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Tuesday, April 14, 2026  
6:00 PM

City Hall - 141 W. Renfro  
Burleson, TX 76028

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1. **CALL TO ORDER**

Invocation

Pledge of Allegiance

Texas Pledge:

*Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God; one and indivisible*

2. **CITIZEN APPEARANCES**

Each person in attendance who desires to speak to the Committee on an item NOT posted on the agenda, shall speak during this section. A speaker card must be filled out and turned in to the City Secretary prior to addressing the Committee. Each speaker will be allowed three minutes to speak.

Each person in attendance who desires to speak on an item posted on the agenda shall speak when the item is called forward for consideration.

3. **CONSENT AGENDA**

All items listed below are considered to be routine by the Planning and Zoning Commission and will be enacted with one motion. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. Approval of the consent agenda authorizes the Development Services Director to place each item on the City Council agenda in accordance with the Planning and Zoning Commission's recommendations.

A. Consider approval of the minutes from March 24, 2026 Planning & Zoning Commission meeting.

4. **PUBLIC HEARING**

A. 3425 SW Wilshire (ZC26-002): Hold a public hearing and consider and take possible action on an ordinance for a zoning change request from "GR" General Retail to "C" Commercial with a Specific Use Permit (SUP) for a tattoo studio. (Staff Contact: Lidon Pearce, Principal Planner)

5. **REPORTS AND PRESENTATIONS**

6. **GENERAL**

7. **COMMUNITY INTERESTS ITEMS**

8. **RECESS INTO EXECUTIVE SESSION**

In accordance with Chapter 551 of the Texas Government Code, the Board may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda. The Board may reconvene into open session and take action on posted items.

**Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071, Texas Government Code**

9. **ADJOURN**

Staff Contact

Tony McIlwain  
Director of Development Services  
817-426-9684

**CERTIFICATE**

I hereby certify that the above agenda was posted on this the 2nd of April 2026, by 5:00 p.m., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

City Secretary

**ACCESSIBILITY STATEMENT**

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.



Department Memo

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**Planning & Zoning Commission Meeting**

**DEPARTMENT:** Development Services

**FROM:** Peggy Fisher, Administrative Assistant Sr.

**MEETING:** April 14, 2026

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**SUBJECT:**

Approve the minutes from March 24, 2026 Regular Session of the Planning & Zoning Commission meeting.

**SUMMARY:**

Minutes from the March 24, 2026 Regular Session of the Planning & Zoning Commission meeting.

**OPTIONS:**

Approve as presented

**RECOMMENDATION:**

Approve the minutes from the March 24, 2026 Regular Session of the Planning & Zoning Commission meeting.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

None

**FISCAL IMPACT:**

None

**STAFF CONTACT:**

Peggy Fisher  
Recording Secretary  
[pfisher@burlesontx.com](mailto:pfisher@burlesontx.com)  
817-426-9611

PLANNING AND ZONING COMMISSION

March 24, 2026  
MINUTES

Roll Call

Commissioners Present

David Hadley  
Dan Taylor  
Cynthia Plonien  
Ashley Brookman  
Michael Tune  
Beth Lytner  
Clint Faram  
Brandon Crisp  
Michael Kurmes  
Bobby Reading

Commissioners Absent

Staff

Matt Ribitzki, City Attorney  
Tony McIlwain, Director Development Services  
Emilio Sanchez, Assistant Director Development Services  
Peggy Fisher, Administrative Assistant

**REGULAR SESSION**

**1. Call to Order – 6:00 PM**

**Invocation – David Hadley**

**Pledge of Allegiance**

**Texas Pledge**

**2. Citizen Appearance**

None

**3. Consent Agenda**

- A.** Consider approval of the minutes from March 10, 2026 Planning and Zoning Regular Commission meeting. (Staff Contact: Tony McIlwain, Director Development Services).

Motion made by Commissioner Ashley Brookman and second by Commissioner Clint Faram to approve the consent agenda.

Motion passed, 9-0.

#### **4. Public Hearing**

- A.** Hold a public hearing and consider and take possible action on an ordinance amending the City's zoning ordinance codified in Appendix B of the City of Burleson Code of Ordinances relating to a Heavy Industrial and High Energy use district. *(Staff Contact: Tony D. McIlwain, Development Services Director)*

Tony McIlwain presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Michael Tune opened the public hearing at 6:37 p.m.

Commission Chairman Michael Tune closed the public hearing at 6:37 p.m.

Motion made by Commissioner David Hadley and second by Commissioner Clint Faram to approve with the following language to read as the closet vertical structure requiring approval of a SUP shall be 500 feet from the nearest boundary of any district allowing residential uses and 250 feet for any retail or commercial zoning districts.

Motion passed, 8-1. Commissioner Beth Lytner was opposed.

- B.** Hold a public hearing and consider and take possible action on an ordinance amending Section 50, "Definitions," of Article II of Appendix B, "Zoning," of the Code of Ordinances by amending the definition of Home Occupation by adding a new definition of No-Impact Home Based Business in accordance with State law. *(Staff Contact: Tony D. McIlwain, Development Services Director)*

Tony McIlwain presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Michael Tune opened the public hearing at 6:45 p.m.

