City of Denton



City Hall 215 E. McKinney St. Denton, Texas 76201 www.cityofdenton.com

Meeting Agenda Zoning Board of Adjustment

Monday, November 18, 2024

5:30 PM

Council Work Session Room

REGISTRATION GUIDELINES FOR ADDRESSING THE ZONING BOARD OF ADJUSTMENT

Citizens will also be able to participate in the following way (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

eComment On November 15, 2024, the agenda was posted online at https://tx-denton.civicplus.com/242/Public-Meetings-Agendas. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Within eComment, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. Similar to when a citizen submits a white card to indicate their position on an item, the eComments will be sent directly to members of the Zoning Board of Adjustment and recorded by the Secretary.

Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Chair will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

After determining that a quorum is present, the Zoning Board of Adjustment of the City of Denton, Texas will convene in a Regular Meeting on Monday, November 18, 2024, at 5:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

"Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible."

2. ITEMS FOR CONSIDERATION

- A. ZBA24-012 Elect a Vice-Chair for the Zoning Board of Adjustment.
- **B.** ZBA24-010 Consider the approval of the July 22, 2024 minutes.

Attachments: Exhibit 1 - July 22, 2024 Meeting Minutes

C. ZBA24-013 Consider approval of the 2025 Zoning Board of Adjustment meeting calendar.

<u>Attachments:</u> Exhibit 1 - Agenda Information Sheet

Exhibit 2 - 2025 Draft ZBA Calendar

D. V24-0130

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).

Attachments: Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Staff Analysis

Exhibit 3 - Site Location Map

Exhibit 4 - Project Narrative

Exhibit 5 - Site Plan

3. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Zoning Board of Adjustment or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

NOTE: The Zoning Board of Adjustment reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

CERTIFICATE

certify notice of official website that the above meeting was posted on the (https://tx-denton.civicplus.com/242/Public-Meetings-Agendas) and bulletin board at City 215 E. McKinney Street, Denton, Texas, on November 15, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.

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Legislation Text

File #: ZBA24-012, Version: 1

AGENDA CAPTION

Elect a Vice-Chair for the Zoning Board of Adjustment.

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City Hall 215 E. McKinney St. Denton, Texas 76201 www.cityofdenton.com

Legislation Text

File #: ZBA24-010, Version: 1

AGENDA CAPTION

Consider the approval of the July 22, 2024 minutes.

MINUTES ZONING BOARD OF ADJUSTMENT July 22, 2024

After determining that a quorum is present, the Zoning Board of Adjustment of the City of Denton, Texas will convene in a Regular Meeting on Monday, July 22, 2024, at 5:31 p.m. in Training Rooms 3, 4, and 5, at the Development Service Center, 401 N. Elm Street, Denton, Texas, at which the following item will be considered:

PRESENT: Members: Kevin Blair, Kristine Bray, Angela Green, Connor Hall, Kate Lynass, Michael Redwine, and Byron Woods

ABSENT: Chair Jennifer Lane

REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag

B. Texas Flag

2. ITEMS FOR INDIVIDUAL CONSIDERATION

A. ZBA24-008: Elect an acting Chair for the Zoning Board of Adjustment's July 22, 2024 meeting.

Member Lynass motioned to nominate Connor Hall to be acting chair for July 22, 2024 meeting. Member Hall accepted the nomination and Member Bray seconds the motion. Motion carried.

AYES (6): Acting Chair Connor Hall, and Members: Kristine Bray, Angela Green, Kate

Lynass, Michael Redwine, and Byron Woods

NAYS (0): None

ABSENT FOR VOTE: Member: Angela Green

B. ZBA24-007: Consider the approval of the June 24, 2024 minutes.

Member Redwine moved to approve the June 24, 2024 minutes with the addition of "Acting Chair" in front of Connor Hall's name in the votes. Motion seconded by Member Lynass. Motion carried.

AYES (6): Acting Chair Connor Hall, and Members: Kevin Blair, Kristine Bray, Angela

Green, Kate Lynass, Michael Redwine, and Byron Woods

NAYS (0): None

ABSENT FOR VOTE: Member: Angela Green

3. Public Hearing

A. <u>V24-0037</u> Hold a public hearing and consider a variance request from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(b)(1) as it relates to the maximum effective area and maximum height of a ground sign permitted along I-35 E located on an approximately 0.7-acre property 555 feet from the intersection of Lillian B Miller Parkway and S I-35 E. (V24-0037, DME Old West Café, Matt Bodine)

Acting Chair Hall opened the public hearing.

