



## City of Abilene

### Planning and Zoning Commission Agenda

Notice is hereby given of a meeting of the City of Abilene Planning & Zoning Commission to be held on July 1, 2025 at 1:30 PM at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

#### CALL TO ORDER

#### INVOCATION

#### MINUTES

1. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Minutes from the Regular Meeting Held on June 3, 2025

#### ZONING

Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the following Zoning Cases:

2. **CUP-2025-13:** Receive a Report, Hold a Discussion and Take Action on A Request From The Owner, To Apply A Conditional Use Permit To Allow A Freight Container Within Planned Development District 52 (PDD-52). Located At 4338 Rio Mesa Drive. Legal Description Being, Lot 1, Block A, Enchanted Mesa Estates, Abilene, Taylor County, Texas. **(Clarissa Ivey)**
3. **CUP-2025-14:** Receive a Report, Hold a Discussion and Take Action on A Request From The Owner, To Apply A Conditional Use Permit To Allow A Freight Container Within General Commercial (GC). Located At 358 East South 11th Street. Legal Description Being, Lot 101, Block A, Section 2, Martin Addition, Abilene, Taylor County, Texas. **(Adam Holland)**
4. **Z-2025-19:** Receive a Report, Hold a Discussion and Take Action on A Request From The Owner, To Rezone Approximately 21.22 Acres From General Retail (GR) To Multi Family (MF). Located Along Memorial Drive. Legal Description Being Approximately 21.22 Acres Out Of The Southwest Quarter Of Section No. 12, Lunatic Asylum Lands, M Pohue Survey, Abstract No. 831, Abilene, Taylor County, Texas. **(Kera Valois)**
5. **Z-2025-20:** Receive a Report, Hold a Discussion and Take Action on A Request From The Owner, To Amend The Terms And Conditions Of A Planned Development District (PDD-181). Specifically, To Amend The Buffer Area Surrounding The Property. Located At 617 F.M. 2404. Legal Description Being The Lancium Addition, Abilene, Taylor County, Texas. **(Adam Holland)**

**EXECUTIVE SESSION**

The Planning & Zoning Commission of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting for consultation with attorney pursuant to Texas Government Code Section 551.071.

**ADJOURNMENT**

***Notice***

*In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received forty-eight (48) hours prior to scheduled meetings. Please contact the City Secretary's Office at 325-676-6208. Telecommunication device for the deaf is 325-676-6360.*

**CERTIFICATION**

*I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 27th day of June, 2025, at 9:30 a.m.*

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*Shawna Atkinson, City Secretary*

**CITY OF ABILENE, TEXAS PLANNING AND ZONING COMMISSION  
COUNCIL CHAMBERS, CITY HALL  
June 3, 2025, at 1:30 p.m.**

The Planning and Zoning Commission of the City of Abilene, Texas met in a Regular Meeting on June 3, 2025, at 1:31 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas. Chairman Brad Benham was present and presiding, along with **Commissioners** Mitch Barnett, Chairman Pro Tem, Gary House, Kristen Dressen-Kyker, Kevin Halliburton, Sergeant-at-Arms, Shawnté Fleming-Lewis, and Zach Sitzes.

Also present were Mr. Michael Rice, Assistant City Manager, Mr. Tim Littlejohn, Director of Planning and Development Services, Ms. Kelley Messer, First Assistant City Attorney, Ms. Mason Teegardin, Planning Services Manager, Mr. Adam Holland, Planner II, Ms. Clarissa Ivey, Planner I, Ms. Kera Valois, Planner I, and Ms. Melissa Farr, Executive Assistant.

**APPROVAL OF MINUTES FOR THE PREVIOUS MEETING**

Chairman Benham opened the public hearing. With no speakers coming forward, the public hearing was closed.

Commissioners voted unanimously to approve the minutes from the previous meeting held on April 1, 2025, with the revision to remove Mr. Zach Sitzes from the motions. The incorrect minutes had been uploaded for Commission review. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**INVOCATION**

Commissioner Halliburton delivered the invocation.

**ZONING**

**CUP-2025-09:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owner, to apply a Conditional Use Permit to allow a freight container within General Retail (GR) zoning. Located at 6410A Buffalo Gap Road. Legal description being, Lot 1, Block A, Casey Addition, Abilene, Taylor County, Texas

Ms. Clarissa Ivey presented this request. In 2016, the newly constructed retail building welcomed its first occupants. Several businesses have made it their home; it wasn't until July 2022 that Blue Barrel Bar & Grill began operations. Most recently Blue Barrel Bar & Grill has found themselves in need of additional storage and prompting the use of a freight container.

Chairman Benham opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor nor in opposition.

**STAFF RECOMMENDATION:** Staff recommends approval, with the following conditions. Freight container must be located completely behind the building and out of view from the right-of-way.

Container must be of a solid color to match the dominant color of principal structure. Freight containers may not be stacked, or have any other items stacked on top.

Commissioner Barnett moved to approve this request with the conditions recommended by Staff. Commissioner Lewis seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**CUP-2025-10:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owner, to apply a Conditional Use Permit to allow for a Social Organization within Medium Density (MD) zoning. Located at 1726 Swenson Street. Legal description being, Block 43, College Heights, Abilene, Taylor County, Texas.

Ms. Kera Valois presented this request. The subject property was built in 1910 before being annexed into the City in 1911 as Medium Density (MD) zoning. Historic Overlay was added to the subject property in 1989. The subject property is owned by the Swenson House Historical Society and is currently operating as a Social Organization to fund the upkeep of the property. This request is to allow for an existing non-compliance to become compliant.

Chairman Benham opened the public hearing. Ms. Tami Conaway stepped forward to speak. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor nor in opposition.

**STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit, subject to the submitted Plan of Operation.

Commissioner Halliburton moved to approve the request subject to the Plan of Operation as recommended by Staff. Commissioner Kyker seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**CUP-2025-11:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owner, to apply a Conditional Use Permit to allow for ambulance services within General Retail (GR) zoning. Located at 3301 S 14th St Suite 34A. Legal description being Section 1, Block Remainder 1 of the Wychwood Addition, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The property is home to a multi-tenant commercial building constructed in 1973. The tenant is proposing to utilize Suite 34A as an ambulance deployment center with ambulance crews working 24-hour shifts.

Chairman Benham opened the public hearing. Mr. James Bryant stepped forward for clarification. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor nor in opposition.

**STAFF RECOMMENDATION:** Staff recommends approval, subject to the plan of operation.

Commissioner Halliburton moved to approve this request. Commissioner Lewis seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**Z-2025-10:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owner, to rezone approximately 12.5 acres from Agricultural Open (AO) to Patio Home (PH) Located at the 3400-3500 blocks of Maple Street. Legal description being 12.5 acres out of the southeast quarter of Survey 63, Blind Asylum Lands, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. The subject property is zoned Agricultural Open (AO). The applicant proposes to use the property for single-family residences.

Chairman Benham opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor nor in opposition.

**STAFF RECOMMENDATION:** Approval

Commissioner Barnett moved to approve the request. Commissioner House seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**Z-2025-11:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owner, to rezone approximately 0.32 acres from Medium Density (MD) to Heavy Industrial (HI). Located at 1233 and 1241 Cherry Street. Legal description being Lots 7 & 8, Block T, Johnston Subdivision of Lot 1, Block 209, Original Town, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The two parcels are part of Original Town Abilene. 1233 Cherry St has previously been used as a residential lot until the home was demolished in 2009 and has remained vacant since. 1241 Cherry St has remained vacant, occasionally used as a storage yard per google imagery. Staff were unable to find any records of buildings/or improvements.

Chairman Benham opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor nor in opposition.

**STAFF RECOMMENDATION:** Approval

Commissioner Halliburton made the motion to approve the request. Commissioner Barnett seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**Z-2025-12:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owner, to change the zoning of approximately 0.31 acres from General Retail (GR) to General Commercial (GC). Located at 1801 Grape Street. Legal description being Lot 3 & 4, Block 11, College Heights, Abilene, Taylor County, Texas.

Ms. Kera Valois presented this request. The subject property was annexed into the City in 1911. The building was built in the 1940s and has been in operation as Abilene Mini since 1996 and Abilene Auto Mart since 2018.

Chairman Benham opened the public hearing. Mr. Sherali Ramzanali stepped forward. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were two (2) responses received in favor, with none (0) in opposition.

**STAFF RECOMMENDATION:** Denial

Commissioner Halliburton moved to approve the request. Commissioner Sitzes seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**Z-2025-13:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owners, to amend the terms and conditions of a Planned Development District (PDD-177), specifically to allow residential single-family uses with alternative lot dimensions.

Located along Jolly Rogers Road. Legal description being 76.5 acres out of Survey 83 L Bowerman, Abilene, Taylor County, Texas.

Mr. Adam Holland presented this request. The applicant proposes to use the property for single-family residences. The owners intend to allow 4,500 square foot lots which have a minimum frontage of 40 feet and side setbacks of 5 feet. All other setbacks will remain as standard for RS-6 zoning.

Chairman Benham opened the public hearing. Stepping forward to speak were Mr. Cory Dulin and Mr. Brad Bardin. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor with one (1) in opposition.

**STAFF RECOMMENDATION:** Staff recommends approval.

Commissioner Barnett moved to approve this request. Commissioner Halliburton seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**Z-2025-14:** Receive a Report, Hold a Discussion and Public Hearing and Take Action on a request from the owners to amend the terms and conditions of a Planned Development District (PDD-104), specifically to allow for Multi-Family (MF) base zoning in Tract 5. Located along East South 27<sup>th</sup> Street.

Mr. Adam Holland presented this request. The applicant proposes to use the property for multi-family residential.

Chairman Benham opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor nor in opposition.

**STAFF RECOMMENDATION:** Staff recommends approval.

Commissioner Sitzes moved to approve the request. Commissioner Kyker seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**Z-2025-15:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owners, to rezone approximately 11.25 acres from Agricultural Open (AO) and Planned Development (PDD-120) to Multi Family (MF). Located at 1717 Musgrave Boulevard. Legal description being approximately 11.25 acres of Section No. 25, Blind Asylum Lands, Abstract No. 1006, Abilene, Taylor County, Texas.

Ms. Kera Valois presented this request. The subject property was annexed into the City in 1980 as Agricultural Open (AO) and has remained vacant since. The portion that is zoned PDD-120 was rezoned in 2007 from Agricultural Open (AO) to Planned Development (PDD-120) which has a base zoning of General Retail GR).

Chairman Benham opened the public hearing. Mr. Mark León stepped forward. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. One (1) response was received in favor with none (0) in opposition.

**STAFF RECOMMENDATION:** Approval

Commissioner Lewis moved to approve the request. Commissioner Kyker seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**Z-2025-16:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owner, to amend the terms and conditions of a Planned Development District (PDD-188). Specifically, to reduce the interior side yard setback to 5 feet. Located at 894-970

Minda St and 933-985 Hailey St. Legal description being Lots 1-34, Block A, Sanford Addition, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The subject property was annexed into the City of Abilene in 1957 and has remained vacant. The property was rezoned from Single Family Residential (RS-6) to Multi-Family (MF) in July 2023, and then again to Planned Development (PDD-188) in November 2024. Since being rezoned to Planned Development (PDD-188) the properties have been replatted and utilities extended.

Chairman Benham opened the public hearing. Those who stepped forward were Mr. Clayton Farrow, Ms. Aurora Royal, and Ms. Dorothy Drones.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor with none in opposition.

**STAFF RECOMMENDATION:** Approval

Commissioner Halliburton moved to approve this request. Commissioner Lewis seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**Z-2025-17:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owner, to rezone approximately 2.06 acres from Agricultural Open (AO) to Multi-Family (MF). Located at 5233 Old Andy Street. Legal description being approximately 2.06 acres out of Lot 8, Anderson and Berry's Subdivision of the A. Thompson Survey NO. 37, Abilene, Taylor County, Texas.

Ms. Kera Valois presented this request. The subject property was annexed into the City in 1959 as Agricultural Open (AO) and has remained vacant since.

Chairman Benham opened the public hearing. Mr. Samuel Edwards stepped forward. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor nor in opposition.

**STAFF RECOMMENDATION:** Approval

Commissioner Halliburton moved to **approve** the request. Commissioner Kyker seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**Z-2025-18:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the owner, to rezone approximately 12.96 acres from Patio Home (PH), Neighborhood Office (NO), Medium Density (MD), and Office (O) to Neighborhood Retail (NR) and General Retail (GR). Located at 6817X Horse Head Crossing. Legal description being Lot 201, Block C, The Denali Addition, Abilene, Taylor County, Texas.

Ms. Clarissa Ivey presented this request. The subject properties were annexed to Abilene City Limits in 1980 as Agricultural Open Space (AO) Zoning. In June of 2019 the properties were then zoned to Patio Home (PH), Neighborhood Office (NO), Medium Density (MD), and Office (O). Since its rezoning in 2019 the properties surround this area have developed making the proposed zoning change necessary.

Chairman Benham opened the public hearing. Those who stepped forward were Mr. Clayton Farrow and Mr. Jason Gazaille. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. There were no (0) responses received in favor nor in opposition.

**STAFF RECOMMENDATION:** Approval

Commissioner House moved to approve the request. Commissioner Lewis seconded the motion. The motion prevailed by the following vote:

**AYES: Barnett, House, Kyker, Halliburton, Lewis, Sitzes, Benham**

**NAYS: None**

**ADJOURNMENT**

There being no further discussion, Commissioner Benham adjourned the meeting at 2:53 p.m.

**APPROVED**

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Brad Benham, Chair

# ZONING CASE CUP-2025-13 STAFF REPORT



## Scheduled Hearings

Planning & Zoning Commission: July 1, 2025  
 City Council 1<sup>st</sup> Read: July 24, 2025  
 City Council 2<sup>nd</sup> Read: August 14, 2025

## Applicant

Owner: Yokkim Sar

## Case Manager

Clarissa Ivey – Planner

## Request

The applicant is requesting to apply a Conditional Use Permit to allow two (2) freight containers within Planned Development District 52 (PDD-52).

## Location

The subject property is located at 4338 Rio Mesa Drive. Legal description being Lot 1, Block A, Enchanted Mesa Estates, Abilene, Taylor County, Texas.

## Background

The subject property was rezoned to PDD-52 in 1992, with a base zoning of General Commercial. The property remained undeveloped until 2019 when the construction of a doughnut shop was completed.

## Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
<b>North</b>	AO	Single-Family Residence
<b>East</b>	PDD-37	Retirement Village
<b>South</b>	PDD-52	Liquor Store
<b>West</b>	PDD-52	Residential

## Criteria Assessment

Staff has reviewed the request based upon the factors established in Section 1.4.3.5, Criteria for Approval of the Land Development Code. These factors are identified and addressed below:

- 1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan.**  
 The proposed request is consistent with the Comprehensive Plan and Future Land Use Map.
- 2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.**  
 The proposed request aligns with the goals of PDD-52, as the applicant aims to utilize the freight containers as storage units for inventory and equipment that would otherwise be prohibited in that location.
- 3. 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.**

The proposed/existing use is compatible with surrounding developments and will not create adverse impacts regarding traffic, noise, odor, or drainage. However, for this use to not become a visual nuisance the freight containers will be required to be screened from the right-of-way.

**4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.**

The proposed/existing use will not generate additional pedestrian or vehicular traffic.

**5. 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.**

The proposed use does not generate a level of traffic that would adversely affect the existing road network in the vicinity of the subject site.

**6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.**

The applicant will be required to comply with the Land Development Code requirements regarding freight containers in General Commercial zoning which includes screening from adjacent properties with less intensive uses.

**7. The proposed use meets the standards for the zoning 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.**

The use, if approved, will be subject to the following LDC requirements:

- Freight Containers in Commercial districts shall be screened from public right-of-way
- Freight containers in any district shall be screened from adjacent properties with zoning designations other than HI, LI, HC, and GC
- Freight containers shall not have signs, logos, or other markings, other than small, incidental labeling, visible from the right-of-way or visible from adjacent properties with zoning designations other than HI, LI, HC, and GC
- Freight containers shall be located in the rear of the main structure and shall be a solid color to match the dominant color of the principal structure
- Freight containers shall not be stacked
- A building permit shall be obtained for each container, and each shall meet all building and development regulations

### **Staff Recommendation**

Staff recommends **approval** of the Conditional Use Permit, subject to the following conditions:

1. A building permit must be applied for within 30 days of approval
2. The freight containers are subject to the submitted concept plan and all applicable LDC requirements.

### **Attachments**

- Concept Plan
- Plan of Operation
- LDC Requirements for Freight Containers
- PDD-52 Ordinance

**Notification**

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on June 13, 2025, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

Legend: O - Opposed, F - In Favor

By owner

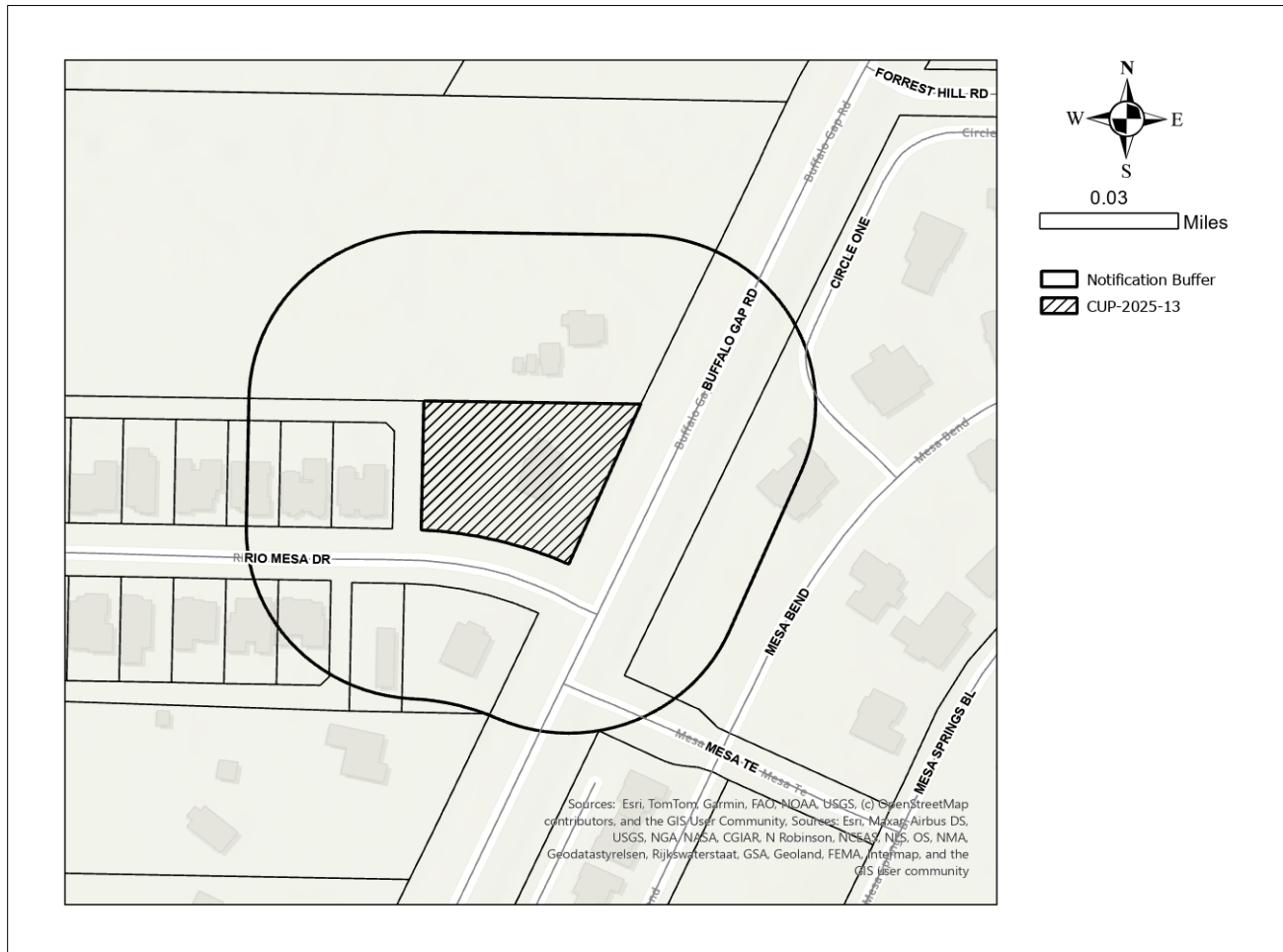
OWNER	SITUS Address	PROP_ID	RESPONSE
ALTHOF GREGORY &	4401 RIO MESA DR	94733	
CAROTHERS MARY A	4402 RIO MESA DR	94724	
DARROW JON A	7186 BUFFALO GAP RD	73539	
DUGGAN CLINT & BILLIE	4382 RIO MESA DR	94723	
FARR LARRY DON LF EST	7234 BUFFALO GAP RD	73669	
MADRID MARY F LF EST	4381 RIO MESA DR	94732	
MIMS MARTIN	4374 RIO MESA DR	94722	
PAK HARRIS ENTERPRISES LTD	4301 RIO MESA DR	206733	
PUCKETT MARLEE	4373 RIO MESA DR	94731	
RIO MESA HEALTH HOLDINGS LLC	6965 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	6981 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	6972 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	3 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	6942 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	6934 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	6964 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	6974 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	4 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	5 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	6982 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	7 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	6966 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	6973 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	6958 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	6950 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	6957 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	6 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	1 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	4266 X FORREST HILL RD	125116	
SAR SAM & YOKKIM VONG	4338 RIO MESA DR	94720	Applicant