Commission Chairman Michael Tune closed the public hearing at 6:50 p.m.

Motion made by Commissioner Beth Lytner and second by Commissioner Ashley Brookman to approve.

Motion passed, 9-0.

**5. General**

None

**6. Reports and Presentations**

- A.** Receive a report, hold a discussion, and provide direction on approved plat's for the month of February 2026. *(Staff Contact: Emilio Sanchez, Deputy Director)*

Emilio Sanchez presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

- B.** Receive a report, hold a discussion on "How to be an Ethical Planning and Zoning Commissioner (aka How to Stay out of Trouble)". *(Staff Contact: Emilio Sanchez, Deputy Director)*

Emilio Sanchez presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

**7. Community Interest Items**

None

**8. Executive Session**

In accordance with Chapter 551 of the Texas Government Code, the City Commission may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda.

- A. Pending or Contemplated Litigation or to Seek the Advice of the City of Attorney Pursuant to Section 551.071**

**9. Adjourn**

There being no further business Chair Michael Tune adjourned the meeting.

**Time – 7:17PM**

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Peggy Fisher  
Administrative Assistant  
Recording Secretary


**Planning & Zoning Commission Meeting**

**DEPARTMENT:** Development Services  
**FROM:** Lidon Pearce, Principal Planner  
**MEETING:** April 14, 2026

**SUBJECT:**

3425 SW Wilshire (ZC26-002): Hold a public hearing and consider and take possible action on an ordinance for a zoning change request from “GR” General Retail to “C” Commercial with a Specific Use Permit (SUP) for a tattoo studio. *(Staff Contact: Lidon Pearce, Principal Planner)*

**STRATEGIC PRIORITY AND GOAL(S):**

Strategic Priority	Strategic Goal
 <p><b>Dynamic &amp; Preferred City</b> Through Managed Growth</p>	<p>2.2 Promote sustainable residential and commercial development through strategic and long-term planning</p>

**SUMMARY:**

On March 2, 2026, an application was submitted by Monica Smith with Outer Orbit Tattoo LLC on behalf of Benny Bransom (owner) to change the zoning of approximately 0.28 acres of land to “C” Commercial with a Specific Use Permit for a tattoo studio.

**DEVELOPMENT OVERVIEW:**

If the zoning change was approved, the entire 0.28 parcel would be rezoned to C, Commercial and all uses allowed within that zoning district would be allowed by-right on the parcel. If the Specific Use Permit was approved, it would only apply to Suite E; which is approximately 400 square feet of the existing 2,500 square feet. No structural changes to the existing building are being proposed, the applicant is proposing a panel replacement on the existing multi-tenant pole sign.

Appendix B, Zoning; Article III; Zoning Districts, Section 78-110; Commercial Specific use permit:

Tattoo studio

1. In considering whether to grant a specific use permit, the following shall be required:
  - a. Hours of operations (cannot commence application of a tattoo other than stated hours of operation)
    - i. No earlier than 10AM
    - ii. Sundays no later than 6PM
    - iii. All other days no later than Midnight
  - b. Tattoo Studios not allowed to operate in residential areas
  - c. Signage requirement
    - i. No flashing signs
    - ii. No neon signs
  - d. No loitering on permitted premises
2. In considering whether to grant a specific use permit, the following shall be considered in addition to the other factors to be considered while granting an SUP:
  - a. Distance to residentially zoned areas, churches, schools, day-care facilities, and other tattoo studios.
 

**Nearest residential zoned area:** Mountain Valley / ~130 feet to the east

**Nearest known church:** Iglesia Bautista De Joshua / ~1,200 feet to the south  
 First Assembly of God / ~1,300 feet to the northwest  
 Joshua Baptist / ~1,400 feet to the northeast

**Nearest known school:** Joshua Christian Academy / ~1,660 feet to the south  
 North Joshua Elementary / ~3,400 feet to the north

**Nearest known day-care facility:** Punkin Patch / ~1,390 feet to south

**Nearest known tattoo studio:** 5.4 Miles to the North East (378 NW Hillery)
3. The application for a building permit shall be accompanied by a copy of the applicant's state license.
4. After five affirmative findings of violations of either state or local regulations relating to the operations of the tattoo studio the specific use permit will be automatically terminated.

**Zoning and Land Use Table**

	Zoning	Use
Subject Site	GR, General Retail	Retail uses
North	GR, General Retail	Retail uses
East	City of Joshua (R1)	Single-family
South	GR, General Retail	Retail uses
West	City of Joshua (C1)	Commercial

**This site is designated in the Comprehensive Plan as Community Commercial.**

Community Commercial is generally located along major streets and at significant nodes. This category is intended to provide suitable areas for the development of light to medium intensity commercial uses to support surrounding urban development. Corresponding zoning districts may include NS, Neighborhood Services and GR, General Retail.