Member Green entered the meeting at 5:36 pm.

Matt Bodine, Assistant Planner, presented the item.

Discussion between the board occurred.

With no member of the public speaking on the matter, Acting Chair Hall closed the public hearing.

Member Bray made a motion to approve the variance. Motion seconded by Member Green. Motion carried.

AYES (7): Acting Chair Connor Hall, and Members: Kevin Blair, Kristine Bray, Angela Green, Kate Lynass, Michael Redwine, and Byron Woods NAYS (0): None

B. <u>V24-0038</u> Hold a public hearing and consider a variance request from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(d)(2) as it relates to the maximum number of on-premise ground signs permitted based on street frontage on a freeway, located on an approximately 10.78 acre premise 725 feet southeast of the intersection of Lillian B Miller Parkway and S I-35 E. (V24-0038, DME Southridge Village, Matt Bodine)

Acting Chair Hall opened the public hearing.

Matt Bodine, Assistant Planner, presented the item.

Discussion between the board occurred.

With no member of the public speaking on the matter, Acting Chair Hall closed the public hearing.

Member Bray made a motion to approve the variance. Motion seconded by Member Redwine. Motion carried.

AYES (7): Acting Chair Connor Hall, and Members: Kevin Blair, Kristine Bray, Angela Green, Kate Lynass, Michael Redwine, and Byron Woods NAYS (0): None

4. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 6:08 p.m.

X	X
Jennifer Lane	Carly Blondin
Zoning Board of Adjustments Chair	Administrative Assistant
Minutes approved on:	

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Legislation Text

File #: ZBA24-013, Version: 1

AGENDA CAPTION

Consider approval of the 2025 Zoning Board of Adjustment meeting calendar.

City of Denton



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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: November 18, 2024

SUBJECT

Consider approval of the 2025 Zoning Board of Adjustment meeting calendar.

BACKGROUND

Staff has prepared a proposed 2025 meeting calendar for the Zoning Board of Adjustment to review and approve. The proposed calendar generally places meetings on the fourth Monday of each month, with exceptions in May, November, and December, which have been altered to accommodate holidays.

The proposed calendar is provided as Exhibit 2 and reflects meeting dates in gray. If the Board wishes to adjust these proposed meeting dates, the calendar could be approved with modifications.

OPTIONS

- 1. Approve as submitted.
- 2. Approve with modifications
- 3. Deny and request modifications