By Property ID

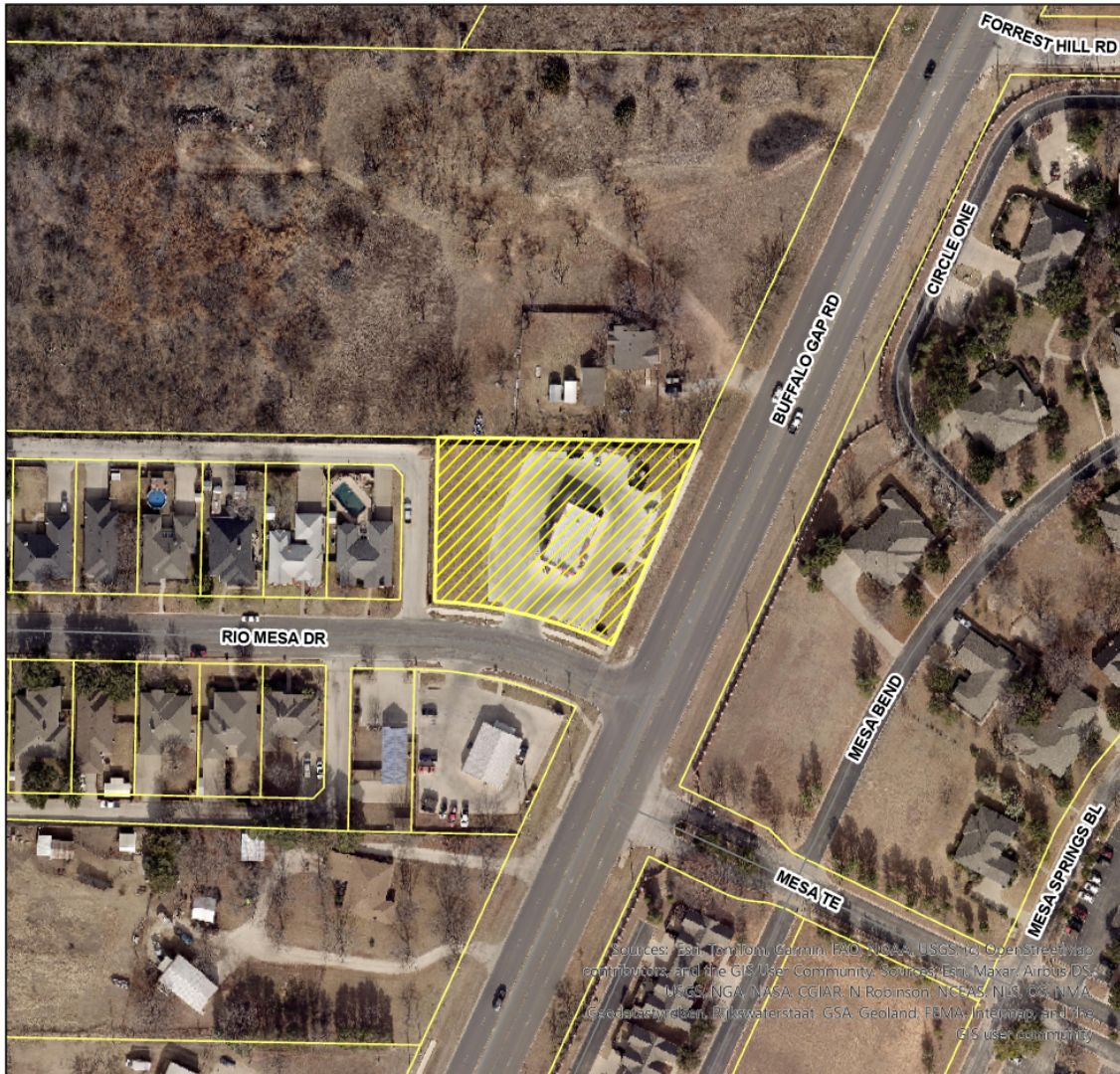
OWNER	SITUS Address	PROP_ID	RESPONSE
DARROW JON A	7186 BUFFALO GAP RD	73539	
FARR LARRY DON LF EST	7234 BUFFALO GAP RD	73669	
SAR SAM & YOKKIM VONG	4338 RIO MESA DR	94720	Applicant
MIMS MARTIN	4374 RIO MESA DR	94722	
DUGGAN CLINT & BILLIE	4382 RIO MESA DR	94723	
CAROTHERS MARY A	4402 RIO MESA DR	94724	
PUCKETT MARLEE	4373 RIO MESA DR	94731	
MADRID MARY F LF EST	4381 RIO MESA DR	94732	

ALTHOF GREGORY &	4401 RIO MESA DR	94733	
RIO MESA HEALTH HOLDINGS LLC	6965 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	6981 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	6972 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	3 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	6942 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	6934 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	6964 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	6974 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	4 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	5 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	6982 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	7 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	6966 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	6973 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	6958 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	6950 MESA SPRINGS BL	125116	
RIO MESA HEALTH HOLDINGS LLC	6957 MESA BEND	125116	
RIO MESA HEALTH HOLDINGS LLC	6 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	1 CIRCLE ONE	125116	
RIO MESA HEALTH HOLDINGS LLC	4266 X FORREST HILL RD	125116	
PAK HARRIS ENTERPRISES LTD	4301 RIO MESA DR	206733	

**NOTIFICATION MAP**



# LOCATION MAP

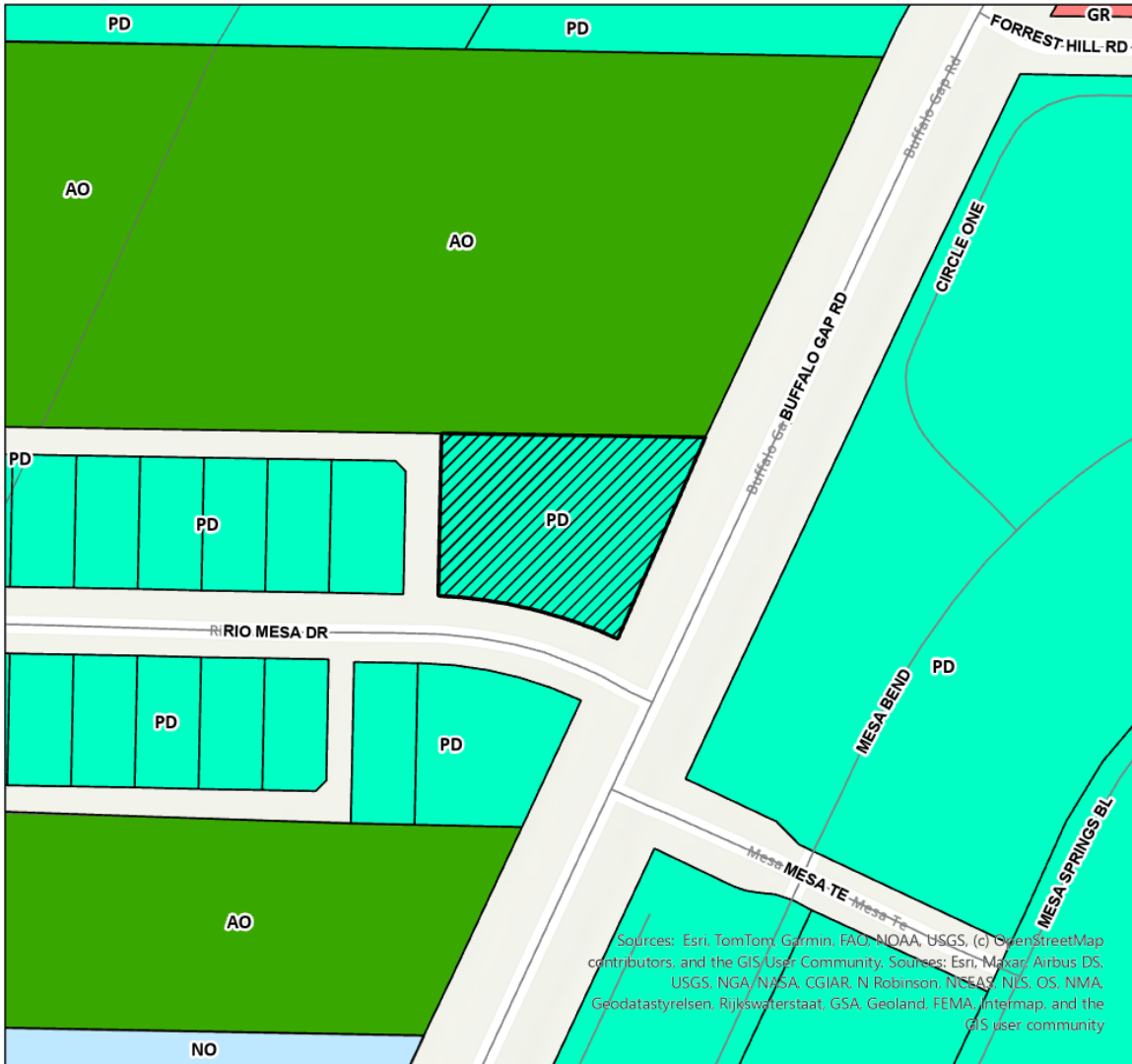


0.03

Miles

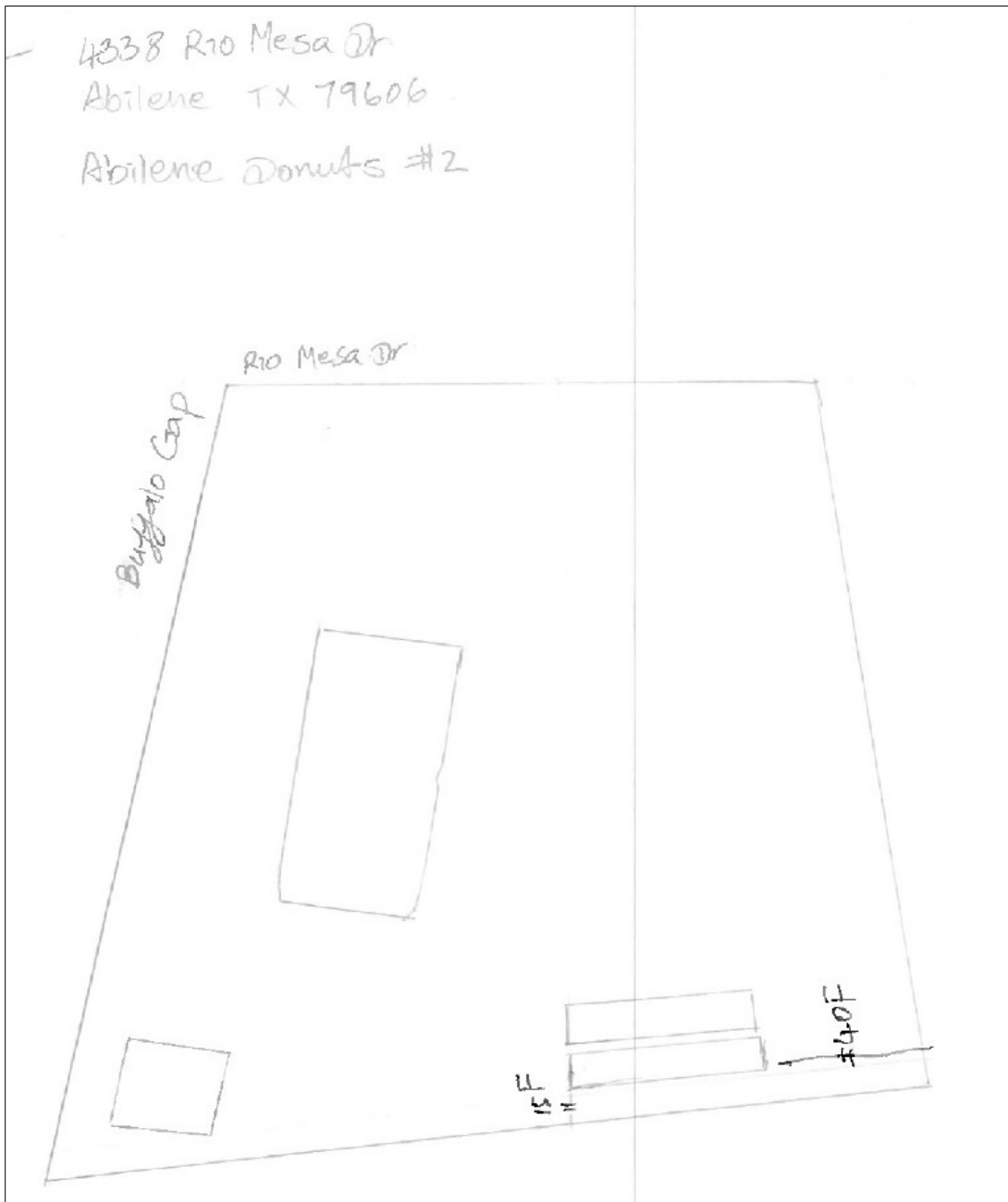
CUP-2025-13

# ZONING MAP



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community. Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NIS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community

# Concept Plan



## Plan of Operation

Conditional Use Permit Application - Freight Container for Storage

Location: [Address]

4338 Rio Mesa Dr, Abilene TX 79606

Purpose:

Storage of donut supplies (boxes, cups, lids, etc.) and landscaping equipment for property maintenance.

Details of the Request:

1. Structure:

- a. 2 freight (shipping) containers placed on the property for secure storage.

2. Use:

- a. Stores donut shop supplies (packaging, disposable items).
- b. Holds landscaping machinery and equipment for maintaining the shop's exterior area.

3. Hours of Operation:

- a. 24/7 (no active operations; accessed only as needed for restocking/maintenance).
- b. The container itself does not generate noise, traffic, or activity outside normal business hours.

Justification for Approval:

- Necessity: Frees up space inside the donut shop and keeps supplies/equipment organized.
- Safety & Aesthetics: The container will be maintained in good condition and screened if required (e.g., fencing/landscaping).
- No Disruption: Passive use no late-night disturbances or additional traffic.
- The container is not a business operation. it's purely storage.
- 24/7 access is for practicality (e.g., early-morning restocking), but no frequent after-hours activity is expected.



# CONDITIONAL USE PERMIT

**Case:** CUP-2025-13

**Owner:** Yokkim Sar

**Request:** A Conditional Use Permit to allow two (2) freight containers within PDD-52.

**Location:** 4338 Rio Mesa Drive

**Notification:** 0 in Favor, 0 in Opposition

**Planning & Zoning:** July 1, 2025

**Council Hearing:** July 24, 2025  
August 14, 2025



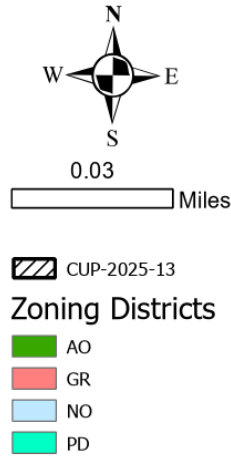
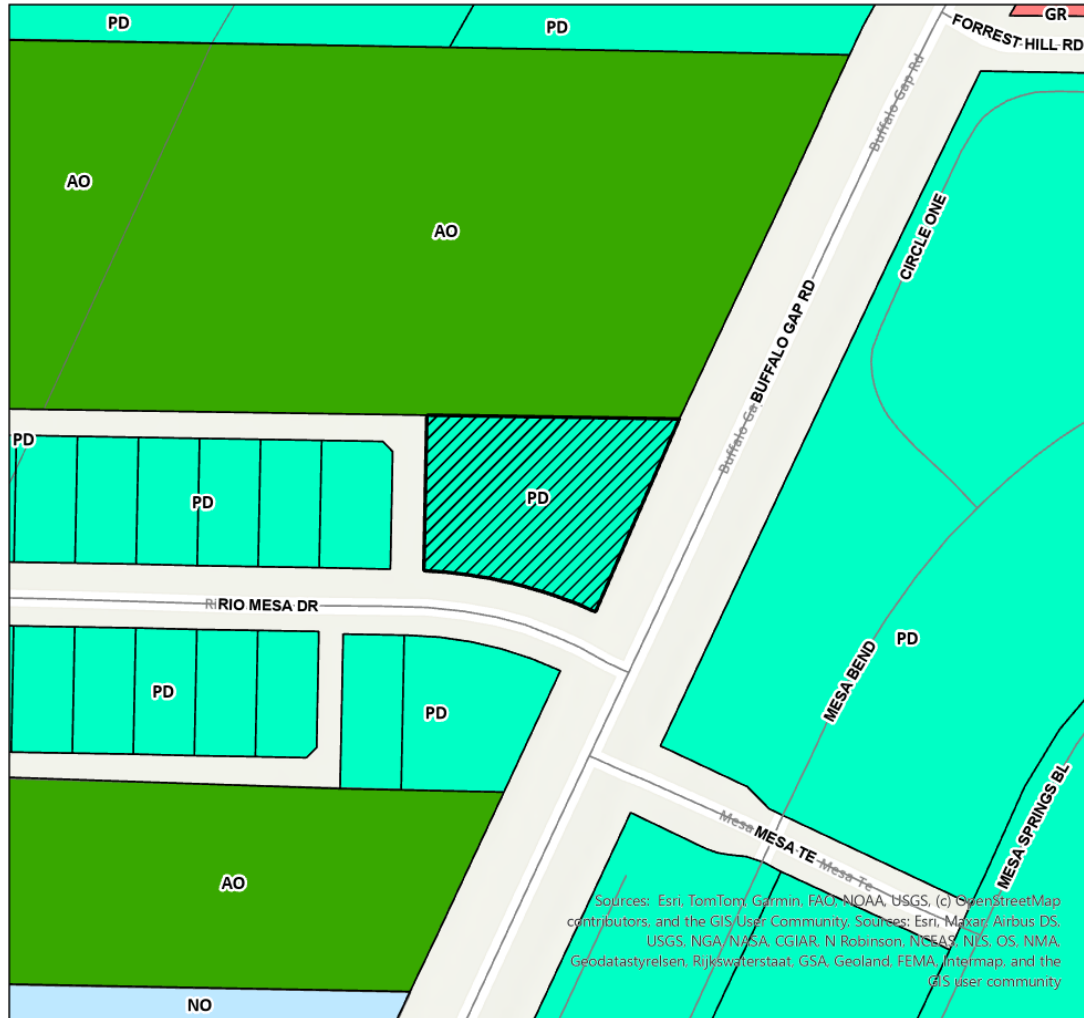


# AERIAL LOCATION MAP





# ZONING MAP

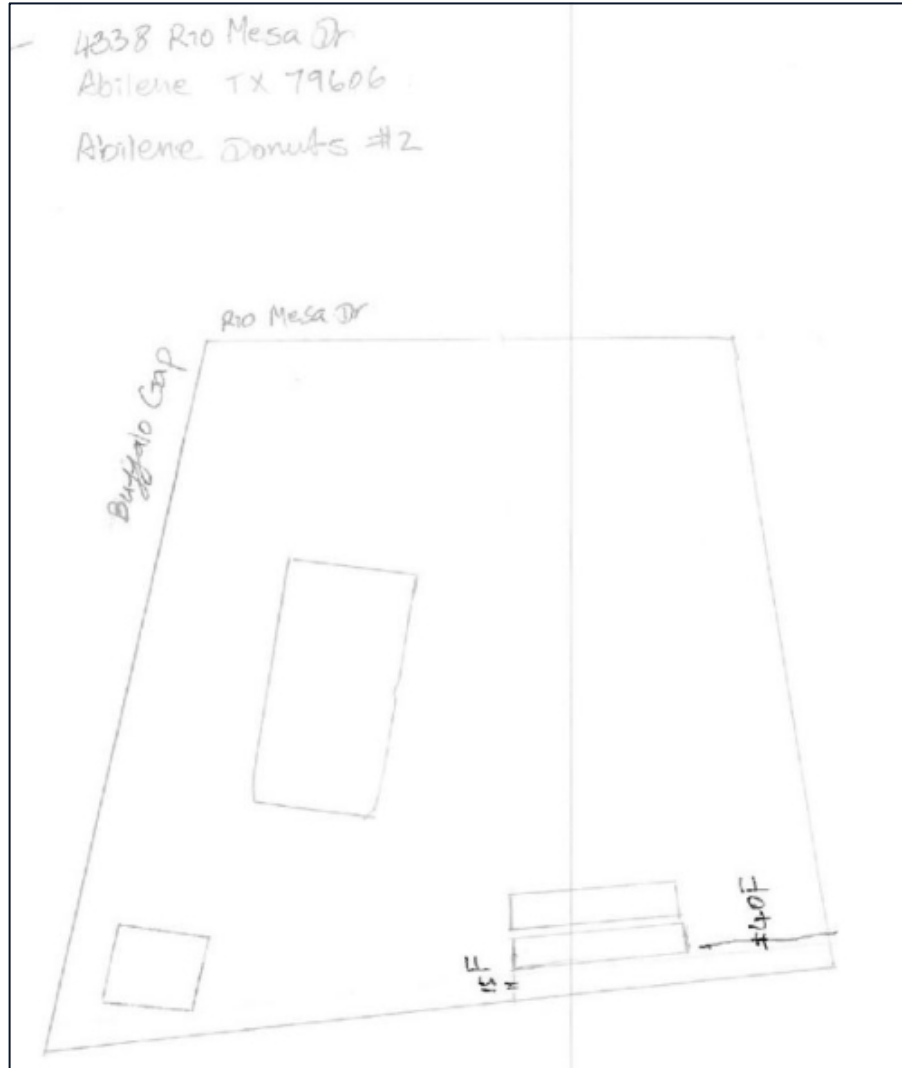


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# CONCEPT PLAN



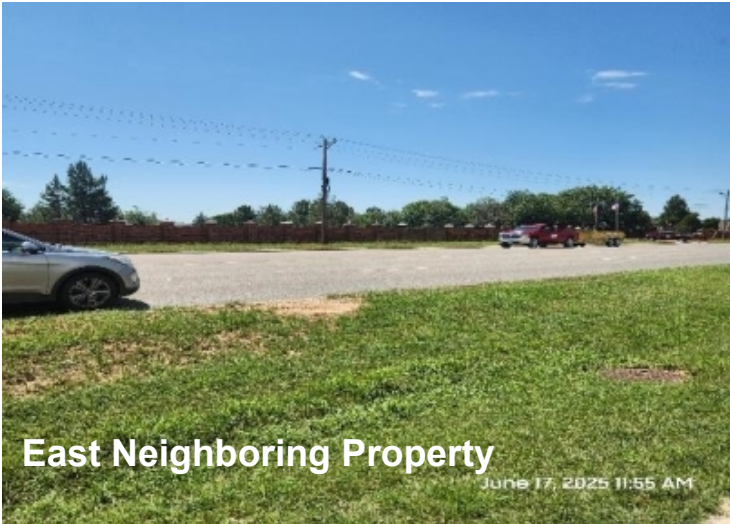


# PROPERTY VIEWS



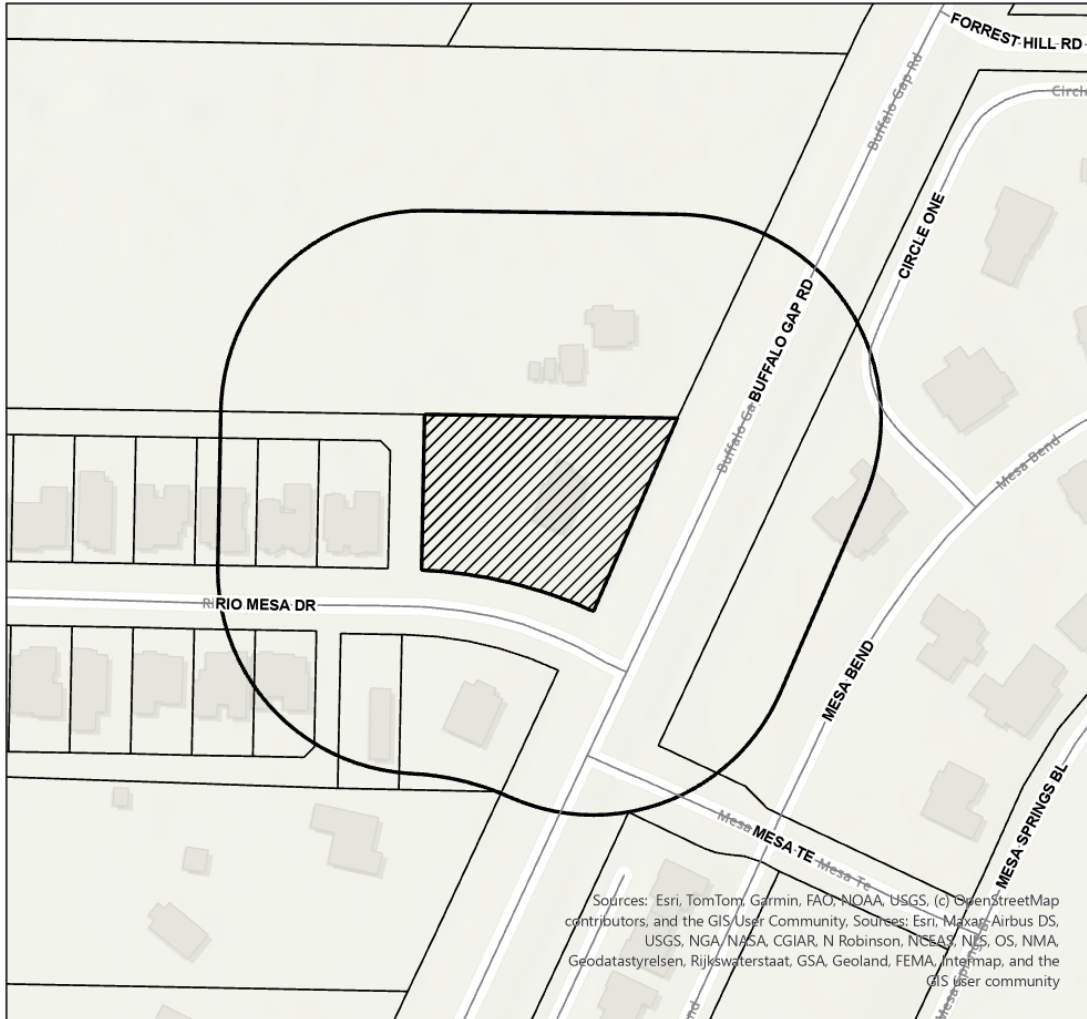


# NEIGHBORING PROPERTY VIEWS





# NOTIFICATION AREA MAP



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NIS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community



0.03

Miles

- Notification Buffer
- CUP-2025-13

- 0- In Favor- ●
- 0- Opposed- ●





# FINDINGS AND RECOMMENDATION

The proposed request is consistent with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning; and
- The Criteria for Approval in the LDC.

