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|---------------------------------------------|--------------------------------------------------------|
| <b>Conditional Use Permit<br/>CUP-26-39</b> | <b>501 W San Antonio St<br/>Rise and Shine Tattoos</b> |
|---------------------------------------------|--------------------------------------------------------|



### Summary

|                                       |                                                      |                            |                                                             |
|---------------------------------------|------------------------------------------------------|----------------------------|-------------------------------------------------------------|
| <b>Request:</b>                       | New Conditional Use Permit (CUP)                     |                            |                                                             |
| <b>Applicant:</b>                     | Rebecca Basma<br>118 Silo St<br>San Marcos, TX 78666 | <b>Property Owner:</b>     | Becky Smith<br>504 W San Antonio St<br>San Marcos, TX 78666 |
| <b>CUP Expiration:</b>                | N/A                                                  | <b>Type of CUP:</b>        | Use of Studio Tattoo                                        |
| <b>Interior Floor Area:</b>           | ~300 sq ft                                           | <b>Outdoor Floor Area:</b> | N/A                                                         |
| <b>Parking Required:</b>              | 1 space                                              | <b>Parking Provided:</b>   | Yes                                                         |
| <b>Days &amp; Hours of Operation:</b> | N/A                                                  |                            |                                                             |

### Notification

|                  |                                    |                  |               |
|------------------|------------------------------------|------------------|---------------|
| <b>Posted:</b>   | July 10, 2026                      | <b>Personal:</b> | July 10, 2026 |
| <b>Response:</b> | None as of the date of this report |                  |               |

### Property Description

|                              |                                                                                |                                           |                                 |
|------------------------------|--------------------------------------------------------------------------------|-------------------------------------------|---------------------------------|
| <b>Legal Description:</b>    | Block 3, Lot 1, in the D S Combs Addition                                      |                                           |                                 |
| <b>Location:</b>             | South side of W San Antonio Street, approximately 50 feet West of North Street |                                           |                                 |
| <b>Acreage:</b>              | 0.167 acres                                                                    | <b>PDD/DA/Other:</b>                      | N/A                             |
| <b>Existing Zoning:</b>      | Mixed Use (MU)                                                                 | <b>Proposed Zoning:</b>                   | Same                            |
| <b>Existing Use:</b>         | Personal Services                                                              | <b>Proposed Use:</b>                      | Studio Tattoo                   |
| <b>Preferred Scenario:</b>   | Neighborhood Transition                                                        | <b>Proposed Designation:</b>              | Same                            |
| <b>CONA Neighborhood:</b>    | Heritage                                                                       | <b>Sector:</b>                            | 1                               |
| <b>Utility Capacity:</b>     | Adequate                                                                       | <b>Floodplain:</b>                        | No                              |
| <b>Historic Designation:</b> | N/A                                                                            | <b>My Historic SMTX Resources Survey:</b> | Yes, High Preservation Priority |

### Surrounding Area

|                           | <b>Zoning</b>              | <b>Existing Land Use</b>  | <b>Preferred Scenario</b> |
|---------------------------|----------------------------|---------------------------|---------------------------|
| <b>North of Property:</b> | Multiple Family 24 (MF-24) | Multi-Family Residential  | Neighborhood Medium       |
| <b>South of Property:</b> | Duplex Residential (D)     | Duplex Residential        | Neighborhood Medium       |
| <b>East of Property:</b>  | Mixed Use (MU)             | Multi-Family Residential  | Neighborhood Transition   |
| <b>West of Property:</b>  | Single Family-4.5 (SF-4.5) | Single Family Residential | Neighborhood Low          |

### Staff Recommendation

|                                                                                                                                   |                                                                     |                                 |
|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|---------------------------------|
| Approval as Submitted                                                                                                             | <input checked="" type="checkbox"/> <b>Approval with Conditions</b> | <input type="checkbox"/> Denial |
| 1. The operating hours shall not exceed 8am-9pm Monday-Sunday; and<br>2. The permit shall not expire, provided standards are met. |                                                                     |                                 |
| <b>Staff:</b> Kaitlyn Buck                                                                                                        | <b>Title:</b> Planner                                               | <b>Date:</b> July 22, 2026      |

|                               |                               |
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### **History**

This is a new request.

### **Additional Analysis**

The building has been occupied by Blooming Day Spa since 2017. According to the applicant, the proposed use is a boutique-style private tattoo studio operated by a married couple within a tenant space in the same building as Blooming Day Spa. The business operates by appointment only and typically serves between two and five clients per day. The applicant stated that no body piercing services or adult-oriented products (such as vape products) will be offered. All clients will be 18 years of age or older and will complete the required documentation in accordance with applicable licensing requirements.

### **Comments from Other Departments**

|                               |                   |
|-------------------------------|-------------------|
| <b>Police</b>                 | No Calls Reported |
| <b>Fire</b>                   | No Comment        |
| <b>Public Services</b>        | No Comment        |
| <b>Engineering</b>            | No Comment        |
| <b>Health/Code Compliance</b> | No Comment        |

|                                     |                                                |
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| Evaluation |              |            | Criteria for Approval (Sec. 2.8.3.4)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------|--------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Consistent | Inconsistent | Neutral    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <u>X</u>   |              |            | The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|            |              | <u>N/A</u> | The proposed use is consistent with any adopted small area plan or neighborhood character study for the area.<br><b><i>Studies were not complete at the time of the request.</i></b>                                                                                                                                                                                                                                                                                                                                                                              |
| <u>X</u>   |              |            | The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|            |              | <u>X</u>   | The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.<br><b><i>The proposed use is compatible with and preserves the character and integrity of adjacent developments; no improvements are necessary at this time.</i></b> |
| <u>X</u>   |              |            | The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.                                                                                                                                                                                                                                                                                                                                                                                           |
|            |              | <u>X</u>   | The proposed use incorporates 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.<br><b><i>No improvements are being proposed as the subject structure is an existing development.</i></b>                                                                                                                                                                                                |
|            |              | <u>X</u>   | The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.<br><b><i>No visual impacts are expected to cause adverse effects on adjacent properties.</i></b>                                                                                                                                                                                                                                                                                                            |
| <u>X</u>   |              |            | The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.                                                                                                                                                                                                                                                                                                            |