



CALL TO ORDER

CITIZEN COMMENTS

This is an opportunity for citizens to address the commission on any matter over which they have authority, whether it is or is not posted on the agenda. The commission is not permitted to discuss or take action on any presentations concerning an item not listed on the agenda. Citizens may speak up to three (3) minutes or the time limit determined by the mayor or presiding officer.

PUBLIC HEARING, ACTION & BRIEFING ITEMS:

- A. Approve minutes dated April 6, 2023.
- B. Public Hearing to receive citizen comments and input on the proposed amendments to Chapter 14 - Zoning of the Westworth Village Code of Ordinances providing for a definition of Smoke/Tobacco/CBD stores, modifying the use tables in the Commercial and Light Industrial Zones, establishing restrictions on said stores, providing for revocation of special use permits, enforcement, and penalties. *(The Comprehensive Zoning Use Table does not currently allow this business type by right and a potential business owner has requested it be added.)*
- C. Discuss and take action **on to amend Chapter 14 - Zoning of the Westworth Village Code of Ordinances providing for a definition of Smoke/Tobacco/CBD stores, modifying the use tables in the Commercial and Light Industrial Zones, establishing restrictions on said stores, providing for revocation of special use permits, enforcement, and penalties.** *(The Comprehensive Zoning Use Table does not currently allow this business type by right and a potential business owner has requested it be added.)*
- D. Public Hearing to receive citizen comments and input on the request for a Specific Use Permit, allowing a Vape/CBD shop in the Shoppes of Hawks Creek 6530 Hawks Creek Ave, Suite 102, Westworth Village, TX. *(This public hearing will only be held if the Commission approves a change to the Zoning Ordinance in item "C" that allows such use via a specific use permit. If the Commission denies the use or approves it with no permit or restrictions, then this public hearing will not be held.)*
- E. Discuss and take action **on the request for a Specific Use Permit, allowing a Vape/CBD shop in the Shoppes of Hawks Creek 6530 Hawks Creek Ave, Suite 102, Westworth Village, TX.** *(Action on this item will only be taken if the Commission approves a change to the Zoning Ordinance in item "C" that allows such use via a specific use permit. If the Commission denies the use or approves it with no permit or restrictions, then no action will be taken on this item.)*
- F. Next meeting will be scheduled as needed.

ADJOURN

The Commission reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.

This facility is wheelchair accessible and handicapped parking spaces are available. Requests for accommodations for the hearing impaired must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (817) 710-2526 for assistance.

A quorum of the council or other board and committees may be present at this meeting; however, no council, board or committee discussions or actions will be taken. I certify that the above notice was posted on the bulletin board at the Westworth Village City Hall, 311 Burton Hill Road, Westworth Village, Texas on this, the 31st day of July 2023, at 5pm, in accordance with Chapter 551 of the Texas Government Code.



Brandy G. Barrett, TRMC
City Administrator/City Secretary





ATTENDEES: Chairperson Richard Cervenka
Vice Chairperson Darla Thornton
Member Sarah Jones
Member Dani Briones
Member Nyles Nielsen
Member Margaret Worthington
Mayor L. Kelly Jones
City Administrator/Secretary Brandy Barrett
Chief of Police Kevin Reaves

ABSENT: Member Anita Gray

CALLED TO ORDER at 6:00 pm by Richard Cervenka

CITIZEN COMMENTS

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- There were no citizen comments.

PUBLIC HEARINGS, ACTION, & BRIEFING ITEMS

A. Approve minutes dated March 9, 2023.

MOTION to approve minutes dated March 9, 2023.

MADE BY: Nyles Nielsen. SECOND BY: Dani Briones.

Motion passed by a vote of 6 Ayes and 0 Nays.

B. Discuss and take action on the owner's request to install a drive approach on the vacant property between Raising Cane's and Cube Smart. (TXDOT has already approved the connection to 183 and the owner would like to install it.)