## Staff Recommendation:

Staff recommends **approval** of the Conditional Use Permit, subject to the following conditions:

1. A building permit must be applied for within 30 days of approval.
2. The freight containers are subject to the submitted concept plan and all applicable LDC requirements.





# Questions?



## Conditional Use Permit Application – Freight Container for Storage

Location: [Address]

4338 Rio Mesa dr, Abilene TX 79606

Purpose:

Storage of donut supplies (boxes, cups, lids, etc.) and landscaping equipment for property maintenance.

Details of the Request:

1. Structure:

-2 Freight (shipping) containers placed on the property for secure storage.

2. Use:

- Stores donut shop supplies (packaging, disposable items).

- Holds landscaping machinery and equipment for maintaining the shop's exterior area.

3. Hours of Operation:

- 24/7 (no active operations; accessed only as needed for restocking/maintenance).

- The container itself does not generate noise, traffic, or activity outside normal business hours.

Justification for Approval:

- **Necessity:** Frees up space inside the donut shop and keeps supplies/equipment organized.

- **Safety & Aesthetics:** The container will be maintained in good condition and screened if required (e.g., fencing/landscaping).

- **No Disruption:** Passive use no late-night disturbances or additional traffic.

- The container is not a business operation. It's purely storage.

- 24/7 access is for practicality (e.g., early-morning restocking), but no frequent after-hours activity is expected.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD #52 PLANNED DEVELOPMENT DISTRICT; 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, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended by changing the zoning district boundaries 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.

PASSED ON FIRST READING this 5 day of November A.D. 19 92.

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 1 day of November, 19 92, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 9:00 a.m., on the 19 day of November, 19 92, 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 SECOND AND FINAL READING THIS 19 day of November, A.D. 19 92.

ATTEST:

[Signature]  
CITY SECRETARY

[Signature]  
MAYOR

APPROVED:

[Signature]  
CITY ATTORNEY 00300

ORDINANCE NO. 48-1992

Exhibit "A"

PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

PART 2: Development Specifications. All development in the Planned Development District shall be in accordance with the maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development District and are hereby incorporated by reference and included as part of this ordinance. Site Plan (and vicinity map) is attached as Exhibit B.

Further, all agreements, provisions, or covenants which govern the use, maintenance, and continued protection of this P.D.D. are hereby incorporated by reference and included as part of this ordinance. (Some of these documents may be attached as Exhibit C.)

All use and development within the Planned Development District must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development District shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That Chapter 23, Subpart E, Abilene Municipal Code, known as the Zoning Ordinance of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From AO (Agricultural Open Space) District to PDMX (Planned Development Mixed Use) District.

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.

00301

PART 5: Legal Description. The legal description of this P.D.D. is as follows:

Being 7.69 acres of land out of a 96.3 acre tract out of the M. Talbot Survey 102, Taylor County, Texas, and being more particularly described as follow:

BEGINNING at a iron pin at the Southeast corner of a 10.0 acre tract on the West boudary line of Buffalo Gap Road whence the Northwest corner of said M. Talbot Survey bears S89deg.50'W 1110.8', N0deg.10'W 366.1' and S89deg.50'W 5699.4';

THENCE S24deg.09'W 401.25' along the West boundary line of Buffalo Gap Road to an iron pin;

THENCE S89deg.51'W 1165.2' to a point;

THENCE N46deg.58½'E 220.4' to a point;

THENCE N89deg.51'E 300.0' to a point;

THENCE N22deg.09½'E 232.8' to a point;

THENCE N89deg.50'E 780.4' to the point of beginning and containing 7.69 acres of land.

00302

PART 6: Purpose: The purpose of the Planned Development district is to provide space for commercial development on available land beside a major thoroughfare, while at the same time achieving the following objectives:

- A. Help improve the overall appearance of commercial use at this highly visible location beside a major entrance to the city.
- B. Mitigate the sometimes unsightly, sometimes obtrusive appearance of commercial activity from adjacent residential development, and recognize that future residential development fronting Buffalo Gap Road is very unlikely.
- C. Ensure a degree of environmental quality that is compatible with the surrounding areas and consistent with the proposals outlined in the Entryway Ordinance.

PART 7: Specific Modifications:

- A. Use and development of land shall conform with regulations applicable to the General Commercial zoning classifications, except for the following features:

1. The following principal activities shall not be permitted:

Residential Use

Vacation Travel Trailers (See also Vacation Travel Trailer Parks)

Vacation Travel Trailer Parks (See Mobile Home and Vacation Travel Trailer Parks Ordinance)

Accessory and Incidental uses:

Mobile Home (office for sales and service)

Cultural and Recreational Uses:

Ballfields and Ballparks (non-commercial)

Boat Rentals and Boat Access Sites

Bowling Lanes

Drive-In Movies

Golf Driving Range

Golf (Par 3, Pitch and Putt, Miniature)

Park and/or Playground

Swimming Pool, Public or Private (not accessory to residential use)

00303

Tennis Courts, Public or Private (not accessory to residential Use)  
Zoos

Educational and Religious Uses:

Cemeteries, Crematoriums, and Mausoleums

Services (other than office-type):

Automobile and Small Truck (1-1/2 ton or less) Rental and Leasing  
Automobile and Small Truck (1-1/2 ton or less) Repair, Painting,  
Body Work and Servicing Only  
Automobile Wash  
Storage (self-service units)  
Tool and Equipment Rental

Trade-Retail Uses:

Auction (permanent, on-premise)  
Automobile and Small Truck (not to exceed 1-1/2 ton) Sales and/or  
Service  
Bait Store and Live Bait Sales  
Farm Products (open air)  
Gasoline  
Gasoline (with and including automobile service)  
Grocery Store (convenience type)  
Grocery Store (supermarket)  
Liquor Store On-premise Consumption  
Mobile Homes, Camping, and Travel Trailers  
Monuments  
Motorcycles Sales and Service  
Motorized Camping Trailers and Motor Homes  
Pawn Shop  
Secondhand Merchandise (includes flea markets)

Transportation, Communication and Utilities:

Electric Substations  
Gas Line Regulating or Compression Stations  
Petroleum Pressure Control Stations  
Radio Studios (with broadcast tower)  
Radio Broadcast Tower  
Sewage Pressure Control Stations and Lift Stations  
Television Studios (with broadcast tower)  
Television Transmitting Stations and Relay Tower

00304

Water Pressure Control Stations  
Water Storage

Resource Production and Extraction Uses:  
Petroleum and Gas Well

2. Outdoor storage of material, inventory and equipment shall be prohibited.
3. Free-standing business or identification signs shall be limited to one such sign per business, no larger than 100 square feet in area or more than 25 feet in height, and shall be set back a minimum of 10 feet from any streetside boundary, and in no case shall be in the right-of-way.
4. All buildings or structures shall be set back from property boundary lines the following distances:

Front	20'
Side	10'
Rear	20'
Exterior side	15'
5. All buildings or structures shall face the interior street within the PDD and none shall face Buffalo Gap Road
6. The exterior property lines north and south of the interior drive, parallel to Buffalo Gap Road, shall be screened by landscaping a minimum of 4 feet in height, or by a solid opaque fence or masonry wall at least 6 feet in height. Landscape screening may be accomplished by use of berming, shrubs, trees, bushes, or similar means, provided the screening effect closely resembles that furnished by a wall or fence. Should a wall or fence be used, one tree per 20 feet of frontage shall be planted along Buffalo Gap Road exterior to the wall or fence, and on private property.
7. The property lines along the exterior boundary lines on the north, south, and west sides of the PDD shall be screened by a solid, opaque fence or masonry wall a minimum of 6 feet in height.
8. The maximum height of all structures within the PDD shall be 30 feet or 2 stories, whichever is less.

00305

- B. Resubdivision of any or more lots represented on the site plan (attached as Exhibit B) shall be undertaken in conformance with Subdivision Regulations of the City of Abilene applicable at the time of resubdivision. Amendment of this Planned Development ordinance shall not be necessary for resubdivision; however, above-described regulations regarding use and development shall remain applicable to the lots represented on the attached site plan, unless such regulations are modified by amendment to this ordinance.

00306

a. *Screening.*

1. Freight Containers in Agricultural Open Space districts and Commercial districts shall be screened from public right-of-way, except alleys.
2. Freight containers in any district shall be screened from adjacent properties with zoning designations other than HI, LI, HC, and GC.
3. Screening, as required in subsections a.1 and a.2 above, shall be accomplished through the use of landscaping as indicated below:
  - i. A continuous hedge with a mature height of at least five feet achieved within one year, and
  - ii. Trees with a mature height of at least ten feet spaced at twenty-foot intervals.
  - iii. Alternative screening of a minimum seven feet height of an opaque material consisting of wood fencing and/or masonry walls may be approved by the Development Review Committee (DRC) where landscaping would not be practical or appropriate.

b. *Location and Appearance in Certain Zoning Districts.* In HC or GC districts, freight containers shall be located in the rear of the main structure and shall be a solid color to match the dominant color of the principal structure. In AO districts, freight containers shall be located a minimum of 200 feet from property lines.

c. *Signage.* Freight containers shall not have signs, logos, or other markings, other than small, incidental labeling, visible from the right-of-way or visible from adjacent properties with zoning designations other than HI, LI, HC, and GC.

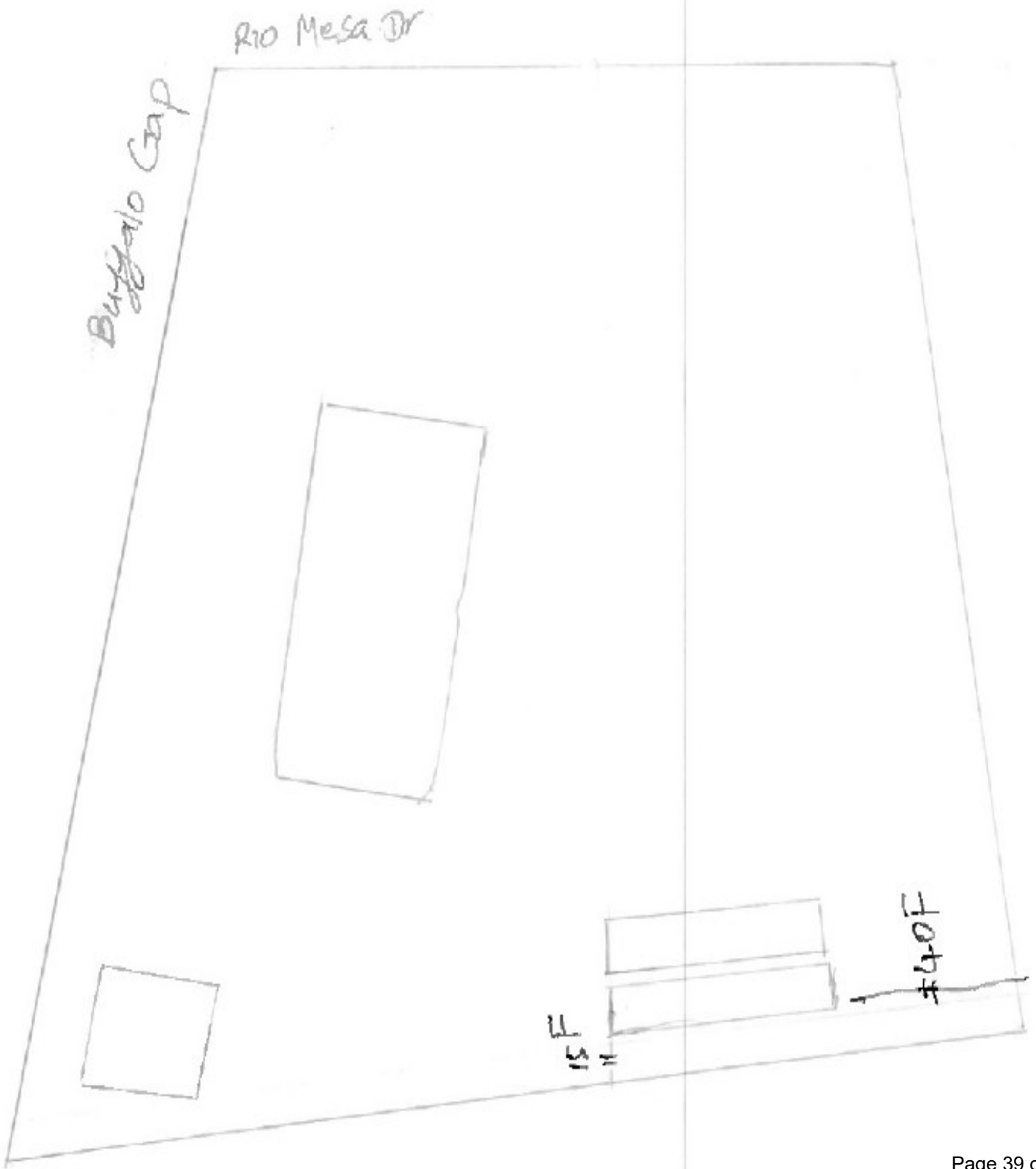
d. *Building Permit Required.* A building permit shall be obtained for each container and each shall meet all building and development regulations, with the exception that building separation requirements shall apply to separation from freight containers to other structures, not between multiple freight containers.

e. *Storage Freight Containers.* Freight containers used only for storage shall meet the building requirements as a "temporary structure," regardless of the length of time it is in use on the property, with the exception that any ventilation requirements that would apply to a permanent structure also apply to a permanently placed freight container.

f. *Stacking Prohibited.* Freight containers shall not be stacked.

g. *Number of Freight Containers and Distance to Property Lines in AO Zoning.* Only 1 freight container is permitted by right in the AO zoning district. A Conditional Use Permit is required if more than 1 freight container is proposed or if a freight container is proposed to be less than 200 feet from a property line.

4338 Rio Mesa Dr  
Abilene TX 79606  
Abilene Donuts #2



# ZONING CASE: CUP-2025-14 STAFF REPORT



## Scheduled Hearings

Planning & Zoning Commission: July 1, 2025  
City Council 1<sup>st</sup> Read: July 24, 2025  
City Council 2<sup>nd</sup> Read: August 14, 2025

## Applicant

Owner: Yokkim Sar

## Case Manager

Adam Holland – Planner

## Request

Apply a Conditional Use Permit to allow two (2) freight containers within General Commercial (GC) zoning.

## Location

Located at 358 ES 11<sup>th</sup> Street. Legal description being, Lot 101, Block A, Section 2, Martin Addition, Abilene, Taylor County, Texas

## Background

The owner of the property at 358 ES 11<sup>th</sup> would like to place two freight containers Northwest of the proposed structure (a donut shop) to be used for general storage of materials associated with the donut shop.

## Existing Uses/Zoning

	Zoning	Existing Land Use
North	PDD-22	Vacant Property
East	GC	Contractor Service/Office
South	GC	Vacant Lot
West	GC	Unused Structure

## Criteria Assessment

Staff have reviewed the request based upon the factors established in Section 1.4.3.5, Criteria for Approval of the Land Development Code. These factors are identified and addressed below:

- 1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan.**  
The proposed request is consistent with the Comprehensive Plan and Future Land Use Map.
- 2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.**  
The proposed request is consistent with the intent of the requirements for General Commercial districts.
- 3. 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.**

The proposed use is compatible with surrounding developments and will not create adverse impacts regarding traffic, noise, odor, or drainage. However, these freight containers will be required to be screened from the right-of-way, and subject to all applicable Land Development Code regulations in regard to freight containers.

**4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.**

The proposed use will not generate additional pedestrian or vehicular traffic.

**5. 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.**

The proposed use does not generate a level of traffic that would adversely affect the existing road network at this location.

**6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.**

The applicant will be required to comply with the Land Development Code requirements, which will minimize visual impacts on surrounding locations and rights of way.

**7. The proposed use meets the standards for the zoning 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.**

The use, if approved, will be subject to the following LDC requirements:

- Freight Containers in Commercial districts shall be screened from public right-of-way
- Freight containers in any district shall be screened from adjacent properties with zoning designations other than HI, LI, HC, and GC
- Freight containers shall not have signs, logos, or other markings, other than small, incidental labeling, visible from the right-of-way or visible from adjacent properties with zoning designations other than HI, LI, HC, and GC
- Freight containers shall be located in the rear of the main structure and shall be a solid color to match the dominant color of the principal structure
- Freight containers shall not be stacked
- A building permit shall be obtained for each container, and each shall meet all building and development regulations

### **Staff Recommendation**

Staff recommends **approval** of the Conditional Use Permit, subject to the following conditions:

1. A building permit must be applied for within 30 days of approval
2. The freight containers are subject to the submitted concept plan and all applicable LDC requirements.

### **Attachments**

- Application
- Freight Container Requirements
- Plan of Operation/Concept Plan
- PowerPoint

### **Notification**

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on June 13, 2025, via standard mail, with a certificate of mailing, to the owners of property within a

200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

Legend: O - Opposed, F - In Favor

**Owner**

OWNER	SITUS Address	PROP_ID	RESPONSE
DUNNAM DENNIS RAY II &	411 ES 11TH ST	41848	
MC PHAIL MIKE	365 ES 11TH ST	43228	
MC PHAIL MIKE	401 A ES 11TH ST	43228	
MC PHAIL MIKE	401 B ES 11TH ST	43228	
MC PHAIL MIKE	363 ES 11TH ST	43228	
MC PHAIL MIKE	361 ES 11TH ST	43228	
MC PHAIL MIKE	401 ES 11TH ST	43228	
HARTNESS COREY & PEREZ ALYSSIA ADRIANNA &	309 ES 11TH ST	42985	
MC PHAIL MIKE	349 ES 11TH ST	43349	
WALKER BRUCE & LINDA	341 ES 11TH ST	42702	
WALKER BRUCE & LINDA	315 ES 11TH ST	42702	
INCA TRIO FIRE SERVICES LP	1009 MARTIN ST	1057572	
PRAIRIE ROCK LLC		18983	
ISRANI HOLDINGS LLC	318 ES 11TH ST	45204	
ROYAL ELECTRIC CO OF ABL	334 ES 11TH ST	45749	
SAR SAM & VONG YOKKIM	358 ES 11TH ST	45750	
PRAIRIE ROCK LLC		18187	
CHRISTIAN DORA SUE	418 ES 11TH ST	45471	
BILLINGS CYNTHIA KAY	449 ES 11TH ST	41978	
LATOOUR COMMERCIAL PROPERTIES LLC	402 ES 11TH ST	45624	

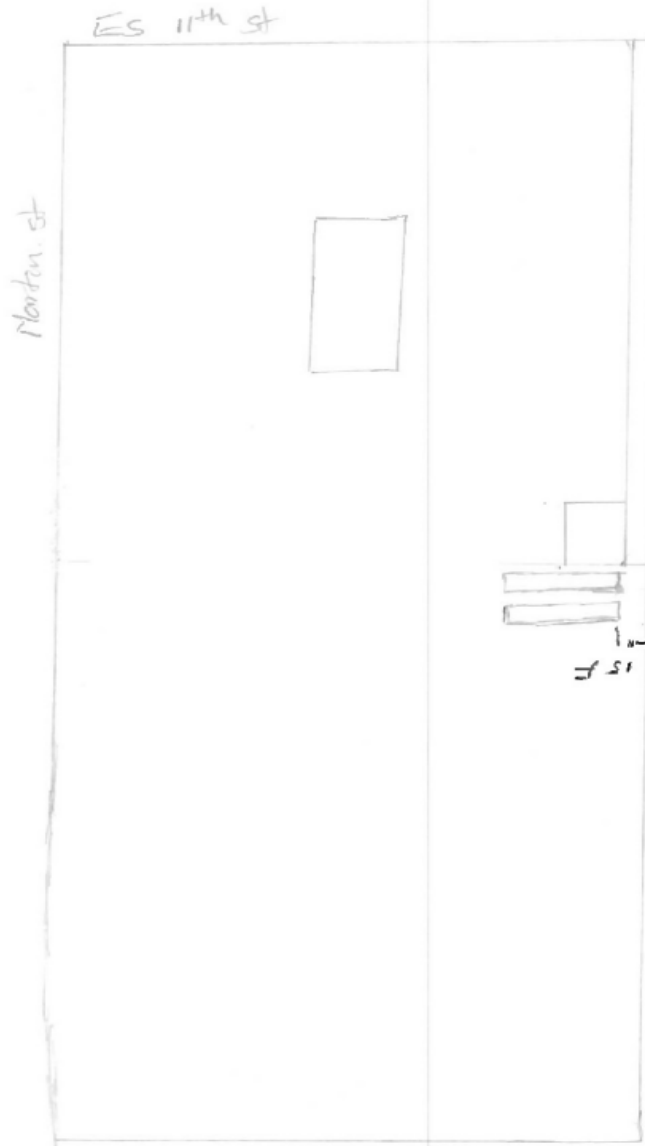
**Prop ID**

OWNER	SITUS Address	PROP_ID	RESPONSE
PRAIRIE ROCK LLC		18187	
PRAIRIE ROCK LLC		18983	
DUNNAM DENNIS RAY II &	411 ES 11TH ST	41848	
BILLINGS CYNTHIA KAY	449 ES 11TH ST	41978	
WALKER BRUCE & LINDA	341 ES 11TH ST	42702	
WALKER BRUCE & LINDA	315 ES 11TH ST	42702	
HARTNESS COREY & PEREZ ALYSSIA ADRIANNA &	309 ES 11TH ST	42985	
MC PHAIL MIKE	365 ES 11TH ST	43228	
MC PHAIL MIKE	401 A ES 11TH ST	43228	
MC PHAIL MIKE	401 B ES 11TH ST	43228	
MC PHAIL MIKE	363 ES 11TH ST	43228	
MC PHAIL MIKE	361 ES 11TH ST	43228	
MC PHAIL MIKE	401 ES 11TH ST	43228	
MC PHAIL MIKE	349 ES 11TH ST	43349	
ISRANI HOLDINGS LLC	318 ES 11TH ST	45204	
CHRISTIAN DORA SUE	418 ES 11TH ST	45471	
LATOOUR COMMERCIAL PROPERTIES LLC	402 ES 11TH ST	45624	
ROYAL ELECTRIC CO OF ABL	334 ES 11TH ST	45749	
SAR SAM & VONG YOKKIM	358 ES 11TH ST	45750	
INCA TRIO FIRE SERVICES LP	1009 MARTIN ST	1057572	



CONCEPT PLAN

358 ES 11<sup>th</sup> st  
Arlene TX 79602  
Arlene Donuts #13



## Plan of Operation

Conditional Use Permit Application - Freight Container for Storage Location: [Address]

4338 Rio Mesa Dr, Abilene TX 79606

Purpose:

Storage of donut supplies (boxes, cups, lids, etc.) and landscaping equipment for property maintenance.

