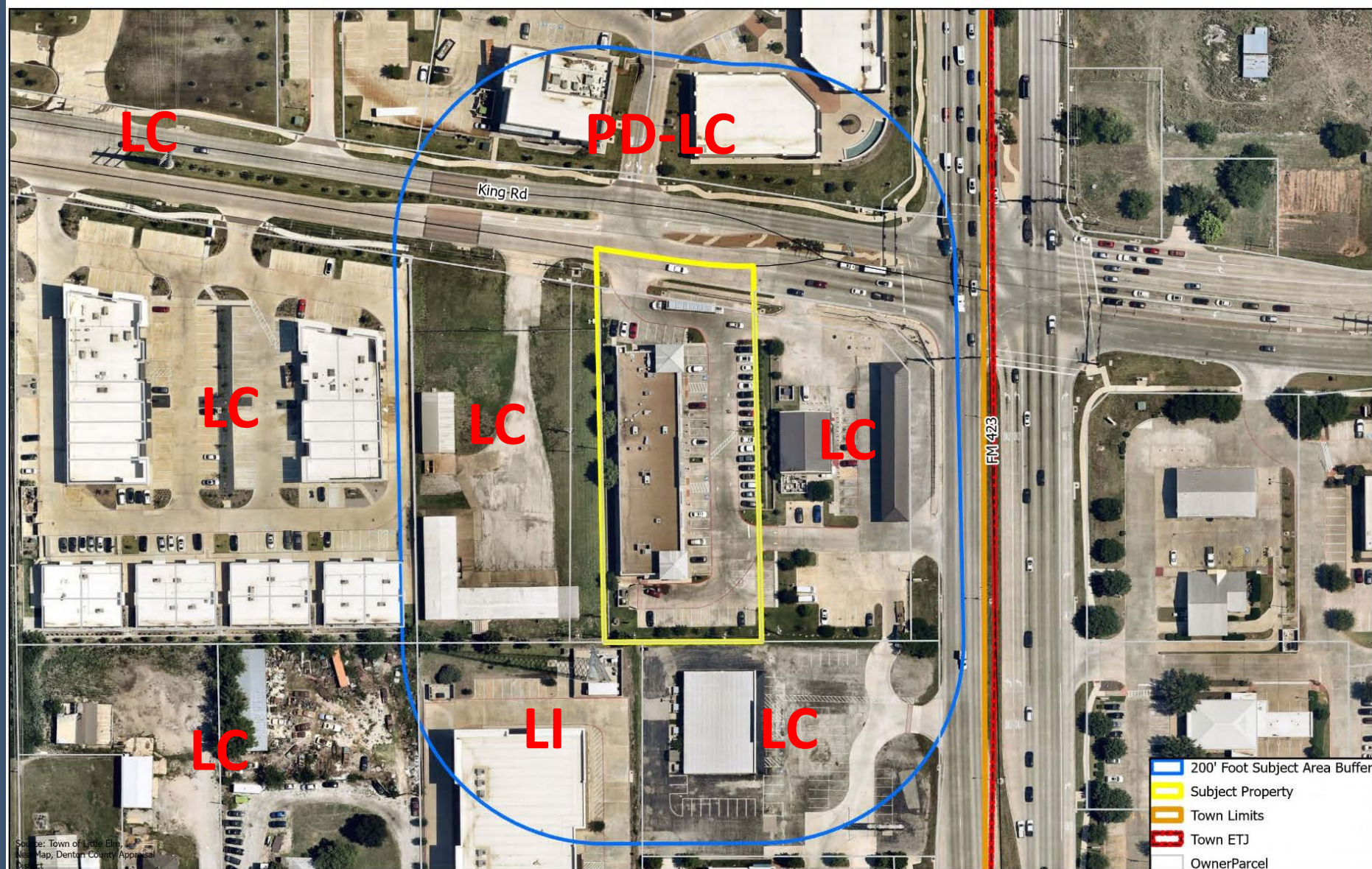


# PUBLIC HEARING

## Little Elm Retail Planned Development (PD-23-01523)

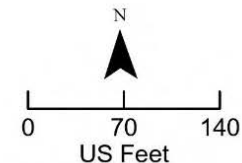
# Location

- Existing Commercial Development
- Approximately 1.4 acres
- Currently zoned Light Commercial (LC) with a Specific Use Permit (SUP) for a Martial Arts Studio through Ordinance No. 908.