- Commissioner's discussion included underlying TXDOT's approval, property layout for future development, tree mitigation, signage, and construction timelines.

MOTION to recommend council approve the owner's request to install a drive approach on the vacant property between Raising Cane's and Cube Smart.

- MADE BY: Margaret Worthington. SECOND BY: Darla Thornton.
Motion passed by a vote of 6 Ayes, 0 Nays

C. Next meeting will be scheduled as needed.

ADJOURNED at 6:14 PM by Richard Cervenka, Chair.

MINUTES APPROVED on this the 6th day of July 2023.

Richard Cervenka, Chair

SIGNATURE ATTESTED BY:

Brandy G. Barrett, TRMC
City Administrator/Secretary



PUBLIC HEARING, BRIEFINGS AND ACTION ITEMS ON THE AGENDA:

ITEM B & C: Modifying the Use tables, setting definitions and restrictions

An applicant requested approval for a Smoke/tobacco/CBD vape shop in the Shoppes of Hawks Creek and was told this type of business not allowed in the use table. The applicant submitted a Specific Use Permit Request for the P&Z to consider. After visiting two attorneys, they advised the Commission should first make the necessary modifications to the Use table, define the use and if needed any restrictions.

Some possible P&Z options include:

1. Define the use, and deny that use, in which case there would be no Smoke/tobacco/CBD vape shops in Westworth Village and it would be added to the as not allowed in any zone.
2. Define the use and require a Specific Use Permit; with or without specific conditions (examples include):
 - a. Limit the proximity to the places children gather (schools, parks, daycares, etc).
 - b. Limit the minimum distance they can be placed near a similar use business.
 - c. Make them apply for a Specific Use Permit.
 - d. Limit them to Light Industrial Zones, not Commercial or Residential Zones.
 - e. Make the Specific Use Permit revokable if they fail to comply with city ordinances.
3. Define the use and make it allowable by right in Light Industrial and/or Commercial districts.

ITEM C & D: Specific Use Permit for 6530 Hawks Creek Suite 102:

The public hearing and action on this item will only take place if the Commission takes action on the above item, and adds it to the use table, requiring a Specific Use Permit. If the Commission allows this use by right or denies this use, then this application becomes unnecessary.

STAFF RECOMMENDATION:

There are similar shops in Fort Worth and River Oaks, near Westworth Village along the 183-business corridor. In addition, as with prior request, the Chief Reaves does not support this type of business in Westworth Village. There would be no impact to anticipated vehicle traffic, as it is already in the retail center. Nor do we anticipate any impact to the water/sewer/storm sewer system.

However, staff remains concerned about the long-term impact to the community and based on the number of calls from existing Commercial District businesses and their patrons – all of whom were encouraged to submit statements or attend the public hearings. There is the potential that some existing business may relocate if this is approved, we are concerned about a negative impact to the existing commercial economy.

For these reasons, staff is recommending the use be denied and codified into the table as such.

All legal notices and mailings on these items have been properly posted.

PUBLIC HEARINGS:

If you are unable to attend the public hearing, you can submit comments on this application for the P&Z to consider, in the following ways:

- In writing – dropped off to the Permits Department by noon on Thursday 08/03/23.
- Via email – to bbarrett@cityofwestworth.com – must be received by noon on Thursday, 08/03/23.
- Verbally in-person at the meeting – at 6pm on 08/03/23

I can be contacted at 817-710-2526 or via email at bbarrett@cityofwestworth.com to discuss the above or any other city issue. I look forward to seeing everyone on Thursday evening.

