

ORDINANCE NO. 03-2024

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, BY APPROVING A CONDITIONAL USE PERMIT (CUP) AFFECTING A CERTAIN PROPERTY; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

**PART 1:** That Chapter 23 of the Land Development Code of the City of Abilene, is hereby amended by approving a Conditional Use Permit (CUP) as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

**PART 2:** That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

**PART 3:** That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

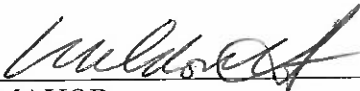
**PASSED ON FIRST READING** the 21<sup>st</sup> day of December, 2023.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 20<sup>th</sup> day of November, 2023, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 11<sup>th</sup> day of January, 2024, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

**PASSED ON FINAL READING THIS** 11<sup>th</sup> day of January, 2024.

ATTEST:

  
\_\_\_\_\_  
CITY SECRETARY

  
\_\_\_\_\_  
MAYOR

APPROVED:

  
\_\_\_\_\_  
CITY ATTORNEY

# EXHIBIT A

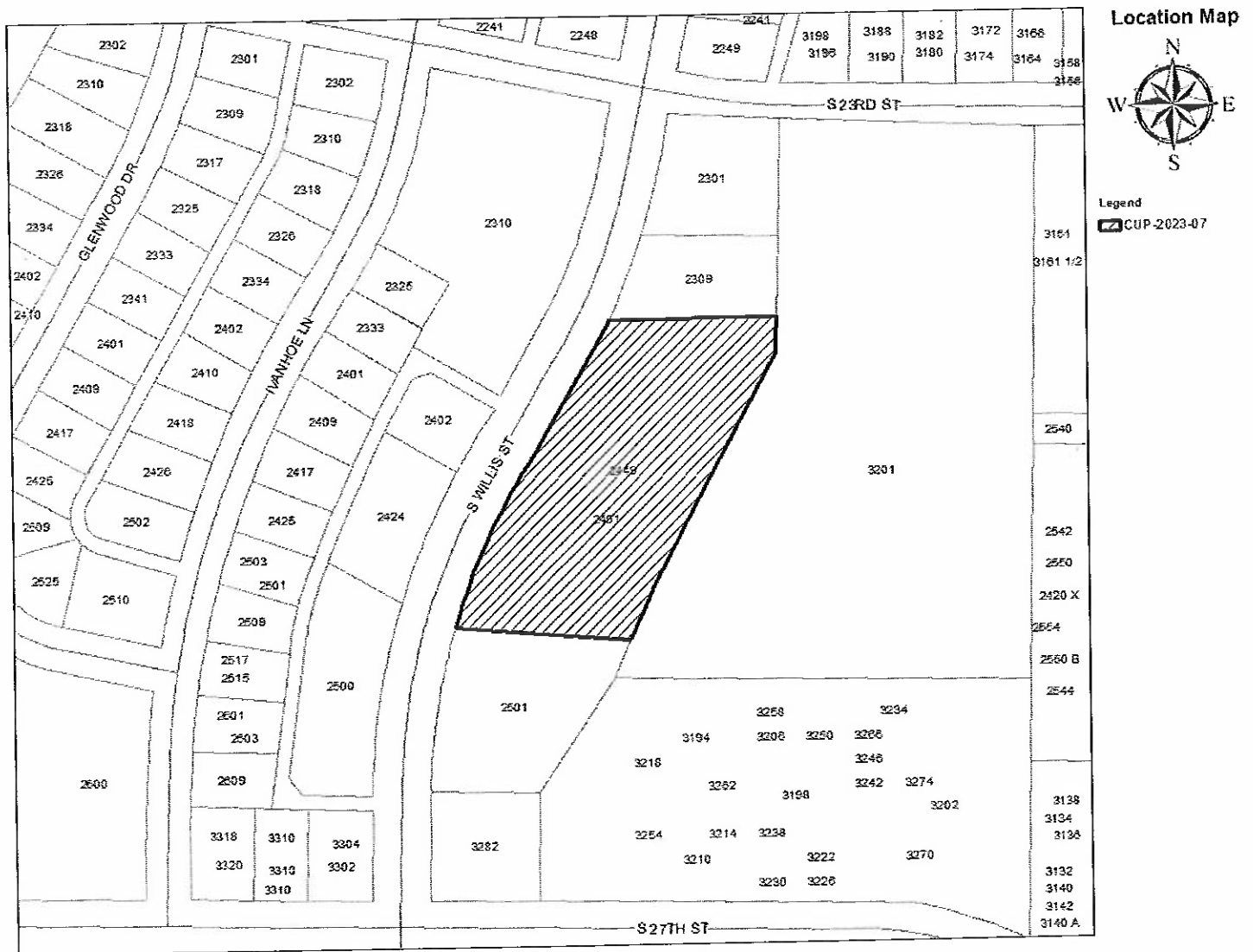
Approve a Conditional Use Permit (CUP) to allow a Trade School on a property zoned General Retail (GR).

The Conditional Use Permit is subject to:

1. Compliance with the attached Plan of Operation (Exhibit B); and
2. The grant being limited to Suite 204, as shown on the attached Site Plan (Exhibit C).

Legal description being Block A, Lot 302 of the Chimney Square Subdivision, Abilene, Taylor County, Texas.

Located at 2449 South Willis Street, Suite 204, Abilene, Taylor County, Texas.



## EXHIBIT B

Nov 1, 2023

### Plan of Operation for On the Spot Massage Academy

2449 S Willis, suite 204

The goal of On the Spot Massage Academy is to provide superior training to students who want to be Massage Therapist, in and around Abilene.

Our Plan of operation is as follows:

1. Hrs of operation are: Day class, Mon-Thurs 8:30-2:30, Evening Class 6:00pm-9:30Pm
2. We provide on site training for prospective massage therapist. We offer complete training fully compliant with Texas Department of Licensing and Regulation. We are licensed as Massage School #1096. Once a student completes our program, they are eligible to take the state licensing exam.
3. We operate a small school out of a suite in Chimney Plaza, no outdoor activity of any kind. All training takes place in our main teaching room inside said suite.
4. We will not add or subtract anything from the building or effect landscaping at all.
5. There are already several sole proprietor massage therapists operating out of Chimney Plaza so our school fits right in.
6. Students sign a conduct policy before they are allowed to join our program which assures no alcoholic beverages on site, no smoking, no loud noise or music, no sexual contact or conduct of any type, and no stealing from the school or Chimney Plaza property. If found in violation of any of these policies, the student is expelled from the program.
7. Since our instructors are the last to leave, we assure the building is properly secured/locked before leaving for the evening.
8. We do not store or sell any products out of our suite, it will be used for School purposes only.
9. Occasionally the school will be used on Sat, from 1:00pm-4:00pm, for student to complete their on-site clinical massages.
10. We only have one neighbor on our floor, and we are on good terms and make sure we do not disturb them at any time.

**EXHIBIT C**



**END**