*Staff has determined the requested zoning of C, Commercial allows for higher intensity uses by-right than staff would recommend at this location due to proximity to residential and surrounding urban development.*

**RECOMMENDATION:**

Recommend disapproval of the ordinance for the zoning change to C, Commercial.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

N/A

**REFERENCE:**

[City of Burleson, TX Zoning](#)

**FISCAL IMPACT:**

None.

**STAFF CONTACT:**

Lidon Pearce  
Principal Planner  
[lpearce@burlesontx.com](mailto:lpearce@burlesontx.com)  
817-426-9649



# Case ZC26-002

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PRESENTED TO P&Z- 4.14.2026

LIDON PEARCE, AICP, CNU-A

PRINCIPAL PLANNER

# ZC – 3425 SW Wilshire

**Location:**

- 3425 SW Wilshire

**Applicant:**

- Monica Smith (Outer Orbit Tattoo LLC)
- Benny Bransom(Owner)

**Item for approval:**

Zoning Change from “GR” General Retail to “C” Commercial with a Specific Use Permit for a tattoo studio (Case ZC26-002).



# Zoning

GR, General Retail



# Comprehensive Plan

Community Commercial



## C, Commercial Land Usage

### Allowed by-right

Amusement, commercial (outdoor)  
Auto repair, glass, seat cover, muffler  
Auto, new used auto sales; outdoors  
Auto painting or body shop  
Batting cages  
Bakery or wholesale candy  
Bottling works  
Building materials sales  
Cabinet and upholstery shop  
Clothing or similar manufacturing  
Day camp for children  
Drop-in child care center  
Greenhouse or commercial nursery Hauling  
or storage company  
Laboratory manufacturing  
Laboratory research  
Lithography or print shop  
Local franchise utility

Maintenance and repair services for  
buildings  
Mold and tool shop  
Monument manufacturing  
Mortuary or funeral home  
Motel or hotel  
Motorcycle sales and repair  
Musical instrument sales and  
manufacturing  
Paint shop  
Pawnshop  
Pet shop  
Playfield or stadium (public)  
Retail shop, apparel, gift accessories and  
similar items  
Rodeo grounds  
Roller or ice rink  
Trailer, manufactured home sales, or rental,  
assembly and manufacturing  
Wholesale sales/storage

### Specific Use Permit required

Amusement, commercial (indoor)  
Animal pound (private)  
Community center (private)  
Kennel (indoor)  
Liquor store  
Miniwarehouse  
Miniature golf course  
Small tractor and farm equipment sales and repair  
Tattoo Studio

## Specific Use Permit requirements: tattoo studio

In considering whether to grant a specific use permit, the following **shall** be required:

- a. Hours of operations (cannot commence application of a tattoo other than stated hours of operation)
  - i. No earlier than 10AM
  - ii. Sundays no later than 6PM
  - iii. All other days no later than Midnight
- b. Tattoo Studios not allowed to operate in residential areas
- c. Signage requirement
  - i. No flashing signs
  - ii. No neon signs
- d. No loitering on permitted premises

**Specific Use Permit considerations: tattoo studio**

In considering whether to grant a specific use permit, the following shall be considered in addition to the other factors to be considered while granting an SUP:

- a. Distance to residentially zoned areas, churches, schools, day-care facilities, and other tattoo studios.

**Nearest residential zoned area:** Mountain Valley / ~130 feet to the east

**Nearest known church:** Iglesia Bautista De Joshua / ~1,200 feet to the south  
 First Assembly of God / ~1,300 feet to the northwest  
 Joshua Baptist / ~1,400 feet to the northeast

**Nearest known school:** Joshua Christian Academy / ~1,660 feet to the south  
 North Joshua Elementary / ~3,400 feet to the north

**Nearest known day-care facility:** Punkin Patch / ~1,390 feet to south

**Nearest known tattoo studio:** 5.4 Miles to the North East (378 NW Hillery)



# ZC – 3425 SW Wilshire

## Public Hearing Notice:

- Public notices were mailed to property owners (based on current JCAD records) within 300 feet of subject property.
  
- Published in the newspaper.
  
- Sign Posted on the property.



**Legend**

- 300 ft. Buffer
- Subject Property
- Properties within 300 ft.
- Burleson

# ZC – 3425 SW Wilshire

## Staff Recommendation:

- Staff has determined that the requested zoning district of C, Commercial allows for higher intensity uses by-right than staff would recommend at this location due to proximity to residential and surrounding urban development
- Staff recommends disapproval of the ordinance for a zoning change.





**Recommend  
Approval**



**Recommend  
Denial**



# Questions / Comments

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Lidon Pearce, CNU-A, AICP  
Principal Planner  
[lpearce@burlesontx.com](mailto:lpearce@burlesontx.com)  
817.426.9649

## **Business Description/ Statement of Use**

This request is for a Specific Use Permit to allow the operation of a professional, appointment-based tattoo studio within an existing zoned general retail space.

The proposed business, Outer Orbit Tattoo LLC, will run as a single-artist studio strictly by appointment only. No walk-in services will be offered. This model significantly limits customer traffic and ensures a controlled, low-impact use of the property. At any given time, only one client will be present, resulting in minimal parking demand, reduced noise, and no disruption to surrounding businesses or the community.