Brandy Barrett



August 8, 2023

AN ORDINANCE OF THE CITY OF WESTWORTH VILLAGE, TEXAS, ADOPTING AMENDMENTS TO CHAPTER 14. ZONING OF THE WESTWORTH VILLAGE CODE OF ORDINANCES PROVIDING FOR A DEFINITION OF SMOKE/TOBACCO/CBD STORES AND RESTRICTING THE LOCATION OF SMOKE/TOBACCO/CBD STORES; PROVIDING FOR REVOCATION OF SPECIAL USE PERMITS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR ENFORCEMENT AND PENALTIES NOT TO EXCEED \$2,000.00 PER VIOLATION WITH EACH DAY A VIOLATION CONTINUES CONSTITUTING A SEPARATE OFFENSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Westworth Village is a Type A General Law city located in Tarrant County, Texas; and

WHEREAS, the City of Westworth Village may regulate the location of the retail sale of e-cigarettes, tobacco, and related products oil in the interest of public health, safety, and general welfare of its citizens to reduce the rate of use, particularly for minors; and

WHEREAS, the City desires to adopt regulations that require smoke/tobacco/CBD stores to be located in areas distant from places frequented by minors, including schools and parks, restrict such stores to areas zoned for commercial and light industrial uses, and limit the proximity of new stores to each other; and

WHEREAS, the City desires to adopt amendments to the Zoning Ordinance to authorize smoke/tobacco/CBD stores in Commercial and Light Industrial zoning districts with a special use permit and to provide standards for the issuance and revocation thereof; and

WHEREAS, the City Council finds that the provisions adopted herein are in the best interest of the health, safety, and general welfare of the citizens of the City of Westworth Village; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTWORTH VILLAGE, TEXAS:

Section 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. That Chapter 14, “Comprehensive Zoning Ordinance,” Article 1, “General”, Section 14.1.5, “Definitions” of the Code of Ordinances, City of Westworth Village, Texas, is hereby amended to add the following definitions:

“Ancillary sale. A grocery store, supermarket, convenience store or similar market that uses no more than two percent of its gross floor area, or 200 square feet, whichever is less, for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes, tobacco or cannabidiol or hemp product. For any grocery store, convenience market, retail kiosk or similar use consisting of 250 square feet or less, “ancillary sale” shall mean where no more than five square feet are used for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes, tobacco or cannabidiol or hemp product. The display, sale, distribution, delivery, offering, furnishing, or marketing of e-cigarettes, regardless of square footage used, is subject to the restrictions of this chapter and shall not constitute “ancillary sale” under any circumstances.

Cannabidiol (CBD). A consumable hemp product, as defined by Tex. Health and Safety Code §443.001(1).

E-cigarette. The term as defined Tex. Health & Safety Code §161.081(1-a). The juice used in e-cigarettes typically contains nicotine, and for this reason e-cigarettes and their juice can be classified as both tobacco products and tobacco paraphernalia.

Minor. A person under 21 years of age.

Smoke/tobacco/CBD store. Any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, tobacco paraphernalia; and cannabidiol or hemp - derived products provided, however, that any grocery store, supermarket, convenience store or similar retail use that sells conventional cigars, cigarettes, tobacco, or cannabidiol or hemp-derived products as an ancillary sale shall not be defined as a “smoke/tobacco/CBD store” and shall not be subject to the restrictions in this chapter nor would a pharmacy selling FDA approved cannabis and cannabis-derived products. A retail use that sells CBD derived products, but not tobacco, tobacco products, tobacco paraphernalia, is not a “smoke/tobacco/CBD store.”

Tobacco. Any preparation of the nicotine-rich leaves of the tobacco plant, which are cured by a process of drying and fermentation for use in smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body.

Tobacco paraphernalia. Any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco products, or other controlled substances as defined in the Tex. Health and Safety Code. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighters and matches shall be excluded from the definition of tobacco paraphernalia.

Tobacco product. Any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, or otherwise derived, which is intended to enable human consumption of the tobacco or nicotine in the product, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. For the purposes of this chapter, the term “tobacco product” excludes any product that has been specifically approved by the United States Food and Drug Administration (FDA) for sale as a tobacco/smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.”

