

ORDINANCE NO. 22-2024

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 25th day of April, 2024.

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 15th day of March, 2024, 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 9th day of May, 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 9th day of May, 2024.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:


CITY ATTORNEY

EXHIBIT A

Approve a Conditional Use Permit (CUP) on a site zoned RS-6 to allow for a counseling ministry on 0.16 acres in accordance with the Plan of Operation attached here to as EXHIBIT B.

Legal description as follows: Lot 4 of Block 10 of the Highland Addition

Located at 526 Highland Avenue, Abilene Texas 79605



EXHIBIT B

March 12, 2024

Planning & Development Services
C/O: Kiley Hannah
City of Abilene
555 Walnut Street
Office: 325.676.6493

Subject: Conditional Use Permit for 526 Highland Avenue, Abilene

Highland Church of Christ would like to apply for a Conditional Use Permit (CUP) to use the property located at 526 Highland Ave, Abilene, TX 79605 as an overflow location for our Counseling Ministry. The main location of the counseling ministry is located at 238 Sayles Boulevard, Abilene, TX 79605. Please review the following information for details about our request for use of the property:

- Highland Counseling Center will continue to be the main office at 238 Sayles Boulevard. Highland Counseling Center has peacefully served and been a good neighbor on Sayles Blvd since 2016.
- We lease our main location on Sayles Blvd from Larry Tarver. You may contact him at 325-829-6068 for further information about our physical impact on the neighborhood.
- The proposed use of the building is to use two former bedrooms in the home as offices for Marriage & Family Therapy/counseling (mental, emotional, and relational health). Bedroom furniture will be replaced with couches and chairs for therapy with individuals, couples, and families. Therapy is talk therapy done in one to two hour blocks of time in an office. Providing confidentiality and a safe, welcoming space is integral to what we do.
- Typically, there may be 2-4 clients on the property at a time. Maximum occupancy (including therapists and clients) on the property is 12. However, typical occupancy will be 2-6 people at a time.
- The counseling ministry will use this location five days a week on weekdays, Monday-Friday between the hours of 7:30am-9:00pm. Occupancy after 6:30pm will be rare.
- These are not exact open and close times because therapists will only be there when they have clients. For example, if a therapist does not need an office on a Monday, then no one will be at 526 Highland Ave on that day. If a therapist needs a room on Tuesday for appointments between 10am-2pm, that is the only time people will be there that day. The times from 7:30 am – 9:00 pm represent when therapists and clients may be in the building. There will not be activity on the property before 7:30 am or after 9 pm.
- The building will not be used for on call or after-hours crisis management.

-Clients will only be on the property when a therapist/counselor of the counseling ministry is on site.

-Clients of Highland Counseling Center may be experiencing anxiety, depression, grief, relationship problems, parenting issues or recovering from trauma. They may also be preparing for marriage or going through a life transition.

-The counseling center refers inquiries with untreated or complicated psychological/mental health issues to psychiatrists or psychologists as that is not the scope of practice of HCC therapists.

-There is room for one client to park in the driveway of the property and two spots directly in front of the building on the street. Once those spots are filled, we will have clients park directly across the street in Highland Church of Christ's parking lot. This is a parking lot commonly used during church services and Highland events. Therapists will park across the street in this church parking lot.

-Clients will arrive and head straight inside the building and leave within 1-2 hours.

- There may be times that a client and therapist may move to the fenced back yard of the property. If this is done, the activity would not exceed the sound of the typical local resident.

- Counseling sessions are by appointment only. There will not be walk-in appointments or anything about the location that resembles a "walk up" place of business. The property will continue to look like a residential home.

-The counseling ministry is a quiet and peaceful entity that will bring life and safe movement to the street.

Thank you for considering our request. We look forward to partnering together to promote healthy relationships and individual wellness in the Abilene community.

Sincerely,

Gretchen Etheredge, LMFT-S
Director, Highland Counseling Center

END