Pin Cushion Planned Development  
2650 KING RD, FRISCO, TX 75036

**Town of Little Elm**  
Denton County, Tx  
Date: 8/4/2023



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.



# Background

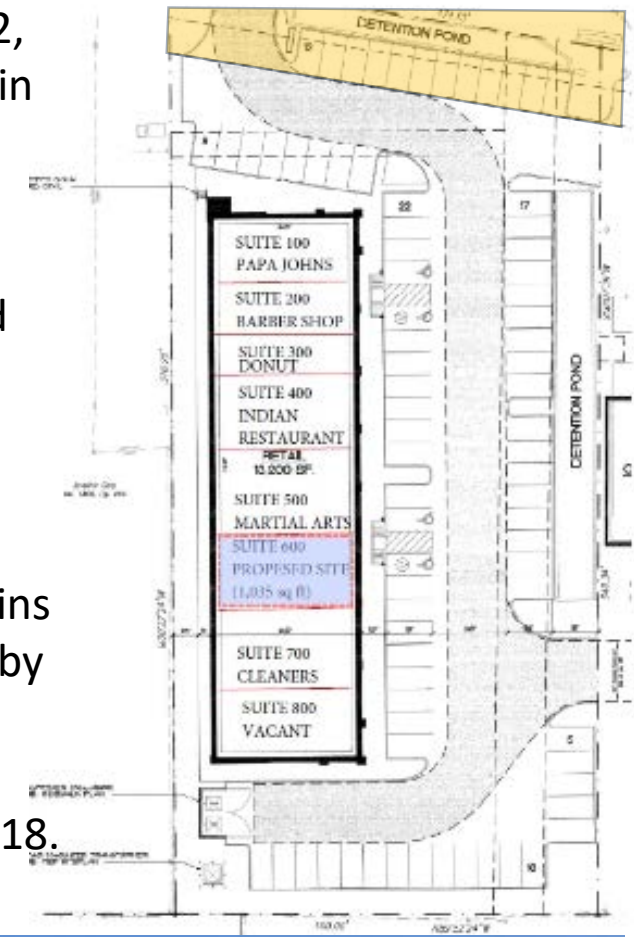
The property was initially annexed into the Town in 2002, and the existing building was subsequently constructed in 2005.

In 2009, the King Road Right-of-Way (ROW) expansion utilized a portion of the subject property, which reduced the parking and landscaping along King Road.

The property has access to both King Road and FM 423.

The original 13,200 square-foot building's exterior remains unchanged and currently has 6 out of 8 suites occupied by businesses permitted in the LC district.

The current property owner acquired the property in 2018.