Hours of operation will be limited to weekday afternoon appointments. The business will not operate late-night hours, further reducing any potential impact on nearby properties.

The studio will be maintained in full compliance with all applicable health, safety, and sanitation regulations required by the State of Texas and local authorities. The workspace is designed to provide a clean, safe, and private environment where clients receive one-on-one attention in a professional setting. All procedures will be conducted with strict adherence to sterilization standards and best practices within the tattoo industry.

The applicant is an experienced tattoo artist specializing in traditional and classic tattooing, with a strong emphasis on craftsmanship, integrity, and client care. In addition to standard tattoo services, the applicant provides restorative tattoo work, including scar coverage and work for individuals who have experienced significant scarring or burns. This work is approached with a high level of care, professionalism, and sensitivity.

The applicant is deeply rooted in the local community and is proud of a military family background. Serving veterans and providing a respectful, welcoming environment for individuals of all backgrounds is an important aspect of the business mission. The client base is diverse and includes local residents, families, and professionals.

The proposed location is appropriately sized for a single-artist, appointment-only studio and is consistent with a low-intensity commercial use. The nature of the business does not generate noise, odors, or any adverse external impacts. No outdoor operations, amplified sound, or loitering is associated with this use. The business is fully contained within the existing building and will not alter the character of the surrounding area.

The location's proximity to the applicant's residence allows for consistent oversight, ensuring the property is well-maintained, secure, and responsibly operated at all times. The business is intended to be a long-term, stable presence that contributes positively to the local commercial area.

Approval of this request will allow for a small, locally owned business that prioritizes professionalism, safety, and individualized client care, while maintaining compatibility with surrounding uses and adhering to all applicable regulations.

- Monica Smith

## Location Impact Statement

The proposed use consists of a small-scale, appointment-only tattoo studio located within an existing zoned General Retail space. The operation is intentionally limited in scope and designed to function as a low-intensity professional service, with all activities conducted within a controlled indoor environment. The business model prioritizes privacy, cleanliness, and individualized client care, resulting in minimal activity and a use that is compatible with surrounding properties.

Although the site is located in proximity to residential areas, the proposed use is quiet, professional, and does not generate noise, odors, or other external impacts. All services are conducted within a controlled indoor environment, and the business model emphasizes privacy, safety, and individualized client care. The appointment-only structure eliminates loitering, gathering, and unregulated foot traffic, further supporting a stable and respectful operating environment.

Signage associated with the business will be minimal and consistent with existing development standards. Identification will be limited to the use of the existing shared pole sign and a small, professionally designed door sign. No additional exterior signage, lighting, or visually intrusive elements are proposed, ensuring that the visual character of the property remains unchanged.

The proposed use is entirely contained within the existing building and does not involve any outdoor operations, amplified sound, or other activities that could affect adjacent properties. The scale and nature of the business align with a low-impact commercial use appropriate for this location.

Furthermore, the city of Burleson's future land use plan designates this area for Community Commercial development by 2030. The proposed tattoo studio is consistent with this long-term vision, as it represents a small-scale, service-oriented business that supports local residents while maintaining compatibility with surrounding uses.

Based on its limited scale, controlled operating model, and minimal external impacts, the proposed use is appropriate for the site and surrounding area. It is anticipated to operate as a responsible, well-managed business that contributes positively to the local commercial environment without creating adverse effects on neighboring properties.

- Monica Smith

Item A.

