



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
www.cityofdenton.com

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Cassey Ogden

**DATE:** November 18, 2024

### **SUBJECT**

Consider a variance request from the Denton Development Code, Subsection 7.9.4B regarding a modification of the maximum parking requirements for an automotive fuel sales development. The variance requested is to permit the provision of additional vehicular parking spaces for a total of 41 parking spaces at an existing automotive fuel sales development, generally located at the southwest corner of West University Drive and IH-35, in the City of Denton, Denton County, Texas (V24-0130, Quick Trip 912 Parking, Mia Hines).

### **BACKGROUND**

Thomas Edwards, with QuickTrip South, LLC, is requesting approval of a variance from the Denton Development Code (DDC) Subsection 7.9.4B regarding the maximum number of parking spaces permitted. The requested variance is related to an existing automotive fuel sales development located at the southwest corner of West University Drive and IH-35 (see location map provided as Exhibit 3). The applicant is requesting to provide a total of 41 parking spaces to accommodate the customers and employees associated with the existing development. See the provided project narrative in Exhibit 4 for further details regarding the request.

Per Table 7.9-I of the DDC, automotive fuel sales land uses require a minimum of one vehicular parking space per 350 square feet of gross floor area. Additionally, DDC Subsection 7.9.4B states “in no case shall any use or development provide more than 125 percent of the minimum number of off-street parking spaces required by Table 7.9-I: Minimum Required Off-Street Parking, unless otherwise provided in the DDC. DDC Subsection 7.9.5H further provides an avenue for an administrative modification to the maximum parking requirement provided the cumulative adjustment does not exceed 50 percent of the maximum off-street parking spaces required by Table 7.9-I. For automotive fuel sales, the minimum parking requirement is one space per 350 square feet of the building’s gross floor area. Given the approximately 4,992 square foot building to remain, the subject site’s existing parking conditions are as follows:

- Minimum parking required – 15 spaces
- Maximum parking allowed – 17 spaces
- Allowed administrative modification of maximum parking allowed: 25 spaces
- Existing parking – 27 spaces (2 designated accessible spaces, which don’t count towards the maximum requirement)
- Proposed parking – 41 spaces (2 designated accessible spaces)

It should be noted that the existing 27 parking spaces were approved and developed prior to the adoption of the current DDC in 2019. The previous (2002) DDC allowed for approval of excess parking by the

Planning and Zoning Commission through the Alternative Development Plan (ADP) process, which was approved for this site in 2010.

A building permit for a parking lot expansion is currently under review to confirm compliance with all other applicable City regulations. Per Subsection 2.8.1, any property owner seeking relief from provisions of the DDC may request a variance from the strict application of the DDC when said variance would meet the approval criteria listed in DDC Subsection 2.8.1D, and the Zoning Board of Adjustment shall decide all requests for variances. Approval of this variance request is required prior to the issuance of the associated building permit. Should the Board deny the variance request, the parking lot expansion permit would also be denied.

The site plan drawings showing the layout of the proposed parking lot addition are provided as Exhibit 5.

A full Staff Analysis is provided in Exhibit 2.

**OPTIONS**

1. Approve as submitted.
2. Approve subject to conditions.
3. Deny with reasons.
4. Postpone item.

**RECOMMENDATION**

While Staff does not find that all of the above criteria are strictly met, Staff has no objection to the requested variance to allow the construction of 14 additional undesignated parking spaces as provided for in the Site Plan (see Exhibit 5) since the request would improve on-site safety and meet the spirit and intent of the DDC. Should the Zoning Board of Adjustment find that the request meets the criteria for approval of a variance, Staff recommends approval of the variance request with the following conditions:

1. A minimum of three-foot high continuous hedge of evergreen shrubs shall be planted between the proposed parking addition and the IH-35 right-of-way
2. A minimum of six clusters of three small accent trees shall be planted at 30-foot intervals between the proposed parking addition and the IH-35 right-of-way

**PUBLIC OUTREACH:**

Public outreach is not required for this variance request.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

Date	Council, Board, Commission	Request	Action
March 24, 2010	Planning and Zoning Commission	Alternative Development Plan for excess parking	Approved

**DEVELOPER ENGAGEMENT**

No developer contact and/or meeting disclosures have been provided to staff as of the issuance of this report.

**EXHIBITS**

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Project Narrative
5. Site Plan

Respectfully submitted:  
Tina Firgens, AICP  
Deputy Director of Development Services/  
Planning Director

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Senior Planner