



# AGENDA SUMMARY/STAFF REPORT

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**MEETING DATE:** June 11, 2024

**PREPARED BY:** Otis T. Spriggs, AICP, Director of Development Services

**AGENDA CONTENT:** Conduct a public hearing, discussion, and take possible action on an Ordinance approving a Specific Use Permit, for approximately .23 acres of land, currently zoned “C-G”, Commercial General District, allowing for a cosmetic tattoo studio use at 105 E Wilkins Street, legally described as A0380 J DE J VALDERAS TRACT 99C ACRES 0.23 (ANGLETON), Brazoria County, Texas.

**AGENDA ITEM SECTION:** Public Hearing and Action Item

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**BUDGETED AMOUNT:** N/A

**FUNDS REQUESTED:** N/A

**FUND:** N/A

**EXECUTIVE SUMMARY:** Meagan Ward and Jaime Castaneda, Agent for Christi Beard are requesting consideration for a Specific Use Permit for a property currently zoned to the “C-G”, Commercial General District, to allow for a cosmetic tattoo studio use on a tract of land located at 105 E Wilkins Street, Angleton, TX 77515, Angleton, Texas. The subject site is east of the intersection of N VELASCO ST Alias SH 288B and East Wilkins. The Specific Use will use the existing 5,000 square-foot, 1 story (standalone) building.

## PROPOSAL

General services offered at Southern Sugar Spa are said to be different and a much safer technique than **microblading**, which is a temporary tattoo service that the city council has already approved previously as allowed under a Specific Use Permit (SUP).

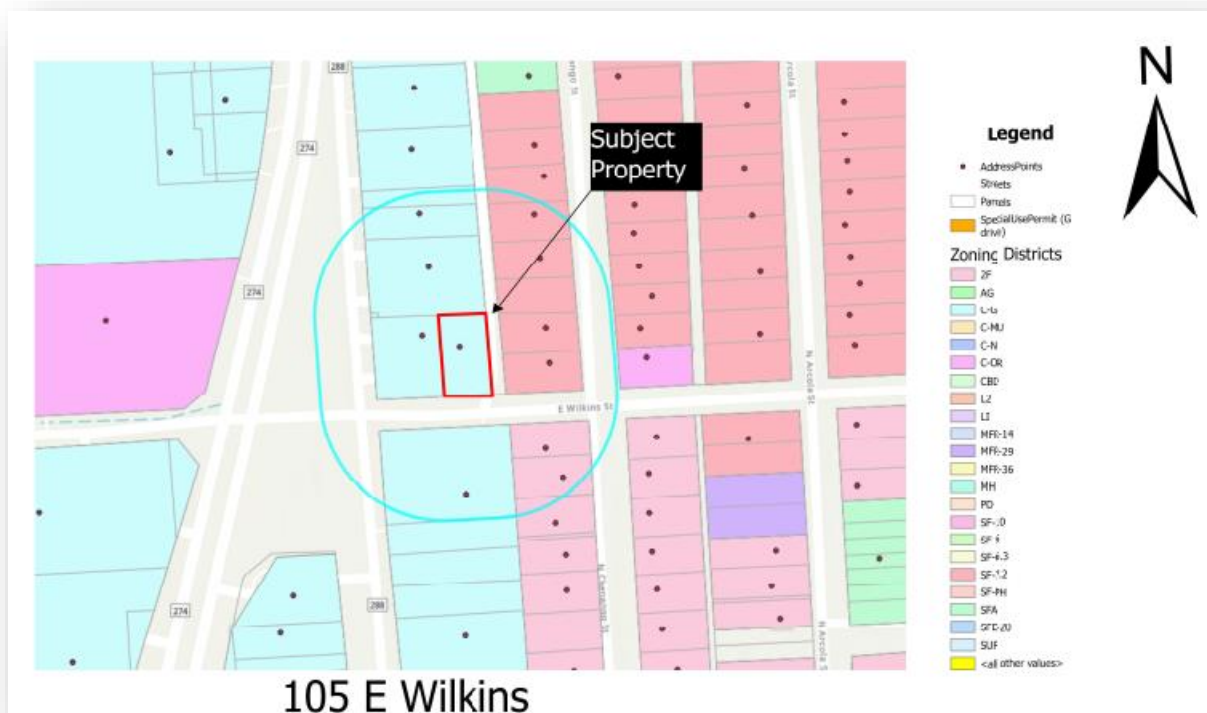
Ms. Meagan Ward noted that she offers nano brows and powder brows, or a combination of both techniques together. The brow techniques offered are created using a thin single needle for maximum precision and a mechanical handle held tool that controls the speed of how fast the needle moves.