# SITE PLAN - Mountain Valley Addition no 5, block 11 plot 1 3425 SW WILSHIRE BLVD, JOSHUA TX 76058

32.483873,-97.377058 - Johnson county

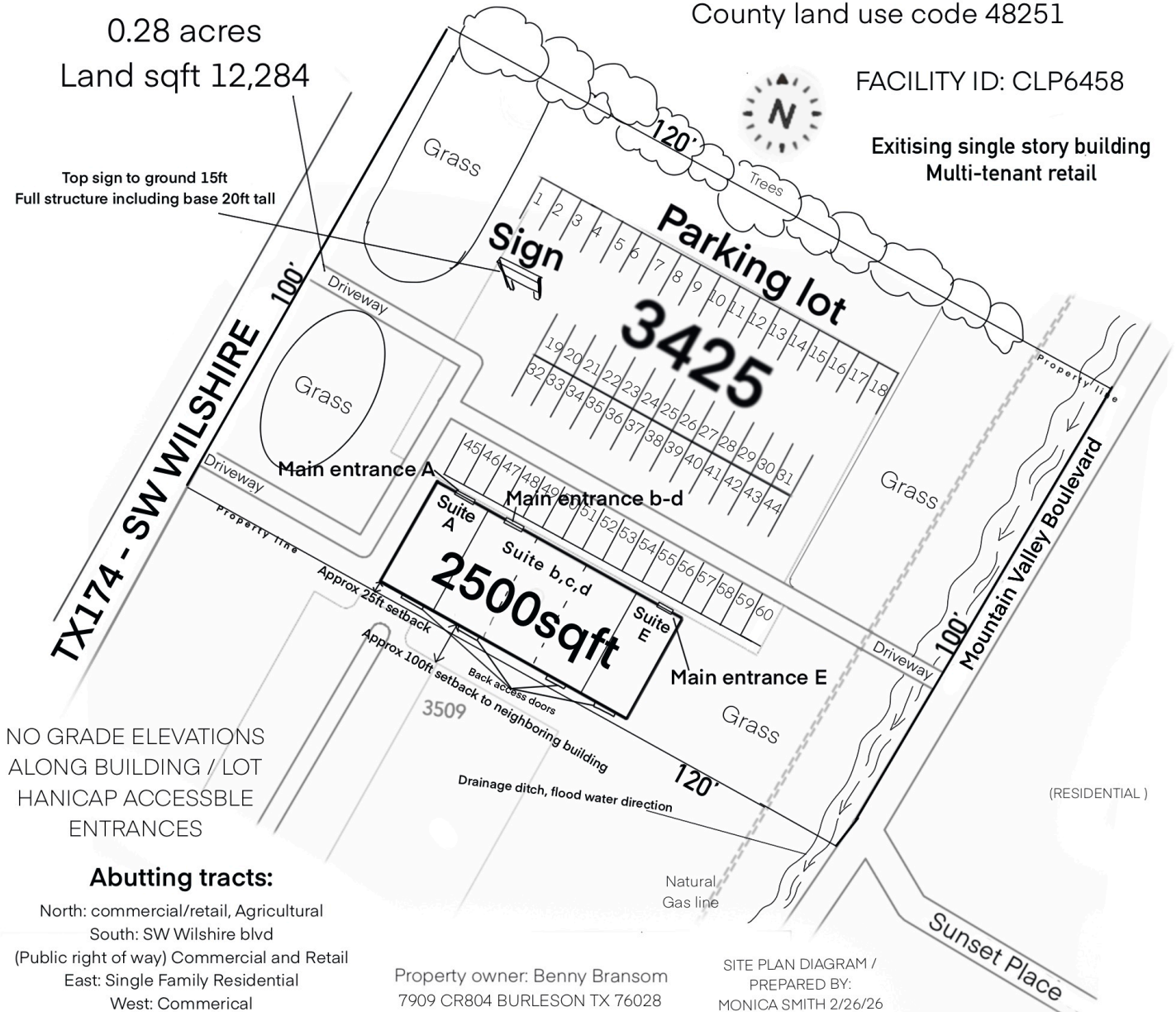
County land use code 48251

0.28 acres  
Land sqft 12,284

FACILITY ID: CLP6458

Existing single story building  
Multi-tenant retail

Top sign to ground 15ft  
Full structure including base 20ft tall



NO GRADE ELEVATIONS  
ALONG BUILDING / LOT  
HANICAP ACCESSIBLE  
ENTRANCES

### Abutting tracts:

- North: commercial/retail, Agricultural
- South: SW Wilshire blvd
- (Public right of way) Commercial and Retail
- East: Single Family Residential
- West: Commerical

Property owner: Benny Bransom  
7909 CR804 BURLESON TX 76028

SITE PLAN DIAGRAM /  
PREPARED BY:  
MONICA SMITH 2/26/26

BEING a tract of land situated in the Mountain Valley Addition No. 5, Block 11, being comprised of Lots 1 and 2, as recorded in the Plat Records of Johnson County, Texas, and being located at 3425 SW Wilshire Boulevard, Joshua, Texas, and being more particularly described as follows:

BEGINNING at the southwest corner of said Lot 1, said point being located along the east right-of-way line of SW Wilshire Boulevard (State Highway 174);  
 THENCE in an easterly direction along the south line of Lots 1 and 2, a distance of approximately 100 feet to the southeast corner of Lot 2;  
 THENCE in a northerly direction along the east line of Lot 2, a distance of approximately 120 feet to the northeast corner of Lot 2;  
 THENCE in a westerly direction along the north line of Lots 1 and 2, a distance of approximately 100 feet to the northwest corner of Lot 1, said point being along the east right-of-way line of SW Wilshire Boulevard;  
 THENCE in a southerly direction along said right-of-way line, a distance of approximately 120 feet to the POINT OF BEGINNING;