Details of the Request:

1. Structure:
  - a. 2 freight (shipping) containers placed on the property for secure storage.
2. Use:
  - a. Stores donut shop supplies (packaging, disposable items).
  - b. Holds landscaping machinery and equipment for maintaining the shop's exterior area.
3. Hours of Operation:
  - a. 24/7 (no active operations; accessed only as needed for restocking/maintenance).
  - b. The container itself does not generate noise, traffic, or activity outside normal business hours.

Justification for Approval:

- Necessity: Frees up space inside the donut shop and keeps supplies/equipment organized.
- Safety & Aesthetics: The container will be maintained in good condition and screened if required (e.g., fencing/landscaping).
- No Disruption: Passive use no late-night disturbances or additional traffic.
- The container is not a business operation. it's purely storage.
- 24/7 access is for practicality (e.g., early-morning restocking), but no frequent after-hours activity is expected.

# NOTIFICATION MAP

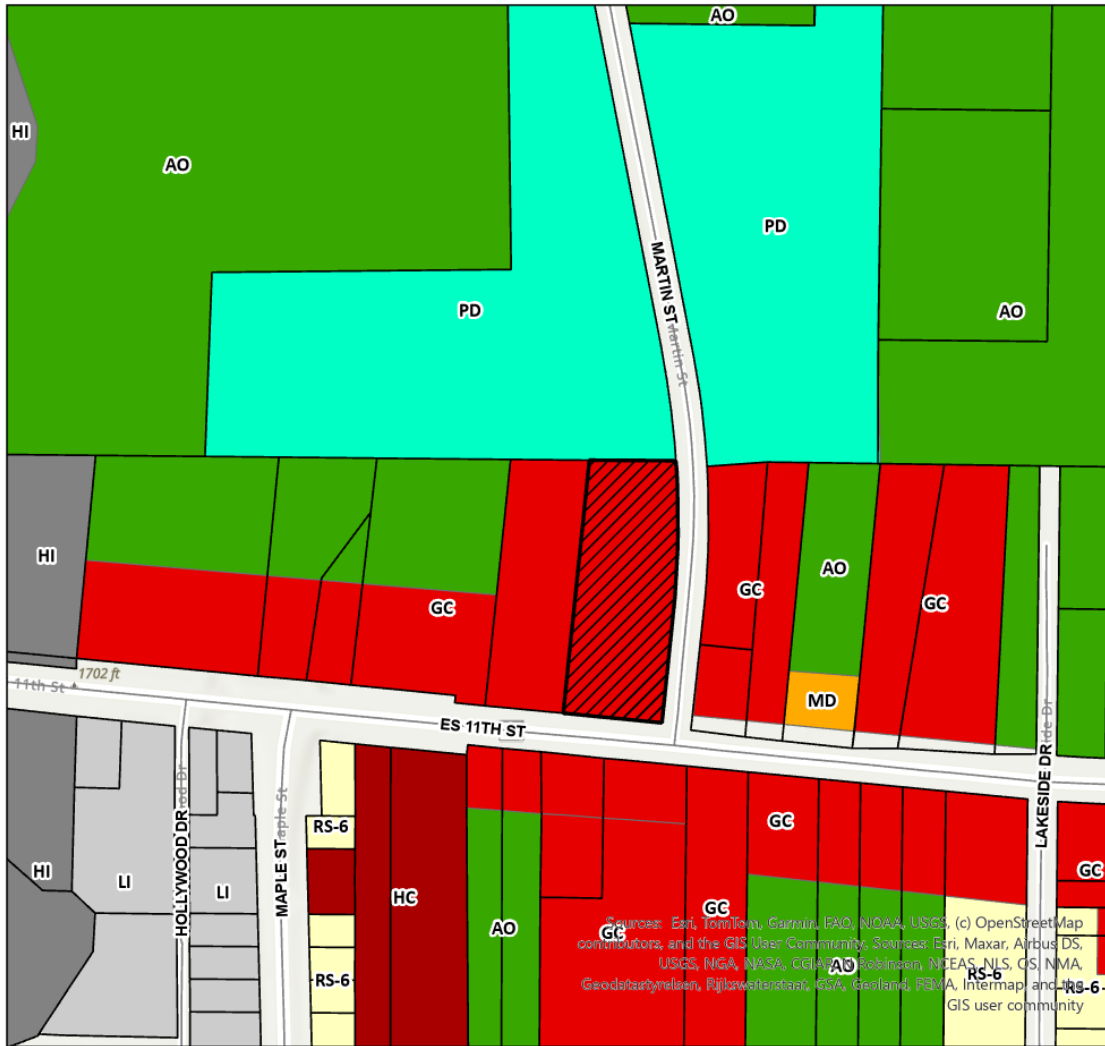


0.04 Miles

CUP-2025-13

Notification Buffer

# ZONING MAP



0.06

Miles

CUP-2025-14

## Zoning Districts

- AO
- GC
- HC
- HI
- LI
- MD
- PD
- RS-6

Sources: Esri, Intellicart, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community. Sources: Esri, Maxar, Airbus DS, USGS, NGA, NPS, CGLA, Robinson, NCEAS, NLS, GS, NMA, Geodatenzentrum, Rijkswaterstaat, Geoland, FEMA, Intermap and the GIS user community





# CONDITIONAL USE PERMIT

**Case:** CUP-2025-14

**Agent:** Yokkim Sar

**Request:** Conditional Use Permit to allow two (2) freight containers within General Commercial (GC) zoning.

**Location:** 358 ES 11<sup>th</sup> St.

**Notification:** 0 in Favor, 0 in Opposition

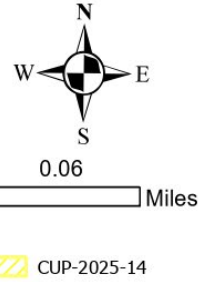
**Planning & Zoning:** July 1, 2025

**Council Hearing:** July 24, 2025  
August 14, 2025





# AERIAL LOCATION MAP

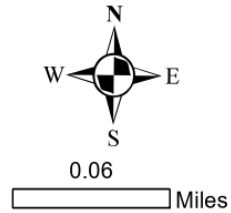
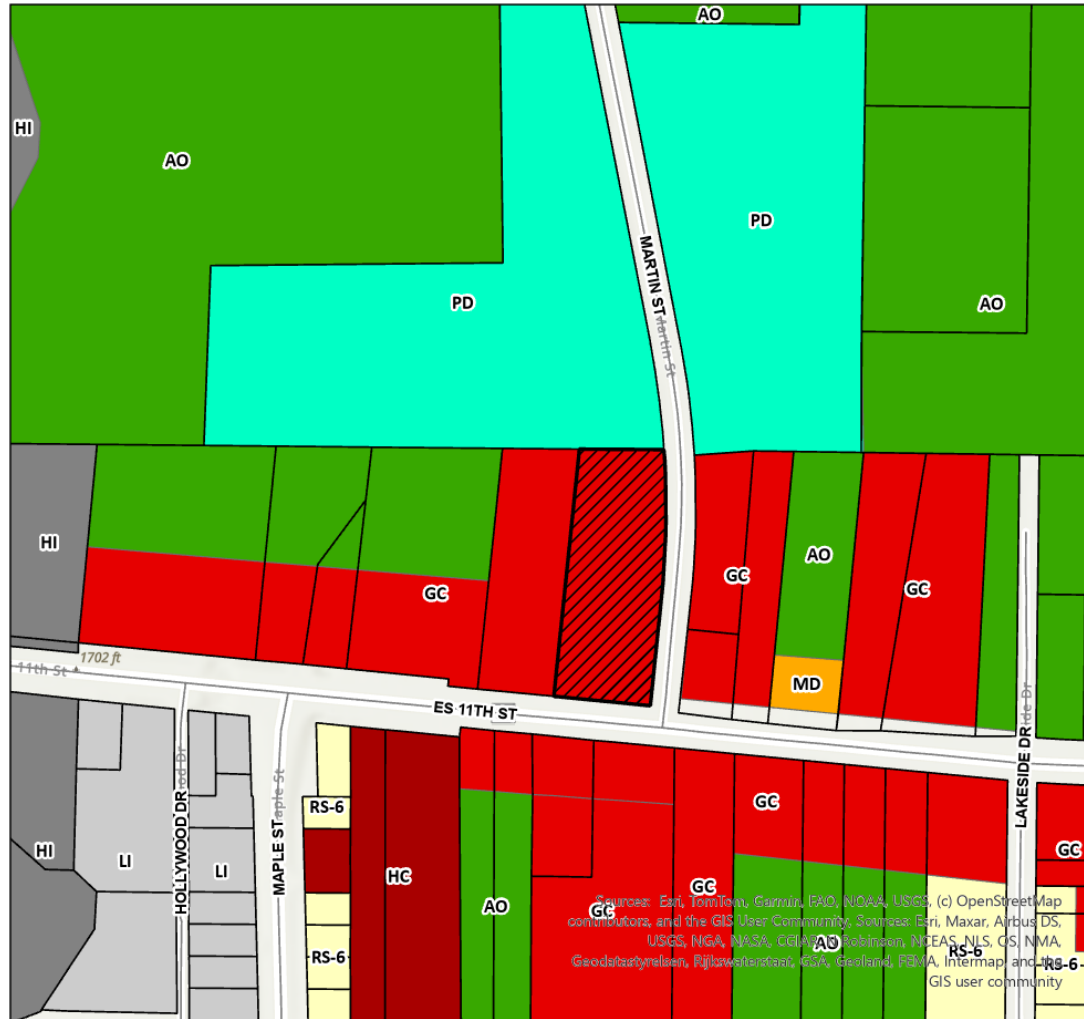


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# ZONING MAP



- CUP-2025-14
- Zoning Districts**
- AO
- GC
- HC
- HI
- LI
- MD
- PD
- RS-6

Sources: Esri, TomTom, Garmin, EA0, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community. Sources: Esri, Maxar, Airbus DS, USGS, NGA, NPS, GEBCO, Robinson, NCEAS, NLS, CS, NMA, Geodisatynelab, Pijlswitznarc, GSA, Geoland, FEMA, Intermap and the GIS user community





# PROPERTY VIEWS





# SURROUNDING PROPERTY VIEWS





# PLAN OF OPERATIONS

## Conditional Use Permit Application – Freight Container for Storage

Location: [Address]

358 E S 11<sup>TH</sup> ST, Abilene TX 79602

Purpose:

Storage of donut supplies (boxes, cups, lids, etc.) and landscaping equipment for property maintenance.

Details of the Request:

1. Structure:

-2 Freight (shipping) containers placed on the property for secure storage.

2. Use:

- Stores donut shop supplies (packaging, disposable items).

- Holds landscaping machinery and equipment for maintaining the shop's exterior area.

3. Hours of Operation:

- 24/7 (no active operations; accessed only as needed for restocking/maintenance).

- The container itself does not generate noise, traffic, or activity outside normal business hours.

Justification for Approval:

- Necessity: Frees up space inside the donut shop and keeps supplies/equipment organized.

- Safety & Aesthetics: The container will be maintained in good condition and screened if required (e.g., fencing/landscaping).

- No Disruption: Passive use no late-night disturbances or additional traffic.

- The container is not a business operation. It's purely storage.

- 24/7 access is for practicality (e.g., early-morning restocking), but no frequent after-hours activity is expected.

358 ES 11<sup>TH</sup> ST  
Abilene TX 79602  
Abilene Donuts #13





# NOTIFICATION AREA MAP



0.04

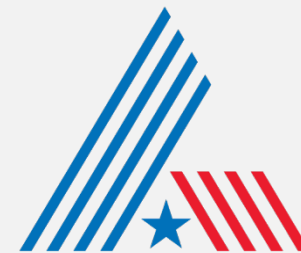
Miles

CUP-2025-13

Notification Buffer

0 - In Favor-

0- Opposed-



CITY OF  
**ABILENE**  
TEXAS

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community, Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NICEAS, NLS, OS, NMA, Geodatasirelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community



# FINDINGS AND RECOMMENDATION

The proposed request is consistent with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.

Staff recommends **approval** of the Conditional Use Permit, subject to the following conditions:

1. A building permit must be applied for within 30 days of approval.
2. The freight containers are subject to the submitted concept plan and all applicable LDC requirements.

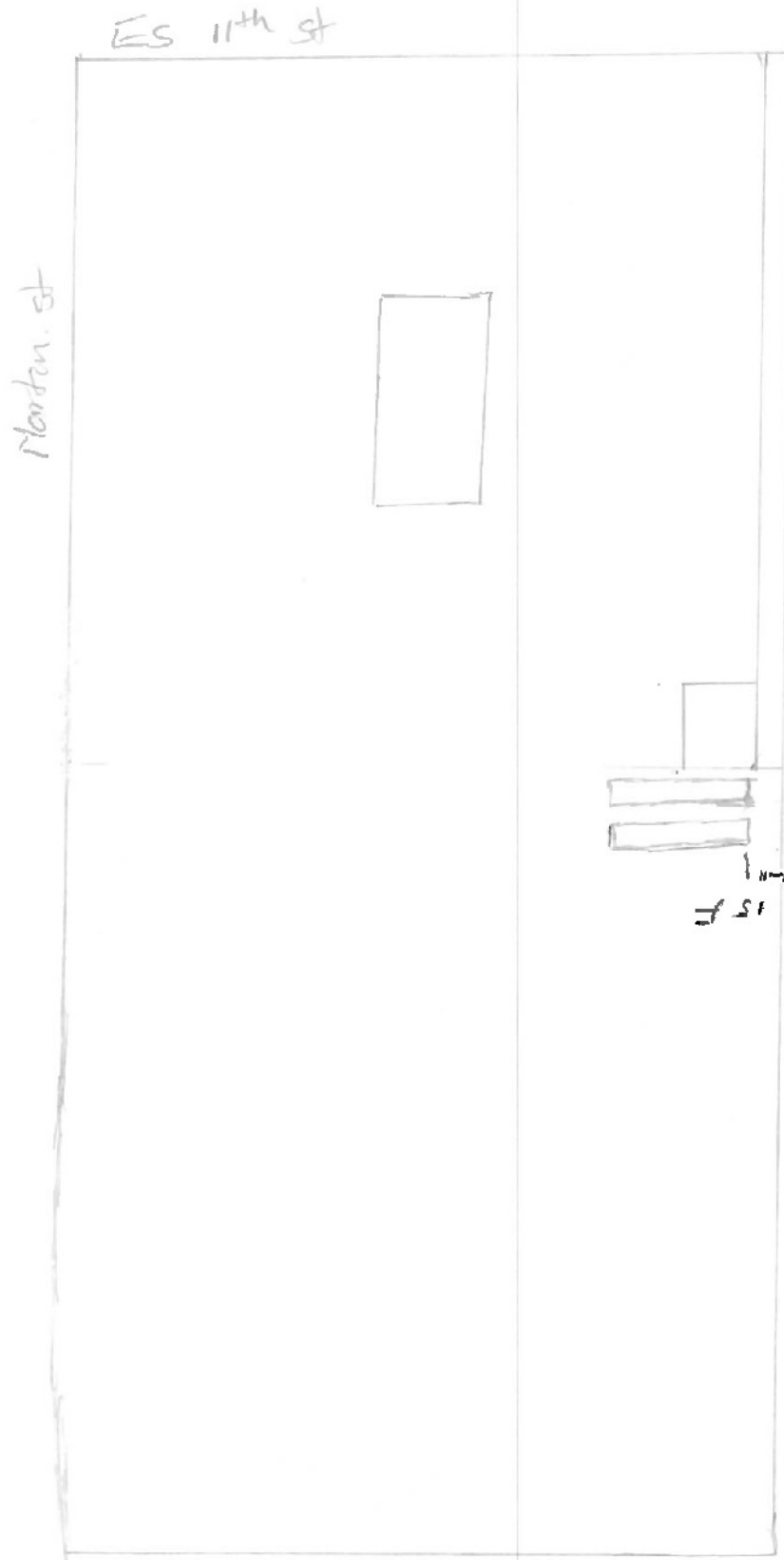




# Questions?



358 ES 11<sup>th</sup> St  
Abilene TX 79602  
Abilene Donuts #3



## Conditional Use Permit Application – Freight Container for Storage

Location: [Address]

358 E S 11<sup>TH</sup> ST, Abilene TX 79602

Purpose:

Storage of donut supplies (boxes, cups, lids, etc.) and landscaping equipment for property maintenance.

Details of the Request:

1. Structure:

-2 Freight (shipping) containers placed on the property for secure storage.

2. Use:

- Stores donut shop supplies (packaging, disposable items).

- Holds landscaping machinery and equipment for maintaining the shop's exterior area.

3. Hours of Operation:

- 24/7 (no active operations; accessed only as needed for restocking/maintenance).

- The container itself does not generate noise, traffic, or activity outside normal business hours.

Justification for Approval:

- **Necessity:** Frees up space inside the donut shop and keeps supplies/equipment organized.

- **Safety & Aesthetics:** The container will be maintained in good condition and screened if required (e.g., fencing/landscaping).

- **No Disruption:** Passive use no late-night disturbances or additional traffic.

- The container is not a business operation. It's purely storage.

- 24/7 access is for practicality (e.g., early-morning restocking), but no frequent after-hours activity is expected.

a. *Screening.*

1. Freight Containers in Agricultural Open Space districts and Commercial districts shall be screened from public right-of-way, except alleys.
2. Freight containers in any district shall be screened from adjacent properties with zoning designations other than HI, LI, HC, and GC.
3. Screening, as required in subsections a.1 and a.2 above, shall be accomplished through the use of landscaping as indicated below:
  - i. A continuous hedge with a mature height of at least five feet achieved within one year, and
  - ii. Trees with a mature height of at least ten feet spaced at twenty-foot intervals.
  - iii. Alternative screening of a minimum seven feet height of an opaque material consisting of wood fencing and/or masonry walls may be approved by the Development Review Committee (DRC) where landscaping would not be practical or appropriate.

b. *Location and Appearance in Certain Zoning Districts.* In HC or GC districts, freight containers shall be located in the rear of the main structure and shall be a solid color to match the dominant color of the principal structure. In AO districts, freight containers shall be located a minimum of 200 feet from property lines.

c. *Signage.* Freight containers shall not have signs, logos, or other markings, other than small, incidental labeling, visible from the right-of-way or visible from adjacent properties with zoning designations other than HI, LI, HC, and GC.

d. *Building Permit Required.* A building permit shall be obtained for each container and each shall meet all building and development regulations, with the exception that building separation requirements shall apply to separation from freight containers to other structures, not between multiple freight containers.

e. *Storage Freight Containers.* Freight containers used only for storage shall meet the building requirements as a "temporary structure," regardless of the length of time it is in use on the property, with the exception that any ventilation requirements that would apply to a permanent structure also apply to a permanently placed freight container.

f. *Stacking Prohibited.* Freight containers shall not be stacked.

g. *Number of Freight Containers and Distance to Property Lines in AO Zoning.* Only 1 freight container is permitted by right in the AO zoning district. A Conditional Use Permit is required if more than 1 freight container is proposed or if a freight container is proposed to be less than 200 feet from a property line.



# ZONING APPLICATION

## Zoning Application Page 1 of 3

### Planning

- Conditional Use Permit
- PDD Amendment
- Rezoning
- Street Name Change
- Easement Release
- Thoroughfare Abandonment

### Relief Procedures

- Petition for Relief
  - Proportionality Appeal
  - Vested Rights Petition
  - Appeal
- Other: \_\_\_\_\_

Project Name: Abilene Donuts #3

Address: 358 ES 11th St Number of Lots: \_\_\_\_\_ Acreage: \_\_\_\_\_

Legal Description: Martin Addn Sec. 2

Subdivision Name: \_\_\_\_\_ Block: A Lot: 101 Rep.

Current Zoning: \_\_\_\_\_ Proposed Zoning (if applicable): \_\_\_\_\_

### OWNER AND AUTHORIZATION

Owner Name: Yokkim Soy

Address: 6625 Longbranch Way

City, State, Zip: Abilene TX 79606 Fax: \_\_\_\_\_

Phone: 805 300 2683 Email: Lisavong99@yahoo.com

Agent Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ Fax: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature of Owner: [Signature] Date: 05.27.20

### FOR OFFICE USE ONLY

Received: _____	Fee: \$ _____	Receipt No.: _____
Case No.: _____		Reviewed By: _____



# ZONING APPLICATION

## Zoning Application Page 2 of 3

### Existing Zoning

- |                                |  |  |                               |
|--------------------------------|--|--|-------------------------------|
| <input type="checkbox"/> AO    | Agricultural Open Space                        | <input type="checkbox"/> GR            | General Retail                |
| <input type="checkbox"/> RR    | Rural Residential RR-5 & RR-1                  | <input type="checkbox"/> MU            | Medical Use                   |
| <input type="checkbox"/> RS-12 | Residential Single-Family – 12,000 sq. ft lots | <input type="checkbox"/> CB            | Central Business              |
| <input type="checkbox"/> RS-8  | Residential Single-Family – 8,000 sq. ft lots  | <input type="checkbox"/> MX            | Mixed Use                     |
| <input type="checkbox"/> RS-6  | Residential Single-Family – 6,000 sq. ft lots  | <input checked="" type="checkbox"/> GC | General Commercial            |
| <input type="checkbox"/> PH    | Single-Family Residential Patio Home           | <input type="checkbox"/> HC            | Heavy Commercial              |
| <input type="checkbox"/> TH    | Residential Townhouse                          | <input type="checkbox"/> LI            | Light Industrial              |
| <input type="checkbox"/> MD    | Residential Medium Density                     | <input type="checkbox"/> HI            | Heavy Industrial              |
| <input type="checkbox"/> MH    | Manufactured/Mobile Home                       | <input type="checkbox"/> PD            | Planned Development District  |
| <input type="checkbox"/> CU    | College & University                           | <input type="checkbox"/> MF            | Multi-Family                  |
| <input type="checkbox"/> NO    | Neighborhood Office                            | <input type="checkbox"/>               | Neighborhood Empowerment Zone |
| <input type="checkbox"/> O     | Office   |  |                               |
| <input type="checkbox"/> NR    | Neighborhood Retail                            |  |                               |

### Reason for Zoning Change

*To allow freight container.*

### Fees

**FOR DEVELOPMENT FEES CTRL & CLICK LINK BELOW AND CHOOSE "Z"**

<https://abilenetx.gov/563/Fee-Schedule>

Fees can be paid online with credit card.



