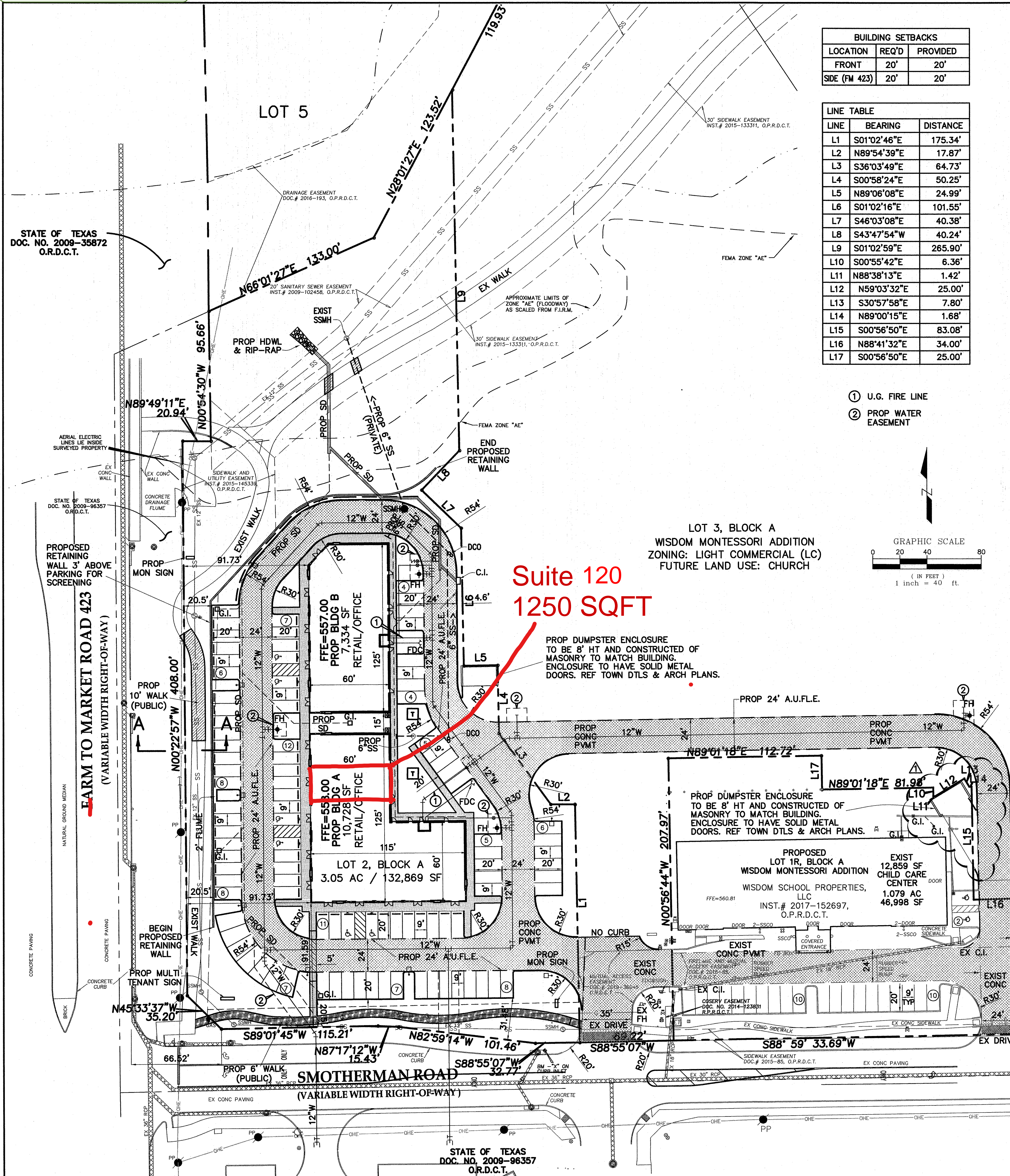
revenues for the city. At PUFF LOVE, we prefer to bring employment opportunities in the city we operate in, as we look to benefit the local community.

Please feel free to contact me at my contact information above if there are any questions or concerns. Please see below for website information.