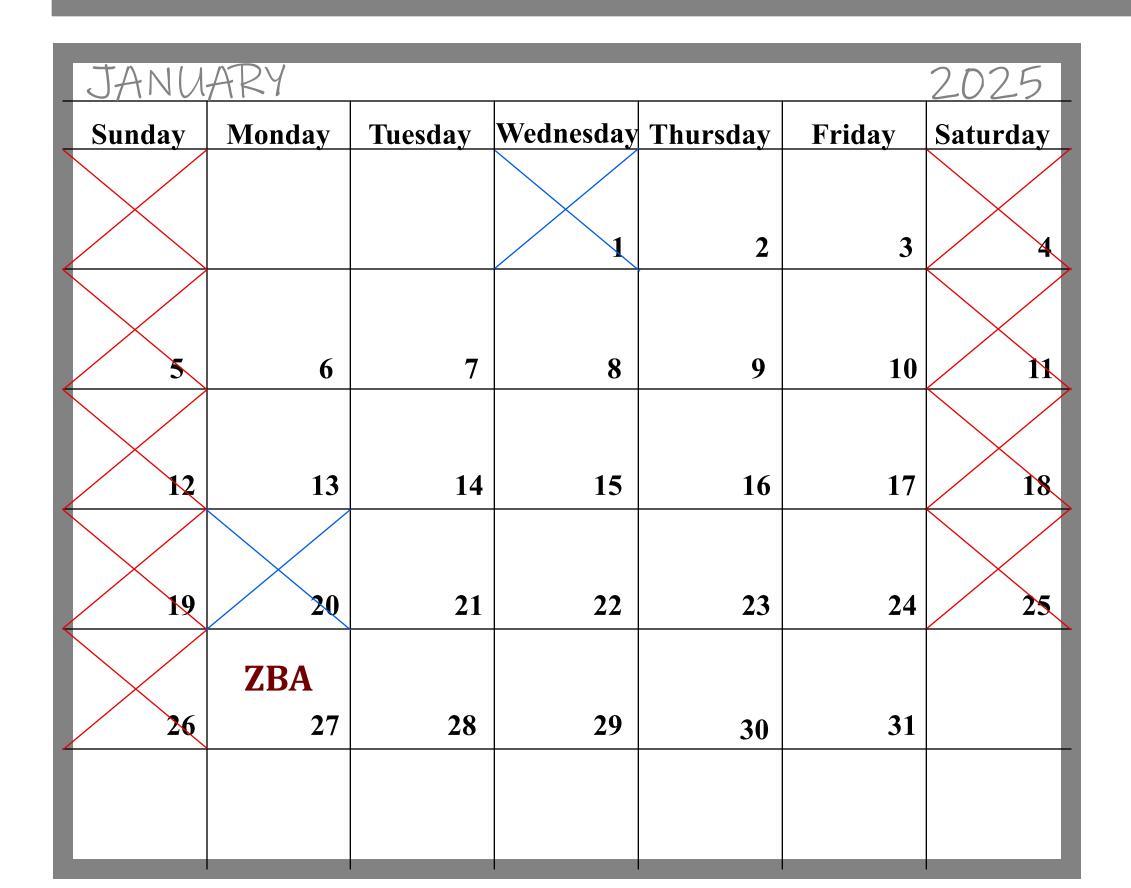
EXHIBITS

- 1. Agenda Information Sheet
- 2. 2025 Draft ZBA Calendar

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

Prepared by: Hayley Zagurski, AICP Assistant Planning Director

2025 Calendar



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Legislation Text

File #: V24-0130, Version: 1

AGENDA CAPTION

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).

City of Denton



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

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 Map4. Project Narrative
- 5. Site Plan

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

Prepared by: Mia Hines, AICP Senior Planner

Planning Staff Analysis V24-0130 / QuickTrip 912 Parking Zoning Board of Adjustment

REQUEST:

Tim Edwards of QuickTrip South, LLC is requesting approval of a variance from the Denton Development Code Subsection 7.9.4B regarding the maximum amount of parking spaces allowed for an automotive fuel sales development.

SITE DATA:

The existing automotive fuel sales development consists of a 4,992 square foot building, a fuel canopy with 22 fuel pumps, and 27 parking spaces. The subject property is a 2.326 acre property located at the southwest corner of West University Drive (also known as Highway 380) and Interstate Highway 35 North (IH-35).

CONSIDERATIONS:

Subsection 7.9.4B of the DDC states that 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 7.9-1: Minimum Required Off-Street Parking, unless otherwise provided in the DDC. Per Table 7.9-I, the minimum parking requirement for automobile fuel sales land uses is one vehicular space per 350 square feet of gross floor area, which equates to a minimum parking requirement of 15 spaces and a maximum parking requirement of 17 spaces. As noted above, the subject property has 27 parking spaces today, and the applicant is requesting a variance to allow for the addition of 14 more spaces for a total of 41 spaces.

Per Subsection 2.8.1B, any property owner seeking relief from 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. In reviewing a variance application, the Zoning Board of Adjustment shall find that all of the following exist:

- 1. Special circumstances or conditions apply to the parcel for which the variance is sought, which circumstances or conditions are peculiar to such parcel and do not apply generally to other parcels in the same district or neighborhood and that said circumstances or conditions are such that the strict application of the provisions of this DDC would deprive the applicant of the reasonable use of such parcel;
 - The automotive fuel sales use on the subject property is operated by QuikTrip. The applicant states that the request for more parking spaces stems from an exponential growth in the number of retail shopping customers that patronize this QuickTrip location (See Exhibit 4). As seen in the project narrative, these customers are frequently seen parking at the fuel island, within the fire lane, and in front of solid waste enclosures, presumably due to there being a lack of parking spaces available at this location, especially during peak shopping hours. In other areas of the City and throughout the metroplex, QuickTrip has noticed a similar traffic pattern and have likewise applied to expand their parking lots at some of these locations. Additionally, the applicant claims that this location hosts up to twice as many employees during the day due to the high customer volume they experience. In this case, the popularity of QuickTrip at this particular location at the intersection of two heavily-trafficked highways creates a special circumstance that applies to this parcel. Given the strict application of the DDC, the applicant would not be able to expand this parking lot to meet this demand for employee and customer parking.
- 2. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the district or neighborhood in which the parcel is located; and