The needle’s ultra-fine shape prevents the device from inflicting deep scarring or high levels of trauma to the skin, which microblading commonly does cause. Since this technique is a much gentler approach to implanting pigment into the brow skin, the likelihood of oversaturating the skin with pigment is extremely rare and allows the pigment to gently fade within 2 to 5 years as the body metabolizes the pigment ink over the course of several years. Oftentimes, microblading

is too saturated and the body cannot easily metabolize it, so people are left having microbladed brows permanently or for an extended period of time (20+ years) which is not favorable.

The proposed cosmetic tattooing treatment can help restore the look of any brow hair loss due to aging, autoimmune disease, chemotherapy, or injury that impacts the brow shape. A majority of her clients fit in this category, but she does have clients that just have spare brows and request more visual detail.

Additionally, Ms. Ward specializes in medical Post-Mastectomy tattoos for cancer survivors, as well as other medical tattoos such as 3D belly buttons for clients that have had major weight loss surgery where they lost their belly button with skin removal or 3D nails for clients that have had impacted ingrown nails surgically removed from their hands or feet. She is able to treat scars and stretch marks with a technique called dry needling, which is a very light and targeted skin resurfacing treatment using a larger needle grouping and applying a medical grade scar serum to the surface of the targeted area to stimulate cellular regeneration and collagen production.





**Aerial Map**



*View of the Subject property looking Northeast from SH288 Business at E. Wilkins St.*



*View looking North at the Subject Site from E. Wilkins St.*



*View looking Northwest at the <sup>4</sup>Subject from E. Wilkins St.*

## STAFF ANALYSIS:

Section 28-63, 5 (e); SUP- Specific use permits, outlines the requirements and factors for consideration:

***When considering applications for a specific use permit, the planning and zoning commission in making its recommendation and the city council in rendering its decision on the application shall, on the basis of the site plan and other information submitted, evaluate the impact of the specific use on, and the compatibility of the use with, surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. The planning and zoning commission and the city council shall specifically consider the extent to which:***

- a. The proposed use at the specified location is consistent with the goals, objectives and policies contained in the adopted comprehensive plan; ***The use is permitted as a specific use permit.***
- b. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations; ***There are no issues of consistency.***
- c. The proposed use meets all supplemental standards specifically applicable to the use as set forth in this chapter; ***All supplemental standards are met.***
- d. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts, including but not limited to:
  - Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire; ***Access is adequate.***
  - Off-street parking and loading areas; ***Parking is sufficient for the proposed used.***
  - Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses; ***No issues apply.***
  - Control of signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district; ***No issues apply.***
  - Required yards and open space; ***No issues apply.***
  - Height and bulk of structures; ***No issues apply.***
  - Hours of operation; ***No issues apply.***
  - Exterior construction material and building design; ***No issues apply.*** Roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets. ***Low volume use. No issues apply.***
- e. The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity. ***No issues apply.***

Staff has taken the above criteria into consideration when reviewing the proposed temporary tattoo use within the spa facility. The space adequately provides for the use and if approved, it will not be in conflict with the Zoning Resolution nor the Comprehensive Plan. The use is compatible with the overall character of the area. The parking lot will adequately accommodate the proposed use.

Licensing and regulations are handled by the state of Texas Health and Human Services Commission. The applicant must acquire and maintain all required state licensing.

**Public Notification**

Staff sent public notices to the local newspaper, and to the property owners within 200 feet of the subject property under consideration for the SUP application.

**Opposition to or Support of Proposed Request**

To-date, Staff has not received any notices in in opposition of the proposed SUP request, only a call asking for clarification.

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**Recommended Action:**

The Planning and Zoning Commission voted unanimously (Record of Proceedings for June 6, 2024, attached) to approve the requested Specific Use Permit (S.U.P.) application and forwards this as its Final Report to City Council with a positive recommendation for a temporary cosmetic tattoo studio use in the Commercial- General Zoning District, (C-G), for approval consideration and appropriate action.

1. The applicant shall obtain and maintain state licensing as regulated by the state of Texas Health and Human Services Commission.
2. The applicant shall obtain any City Final Occupancy permits prior to opening the facility.