Section 3. That Chapter 14, “Comprehensive Zoning Ordinance,” Article 3, “Zoning Districts”, Section 14.3.3, “Consolidated Permitted Use Table” of the Code of Ordinances, City of Westworth Village, Texas, is hereby amended to add “Smoke/tobacco/CBD stores” with a Special Use Permit in the Commercial and Light Industrial zoning district classifications as follows:

RESIDENTIAL USES							PERMITTED USES	COMMERCIAL/INDUSTRIAL USES			
SF-A	SF-A-1	SF-B	SF-C	SF-R	MH	MF	RETAIL USES	GC	O	C	LI
							Smoke/Tobacco/CBD Stores			S	S

Section 4. That Chapter 14, “Comprehensive Zoning Ordinance,” Article 3, “Zoning Districts”, Section 14.3.66, “Use Regulations” of the Code of Ordinances, City of Westworth Village, Texas, is hereby amended to read as follows:

“Sec. 14.3.66. Use Regulations.

Uses allowed by SUP are specified in Section 14.3.3. and the following SUP regulations apply to specific use types.

A. Smoke/Tobacco/CBD Stores.

1. Purpose. The regulation of smoke/tobacco stores/CBD (hemp related sales) stores is necessary and in the interests of the public health, safety and general welfare because there is the substantial likelihood of the establishment and operation of smoke/tobacco/CBD stores in the city of Westworth Village. The expansion of these stores in the city could result in undesirable impacts to the community. Among these impacts are increased potential for tobacco sales to minors, greater opportunity for the sale of illegal drug paraphernalia that is

marketed as tobacco paraphernalia, and heightened risk of negative aesthetic impacts, blight, and loss of property values of residential neighborhoods and businesses in close proximity to such uses. This chapter contains amendments consistent with good zoning and planning practices to address such negative impacts of smoke shops and tobacco stores while providing a reasonable number of locations and zones for such shops/stores to locate within the city of Westworth Village.

2. Zoning and land use standards for smoke/tobacco/CBD stores. A smoke/tobacco/CBD store shall require a special use permit. Standards to operate a smoke/ tobacco/CBD store shall be as follows:
 - a) Smoke/tobacco/CBD stores shall not be located within 500 feet, measured property line to property line, from a school (public or private), family day care home, childcare facility, youth center, community center, recreational facility, park, church or religious institution, hospital, or other similar uses where children regularly gather.
 - b) Smoke/tobacco/CBD stores shall not be located within 1500 feet, measured property line to property line, from another smoke/tobacco/CBD store.
 - c) No smoke/tobacco/CBD store shall knowingly allow or permit a minor, not accompanied by his or her parent or legal guardian, to enter or be present on the premises. It shall be the duty of the store and store's employees to identify and ascertain the age of any such person and to refuse admittance to person not of age.
 - d) Smoke/tobacco/CBD stores shall post clear signage, minimum of 8 ½" x 11" with a minimum of 24 font, stating that minors may not enter the premises unless accompanied by a parent or legal guardian. At least one such sign shall be placed in a conspicuous location near each public entrance to the smoke/tobacco/CBD store. It shall be unlawful for a smoke/tobacco/CBD store to fail to display and maintain, or fail to cause to be displayed or maintained, such signage.
 - e) No smoke/tobacco/CBD store shall sell a tobacco product or e-cigarette to a minor.
 - f) Retailers must register with the state of Texas and file information about customer or store with the comptroller.
3. Smoke/tobacco stores that are legally existing on the effective date of the ordinance codified in this chapter may continue to operate as nonconforming uses and shall not be required to obtain a special use permit unless they want to sell CBD products. Any change or expansion of the nonconforming use may require compliance with this chapter and a special use permit."

Section 5. That Chapter 14, "Comprehensive Zoning Ordinance," Article 3, "Zoning Districts", Section 14.3.63, "Expiration, Extension and Revocation" of the Code of Ordinances, City of Westworth Village, Texas, is hereby amended to read as follows:

"Sec. 14.3.63. Expiration, Extension and Revocation.