Per the project narrative, the intent of increasing the amount of parking at this location is to mitigate the traffic and ensure customers can maneuver throughout the development safely and with ease. By offering additional parking spaces, the intended outcome is that customers park in these spaces, rather than those areas designated for emergency and public service vehicles. Additionally, the proposed site plan shows a 6-foot-wide designated pedestrian path connecting the proposed parking lot to the main building and an ADA compliant stretch of a 5-foot-wide sidewalk connecting the public sidewalk to the main building through the parking lot. In summary, granting the variance would not be detrimental to the public welfare or injurious to other property, and it could be reasonably expected to offer the benefit of improving safety on site by helping to reduce parking within the onsite fire lanes and in front of the solid waste enclosure.

3. The variance granted is the minimum variance that will accomplish the purpose;

If approved, this variance would allow for an additional 14 spaces on the subject property. Per the project narrative, these additional spaces are intended to account for the high volume of retail shoppers who tend to park their vehicles in locations otherwise designated for persons with disabilities, fuel delivery, refueling, tire services, solid waste collection, and emergency access. In total, these designated areas provide approximately 26 additional spaces for retail customer parking, even though that is not the businesses or public safety intent for those spaces. However, the applicant has asked for only 14 additional spaces to mitigate these operational conflicts.

4. The literal enforcement and strict application of the provisions of this DDC will result in an unnecessary hardship inconsistent with the general provisions and intent of this DDC and that in granting such variance the spirit of the DDC will be preserved and substantial justice done;

While staff does not find that a strict hardship exists in this situation, the granting of this variance would not be inconsistent with the intent of the DDC and more specifically the intent of the DDC's parking standards. Parking is regulated under Section 7.9 of the DDC, which is intended to provide off-street parking and loading facilities in proportion to the generalized parking, loading, and transportation demands of different land uses. It should be noted that the parking spaces quantity requirements of the DDC are typically based upon industry standards and best practices formulated through the analysis of trip generation for various uses nationwide, so these ratios cannot reasonably be expected to perfectly fit every individual use, for which demand will vary by location and customer base. Section 7.9 of the DDC is also intended to help protect the public health, safety, and general welfare by:

a. Avoiding and mitigating traffic congestion;

As stated above, the purpose of this request is partially to mitigate on-site traffic issues created by vehicles parking in areas designated for other purposes, such as fire lanes, fueling locations, and in front of the solid waste enclosure.

b. Providing necessary access for service and emergency vehicles;

As stated above, another purpose of this request is to ensure that the necessary access intended for service and emergency vehicles is able to be utilized for those purposes and not made inaccessible due to customer parking.

c. Providing for safe and convenient interaction between motor vehicles, bicycles, and pedestrians;

As discussed above, the proposed site plan includes a designated 6-foot-wide pedestrian path and a new 5-foot-wide sidewalk connecting the public sidewalk to the main building through the parking lot. Although these pedestrian improvements could occur without approval of this variance request, they are triggered by the proposed parking lot expansion and would ultimately lead to an ADA compliant path within the site, as opposed to the existing path located on the periphery.

Additionally, based upon the applicant's narrative and the supporting images provided, parking on site frequently occurs in non-designated parking areas and in areas intended for other purposes. This disorderly parking can create safety risks for pedestrians and cyclists on site by restricting visibility and can also create challenges for those with mobility limitations if designated ADA spaces are being utilized by customers who do not require such accommodations.

d. Encouraging multi-modal transportation options and enhanced pedestrian safety;

Being an auto-oriented land use, the goal of encouraging multi-modal transportation is not generally served. Still, the existing 8 bicycle parking spaces are to remain and the proposed improvements included enhancements to pedestrian safety.

e. Providing flexible methods of responding to the transportation and access demands of various land uses in different areas of the city;

Subsection 7.9.5 of the DDC authorizes the Director to approve parking alternatives that result in a cumulative adjustment not to exceed 50 percent of the minimum or maximum off-street parking spaces required by Table 7.9-I. For an automotive fuel sales land use, a 4,992 square foot building yields a minimum of 15 required parking spaces and a maximum of 17 parking spaces. Therefore, the Director does not have authority to administratively grant approval of more than 25 total parking spaces.