# ZONING APPLICATION

## Zoning Application Page 3 of 3

### Zoning Impact Analysis

Please answer these questions in order to assist staff with the processing of your zoning request.

1. Does the proposed zoning map amendment implement the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map?

*Yes*

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2. Is the use permitted by the proposed change in the zoning district's classification? Are the standards applicable to such uses appropriate in the immediate area of the land to be reclassified?

*Yes*

---



---



---

3. Are the proposed changes in agreement with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

*Yes*

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4. Are there other factors that will substantially affect the public health, safety, morals, or general welfare?

*No*

---

### Other Required Forms - Disclosure of Interest (See Attached)

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# ZONING APPLICATION

## Disclosure of Interest

### Disclosure Questions

Every question must be answered. If the question is not applicable, answer with "N/A".

**NOTE:** If the Project Representative is not the Property Owner, this form must be filled out by **both** the Property Owner and the Project Representative.

A. Do you believe that a City official\* or City employee\*\* may have a conflict of interest in the property or application referenced on the reverse side?  Yes  No

B. If so, state the name of each City official or employee of the City of Abilene known by you that may have a conflict of interest in the property or application referenced on reverse side.

\_\_\_\_\_  
\_\_\_\_\_

C. State all information upon which you base the belief (use additional paper, if necessary).

\_\_\_\_\_  
\_\_\_\_\_

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Abilene, Texas, as changes occur.

Name of Certifying Person (print): Yokkim Sar

Property Owner  Project Representative

Signature of Certifying Person: 

\*Mayor, City Council members, Planning and Zoning Commission members, and Zoning Board of Adjustment members

\*\*City Manager, City Secretary, City Attorney, and all department heads



# ZONING APPLICATION

## Recommendations

The Planning & Zoning Commission (P&Z) and the City Council look to the Planning & Development Services staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

### PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the Planning & Development Services staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

### PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of \$120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED:  \_\_\_\_\_  
DATE: 05.27.25



# ZONING APPLICATION

THE STATE OF TEXAS)

)

COUNTY OF TAYLOR)

Know all men by these presents that the undersigned owner of the real property described on the reverse side hereof, has made, constituted and appointed, and by these presents does make, constitute and appoint, my true and lawful attorney, for me in my name, place and stead, to (1) file an application for a zone change, plat, street closure, alley closure, (appeal to the Board of Adjustment) \* concerning such property and

(2) appear on my behalf at all necessary meetings of the appropriate board or commission or City Council, as the case may be; and the undersigned further agrees that this power of attorney may be voluntarily revoked only by written revocation filed with the Planning & Development Services Division for the City of Abilene, Texas.

Witness my hand this day of 05. 27, 2025

\*(cross out the inapplicable phrase)



# ZONING APPLICATION

## Owner Authorization and Representative Designation

### Property Description

Subdivision: \_\_\_\_\_ Total Number of Acres: 2.26  
 Zoning Classification(s): \_\_\_\_\_ Total Number of Lots: 1  
 Location: 358 ES 11th St, Abilene TX 79602

### Property Owner Information & Authorization

Name/Company: Abilene Demuts #3  
 Address: 358 ES 11th St  
 City: Abilene State: Tx Zip Code: 79602  
 Phone: 805 300 8683 Email: l2cavong99@yahoo.com

### Project Representation (check one):

- I will represent the application myself; OR
- I hereby designate \_\_\_\_\_ (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

I hereby certify that I am the property owner of the property and further certify that the information provided on this development application is true and correct. I have selected the above submittal type, representation, and landscape incentive of my own volition and not at the request of the City of Abilene.

Property Owner's Signature: [Signature] Date: 05.27.25

STATE OF: Texas

COUNTY OF: Taylor

BEFORE ME, a Notary Public, on this day personally appeared \_\_\_\_\_ (printed property owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the property owner for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 27 day of May, 2025

\_\_\_\_\_  
 NOTARY PUBLIC in and for the State of Texas

### Project Representative Information (complete if designated by owner)

- Engineer
- Purchaser
- Tenant
- Preparer
- Other(specify): \_\_\_\_\_

Name: \_\_\_\_\_ Company: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_  
 Zip Code: \_\_\_\_\_ Number: \_\_\_\_\_ Email: \_\_\_\_\_

# ZONING CASE

## Z-2025-19

### STAFF REPORT



#### Scheduled Hearings

Planning & Zoning Commission: July 1, 2025  
 City Council 1<sup>st</sup> Reading: July 24, 2025  
 City Council 2<sup>nd</sup> Reading: August 14, 2025

#### Applicant

Agent: Jacob & Martin  
 Owner: PB 6950 LLC

#### Case Manager

Kera Valois – Planner

#### Request

Change the zoning of approximately 21.22 acres from General Retail (GR) to Multi Family (MF).

#### Location

Located along Memorial Drive. Legal description being approximately 21.22 acres out of the southwestern quarter of Section No. 12, Lunatic Asylum Lands, M. Pogue Survey, Abstract No. 831, Abilene, Taylor County, Texas.

#### Background

The subject property was annexed into the City in 2001 as Agricultural Open (AO) and was rezoned to General Retail (GR) in January 2025. The lot has remained vacant since its annexation into City limits.

#### Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	MD	Wesley Court
East	GR	Vacant Lot
South	AO/GC	Vacant Lots
West	RS-8	Residential

#### Criteria Assessment

Section 1.4.1.4 of Abilene’s Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) **Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan Map, as amended.**  
 The proposed use is consistent with the Future Land Use Map and Comprehensive Plan.
- (2) **Whether the uses permitted by the proposed change in zoning classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.**

The proposed zoning would be appropriate as it would be consistent with the surrounding uses.

**(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.**

This property will be subject to platting therefore any and all utilities that are required will be installed during that review.

**(4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.**

None known.

**Staff Recommendation**

Staff recommends **approval**.

**Attachments**

- PowerPoint Presentation
- Metes & Bounds
- Project Overview
- Owner Authorization
- Proposed Zoning Map

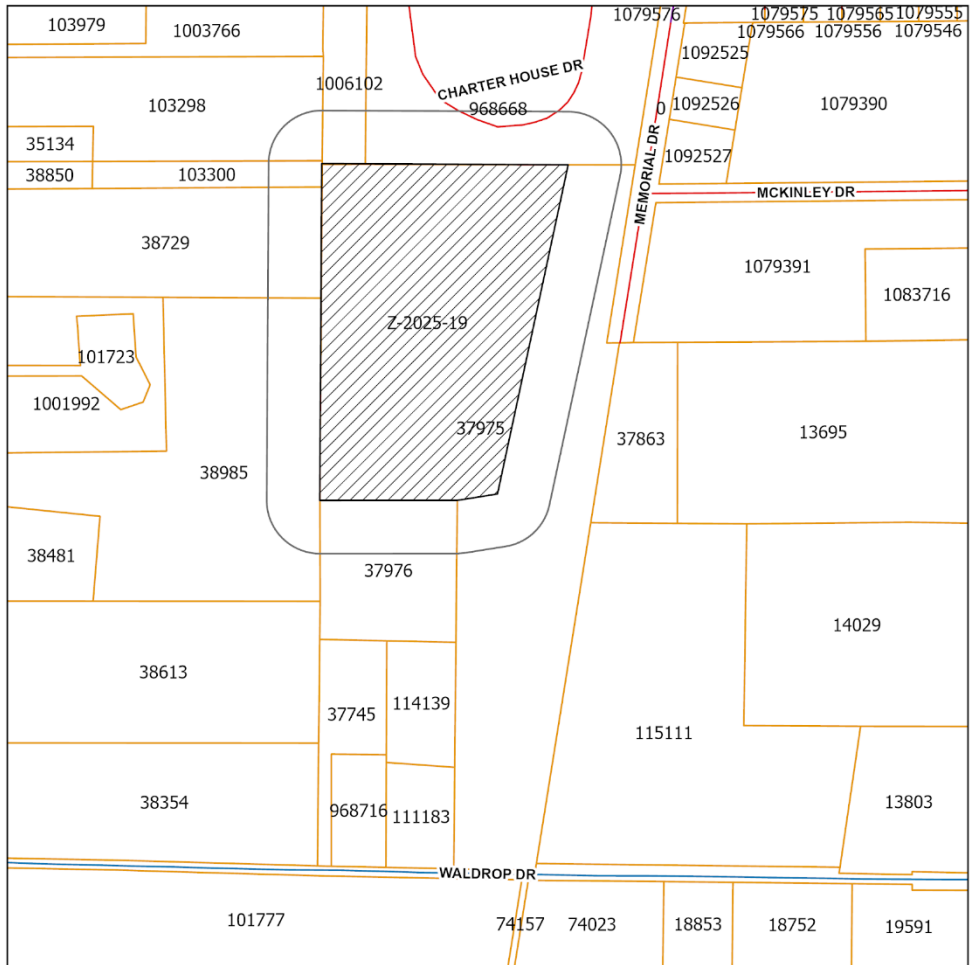
**Notification**

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on June 13, 2025, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

<b>PROPERTY OWNER</b>		<b>PROPERTY OWNER</b>		Legend: O - Opposed, F - In Favor
<b>PROPERTY OWNER</b>	<b>PROPERTY ID</b>	<b>SITUS</b>	<b>RESPONSE</b>	
BYRD MIKE	38729			
BYRD MIKE	103298			
BYRD MIKE	103300			
BYRD MIKE	38985			
BYRD MIKE	1006102			
PB 6950 LLC	37975			
STRICKLIN JACK JR	37976			
WESLEY COURT LLC	968668	2606 Bristol Ct		

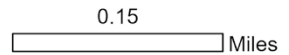
<b>PROPERTY OWNER</b>		<b>PROPERTY ID</b>		Legend: O - Opposed, F - In Favor
<b>PROPERTY OWNER</b>	<b>PROPERTY ID</b>	<b>SITUS</b>	<b>RESPONSE</b>	
PB 6950 LLC	37975			
STRICKLIN JACK JR	37976			
BYRD MIKE	38729			
BYRD MIKE	38985			
BYRD MIKE	103298			
BYRD MIKE	103300			
WESLEY COURT LLC	968668	2606 BRISTOL CT		

### NOTIFICATION MAP

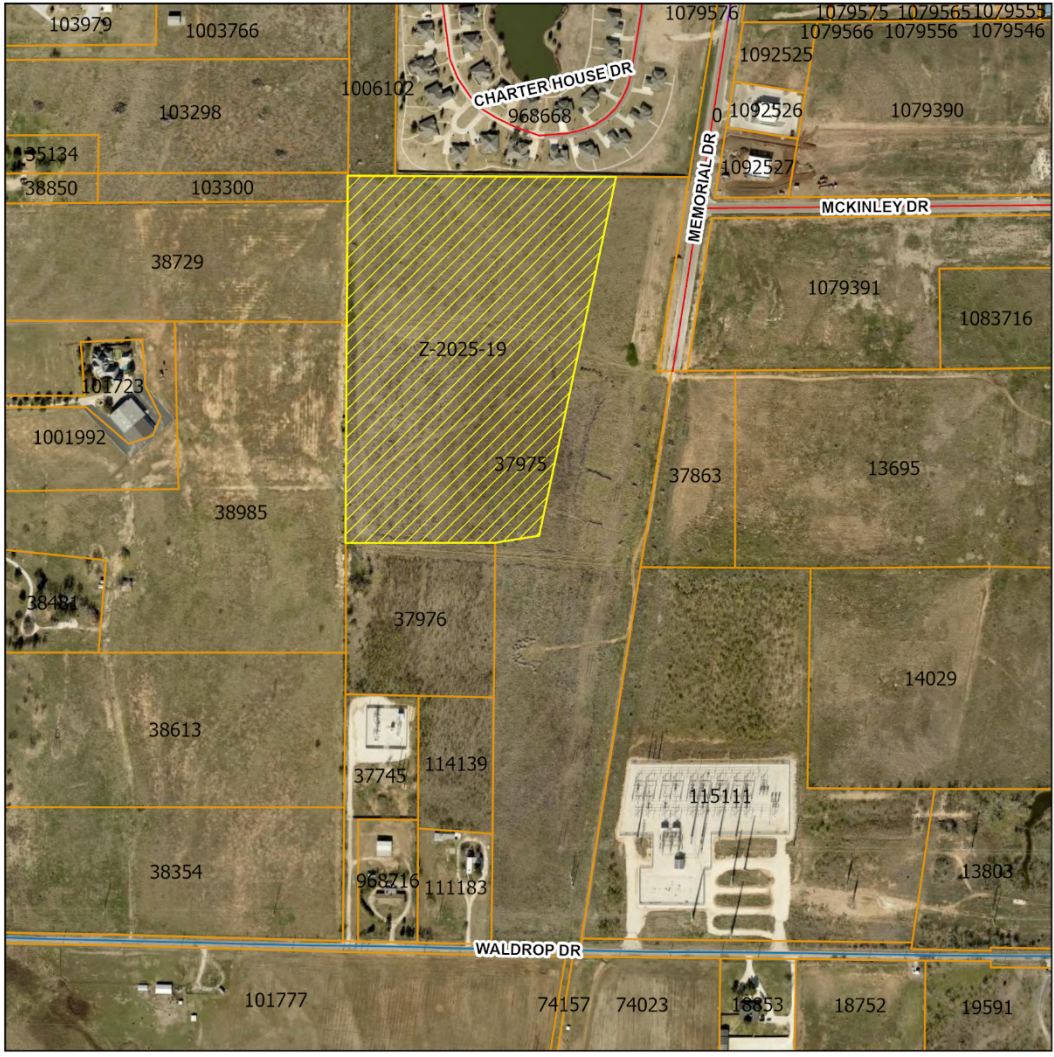


#### Legend

- Z-2025-19
- Notification Area
- Courier Parcels
- Collector
- Local
- Minor Arterial

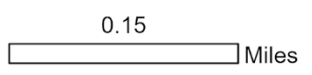


# LOCATION MAP

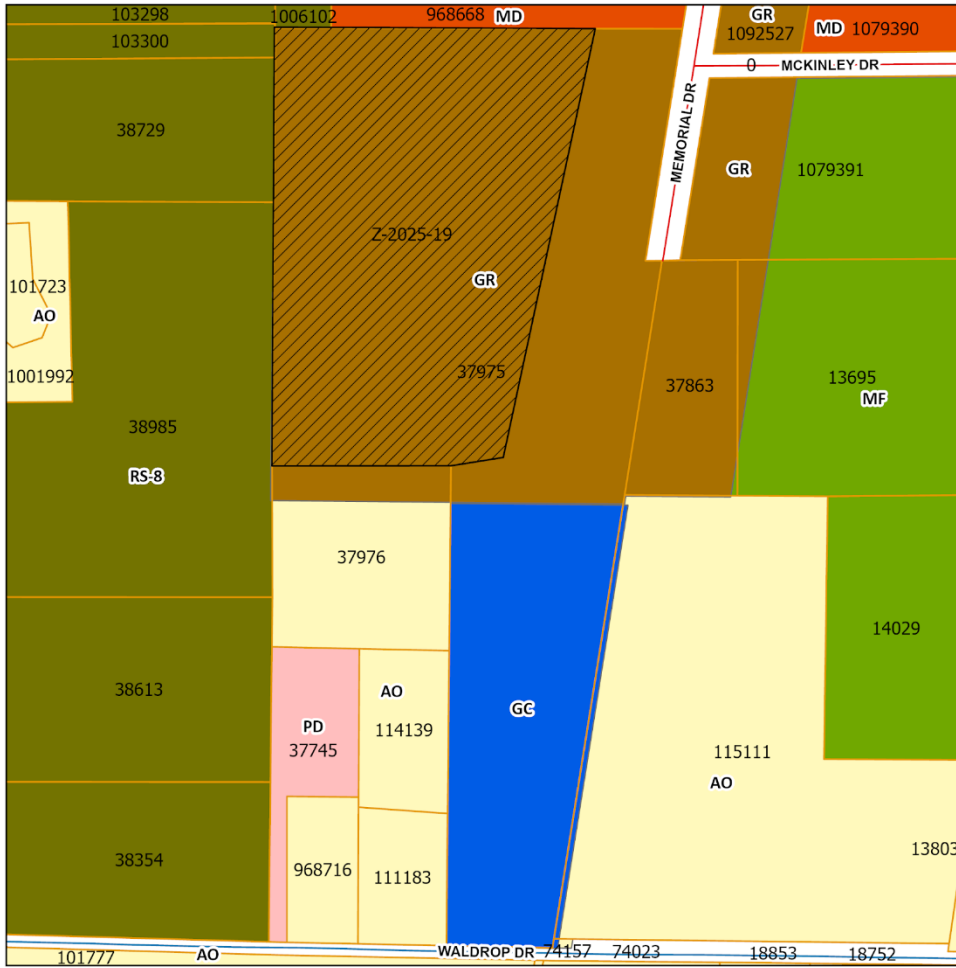


## Legend

- Z-2025-19
- Courier Parcels
- Collector
- Local
- Minor Arterial



# ZONING MAP



## Legend

- Z-2025-19
- Courier Parcels
- AO (Agricultural Open)
- GC (General Commercial)
- GR (General Retail)
- MD (Residential - Medium Density)
- MF (Residential - Multi-Family)
- PD (Planned Development)
- RS-8 (Residential - Single Family)
- Collector
- Local

0.1 Miles



# REZONE REQUEST

**Case:** Z-2025-19

**Agent:** Jacob & Martin

**Request:** Change the zoning of approximately 21.22 acres from General Retail (GR) to Multi Family (MF).

**Location:** Located along Memorial Drive

**Notification:** 0 in Favor, 0 in Opposition

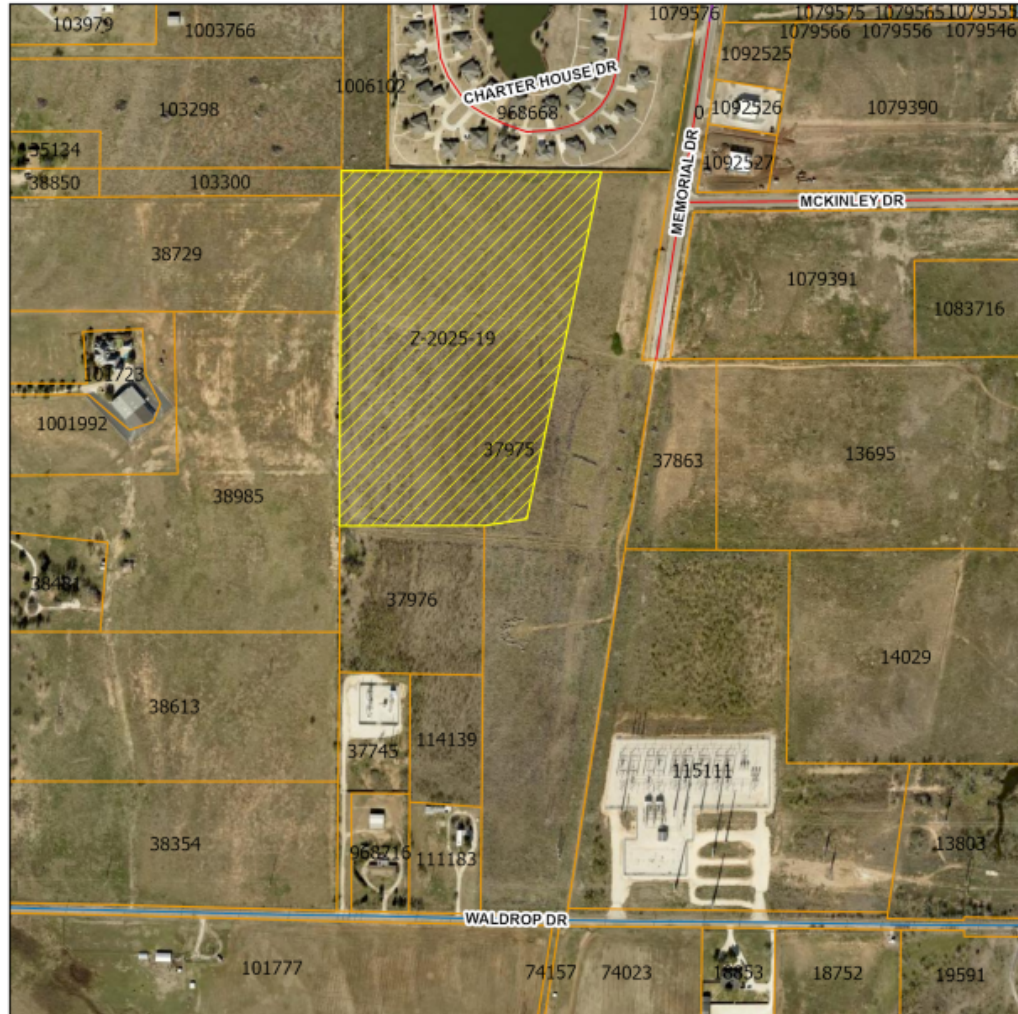
**Planning & Zoning:** July 1, 2025

**Council Hearing:** July 24, 2025  
August 14, 2025





# AERIAL LOCATION MAP



## Legend

- Z-2025-19
- Courier Parcels
- Collector
- Local
- Minor Arterial

0.15 Miles







# USES IN GENERAL RETAIL ZONING

## RESIDENTIAL USES:

- P Bed & Breakfast
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- C Dwelling – Multiple-Family
- P Dwelling – Single Family Detached
- P Hotel/Motel

## ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P/C Day Care Operation – Home Based
- P Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Freight Container
- P Fuel Sales
- P Garage Sales
- P Home Occupation
- TP Itinerant Business
- P Manufacturing (incidental)
- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage and parking)
- P Recycling Collection Point
- P Subdivision Sales Office (temporary)
- P Swimming Pools, Private (accessory to residential use)
- P Tennis Courts, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

## CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- P Cultural Facilities
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)
- P Recreation and Commercial Entertainment - Indoor

## GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- C Ambulance Service
- P Fire/Police Station
- P Medical/Dental Laboratory
- P Post Office
- C Social Service Facility

## EDUCATIONAL AND RELIGIOUS USES:

- P Arts School
- P Church or Place of Worship
- P Day-Care Operation - Center-Based
- P Educational and Scientific Research
- P School: Public/Private
- C Trade/Business School
- P University/College

## SERVICE:

- P/C Automobile Wash
- C Funeral Home/ Mortuary/Morgue
- P Kennel (Without Outdoor Pens)
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- C Printing, Copying, Reproduction, Publishing
- P Repair and Maintenance Services - Automobile/Small Truck (minor)
- P Repair and Maintenance Services (indoor)
- C Tattoo Parlor
- P Veterinary Service (small animals)

## TRADE – RETAIL USES:

- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Fuel Sales
- P Liquor Store (Off Premises Consumption) (*Defined under Liquor Store*)
- P Liquor Store (On Premises Consumption) (*Defined under Liquor Store*)
- P Restaurant, Brew Pub
- P Restaurant, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (indoor)
- C Retail Sales/Rental (outdoors, non-vehicle)

## TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Antenna Tower- Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Broadcast Studio
- P Public Utility Facility

## RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

## LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment





# USES IN MULTI-FAMILY ZONING

## RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- P Dwelling – Multiple-Family
- P Dwelling – Single-Family Detached
- C Group Home

## ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P/C Day Care Operation – Home-Based
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

## CULTURAL AND RECREATIONAL USES:

- C Civic, Social, and Fraternal Organization
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)

## GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Homeless/Emergency Shelter
- C Personal Care Facility
- C Rehabilitation Facility
- C Social Service Facility

## EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- C Day-Care Operation - Center-Based
- P School: Public/Private

## TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

## RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

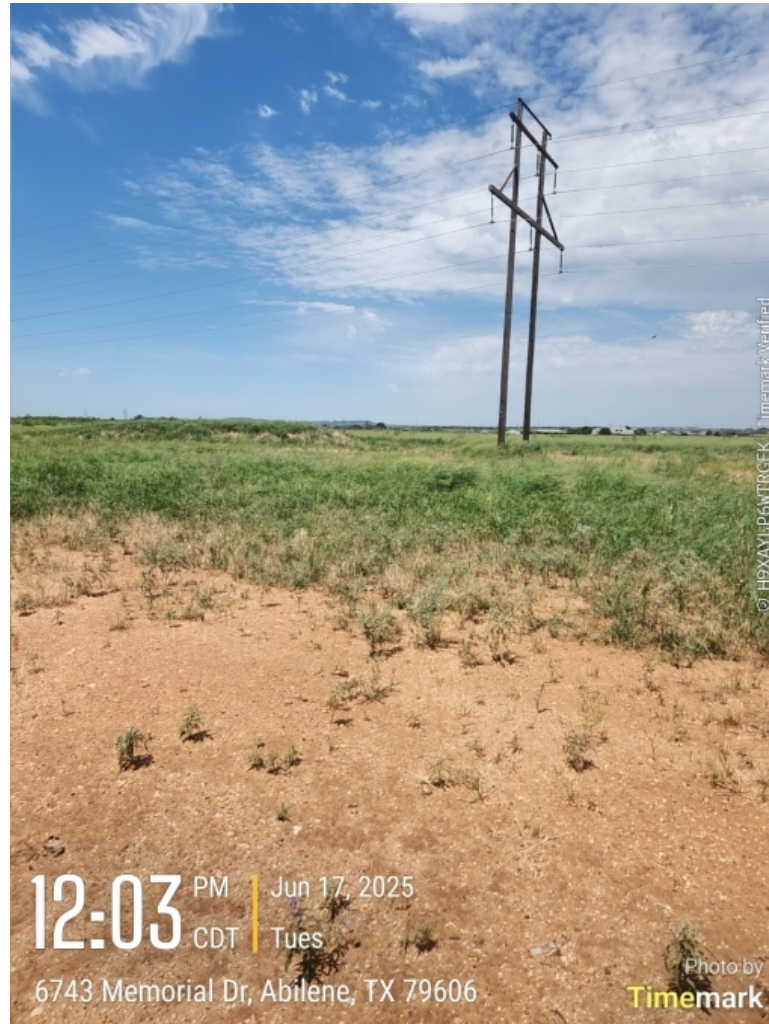
## LEGEND

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment



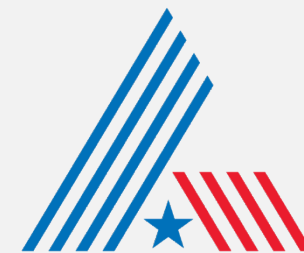
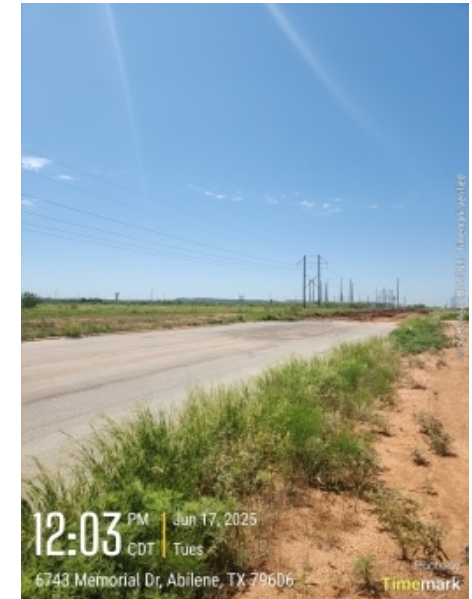
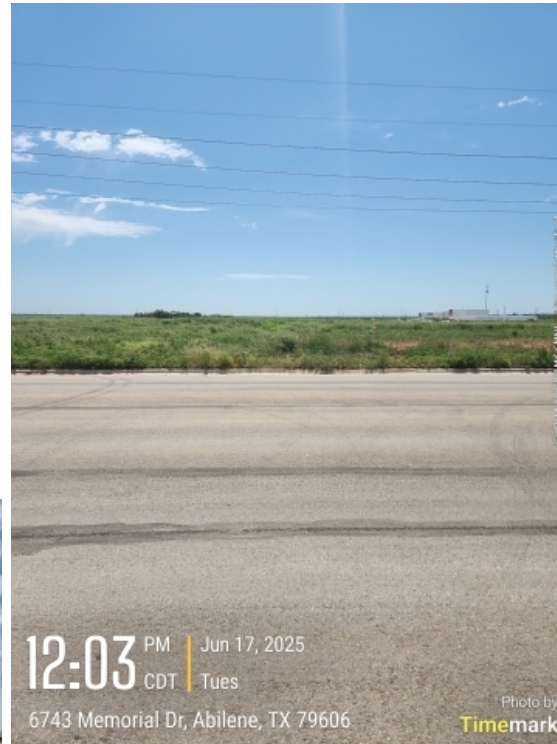


# PROPERTY VIEWS





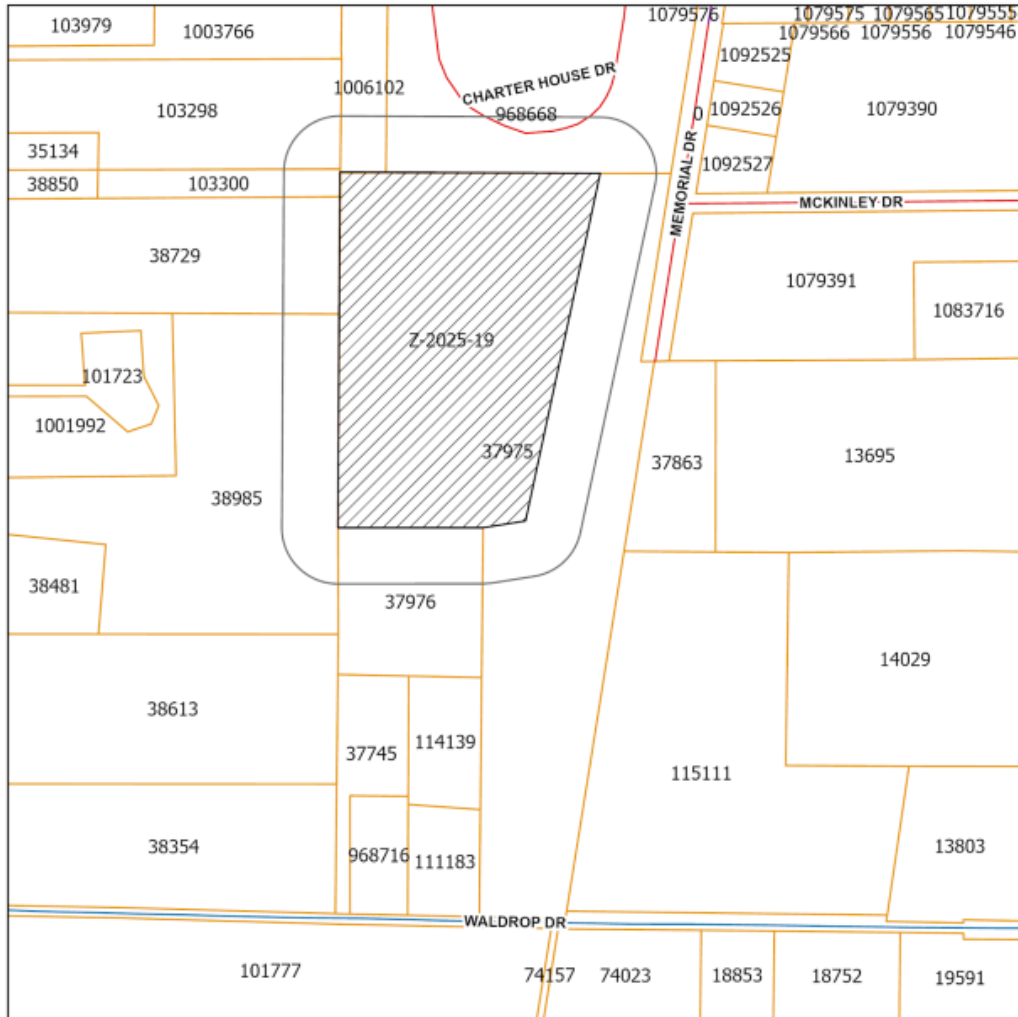
# SURROUNDING PROPERTY VIEWS



CITY OF  
**ABILENE**  
TEXAS



# NOTIFICATION AREA MAP



## Legend

- Z-2025-19
- Notification Area
- Courier Parcels
- Collector
- Local
- Minor Arterial

- 0 - in Favor -
- 0 - in Opposition -

0.15 Miles





# FINDINGS AND RECOMMENDATIONS

The request is consistent with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.

Staff Recommendation: **Approval**





# Questions?



# PROJECT OVERVIEW

Project Type: Zoning Application | Project Title: Z-2025-19 GR to MF (PID 37935)

ID # 25-000132 | Started 05/22/2025 at 8:12 AM



## Address

Abilene, TX USA 79606

## Legal

A0831 Sur 12 L A L Sw/4 Blk Tract 7 Lot Acres 44.8

A0831 Sur 12 L A L Sw/4, Tract 7, Acres 44.88

## PROPERTY DETAILS

Property ID 37975

Enforcement Area Far Southside

## INFORMATION FIELDS

### Owner Name

PB 6950

### Agent Name

Jacob & Martin

### Block

-

### Lot

-

### Acreage

-

### Legal Description of property

A0831 SUR 12 L A L SW/4, TRACT 7, ACRES 47.465, & ABND RR

### Subdivision Name

-

### Current Zoning

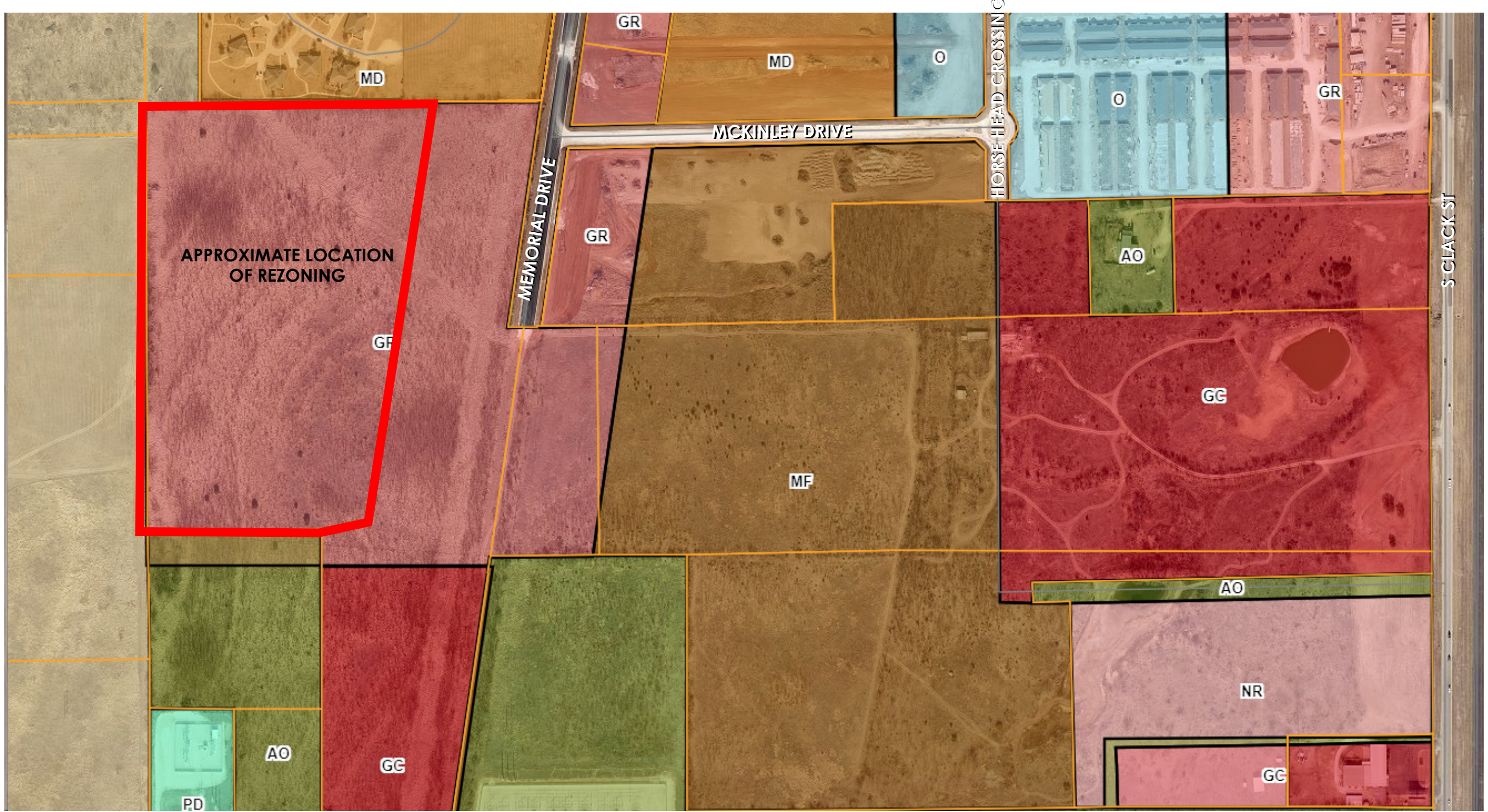
GR

### Proposed Zoning

MF

### Agree to Terms

Clayton Farrow 5-22-2025



APPROXIMATE LOCATION  
OF REZONING

**JACOB MARTIN**  
 TBAE FIRM # 2448  
 TBEFS FIRM # 1074493

ABILENE, TEXAS  
 PB 6950

**MF REZONING REQUEST**

NO.	REVISION	DATE

PROJECT # | SCALE | N.T.S.  
 BAR IS ONE INCH IN LENGTH ON ORIGINAL DRAWING.  
 CHECK SCALE AND ADJUST ACCORDINGLY.

SEQ. SHEET



3465 Curry Lane Abilene, Texas  
325-695-1070 [www.jacobmartin.com](http://www.jacobmartin.com)  
TBPELS Firm # 10194493

**METES & BOUNDS DESCRIPTION  
PROPOSED "MF" ZONING TRACT  
CITY OF ABILENE  
TAYLOR COUNTY, TEXAS**

**BEING** a **21.22 acre** zoning tract out of the SW/4 of Section No. 12, Lunatic Asylum Lands, M. Pogue Survey, Abstract No. 831, City of Abilene, Taylor County, Texas, and being out of Lot 7, Alfred and Mary Fasshauer Subdivision of Survey No. 12, Lunatic Asylum Land, as shown per plat recorded in Volume 1, Page 274, Plat Records, Taylor County, Texas, and being out of and a part of the west end of that certain 125.04 acre tract more particularly described in a deed to PB 6950, L.L.C. recorded in Instrument No. 2021-17398, Official Public Records, Plat Records, Taylor County, Texas. Said **21.22 acre** tract being more particularly described as follows:

**BEGINNING** at a point for the northwest corner of this described tract and said 125.04 acre tract;

**THENCE** S88°47'43"E, a distance of 162.56 feet along the north line of this described tract and said 125.04 acre tract to a point for an angle corner of this described tract and said 125.04 acre tract;

**THENCE** S89°35'36"E, a distance of 713.03 feet along the north line of this described tract and said 125.04 acre tract to a point for the northeast corner of this described tract and being the northwest corner of The Denali Addition, Section 2A-2, as shown per plat recoded in Cabinet 5, Slide 169, Plat Records, Taylor County, Texas;

**THENCE** along the east lines of this described tract and along the west lines of said The Denali Addition, Section 2A-2, the following bearings and distances:

- S09°04'30"W, a distance of 237.29 feet to a point;
- S09°04'06"W, a distance of 70.95 feet to a point;
- S09°04'30"W, a distance of 593.65 feet to a point;
- S09°04'40"W, a distance of 60.67 feet to a point;
- S09°02'25"W, a distance of 412.59 feet to a point for the southeast corner of this described tract and the southwest corner of said The Denali Addition, Section 2A-2;

**THENCE** S88°04'12"W, a distance of 160.58 along the south line of this described tract and over and across said 125.04 acre tract to a point for an angle corner;

**THENCE** N89°27'05"W, a distance of 510.63 along the south line of this described tract and a south line of said 125.04 acre tract to a point for the southwest corner of this described tract an said 125.04 acre tract;

**THENCE** N00°30'42"E, a distance of 1367.04 feet along the west line of this described tract and said 125.04 acre tract to the **POINT OF BEGINNING** and containing **21.22 acres** of land, more or less.

# Owner Authorization and Representative Designation

**Property Description**

Subdivision: The Denali Addition Total Number of Acres: 21.22  
 Zoning Classification(s): GR Total Number of Lots: \_\_\_\_\_  
 Location: Remainder of 125.0 Acre Tract, West of Memorial Dr and Teton Drive

**Property Owner Information & Authorization**

Name/Company: PB 6950, LLC  
 Address: 1848 Denali Drive  
 City: Abilene State: TX Zip Code: 79606  
 Phone: 325-307-9405 Email: kyle@kylepaulconstruction.com

**Project Representation (check one):**

- I will represent the application myself; OR
- I hereby designate Jacob & Martin, LLC (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

I hereby certify that I am the property owner of the property and further certify that the information provided on this development application is true and correct. I have selected the above submittal type, representation, and landscape incentive of my own volition and not at the request of the City of Abilene.

Property Owner's Signature: [Signature] Date: MAY 28 2025

STATE OF: Texas  
 COUNTY OF: Taylor

BEFORE ME, a Notary Public, on this day personally appeared Kyle Paul (printed property owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the property owner for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 28 day of May, 2025



[Signature]  
 NOTARY PUBLIC in and for the State of Texas

**Project Representative Information (complete if designated by owner)**

- Engineer
- Purchaser
- Tenant
- Preparer
- Other(specify): \_\_\_\_\_

Name: Clayton Farrow or Tal Fillingim Company: Jacob & Martin, LLC  
 Address: 3465 Curry Lane City: Abilene State: Texas  
 Zip Code: 79606 Number: 325-695-1070 Email: cfarrow@jacobmarlin.com

# ZONING CASE

## Z-2025-20

### STAFF REPORT



**Scheduled Hearings**

Planning & Zoning Commission: July 1, 2025  
 City Council 1<sup>st</sup> Reading: July 10, 2025  
 City Council 2<sup>nd</sup> Reading: July 24, 2025

**Applicant**

Owner: Lancium Abilene LLC

**Case Manager**

Adam Holland – Planner

**Request**

Amend the terms and conditions of PDD-181. Specifically, to modify the buffer on the southwest corner.

**Location**

The proposed buffer amendment is located along Spinks Road on the southwest portion of the most recently added parcels to the Planned Development District.

**Background**

More property was annexed and added to the Planned Development District in April of 2025. The conceptual plan was not amended to reflect new buffering requirements along the perimeter of the property.

**Zoning, Existing and Proposed Land Use**

	Zoning	Existing Land Use
<b>North</b>	ETJ(No Zoning)	ETJ
<b>East</b>	ETJ(No Zoning)	ETJ
<b>South</b>	AO	Vacant Lots
<b>West</b>	ETJ(No Zoning)	ETJ

**Criteria Assessment**

Section 1.4.1.4 of Abilene’s Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) **Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan Map, as amended.**  
 The proposed use is consistent with the Future Land Use and Development Plan Map.
- (2) **Whether the uses permitted by the proposed change in zoning classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.**  
 The proposed zoning would be appropriate as it would be consistent with the surrounding uses.

**(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.**

This property has been subject to platting and any utilities that may be required will be addressed during that review.

**(4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.**

None known.

**Staff Recommendation**

Staff recommends **approval**.