A SUP can be extended, revoked or modified by the City Council, after notice to the property owner and a hearing on the matter by its own motion and at its discretion. If a special use permit is denied or revoked in accordance with this section, then the subject property shall not be eligible for resubmittal for a minimum of 6 months.

- A. Rescinded, for:
 1. Failure to commence development; or
 2. Failure to extend the time for performance for the concept plan or site plan approved along with the SUP ordinance.
- B. Revoked or modified for:
 1. the special use permit was obtained or extended by fraud or deception; or
 2. one or more of the conditions of approval imposed on the special use permit has not been met or has been violated."

- Section 6: CUMULATIVE.** This Ordinance shall be cumulative of all provisions of ordinances of the City of Westworth Village, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting ordinances are hereby repealed.
- Section 7: SEVERABILITY.** It is hereby declared to be the intention of the City Council of the City of Westworth Village, Texas, that the terms and conditions of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance.
- Section 8: VIOLATIONS AND PENALTIES.** Any person violating any provision of this ordinance shall be fined for each and every day during which any violation of any provision of this ordinance is committed, continued, or permitted in the maximum amount allowed by law as provided in section 1.01.009 of the City Code.
- Section 9: SAVINGS.** All rights and remedies of the City of Westworth Village, Texas, are expressly saved as to any and all violations of the provisions of any ordinances affecting contractors within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.
- Section 10: PUBLICATION.** The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this ordinance as an alternative method of publication provided by law.
- Section 11: EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED, APPROVED, AND ADOPTED on this, the 8th day of August 2023.

CITY OF WESTWORTH VILLAGE

L. Kelly Jones, Mayor

ATTEST:

Brandy G. Barrett, TRMC
City Administrator/City Secretary

APPROVED AS TO FORM AND LEGALITY:

Will Pruitt, City Attorney



Westworth Village

Request for Specific Use Permit

City of Westworth Village – Permits Department: 817-710-2506

311 Burton Hill Rd., Westworth Village, TX 76114

I / We respectfully request a specific use permit from Westworth Village. The following is submitted in support of this proposal:

Requestor: ANNA MARTINEZ & JOSEPH KASPICK Date: 6-9-23
 Address: 6115 GREENFIELD RD FT WORTH TX, 76135
 Phone #: 817-600-4291 Email: JEKASPICK3@gmail.com

ATTACH A SEPARATE PROPOSAL INCLUDING:

1. The nature of this request (*the purpose of this proposal is to allow a Specific Use Permit*).
2. An explanation of why you believe this request should be approved.
3. An explanation of how the specific use would promote the Vision Plan of Westworth Village.
4. Approved concept plan/ site plan.

PROPERTY DESCRIPTION:

Physical Address: 6530 HAWKS CREEK STE 102 WESTWORTH VILLAGE TX, 76114

Legal Description According to the County Deed Records: Volume: _____ Page: _____

It is Shown As: Tract: _____ of the _____ survey, Tarrant County Tax Record.

A metes and bounds description and map locating the property are attached.

Total Land Area Contained Herein: _____ (Acres/ Sq. Ft.)

PROPERTY DEVELOPMENT INFORMATION:

Residential Zoning Districts				Non-Residential Zoning Districts	
SF-A	Large Lot Single-Family Residential	SF-R	Single-Family Redevelopment	O	Office
SF-B	Single-Family Residential	MH	Manufactured Housing	C	Commercial
SF-C	Custom Single-Family Residential	MF	Multi-Family Residential	LI	Light Industrial

Present Use: Residential: _____ Non-Residential: _____ Proposed Use: Residential: _____ Non-Residential: C

Status of Development Plans: Concept Site Plan Building Plan

DEVELOPER INFORMATION:

Developer: _____ Firm: _____

Address: _____

Phone #: _____ Email: _____

ACKNOWLEDGEMENT:

- I certify that the above information is correct and complete to the best of my knowledge and ability.
- I am fully prepared to present the above proposal at the Zoning Hearing.
- I understand that in the event the undersigned is not present at the Public Hearing the City Council may dismiss this proposal and such dismissal shall constitute denial.
- I reserve the right to withdraw this proposal at any time upon written request filed with the City Secretary. Such withdrawal shall immediately stop all proceedings. Withdrawal filed after the giving of notice of the Public Hearing shall constitute a denial by the City Council.
- I understand the filing fees are not refundable upon withdrawal or denial of proposal.