# Background

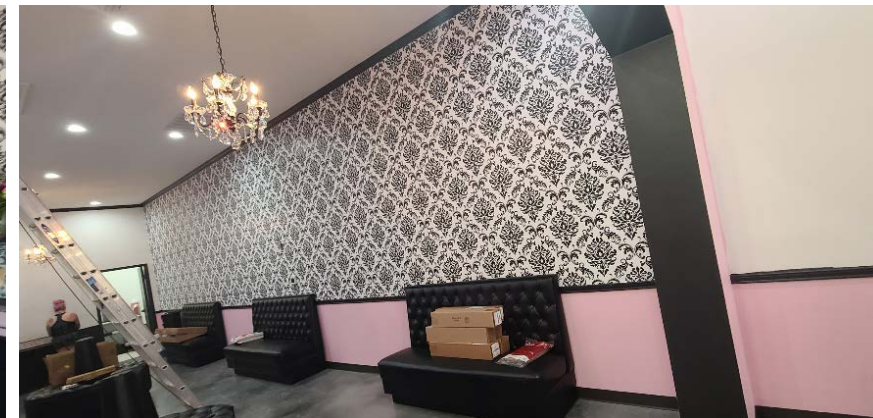
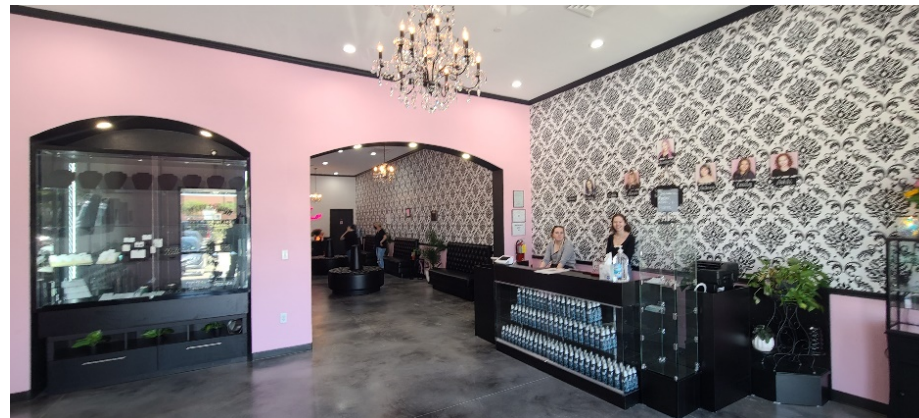
In late 2022, the property owner approached the Town about requirements for a Body Art Studio.



The Proposed Body Art Studio, combines two concepts

- “Pin Cushion” is a family-run operation offering an all female body piercing studio
- “Steel Paint Brush” family-run tattoo studio
- 2 existing locations, both in Frisco and Pin Cushion in Celina