Website: [www.puff-love.com](http://www.puff-love.com)

Yours sincerely,  
Danish Dawood  
Owner, PUFF LOVE 4 LLC

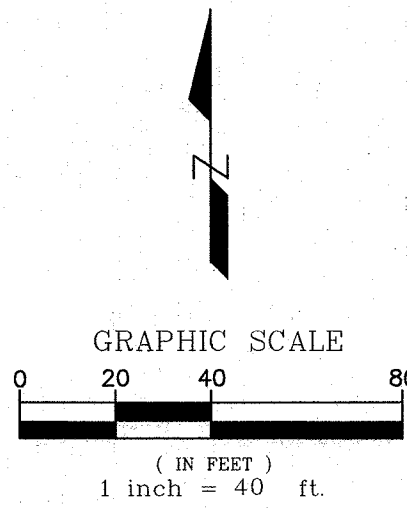




BUILDING SETBACKS		
LOCATION	REQ'D	PROVIDED
FRONT	20'	20'
SIDE (FM 423)	20'	20'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S01°02'46"E	175.34'
L2	N89°54'39"E	17.87'
L3	S36°03'49"E	64.73'
L4	S00°58'24"E	50.25'
L5	N89°06'08"E	24.99'
L6	S01°02'16"E	101.55'
L7	S46°03'08"E	40.38'
L8	S43°47'54"W	40.24'
L9	S01°02'59"E	265.90'
L10	S00°55'42"E	6.36'
L11	N88°38'13"E	1.42'
L12	N59°03'32"E	25.00'
L13	S30°57'58"E	7.80'
L14	N89°00'15"E	1.68'
L15	S00°56'50"E	83.08'
L16	N88°41'32"E	34.00'
L17	S00°56'50"E	25.00'

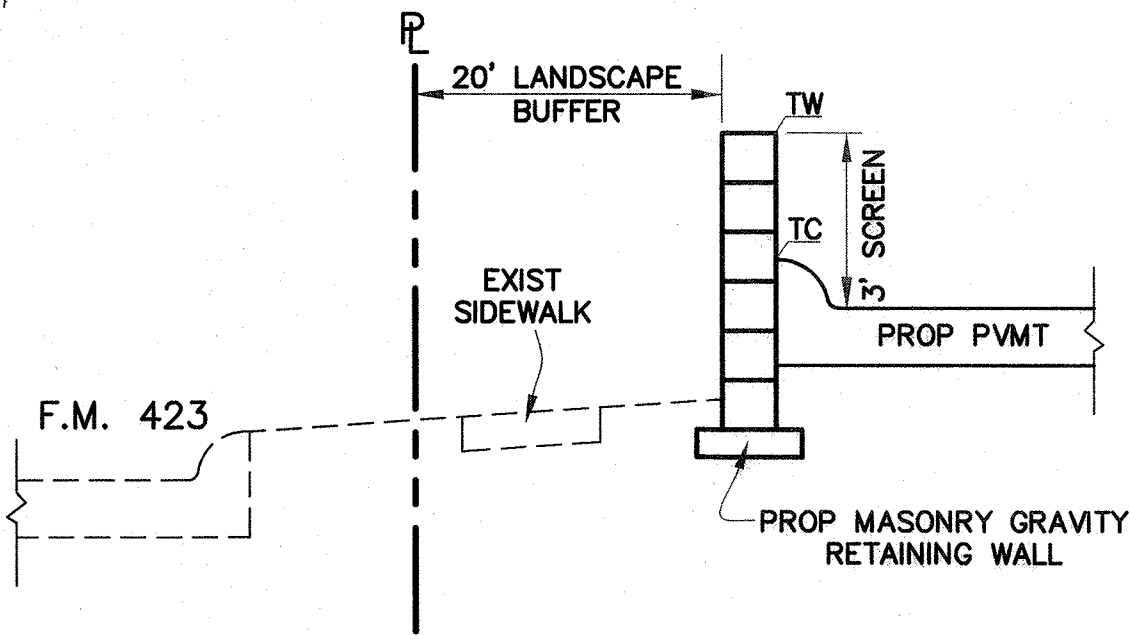
- ① U.G. FIRE LINE  
② PROP WATER EASEMENT