Per Subsection 7.9.3D, accessible parking spaces do not count towards the maximum parking requirement, so the development's existing 25 undesignated parking spaces do not allow for administrative approval of the proposed additional 14 undesignated parking spaces. Instead, this variance request utilizes the flexibility provided for elsewhere, in DDC Subsection 2.8.1 as described herein.

f. Reducing stormwater runoff, reducing heat island effect from large expanses of pavement, improving water quality, and minimizing dust pollution; and

The applicant proposes permeable concrete as the construction material for all proposed spaces. Although not strictly applicable since this is not an administrative approval, this is in compliance with DDC Subsection 7.9.5.H.3, which requires parking spaces authorized by the Director above the maximum number required to be constructed of pervious material.

g. Avoiding and mitigating the adverse visual impact of large concentrations of exposed parking.

The layout of the proposed additional 14 spaces is compacted into two rows of parking and a 35-foot-wide drive isle, totaling approximately 4,950 square feet. Due to the presence of existing utility easements that do not allow landscape planting encroachments along the I-35 frontage, options for screening are limited. Therefore, neither the existing parking layout nor the proposed parking expansion meet DDC Subsection 7.7.5 requirements for right-of-way screening. Should the Board find this request meets the criteria for approval, staff recommends that right-of-way screening elements be required, which may require the applicant to modify their proposed site layout to accommodate this screening.

5. The granting of a variance is not solely for the purpose of mitigating a financial hardship; and

The applicant has not expressed that the current parking layout has an impact on their finances. As discussed above, the stated intent of the requested variance is to improve site conditions to meet the existing high volume of retail shopping customers and ensure designated areas are utilized for their purpose, rather than parking for those customers.

6. The condition or feature that creates the need for the variance did not result from the owner's actions.

The need for the requested variance was created by the high-volume of retail shopping customers that patronize this location, which the applicant has indicated also necessitates an increase in employees per shift.

STAFF 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 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

V24-0130 Site Location



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative I of property boundaries. Although every effort was made to ensure the accuracy of this data, no such guarantee is given or implied. Utilization of this map indicates the understanding that there is no guarantee to the accuracy of this data.

NAA 8/1/40

QuikTrip Corporation



Dallas Division 8700 Freeport Pkwy Ste. 115 Irving, TX 75063

QuikTrip 912 – Parking Addition 3113 W. University Dr. 4,992 Sq Ft. Convenience Store with fueling offer

The city has received applications to allow for a variance to DDC 7.9.4B to allow for additional parking stalls to be added for our location at 3113 W. University Dr. The submitted proposal includes 14 additional parking stalls, for a total of 41 stalls on our property. While we understand that we have already exceeded the allowed number of parking stalls, we feel that there are several factors that make our site unique and therefor justifies our request. The motivation driving this proposal is QuikTrip's desire to provide a family-oriented, clean and, most importantly, safe environment for our customers, as well as our employees. Safety is of the utmost importance to our company and will remain that way. In an effort to meet the city's requirements, we have updated our plans to show pervious pavement being used in the additional spaces, which is something that, historically, QuikTrip has not done given our specific use, as well as the amount of traffic traveling throughout our parking lots.

As our business continues to expand over time, the number of customers has grown exponentially as well. With that being said, we must find ways to mitigate the traffic and ensure our customers can maneuver throughout our lot with ease. As this has become more of an issue within the last few years, QuikTrip has put a great amount of attention on this issue. Approximately half of my current workload involves the research, planning, and implementation of the steps needing to be taken. We've recently completed a smaller addition at 3701 S. Interstate 35, where we added eight more stalls, as well as another addition at 6601 Brentwood Stair Road where we added 11 stalls.

The primary need to increase the number of parking stalls is the safety of our customers and employees. The current store located at 3113 W. University Dr. is far over- capacity, and, as a result, the current parking lot configuration cannot support the volume that the store produces. We would like to mitigate the risk of accidents in our parking lot by offering sufficient parking. Throughout much of the day, customers are frequently seen parking at the fuel island, as well as in the fire lanes along the curblines forcing them to walk greater distances across the busy parking lot.