# SIGN ELEVATION PLAN

Project: OUTER ORBIT TATTOO LLC  
3425 SW WILSHIRE BLVD SUITE E

Prepared by:  
MONICA SMITH  
209 ROARING SPRINGS  
DR, JOSHUA TX 76058

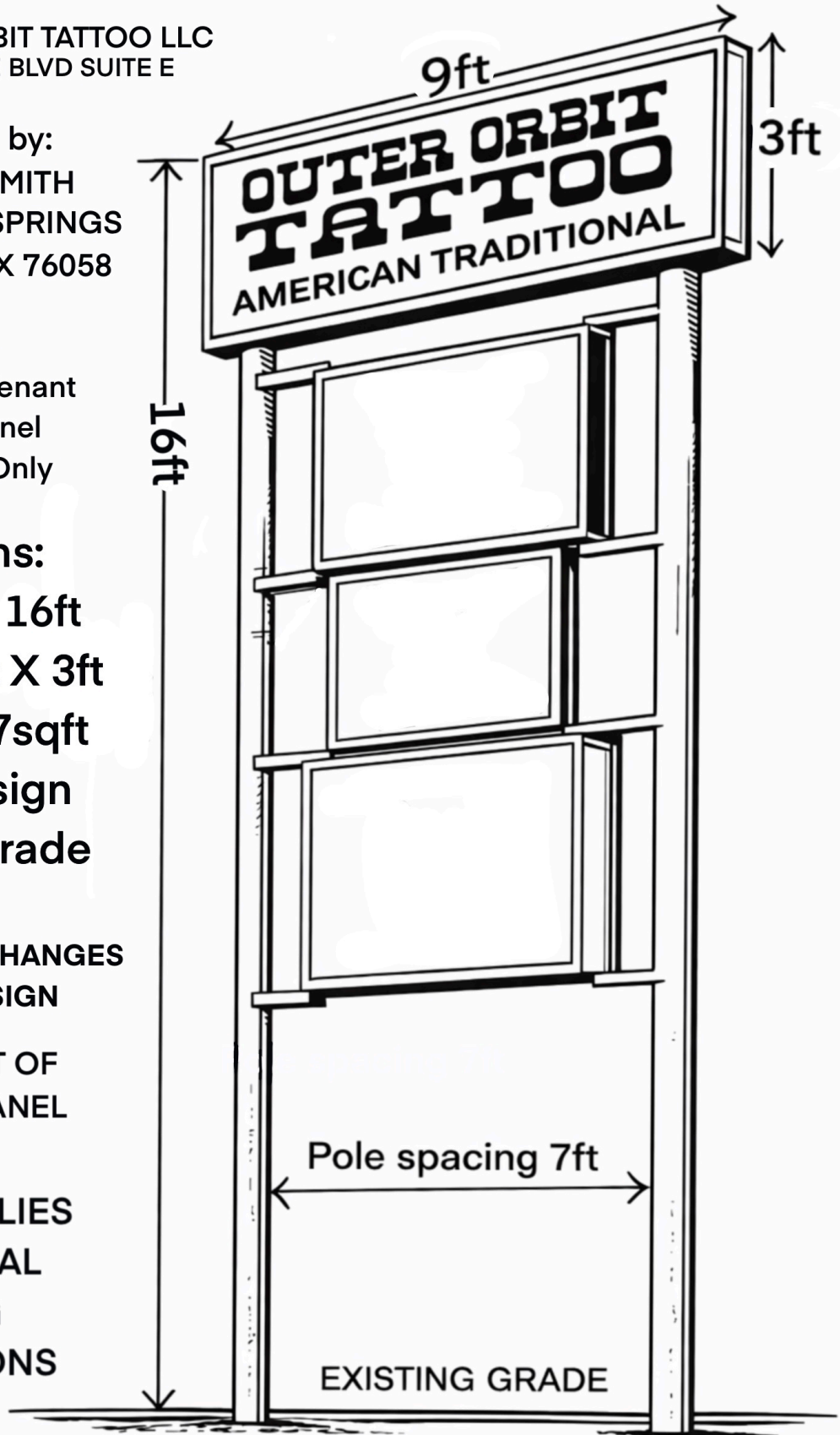
Sign type:  
Existing Multi-Tenant  
Pole Sign- Panel  
replacement Only

**Dimensions:**  
Total height 16ft  
Sign face: 9ft X 3ft  
Sign area: 27sqft  
Bottom of sign  
13ft above grade

**NO STRUCTURAL CHANGES  
TO EXISTING SIGN**

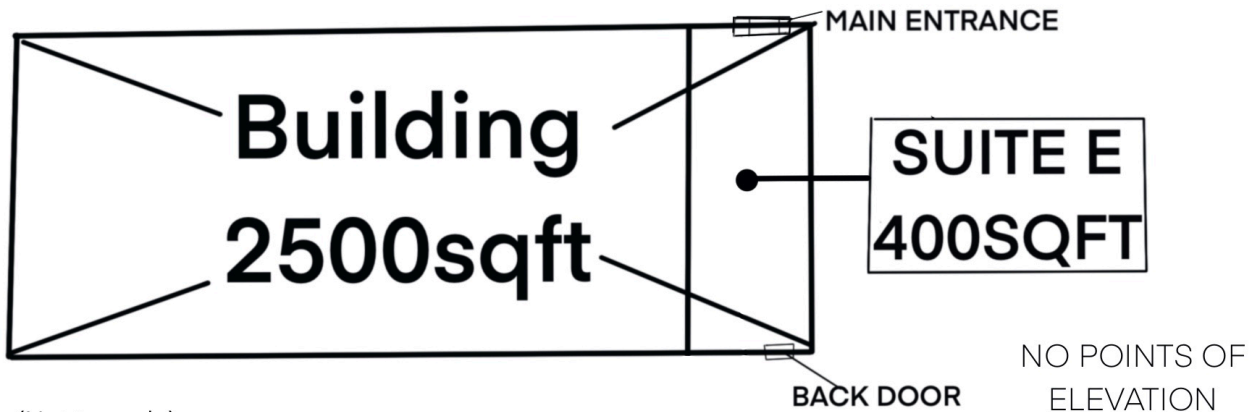
**REPLACEMENT OF  
TOP TENANT PANEL  
ONLY**