**TEXAS ASSURANCE RESIDENTIAL  
LIMITED PARTNERSHIP  
DOC. NO. 2011-41820  
O.R.D.C.T.**

NOTES:

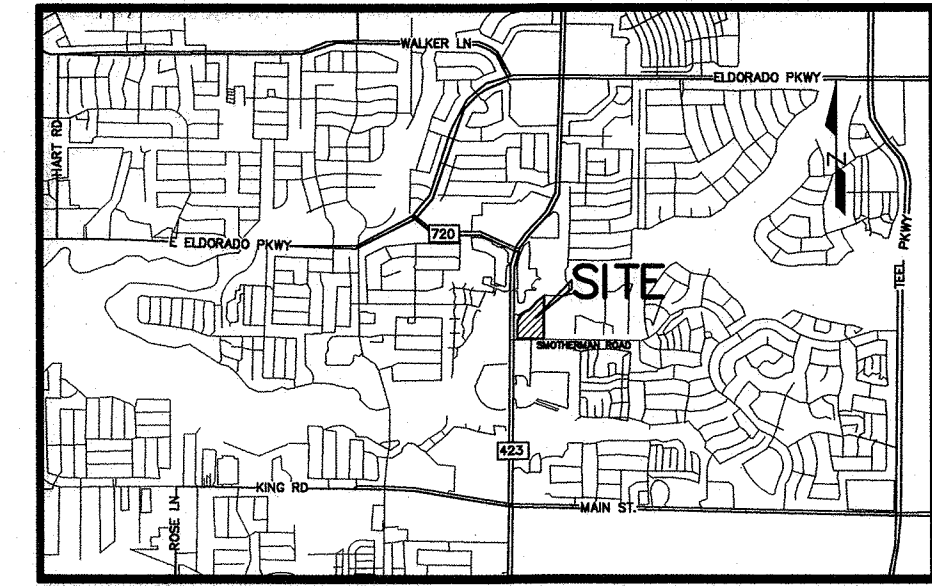
1. TOPOGRAPHIC SURVEY PREPARED BY OWNER.
2. SEE LANDSCAPE PLANS FOR SITE LANDSCAPE.
3. REFERENCE ARCHITECT PLANS FOR EXACT BUILDING DIMENSIONS.
4. ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING OR AS OTHERWISE NOTED.



WHERE WALL IS PRESENT IN FRONT OF  
PARKING SPACES ALONG F.M. 423  
SECTION A-A  
N.T.S.

**ENGINEER:**  
VASQUEZ ENGINEERING, L.L.C.  
MR. JUAN J. VASQUEZ, P.E.  
1919 S. SHILOH ROAD  
SUITE 440  
GARLAND, TEXAS 75042  
TEL: (972) 278-2948  
FAX: (972) 271-1383  
jvasquez@vasquezengineering.com

**OWNER/DEVELOPER**  
**LOTUS COMMERCIAL VENTURES, L.L.C.**  
**SRINIVAS CHALUVADI**  
**4433 PUNJAB WAY**  
**SUITE 301**  
**FRISCO, TEXAS 75033**  
**469-536-8695**  
**sri@shaluvadi.net**



LOCATION MAP  
N.T.S.

<u><b>SITE SUMMARY TABLE</b></u>		
County	DENTON COUNTY	
Project Name	WISDOM MONTESSORI ADDITION	
Zoning	"PD-LC"	
Proposed use	SHOPPING CENTER	
Site Area:	3.05 Acres / 132,869 S.F.	
Building "A" Area	10,728 S.F. (TOTAL)	
Building "A" Height:	22' - 1 STORY	
Building "B" Area	7,334 S.F. (TOTAL)	
Building "B" Height:	22' - 1 STORY	
Lot Coverage:	18,062/132,869 = 13.6%	
Floor Area Ratio:	18,062/132,869 S.F. = 1:13.6	
Parking Required:	RETAIL STORE; 1 SPC/200 S.F.	
	Total Required	= 91 SPACES
Parking Provided:	Regular	= 92 SPACES
	Handicap	= 6 SPACES
	Total	= 98 SPACES
Impervious Area:	77,697 / 132,869 SF = 58.48%	
Pervious Area:	55,172 / 132,869 SF = 41.52%	
Loading Spaces Required	(<25,000 SF) = 0	
Loading Spaces Provided	= 0	
Start Of Construction	07/04/2020	
End Of Construction	07/03/2021	