Annamartinez
Requestor's Signature

Anna Martinez
Requestor's Name (Print)

6/9/23
Date

Agent's Signature

Agent's Name (Print)

Date



June 6, 2023

Vape Legacy Bar LLC

**RE: Letter of Intent: Shoppes at Hawks Creek
6530 Hawks Creek Blvd Suite 102
Westworth Village, TX 76114**

Dear Vape Legacy Bar LLC,

On behalf of **Vaquero Hawks Creek Partners LP**, the landlord, I am pleased to submit the following non-binding, letter of intent (LOI) to lease space at Shoppes at Hawks Creek. This LOI is to operate your business, **Vape Legacy Bar LLC (dba TBD)**, at the above address. This is not an offer to lease nor a contract and only a fully executed Lease entered into between both parties shall be the agreement between parties.

Tenant:	Vape Legacy Bar LLC (dba TBD)
Landlord:	Vaquero Hawks Creek Partners LP
Location:	6530 Hawks Creek Blvd Suite 102 Westworth Village, TX 76114
Leased Premises:	1,155 SF (approx.)
Permitted Use:	Tenant is permitted to have use of the leased premises for a smoke and vape business
Guarantor:	Joseph Kaspick and Anna Martinez
Initial Lease Term:	Four (4) Years of paid base rent and NNN
Lease Commencement:	At lease execution
Rent Commencement:	The earlier of sixty (60) days after delivery of premises (i.e. 2 months base rent and NNN abatement) or tenant obtaining their certificate of occupancy (CO).
Base Rental Rate:	See below for base rent schedule set to begin at rent commencement:



Term	Base Rent/ SF	Base Rent/ Month
1	\$23.00/ SF	\$2,213.75
2	\$24.00/ SF	\$2,310.00
3	\$25.00/ SF	\$2,406.25
4	\$26.00/ SF	\$2,502.50

- Operating Expenses (NNN):** Operating expenses are estimated to be \$8.32/SF/Year
- Security Deposit:** \$3,303.30 to be paid at lease execution
- First Months Prepaid Rent:** \$3,014.55 to be paid at lease execution
- Condition of Leased Premises:** Landlord shall deliver all building systems including mechanical, electrical, plumbing and HVAC systems in good working order on or before lease commencement.
- Structural/Roof Systems:** Landlord, at its sole cost and expense, shall maintain, repair and (if necessary) replace the roof, foundation, floor slab, and structure of the premises. Tenant shall maintain the remainder of the premises including all glass/windows and doors.
- Signage:** Tenant agrees to review and agree to signage requirements. Tenant shall be required to install their standard sign on the outside of their premises above their suite. All signage is subject to landlord and city approval.
- Non-Binding:** This proposal is not intended as, and does not constitute, a binding agreement by any party, nor an agreement by any party to enter into a binding agreement, but is merely intended to specify some of the proposed terms and conditions of the transaction contemplated herein. Neither party may claim any legal rights against the other by reason of the signing of this letter or by taking any action in reliance thereon. Each party hereto fully understands that no party shall have any legal obligations to the other, or with respect to the proposed transaction, unless and until all of the terms and conditions of the proposed transaction have been negotiated, agreed to by all parties and set forth in a fully executed Lease (the "Lease"). The only legal obligations, which any party shall have, shall be those contained in such signed and delivered definitive Lease.



LANCARTE
COMMERCIAL

Furthermore, the Lease is subject to the Landlord's approval and consent.

Thank you for the opportunity and we look forward to hearing from you soon.