**SIGN COMPLIES  
WITH LOCAL  
ZONING  
REGULATIONS**

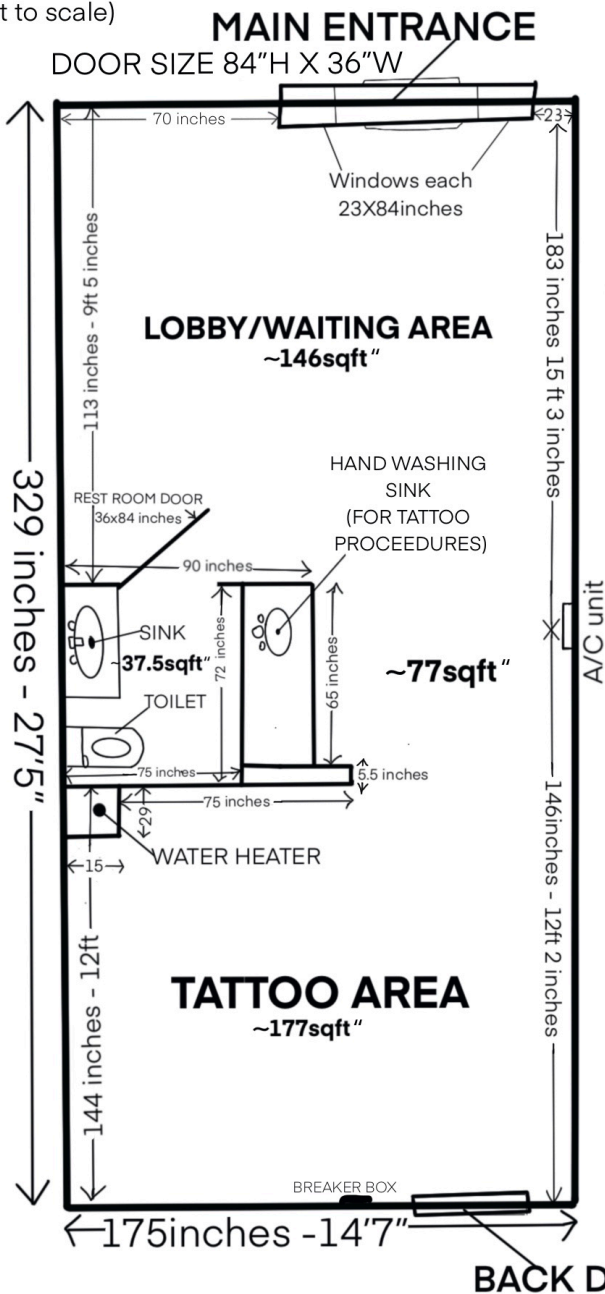


# FLOOR PLAN - SUITE E

## 3425 SW WILSHIRE



(Not to scale)



BUILDING HAS NEW METAL ROOF INCLUDING DRAINAGE GUTTERS

**PROPOSED USE:**  
TATTOO STUDIO (BY APPOINTMENT)

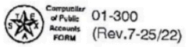
### PROJECT DESCRIPTION:

Tenant finish-out for tattoo studio. Space includes lobby/ waiting area, private tattoo area, restroom, and hand washing sink. No structural changes proposed.

**NO CHANGES TO EXISTING PLUMPING, ELECTRICAL, OR STRUCTUAL ELEMENTS**

Prepared by: Monica Smith 2/25/26  
209 Roaring Springs Drive Joshua TX 76058

BACK DOOR 84x36 inches



# TEXAS SALES AND USE TAX PERMIT

*This permit is not transferable, and this side must be prominently displayed in your place of business.*

*Retailers: A seller may NOT accept a copy of this permit in lieu of a properly completed exemption or resale certificate. A certificate is necessary to document why tax is not collected on a sale.*

*You must obtain a new permit if there is a change of ownership, location or business location name.*

TAXPAYER NAME, BUSINESS LOCATION NAME and PHYSICAL LOCATION

OUTER ORBIT TATTOO LLC

OUTER ORBIT TATTOO LLC  
3425 SW WILSHIRE BLVD STE E  
BURLESON  
JOHNSON COUNTY

TX 76058-6188

Type of permit	SALES AND USE TAX
Taxpayer number	3-21043-4202-0
Location number	00001
First business date of location	05/01/2026

NAICS: 812199 Other Personal Care Services

WE SHOW THIS BUSINESS IN THE FOLLOWING LOCAL SALES TAX AUTHORITIES:

CITY: BURLESON

EFF: 05/01/2026

Kelly Hancock  
Acting Comptroller of Public Accounts

*You may need to collect sales and/or use tax for other local taxing authorities depending on your type of business.  
For additional information, see "Collecting Local Sales and Use Tax" section on the back of this document.  
If you have any questions regarding sales tax, visit our website at [www.Comptroller.Texas.Gov](http://www.Comptroller.Texas.Gov) or call us at 800-252-5555.*

Corporations Section  
P.O.Box 13697  
Austin, Texas 78711-3697



Jane Nelson  
Secretary of State

## Office of the Secretary of State

### Certificate of Fact

The undersigned, as Secretary of State of Texas, does hereby certify that the document, Certificate of Formation for Outer Orbit Tattoo LLC (file number 806435185), a Domestic Limited Liability Company (LLC), was filed in this office on February 09, 2026.