In regard to having adequate parking, it is important to keep in mind the number of people that QuikTrip employs at our locations. Whereas a mid-volume store operates with 3-4 employees on a day shift, our higher volume locations, such as this one, operates with 5-6 employees on a day shift. This would mean that during the shift change, there is the possibility of having 6-8 employees on duty. It is also noteworthy that we have three parking stalls that have dedicated usage — one for our air station and two strictly dedicated for ADA parking. Given the number of employees, our air station, and the ADA stalls, our total number of stalls available to our customers is greatly reduced.

We've come to this conclusion based on the feedback that has been provided by our customers, discussions with the store's management, as well as through extensive research including reviewing security footage, reviewing Google Earth images, and through conducting site visits. Please see the attached exhibits that better describe the scenarios outlined in this letter. Included, you'll find several images from Google Earth dating back to January of 2017. Also included are several screen shots taken from our store's security system that captures the volume from different perspectives around the parking lot.



01/2017 - Showing only 3 open stalls in front of building



09/2017 - Showing only 3 open stalls in front of building



11/2018 - Showing only 5 stalls open in front of building. Several vehicles along fire lane.



10/2019 - Showing 6 open stalls with 3 vehicles parking in front of dumpster area



10/2021 - Showing only 4 open stalls in front of building while 2 vehicles in dumpster area and another along fire lane.



01/2023 - Showing only 4 open stalls in front of building.



07/06/2024 2:00 pm



07/06/2024 2:00 pm



07/06/2024 2:00 pm - full parking with vehicles parked in dumpster area



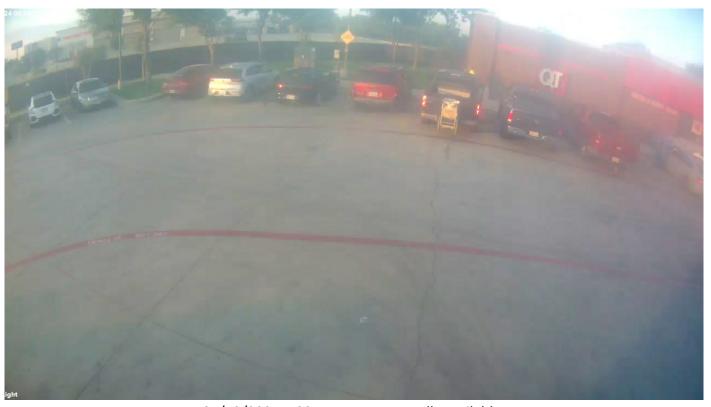
07/13/2024 7:00 am - Diesel trucks parked along fire lane.



07/19/2024 11:00 am - Only 1 available stall in front of building.



07/19/2024 11:00 am - Only 1 stall available. Vehicles parking in front of dumpster area and in fuel delivery area.



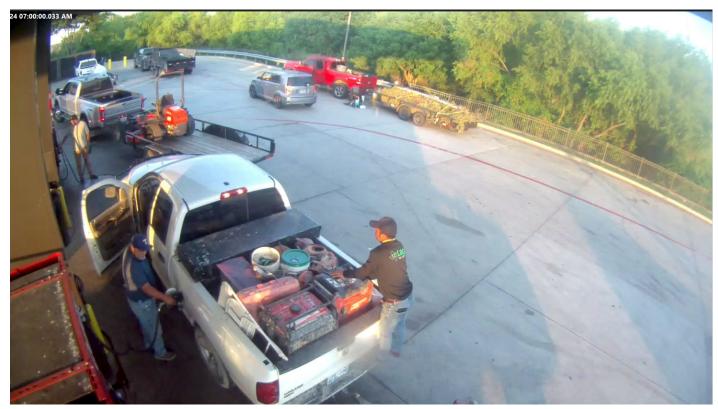
07/19/2024 7:00 am - No open stalls available.



07/19/2024 7:00 am - No open stalls available.



07/19/2024 7:00 am - No open stalls available.



07/19/2024 7:00 am - Several vehicles parked in front of dumpster area, fire lane, and fuel delivery area.