**Attachments**

- PowerPoint Presentation
- Metes & Bounds
- Project Overview

**Notification**

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on June 13, 2025, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

<b>PROPERTY OWNER</b>		Legend: O - Opposed, F - In Favor	
<b>OWNER</b>	<b>SITUS Address</b>	<b>PROP_ID</b>	<b>RESPONSE</b>
2G 4D LEGACY LP	142 CR 660	43217	
AEP TEXAS NORTH COMPANY		973980	
AGUIRRE CARLOS & SILVIA ET AL	335 MEADOW VALLEY RD	1063563	
AGUIRRE CARLOS & SILVIA ET AL	295 MEADOW VALLEY RD	1063564	
BAUCUM CHARLES	5613 SPINKS RD	36763	
BUNKLEY GARRY TRUST		47962	
CATON JOSEPH M & MELISSA L	227 MEADOW VALLEY RD	1079643	
CYCHOSZ DENISE M & JOSEPH J	237 LOMA VISTA	70117	
CYCHOSZ JOSEPH & DENISE M		36636	
DAVIS CHERYL ANN		36494	
DONAGHEY CALVIN WAYNE &		43336	
EARLY ROBERT & PAMELA	921 FM 2404	1095328	
GILES KEVANTE J & BRANCH W OLIVIA &	367 MEADOW VALLEY RD	1063326	
KENNEDY REVOCABLE TRUST		67776	
LANCIUM ABILENE LLC		117284	
LANCIUM ABILENE LLC		47960	
LANCIUM ABILENE LLC		1093722	
LANCIUM ABILENE LLC	5502 SPINKS RD	1093721	
LANCIUM ABILENE LLC		1093720	
LANCIUM ABILENE LLC	615 FM 2404	1093719	
LANCIUM ABILENE LLC		1089582	
LANCIUM ABILENE LLC	723 FM 2404	1062111	
LANCIUM ABILENE LLC		1062951	
LANCIUM ABILENE LLC	412 MEADOW VALLEY RD	1083680	
LANCIUM ABILENE LLC	417 MEADOW VALLEY RD	33205	

LANCIUM ABILENE LLC		1061063	
LANCIUM ABILENE LLC	151 LANCIUM WY	1093718	
LANCIUM ABILENE LLC	251 LANCIUM WY	1093718	
LANCIUM ABILENE LLC	351 LANCIUM WY	1093718	
MACIAS JOSE LUIS & PATRICIA A	197 MEADOW VALLEY RD	1079489	
MACIAS JOSE LUIS & PATRICIA A	145 MEADOW VALLEY RD	1079489	
MELCHOR POMPILIO &	393 MEADOW VALLEY RD	1062738	
MENDLER FRED & ARLENE	133 LOMA VISTA	69755	
MENDLER FREDERICK W &	6049 SPINKS RD	69352	
OLD ANSON RESOURCES LLC	815 FM 2404	1062207	
PINE STREET SALVAGE		43093	
PINE STREET SALVAGE		48619	
PINE STREET SALVAGE	150 Y CR 660	48739	
PINE STREET SALVAGE CO		47954	
QUINN KEITH PATRICK		1091661	
RICHARDSON FRANK RAY		70855	
SMITH JUSTIN DARREL &	5501 SPINKS RD	36827	
SMITH STEPHANIE	265 MEADOW VALLEY RD	1063064	
TUCHER CRISTOFOR L & JONNA B		1010474	
TUCHER JOHN M & MARY JANE	5705 SUMMERHILL RD	33072	
WEST TEXAS UTILITIES CO		43815	
WEST TEXAS UTILITIES CO		48087	
WEST TEXAS UTILITIES CO		32676	
WEST TEXAS UTILITIES CO		32811	
WEST TEXAS UTILITIES CO		15281	
WEST TEXAS UTILITIES CO		1086255	
ZUFFELATO GLEN	5992 SPINKS RD	1061731	

**PROPERTY ID**

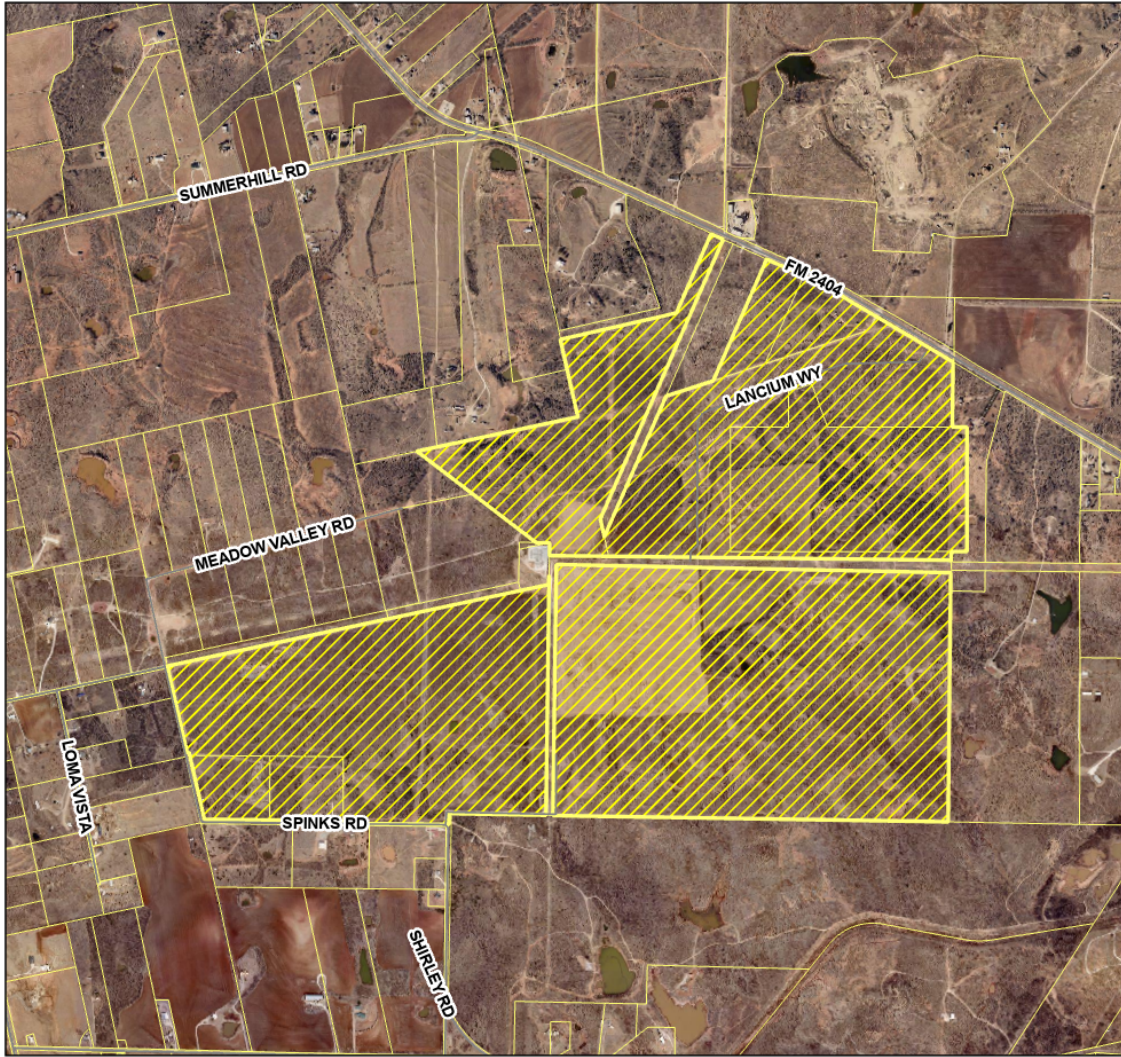
Legend: O - Opposed, F - In Favor

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EARLY ROBERT & PAMELA	921 FM 2404	1095328	



LOCATION MAP

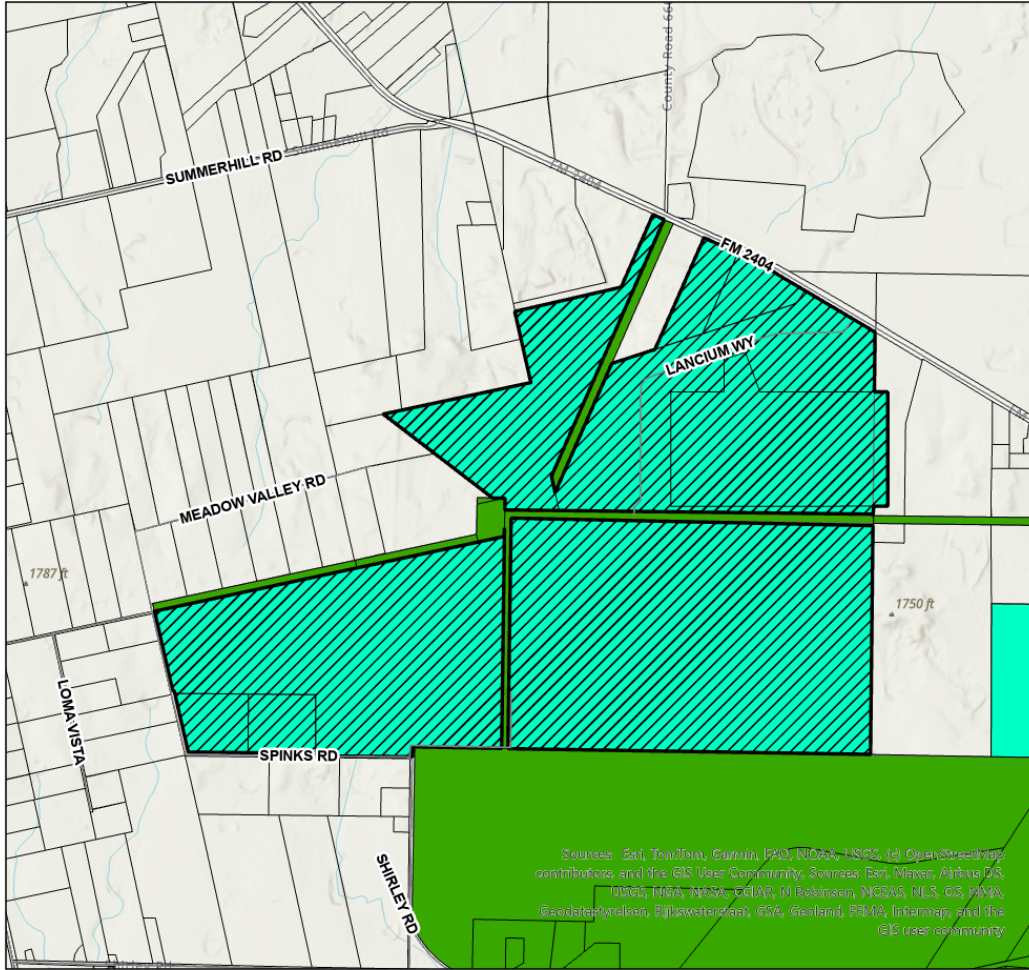


0.35

Miles

Z-2025-20

# ZONING MAP





# REZONE REQUEST

**Case:** Z-2025-20

**Owner:** Lancium Abilene LLC

**Request:** Amend the terms of PDD-181, more specifically the location of the buffer area.

**Location:** Located along Spinks Road

**Notification:** 0 in Favor, 0 in Opposition

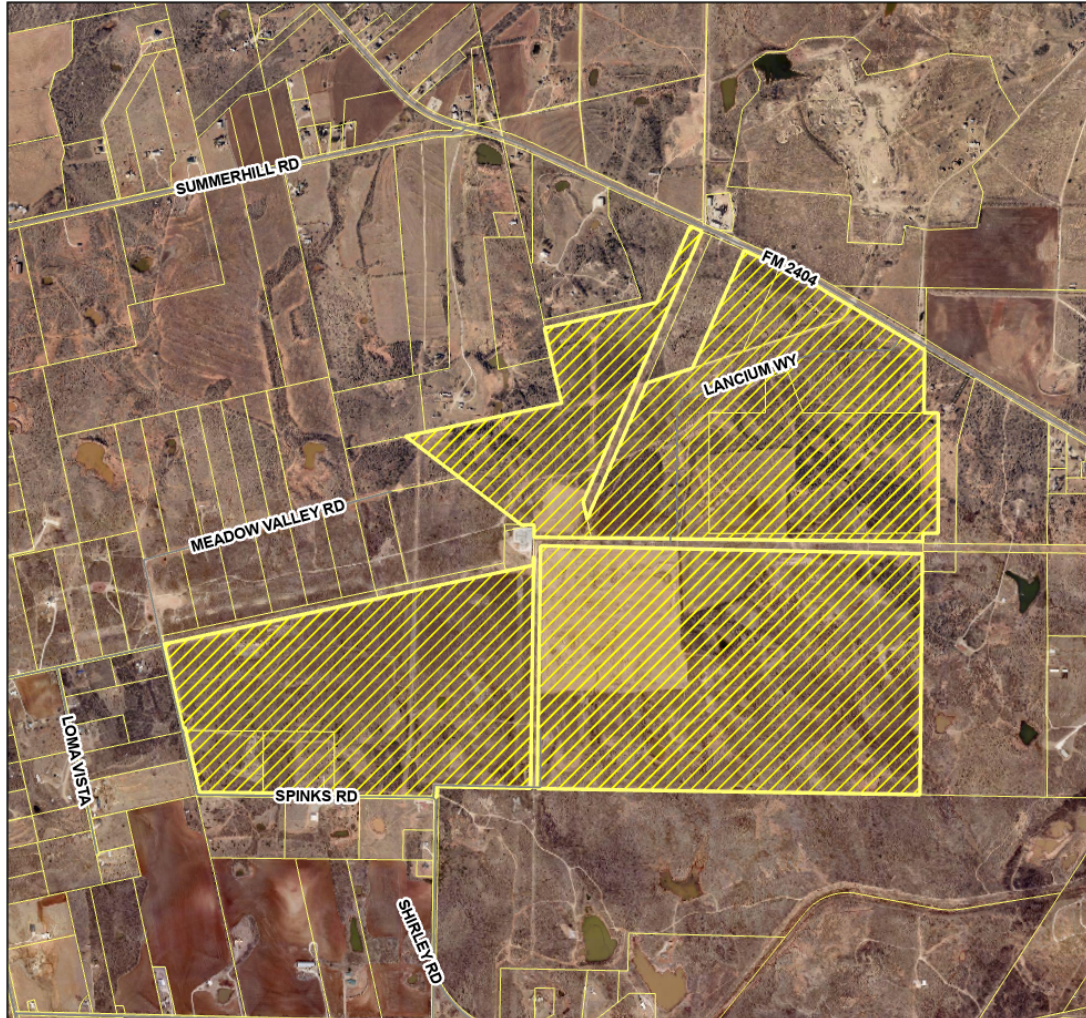
**Planning & Zoning:** July 1, 2025

**Council Hearing:** July 10, 2025  
July 24, 2025





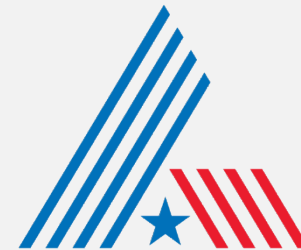
# AERIAL LOCATION MAP



0.35

Miles

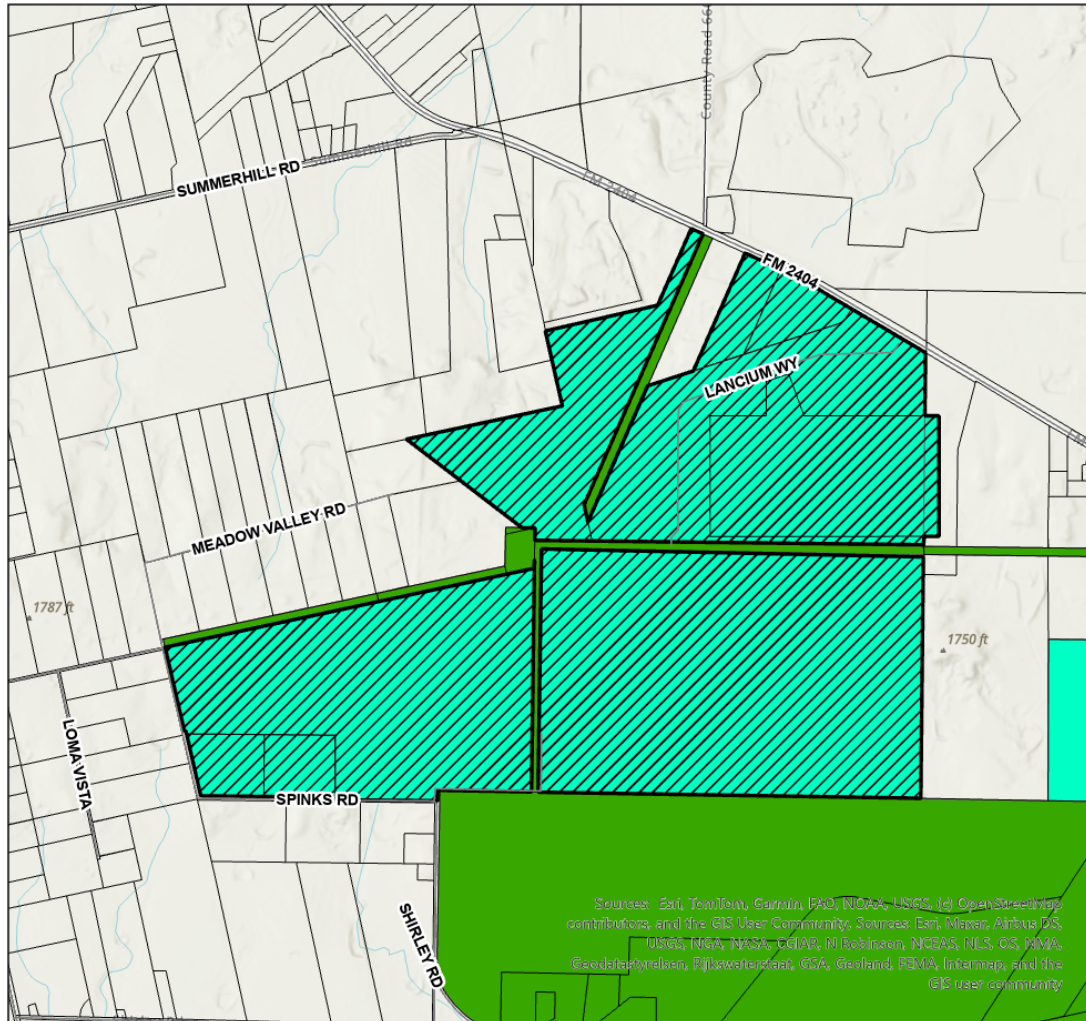
Z-2025-20



CITY OF  
**ABILENE**  
TEXAS



# ZONING MAP



0.35

Miles

Z-2025-20

Zoning Districts

AO  
PD

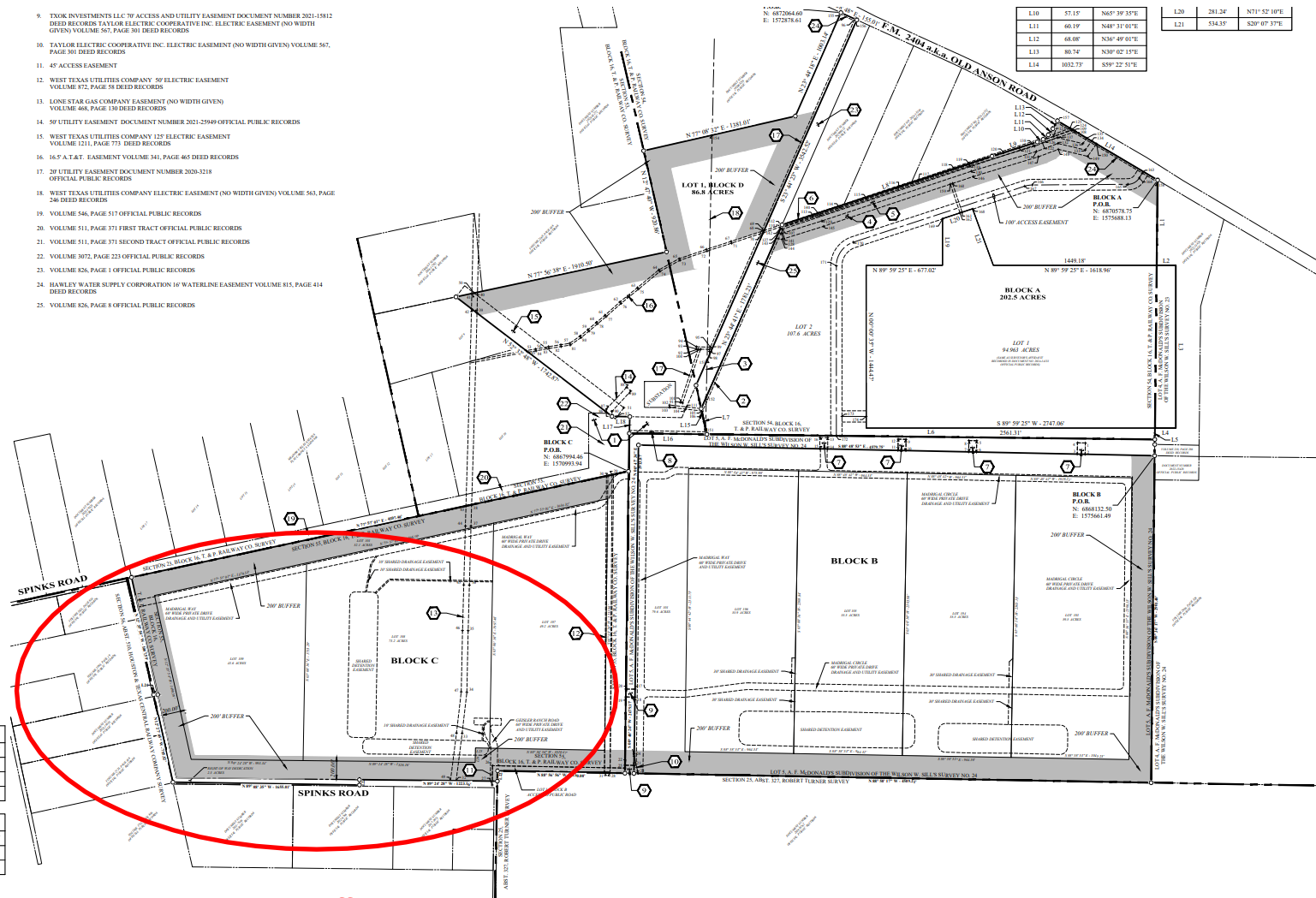




# CONCEPTUAL PLAN

9. TXOK INVESTMENTS LLC 70' ACCESS AND UTILITY EASEMENT DOCUMENT NUMBER 2021-15812 DEED RECORDS TAYLOR ELECTRIC COOPERATIVE INC. ELECTRIC EASEMENT (NO WIDTH GIVEN) VOLUME 567, PAGE 301 DEED RECORDS
10. TAYLOR ELECTRIC COOPERATIVE INC. ELECTRIC EASEMENT (NO WIDTH GIVEN) VOLUME 567, PAGE 301 DEED RECORDS
11. 45' ACCESS EASEMENT
12. WEST TEXAS UTILITIES COMPANY 50' ELECTRIC EASEMENT VOLUME 572, PAGE 58 DEED RECORDS
13. LONE STAR GAS COMPANY EASEMENT (NO WIDTH GIVEN) VOLUME 468, PAGE 130 DEED RECORDS
14. 50' UTILITY EASEMENT DOCUMENT NUMBER 2021-25949 OFFICIAL PUBLIC RECORDS
15. WEST TEXAS UTILITIES COMPANY 125' ELECTRIC EASEMENT VOLUME 1211, PAGE 73 DEED RECORDS
16. 16.5' A.T.A.T. EASEMENT VOLUME 341, PAGE 465 DEED RECORDS
17. 20' UTILITY EASEMENT DOCUMENT NUMBER 2020-3218 OFFICIAL PUBLIC RECORDS
18. WEST TEXAS UTILITIES COMPANY ELECTRIC EASEMENT (NO WIDTH GIVEN) VOLUME 563, PAGE 246 DEED RECORDS
19. VOLUME 546, PAGE 517 OFFICIAL PUBLIC RECORDS
20. VOLUME 511, PAGE 371 FIRST TRACT OFFICIAL PUBLIC RECORDS
21. VOLUME 511, PAGE 371 SECOND TRACT OFFICIAL PUBLIC RECORDS
22. VOLUME 3072, PAGE 223 OFFICIAL PUBLIC RECORDS
23. VOLUME 826, PAGE 1 OFFICIAL PUBLIC RECORDS
24. HANLEY WATER SUPPLY CORPORATION 10' WATERLINE EASEMENT VOLUME 815, PAGE 414 DEED RECORDS
25. VOLUME 826, PAGE 8 OFFICIAL PUBLIC RECORDS

L10	57.15'	N65° 39' 35"E	L20	281.24'	N71° 52' 00"E
L11	60.19'	N48° 31' 00"E	L21	554.93'	S29° 07' 39"E
L12	68.08'	N30° 49' 00"E			
L13	90.74'	N30° 02' 15"E			
L14	103.73'	S09° 22' 41"W			