Sincerely,

Ben J Gehrke
LanCarte CRE
Brokerage

Accepted and Agreed to this _____ day of _____, 2023.

TENANT:

By: _____

Name: _____

Title: _____

LANDLORD:

By: _____

Name: _____

Title: _____

Vape Legacy Bar

1. The nature of this request (the purpose of this proposal is to allow a specific use permit.

The purpose of this proposal of the specific use permit is to include Westworth Village in a rapid growing industry. I am wanting to start my second small business along with my significant other. We have been interested in opening our own vape shop for a few years now and are planning on it being a great investment not only to us, but to the community of Westworth Village. We have invested in looking into the proper procedures and protocols, licensing, financial and business plans to be successful. Vape Legacy Bar LLC, is planning on providing CBD, E-Cigs, vape accessories, and tobacco products for the community as well as bringing in great revenue, affordable prices and great customer service. With the owner of Shoppes of Hawks Creek Ste 102, supporting our goals and approving us a place to lease for our small business, we are asking the city of Westworth Village to also give us this opportunity and approve this specific use permit.

2. An explanation of why you believe this request should be approved.

Vaping is trending and a lot of smokers have converted from cigarettes and tobacco to E-Cigs. Financially, the industry is known to bring in great revenue. Along with Westworth Village being a great location, we provide strong work ethics, hard work, and a desire to become successful business owners. We are an LLC company that will enforce all laws and regulations within the tobacco industry.

3. An explanation on how the specific use would promote the Vision Plan of Westworth Village.

Vape Legacy Bar LLC, will provide a clean and professional work area so that all customers are provided with a nice relaxing environment. Gaining and keeping our customers happy will be our number one priority. Westworth Village is a growing community and Vape Legacy Bar LLC, will be a great asset in providing higher traffic for the community and by providing for those who support the tobacco industry.

4. Approved concept plan/site plan.

At our store front location, Shoppes of Hawks Creek, Ste 102 we will have a LED sign to attract customers along the main road. Suite 102 has a wall dividing the suite into two sections. In the front half of Vape Legacy Bar LLC, is where customer service and sales will be provided. The back half of the suite will be only accessible to employees and will require a lock code to access. In the back half, there are two rooms and a restroom. The biggest room will store our inventory and the smaller room will be our office which will monitor all areas with a live video feed security system. Our restroom will be for employees only, due to the volume of inventory we will have stored. Our goal is to build a secured bar top with bar stools to divide the space between our customers and employees. We will display products behind the bar on a slat wall shelving system and also have additional glass display cases for the rest of our products. Vape Legacy Bar LLC, is choosing to have a bar countertop setup with bar stools so our customers are welcomed to one-on-one interaction without having to feel rushed when making decisions or purchases while also keeping a safe distance between products and customers.

Vape Legacy Bar

Business Overview

Vape Legacy Bar LLC, will be a neighborhood vape shop located at Shoppes of Hawks Creek, Ste 102. Our company will provide a selection of vape accessories, CBD products, tobacco products, E-cigs, flavored liquids, and other vape related accessories. We also plan on providing Texas Lottery sales.

Products Served

- Electronic Cigs and accessories
- Tanks and tank refills
- Vape mods and disposable mods
- E- Liquids
- CBD products
- Cigarettes and Tobacco products
- Tobacco accessories
- Texas Lottery
- Store Promotion Merchandise

Customer Focus

Targeting residents in Westworth Village and nearby surrounding cities. We will provide our customers with a clean and professional vape shop that has all the latest/newest vaping products on the market. We plan to build a customer loyalty program to keep our customers happy and rewarded with their business.

Success Factors

- Vape Legacy Bar LLC, will be located in a high demand traffic area.
- Convenient to residents throughout Westworth Village and nearby communities.
- Vape and CBD is a high demand industry and will bring in great revenue.
- Standing out from our competitors.
- Having a great selection of inventory and products.
- Great Customer Service.
- Having great relationships with our distributors.