It is further certified that the entity status in Texas is in existence.

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on February 18, 2026.



A handwritten signature in black ink that reads "Jane Nelson".

Jane Nelson  
Secretary of State

Phone: (512) 463-5555  
Prepared by: SOS-WEB

*Come visit us on the internet at <https://www.sos.texas.gov/>*

Fax: (512) 463-5709  
TID: 10264

Dial: 7-1-1 for Relay Services  
Document: 1559479730004

## Ordinance

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE AND MAP OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON APPROXIMATELY 0.28 ACRES OF LAND; LOTS 1 & 2, BLOCK 11, MOUNTAIN VALLEY ADDITION, KNOWN AS 3425 SW WILSHIRE BLVD, AND FURTHER DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION, FROM “GR” GENERAL RETAIL TO “C” COMMERCIAL, WITH A SPECIFIC USE PERMIT FOR A TATTOO STUDIO APPLYING ONLY TO SUITE E; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas (“City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council passed, approved, and adopted Ordinance B-582, being the Zoning Ordinance and Map of the City of Burleson, Texas, showing the locations and boundaries of certain districts, as amended, and codified in Appendix B of the City of Burleson Code of Ordinances (2005) (the “Zoning Ordinance and Map”); and

WHEREAS, an application for a zoning change was filed by **Monica Smith** on **March 2, 2026**, under **Case Number ZC26-002**, on property described herein below filed application with the City petitioning an amendment of the Zoning Ordinance and Map so as to rezone and reclassify said property from its current zoning classification; and

WHEREAS, the Planning and Zoning Commission of Burleson, Texas, held a public hearing on said application after at least one sign was erected upon the property on which the change of classification is proposed in accordance with the Zoning Ordinance and Map, and after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such notice being served by depositing the same, properly addressed and postage paid, in the U.S. mail; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Burleson, Texas voted **X to 0** to recommend approval to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classifications of **General Retail (GR)** to **Commercial (C)** and

WHEREAS, notice was given of a further public hearing to be held by the City Council of the City of Burleson, Texas, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Burleson, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Burleson, Texas, has changed in character since the enactment of its classification of **General Retail (GR)** and, by reason of changed conditions, does consider and find that this **amendatory Ordinance** should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, the City Council of the City of Burleson, Texas, may consider and approve certain ordinances or ordinance amendments at only one meeting in accordance with Section 2-4 of the City of Burleson Code of Ordinances (2005); and

WHEREAS, the City Council of the City of Burleson, Texas, finds that this Ordinance may be considered and approved in only one meeting because the provisions of this Ordinance concern an individual zoning case that does not propose a change to the language of the City of Burleson Code of Ordinances.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS:**

**Section 1  
MAP AND ZONING  
AMENDMENT**

The Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, described on the legal description attached as **Exhibit A**, by changing the zoning of said property from GR, General Retail, to the C, Commercial district for non-residential development with a Specific Use Permit (SUP) for a tattoo studio applying only at Suite E as shown on Exhibit A; with the following conditions:

1. Hours of operations (cannot commence application of a tattoo other than stated hours of operation)
  - a. No earlier than 10AM
  - b. Sundays no later than 6PM
  - c. All other days no later than Midnight
2. Signage requirement
  - a. No flashing signs
  - b. No neon signs
3. No loitering on permitted premises
4. The application for a building permit shall be accompanied by a copy of the applicant's state license.
5. After five affirmative findings of violations of either state or local regulations relating to the operations of the tattoo studio the specific use permit will be automatically terminated.

The property shall be developed and used in accordance with the applicable provisions of the City of Burleson, Code of Ordinances.

### **Section 3.**

The findings and recitals set forth above in the preamble of this ordinance are incorporated into the body of this ordinance as if fully set forth herein.

### **Section 4.**

It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

### **Section 5.**

This ordinance shall be cumulative of all provisions of ordinances of the City of Burleson, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Burleson's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

### **Section 6.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

### **Section 7.**

An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for that purpose.

### **Section 8.**

Any person, firm, association of persons, company, corporation, or their agents, its servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in Texas Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

**Section 9.**

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

**PASSED AND APPROVED:**

**First and Final Reading:** the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chris Fletcher, Mayor  
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Amanda Campos, City Secretary

\_\_\_\_\_  
E. Allen Taylor, Jr., City Attorney