<u>SITE SUMMARY TABLE LOT 1R, BLOCK A</u>		
County	DENTON COUNTY	
Project Name	WISDOM MONTESSORI ADDITION	
Zoning	"PD-LC" (WITH SPECIAL USE PERMIT)	
Proposed use	CHILD CARE CENTER	
Site Area:	1.079 Acres / 46,998 S.F.	
Building Area	12,859 S.F. (TOTAL)	
Building Height:	33' - 1 STORY	
Lot Coverage:	12,859/46,998 = 27.4%	
Floor Area Ratio:	12,859/46,998 S.F. = 1:27.4	
Parking Required:	CHILD CARE CENTER; 1 SPC/10 STUDENTS	
	165 STUDENTS/10	= 17 SPACES
	Total Required	= 17 SPACES
Parking Provided:	Regular	= 20 SPACES
	Handicap	= 2 SPACES
	Total	= 22 SPACES
Impervious Area:	31,546 / 46,998 SF	= 61.12%
Pervious Area:	15,452 / 46,998 SF	= 32.88%
Loading Spaces Required	(<25,000 SF) = 0	
Loading Spaces Provided	= 0	
Start Of Construction	N/A EXISTING BUILDING	
End Of Construction	N/A EXISTING BUILDING	

SITE PLAN  
LOT 2 , BLOCK A  
3.05 ACRES  
REVISED SITE PLAN  
LOT 1R, BLOCK A  
1.079 ACRES  
WISDOM MONTESSORI ADDITION  
C. BORHMANN SURVEY,  
ABSTRACT NO. 86  
TOWN OF LITTLE ELM, DENTON COUNTY,  
TEXAS  
JUNE 23, 2020