Proposed buffer location

EXHIBIT D - BUFFER ZONE AMENDMENT

LEGEND

○	
—	
- - -	
▬	
▬	



# PROPERTY VIEWS

Subject property



North neighboring property



Subject property



North neighboring property

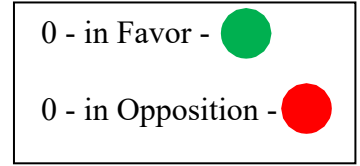
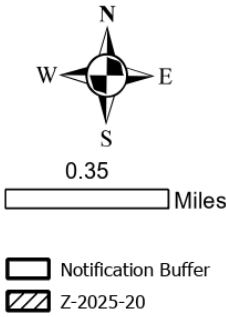
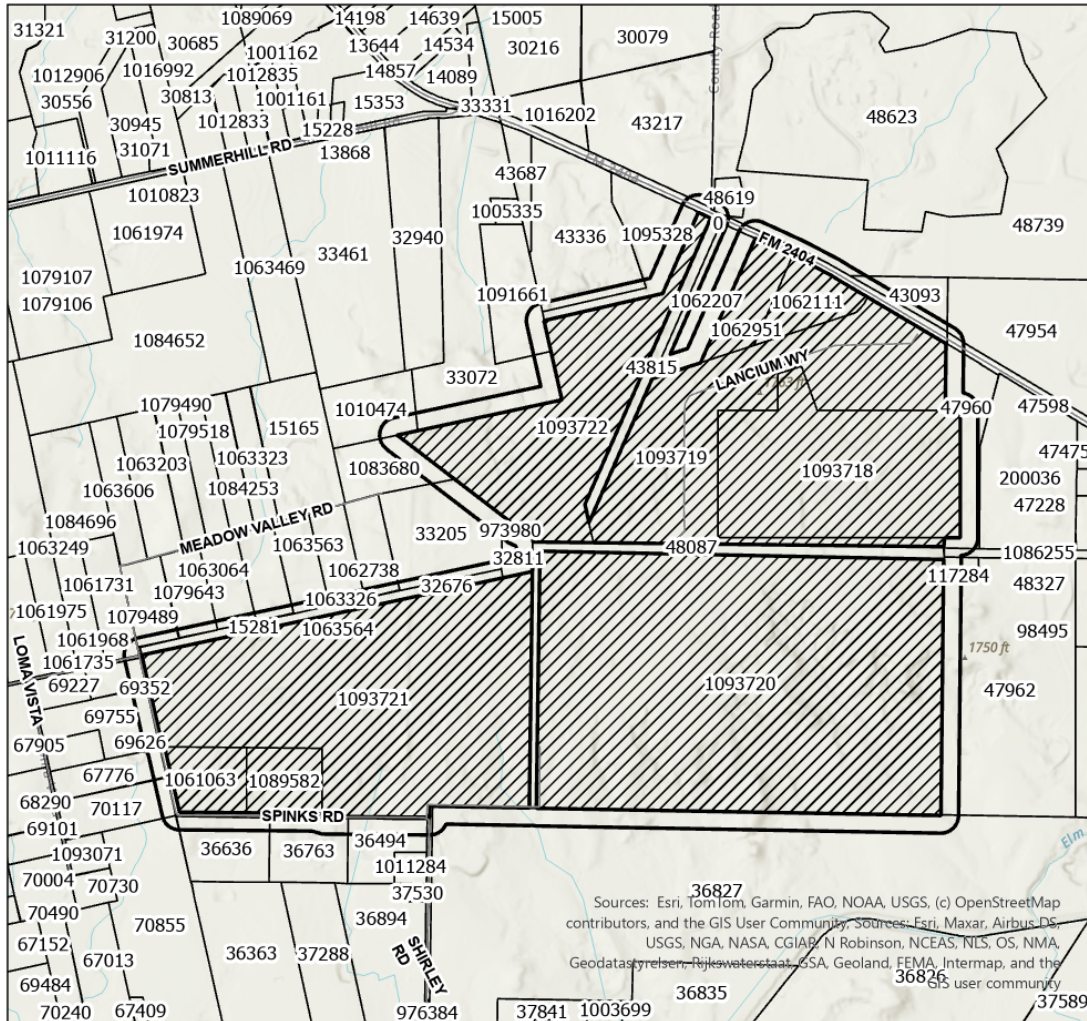


North neighboring property





# NOTIFICATION AREA MAP





# FINDINGS AND RECOMMENDATIONS

The request is consistent with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.

Staff Recommendation: **Approval**





# Questions?





# ZONING APPLICATION

## Zoning Application Page 1 of 3

### Planning

- Conditional Use Permit
- PDD Amendment
- Rezoning
- Street Name Change
- Easement Release
- Thoroughfare Abandonment

### Relief Procedures

- Petition for Relief
  - Proportionality Appeal
  - Vested Rights Petition
  - Appeal
- Other: \_\_\_\_\_

Project Name: Lancium Abilene, LLC

Address: 5502 Spinks Road, Abilene, Texas      Number of Lots: 5 Parcels      Acreage: 815.86 AC

Legal Description: Lots 1-2, Block A; Lots 101 & 103-106, Block B; Lots 101 & 107-109, Block C

Subdivision Name: Lancium Subdivision      Block: Blocks A - C      Lot: Refer to Legal Desc.

Current Zoning: PDD - 181      Proposed Zoning (if applicable): \_\_\_\_\_

### OWNER AND AUTHORIZATION

Owner Name: Lancium Abilene, LLC

Address: 9002 Six Pines Drive, Suite 134

City, State, Zip: Shenandoah, Texas 77380      Fax: \_\_\_\_\_

Phone: 832-407-2288      Email: espen.johansen@lancium.com

Agent Name: Enprotec / Hibbs & Todd, Inc (BJ Prichard)

Address: 402 Cedar Street

City, State, Zip: Abilene, Texas 79601      Fax: 325-691-3240

Phone: 325-698-5560      Email: bj.prichard@e-ht.com

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature of Owner: \_\_\_\_\_ Date: 6/9/2025

### FOR OFFICE USE ONLY

Received: _____	Fee: \$ _____	Receipt No.: _____
Case No.: _____		Reviewed By: _____



# ZONING APPLICATION

## Zoning Application Page 2 of 3

### Existing Zoning

- |                                |  |  |                               |
|--------------------------------|--|--|-------------------------------|
| <input type="checkbox"/> AO    | Agricultural Open Space                        | <input type="checkbox"/> GR            | General Retail                |
| <input type="checkbox"/> RR    | Rural Residential RR-5 & RR-1                  | <input type="checkbox"/> MU            | Medical Use                   |
| <input type="checkbox"/> RS-12 | Residential Single-Family – 12,000 sq. ft lots | <input type="checkbox"/> CB            | Central Business              |
| <input type="checkbox"/> RS-8  | Residential Single-Family – 8,000 sq. ft lots  | <input type="checkbox"/> MX            | Mixed Use                     |
| <input type="checkbox"/> RS-6  | Residential Single-Family – 6,000 sq. ft lots  | <input type="checkbox"/> GC            | General Commercial            |
| <input type="checkbox"/> PH    | Single-Family Residential Patio Home           | <input type="checkbox"/> HC            | Heavy Commercial              |
| <input type="checkbox"/> TH    | Residential Townhouse                          | <input type="checkbox"/> LI            | Light Industrial              |
| <input type="checkbox"/> MD    | Residential Medium Density                     | <input type="checkbox"/> HI            | Heavy Industrial              |
| <input type="checkbox"/> MH    | Manufactured/Mobile Home                       | <input checked="" type="checkbox"/> PD | Planned Development District  |
| <input type="checkbox"/> CU    | College & University                           | <input type="checkbox"/> MF            | Multi-Family                  |
| <input type="checkbox"/> NO    | Neighborhood Office                            | <input type="checkbox"/>               | Neighborhood Empowerment Zone |
| <input type="checkbox"/> O     | Office   |  |                               |
| <input type="checkbox"/> NR    | Neighborhood Retail                            |  |                               |

### Reason for Zoning Change

Zoning Case Z-2025-07 (for 5614 Spinks Road) resulted in the addition of 31.00 acres of land into Parcel 3 of the original concept plan for PDD-181. Applicant is requesting this additional amendment to the PDD-181 Ordinance in order to specifically re-route of the "Buffer Zone" noted on Exhibit D around the recently incorporated 31-acres. Please refer to "Exhibit D - Buffer Zone Amendment" attached for reference.

### Fees

FOR DEVELOPMENT FEES CTRL & CLICK LINK BELOW AND CHOOSE "Z"

<https://abilenetx.gov/563/Fee-Schedule>

Fees can be paid online with credit card.



# ZONING APPLICATION

## Zoning Application Page 3 of 3

### Zoning Impact Analysis

Please answer these questions in order to assist staff with the processing of your zoning request.

- 1. Does the proposed zoning map amendment implement the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map?

**Yes. The proposed amendment is consistent with the current provisions of PDD-181.**

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- 2. Is the use permitted by the proposed change in the zoning district’s classification? Are the standards applicable to such uses appropriate in the immediate area of the land to be reclassified?

**Yes. The proposed amendment is consistent with the current provisions of PDD-181.**

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- 3. Are the proposed changes in agreement with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

**Yes. The proposed amendment is consistent with the current provisions of PDD-181.**

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- 4. Are there other factors that will substantially affect the public health, safety, morals, or general welfare?

**No.**

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### Other Required Forms - Disclosure of Interest (See Attached)

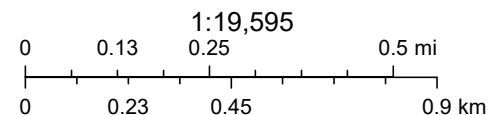
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# EXHIBIT A PD-181 AMENDMENT REQUEST

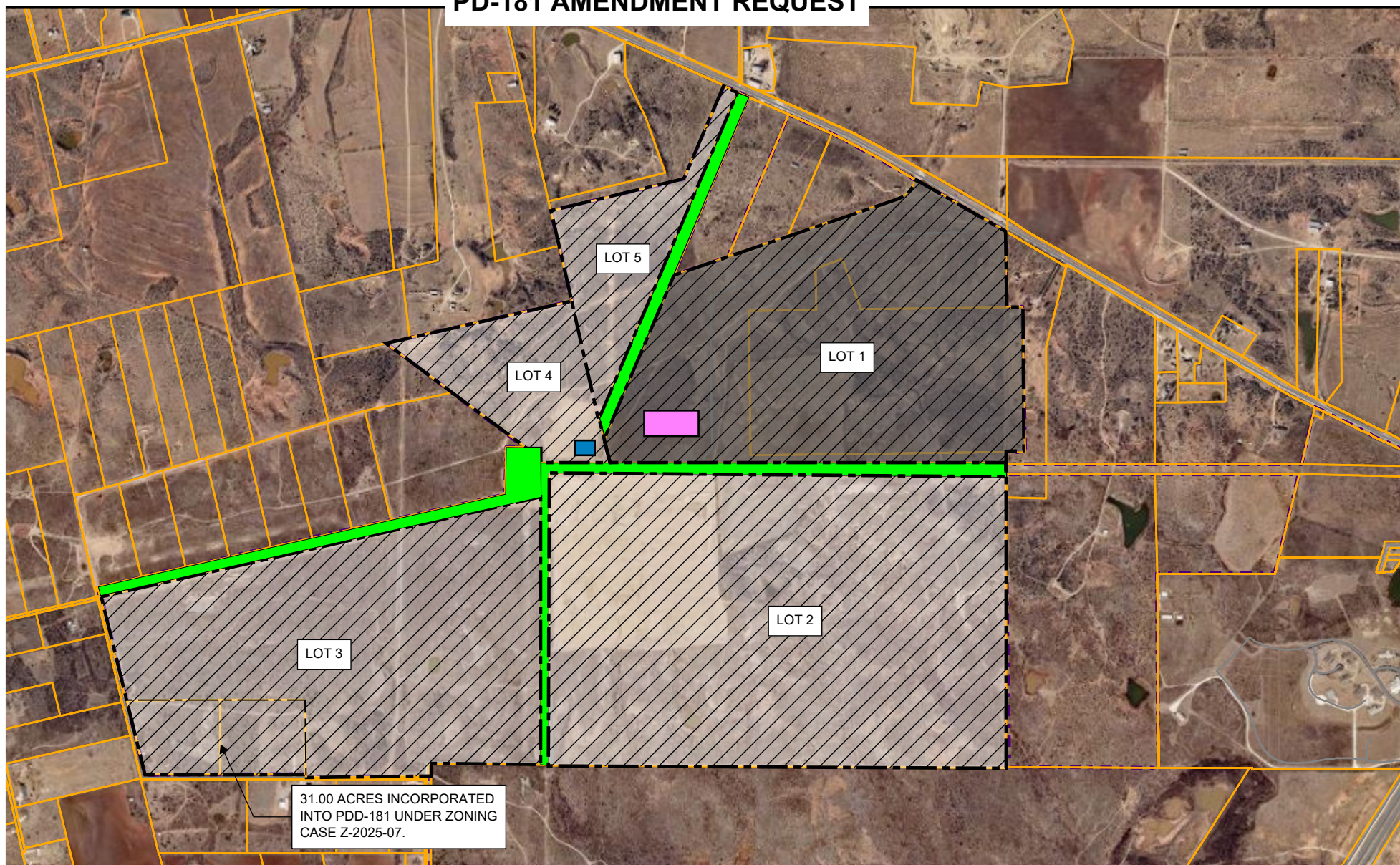


- Courier Parcels
- Road Centerlines
- Municipal Boundaries

- LEGEND**
- PD - 181
  - AGRICULTURAL OPEN (AO) ZONES



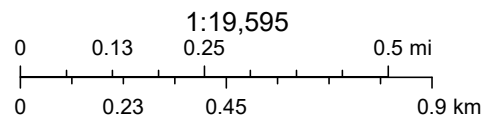
# EXHIBIT B PD-181 AMENDMENT REQUEST



- Courier Parcels
- Road Centerlines
- Municipal Boundaries

<b>LEGEND</b>	
<span style="display: inline-block; width: 20px; height: 10px; border: 1px solid black; background: repeating-linear-gradient(45deg, transparent, transparent 2px, gray 2px, gray 4px);"></span>	Z-2023-09
<span style="display: inline-block; width: 20px; height: 10px; border: 1px solid black; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, gray 2px, gray 4px);"></span>	HEAVY INDUSTRIAL USE
<span style="display: inline-block; width: 20px; height: 10px; border: 1px solid black; background-color: green;"></span>	NOT INCLUDED IN PDD-181, TO REMAIN AO

<b>SUBSTATION</b>	
<span style="display: inline-block; width: 20px; height: 10px; background-color: blue;"></span>	200 MW
<span style="display: inline-block; width: 20px; height: 10px; border: 1px dashed pink;"></span>	1,000 MW



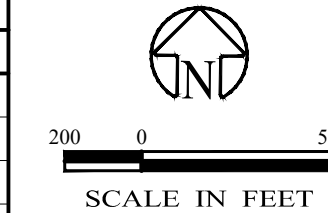
**EASEMENT INDICATED BY** 

- WEST TEXAS UTILITIES COMPANY EASEMENT VOLUME 827, PAGE 87 DEED RECORDS
- 20 FOOT WIDE UTILITY EASEMENT AND ROW FIBERLIGHT INSTRUMENT NUMBER 2023-07908 OFFICIAL PUBLIC RECORDS
- WEST TEXAS UTILITIES COMPANY ELECTRIC EASEMENT (NO WIDTH GIVEN) VOLUME 565, PAGE 557 DEED RECORDS
- 50' UTILITY EASEMENT
- 50' ONEOK PIPELINE EASEMENT
- APPROXIMATE LOCATION OF 16.5' A.T.&T. EASEMENT VOLUME 344, PAGE 176 DEED RECORDS
- TXOK INVESTMENTS LLC 70' ACCESS AND UTILITY EASEMENT DOCUMENT NUMBER 2021-15812 OFFICIAL PUBLIC RECORDS
- WEST TEXAS UTILITIES COMPANY EASEMENT VOLUME 563, PAGE 288 DEED RECORDS
- TXOK INVESTMENTS LLC 70' ACCESS AND UTILITY EASEMENT DOCUMENT NUMBER 2021-15812 DEED RECORDS TAYLOR ELECTRIC COOPERATIVE INC. ELECTRIC EASEMENT (NO WIDTH GIVEN) VOLUME 567, PAGE 301 DEED RECORDS
- TAYLOR ELECTRIC COOPERATIVE INC. ELECTRIC EASEMENT (NO WIDTH GIVEN) VOLUME 567, PAGE 301 DEED RECORDS
- 45' ACCESS EASEMENT
- WEST TEXAS UTILITIES COMPANY 50' ELECTRIC EASEMENT VOLUME 872, PAGE 58 DEED RECORDS
- LONE STAR GAS COMPANY EASEMENT (NO WIDTH GIVEN) VOLUME 468, PAGE 130 DEED RECORDS
- 50' UTILITY EASEMENT DOCUMENT NUMBER 2021-25949 OFFICIAL PUBLIC RECORDS
- WEST TEXAS UTILITIES COMPANY 125' ELECTRIC EASEMENT VOLUME 1211, PAGE 773 DEED RECORDS
- 16.5' A.T.&T. EASEMENT VOLUME 341, PAGE 465 DEED RECORDS
- 20' UTILITY EASEMENT DOCUMENT NUMBER 2020-3218 OFFICIAL PUBLIC RECORDS
- WEST TEXAS UTILITIES COMPANY ELECTRIC EASEMENT (NO WIDTH GIVEN) VOLUME 563, PAGE 246 DEED RECORDS
- VOLUME 546, PAGE 517 OFFICIAL PUBLIC RECORDS
- VOLUME 511, PAGE 371 FIRST TRACT OFFICIAL PUBLIC RECORDS
- VOLUME 511, PAGE 371 SECOND TRACT OFFICIAL PUBLIC RECORDS
- VOLUME 3072, PAGE 223 OFFICIAL PUBLIC RECORDS
- VOLUME 826, PAGE 1 OFFICIAL PUBLIC RECORDS
- HAWLEY WATER SUPPLY CORPORATION 16' WATERLINE EASEMENT VOLUME 815, PAGE 414 DEED RECORDS
- VOLUME 826, PAGE 8 OFFICIAL PUBLIC RECORDS

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	756.26'	S0° 37' 26"W
L2	169.78'	N89° 59' 25"E
L3	1444.47'	S0° 00' 35"E
L4	185.75'	S89° 59' 25"W
L5	100.86'	S0° 37' 26"W
L6	3973.87'	N89° 20' 20"W
L7	233.19'	N12° 27' 55"W
L8	1960.21'	N71° 52' 34"E
L9	420.97'	N72° 35' 24"E
L10	57.15'	N65° 39' 35"E
L11	60.19'	N48° 31' 01"E
L12	68.08'	N36° 49' 01"E
L13	80.74'	N30° 02' 15"E
L14	1032.73'	S59° 22' 51"E

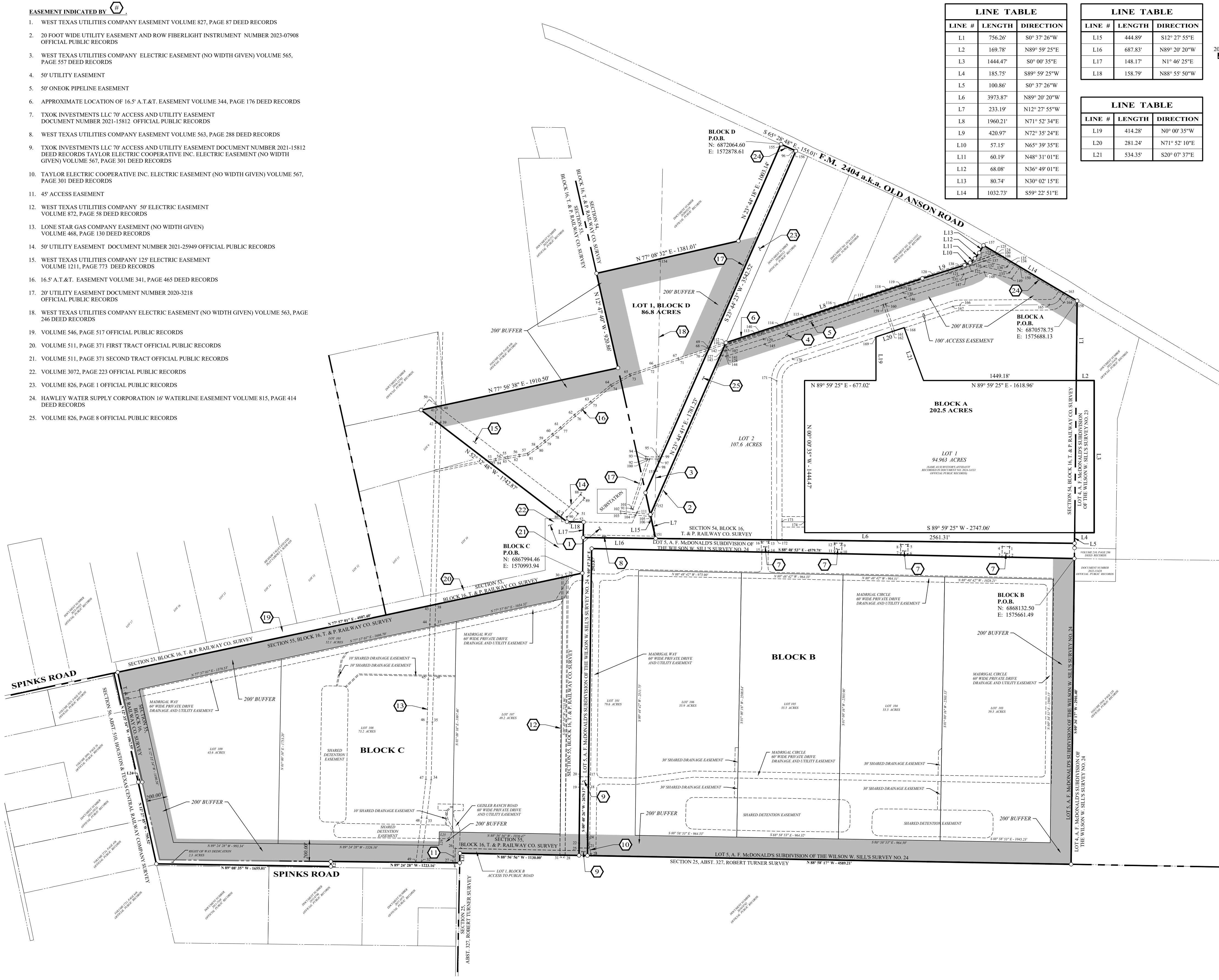
LINE TABLE		
LINE #	LENGTH	DIRECTION
L15	444.89'	S12° 27' 55"E
L16	687.83'	N89° 20' 20"W
L17	148.17'	N1° 46' 25"E
L18	158.79'	N88° 55' 50"W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L19	414.28'	N0° 00' 35"W
L20	281.24'	N71° 52' 10"E
L21	534.35'	S20° 07' 37"E



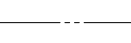





LINE TABLE		
LINE #	LENGTH	DIRECTION
L22	91.20'	S1° 07' 21"W
L23	47.04'	S0° 00' 24"W
L24	37.33'	S89° 06' 46"E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L25	126.46'	N88° 56' 56"W
L26	128.09'	S1° 07' 21"W



**EXHIBIT D - BUFFER ZONE AMENDMENT  
PD-181 AMENDMENT REQUEST**

- LEGEND**
-  MONUMENTS AS DESCRIBED IN FIELD NOTES
  -  SUBDIVISION BOUNDARY
  -  ADJACENT BOUNDARY LINES
  -  EASEMENT LINES
  -  SECTION LINE
  -  BUFFER ZONE

8998  
06/24/2025