  - Frisco location has been open since 2014, currently the only tattoo shop in the City of Frisco.
  - Communication with the City of Frisco did not indicate any filed nuisance complaints or ordinance violations.

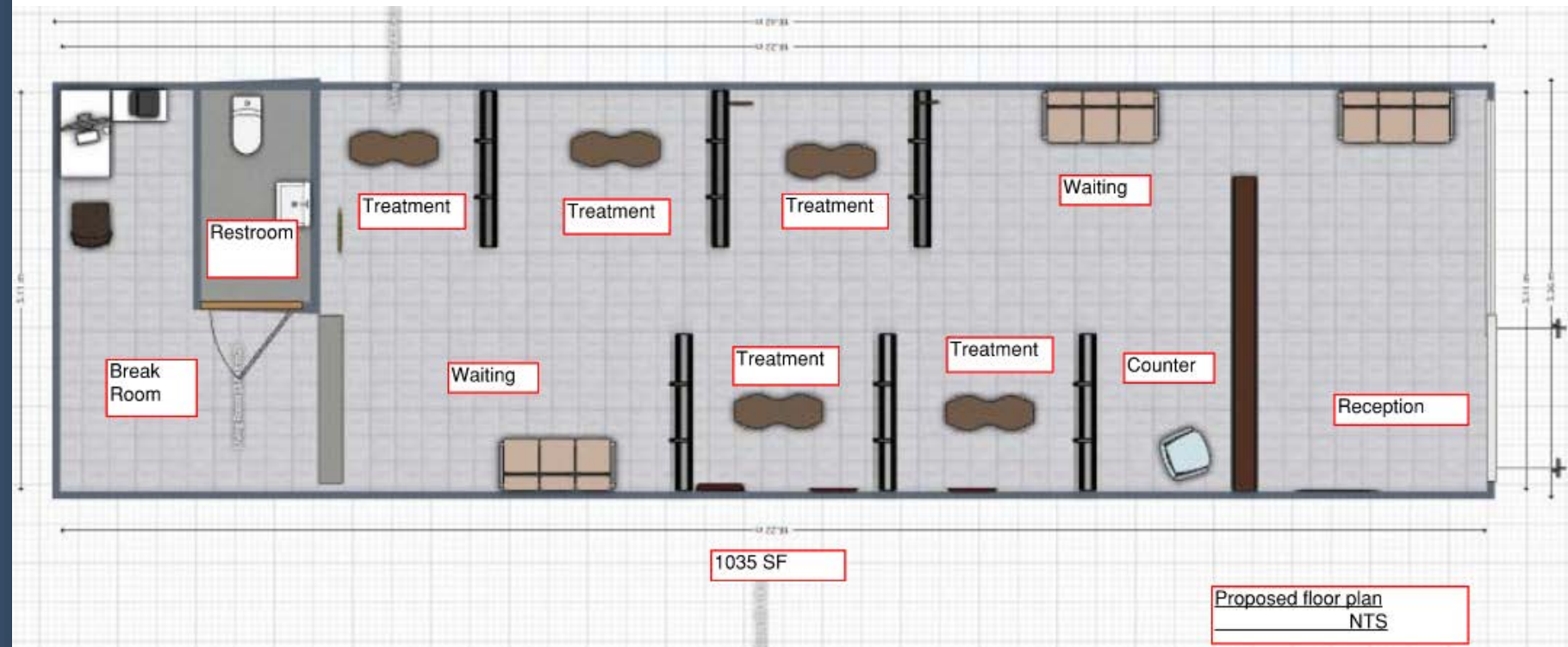
Since the use is not allowed in the LC district, either by right or through a SUP, staff determined the best route for the applicant would be to request a new Planned Development (PD) district, based on LC standards with modified uses, by adding “Body Art Studio” as an allowed use.