THE SEAL APPEARING ON THIS  
DOCUMENT WAS AUTHORIZED BY  
JUAN J. VASQUEZ, P.E. 85852, ON  
04/15/2021

**DEVELOPER**  
**LOTUS COMMERCIAL VENTURES, L.L.C.**  
**4433 PUNJAB WAY**  
**SUITE 301**  
**FRISCO, TEXAS 75033**

**SITE PLAN**

**LOT 2, BLOCK A**

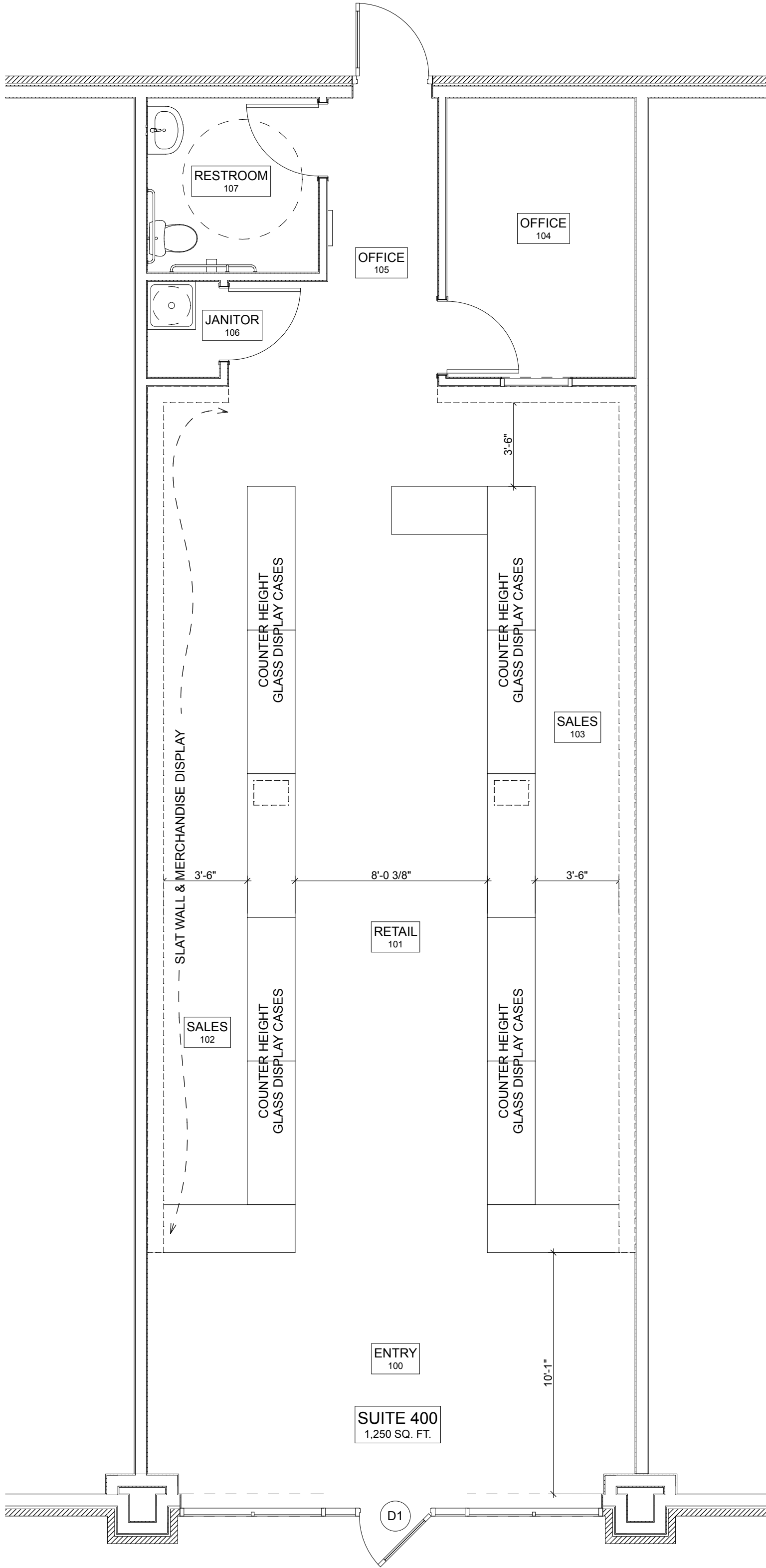
**WISDOM MONTESSORI ADDITION**

**TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS**

Scale: 1" = 40'
Designed by: J.J.V.
Drawn by: J.N.M.
Checked by: J.J.V.
603-09\dwg\SITE PLAN\SP1 SITE PLAN.dwg
06/23/2020

SHEET  
SP1





1 FLOOR PLAN  
SCALE: 1/4" = 1'-0"

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF WILLIAM PECK & ASSOCIATES, ON THIS PLOT DATE AND IS NOT TO BE USED BY AUTHORITIES HAVING JURISDICTION FOR THE PURPOSE OF ISSUING CONSTRUCTION PERMITS

Scale:REF. PLAN

Drawn:JB

Job:22-188-001

Sheet Number:A-101

FLOOR PLAN

ISSUE DATE:

REVISIONS

WILLIAM PECK & ASSOCIATES, INC. DBA  
1025 W. MIMM ST.  
DUNWILLE, TEXAS 75057  
WWW.PECKARCHITECTS.COM  
972.921.1424

P E C K  
ARCHITECTS

PUFF LOVE  
25691 Snotherman Road  
Frisco, Texas

These plans are intended to provide the basic construction information necessary to substantially complete this structure. These construction documents must be verified and checked by the builder or person in authority of this project. Any discrepancy, error, and/or omission shall be the responsibility of the owner. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The owner shall be responsible for obtaining all necessary engineering services for: foundation, HVAC, and structural, prior to construction of any kind. NOT A PROFESSIONAL ENGINEERING DESIGN. These plans are not to be used for construction or purchase being made. It is recommended that the owner or builder obtain complete engineering services for: foundation, HVAC, and structural, prior to construction of any kind. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The owner shall be responsible for obtaining all necessary engineering services for: foundation, HVAC, and structural, prior to construction of any kind. THESE CONSTRUCTION DOCUMENTS ARE THE PROPERTY OF WILLIAM PECK & ASSOCIATES, INC. AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF WILLIAM PECK & ASSOCIATES, INC. ALL RIGHTS RESERVED