The applicant is proposing to rezone the property to a Planned Development that allows a 1,035 square foot “Body Art Studio” by right, as shown on the plans.


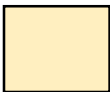

*Body art studio. An establishment whose services include tattooing and/or body piercing. Tattooing shall mean the placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. Body piercing shall mean the creation of an opening in an individual's body, other than ear piercing, to insert jewelry or other decoration.*

# Proposal

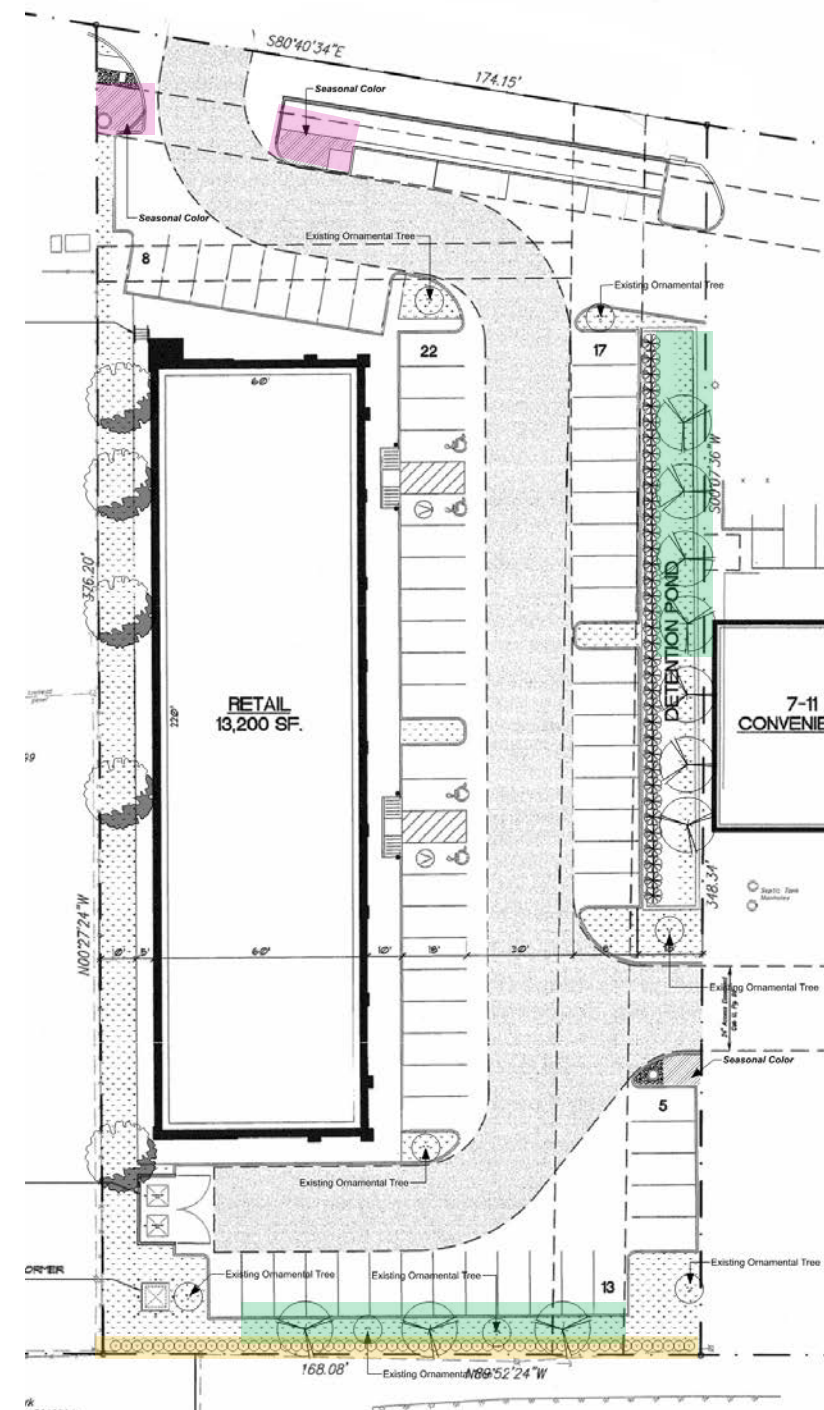




The applicant is proposing landscape improvements to move the property closer toward compliance with the Town's current landscape standards.

-  New shade trees along the southern and eastern property boundaries
-  New shrubs along the southern boundary
-  Enhanced entry way seasonal planting along the northern entry.

# Landscape Improvements



# **Fire, Engineering, & Comp Plan**

Fire and Engineering have reviewed the proposed plans and determined them to be acceptable for the purposes of this rezoning request.

Further review and approval will be required through the Site Development Permit and Building Permit processes.

The proposed Body Art Studio use is classified as a commercial service use and if approved, would not be in conflict with the Future Land Use Plan (FLUP), which envisions this area as Retail/Commercial.

Staff has not received any questions or comments based on public notification sent out or placed on the property.

## Consideration

Body Art Studios are permitted within the Heavy Commercial, Lakefront, and Industrial zoning districts, through a Specific Use Permit (SUP). However, the Code does not provide any additional criteria for the review and approval of such requests.

SUPs are placed on a certain retail or service uses that, may have been considered to be not in the best interest of the public health, safety, morals, and general welfare.

Requiring an SUP allows additional scrutiny by the Town Council as to the appropriate location, allowing each request to be reviewed on a case by case basis, based on situational suitability.

SUP requests also allow Town Council to add conditions to the use and/or site to ensure no potential nuisances result from the proposed operation onto the adjacent properties.

Considering the proposed location and existing context of the surrounding area, as well as the proposed tenant Pin Cushion, Staff does not believe a Body Art Studio poses a nuisance to the adjacent properties.



# Commission Findings & Recommendation

On August 17th, 2023, the Planning and Zoning Commission discussed the applicant's interest in the site, parking, hours of operation, and the fact that this type of use may have had some stigma in the past but has become more acceptable in current times.

Planning and Zoning Commission unanimously (6-0) recommends approval subject to the following conditions:

1. One “Body Art Studio” is permitted within Suite 600, not to exceed 1,035 square feet, as depicted on the site and floor plans within Exhibit B.
2. “Body Art Studio” must follow all applicable Texas Department of Licensing and Regulations (TDLR) requirements.
3. Body Art Studio is allowed only for the proposed tenant, Pin Cushion, requiring any subsequent tenant change-out, for the same use, to go back through the zoning process for review and approval by Town Council.