GENERAL NOTES:

- 1. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. ANY CONSTRUCTION OBSERVATION BY THE ENGINEER OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES, IN, ON OR NEAR THE CONSTRUCTION SITE.
- 2. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL NECESSARY PERMITS HAVE BEEN OBTAINED FROM THE GOVERNING AGENCIES AND COORDINATING ALL GOVERNING AGENCY INSPECTIONS REQUIRED THROUGHOUT THE DURATION OF THE PROJECT.
- 3. CONTRACTOR SHALL BE RESPONSIBLE FOR RAZING AND REMOVAL OF THE EXISTING STRUCTURES, RELATED UTILITIES, PAVING, AND ANY OTHER EXISTING IMPROVEMENTS AS NOTED. REFERENCE SITE WORK SPECIFICATIONS.
- 4. CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM PREVIOUS AND CURRENT DEMOLITION OPERATIONS. DISPOSAL WILL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND/OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
- 5. THE CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR DAMAGE TO ADJACENT PROPERTIES AND NEW CONSTRUCTION IN PLACE DURING THE CONSTRUCTION PHASES OF THIS PROJECT. ANY DISTURBED IMPROVEMENTS SHALL BE REPLACED IN KIND AT THE CONTRACTORS EXPENSE.
- 6. ANY QUANTITIES PROVIDED ON THESE PLANS ARE FOR GENERAL REFERENCE PURPOSES ONLY. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE QUANTITIES REQUIRED FOR CONSTRUCTION.
- 7. THE EXISTING FEATURES SHOWN ON THESE PLANS ARE THOSE NOTED IN THE FIELD AND THOSE TAKEN FROM RECORD DRAWINGS. THERE IS NO GUARANTEE THAT ALL FEATURES (ABOVE OR BELOW GROUND) ARE SHOWN ON THE PLANS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL EXISTING FEATURES PRIOR TO BIDDING THE PROJECT.
- 8. THE CONTRACTOR SHALL LOCATE ALL UTILITIES PRIOR TO BEGINNING CONSTRUCTION BY CONTACTING THE LOCAL UTILITY COMPANIES AND/OR UTILIZING THE LOCAL ONE—CALL SYSTEM. ANY DAMAGE DONE TO EXISTING UTILITIES (THAT ARE TO REMAIN IN PLACE) DURING CONSTRUCTION OPERATIONS WILL BE THE CONTRACTOR'S RESPONSIBILITY AND REPAIRED AT THE CONTRACTOR'S EXPENSE.
- 9. ALL SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED THE OWNERS CONTRACT DOCUMENTS AND SPECIFICATIONS. ALL WORK SHALL MEET OR EXCEED THE RELEVANT UTILITY COMPANIES AND REGULATORY AGENCIES, CONTRACT DOCUMENTS AND SPECIFICATIONS. ALL WORK WITHIN PUBLIC AND STATE RIGHT OF WAY SHALL BE IN ACCORDANCE WITH THE GOVERNING AGENCIES STANDARDS AND SPECIFICATIONS.
- 10. TRAFFIC CONTROL SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), CURRENT EDITION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE PROPER TRAFFIC CONTROL IS IN PLACE FOR EACH PHASE OF CONSTRUCTION. THE CONTRACTOR IS ALSO RESPONSIBLE FOR PROPERLY MAINTAINING TRAFFIC CONTROL DEVICES THROUGHOUT THE DURATION OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING TRAFFIC CONTROL PLANS TO THE CITY AND DEPARTMENT OF TRANSPORTATION AS REQUIRED.

WETLANDS NOTICE:

ANY DEVELOPMENT, EXCAVATION, CONSTRUCTION, OR FILLING IN A U.S. CORPS OF ENGINEERS DESIGNATED WETLAND IS SUBJECT TO LOCAL, STATE AND FEDERAL APPROVALS. THE CONTRACTOR SHALL COMPLY WITH ALL PERMIT REQUIREMENTS AND/OR RESTRICTIONS AND ANY VIOLATION WILL BE SUBJECT TO FEDERAL PENALTY. THE CONTRACTOR SHALL HOLD THE OWNER/ DEVELOPER, THE ENGINEER AND THE LOCAL GOVERNING AGENCIES HARMLESS AGAINST SUCH VIOLATION.

WARRANTY/DISCLAIMER:

THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN FUNCTIONS AND USES INTENDED BY THE OWNER AT THIS TIME. HOWEVER, NEITHER THE ENGINEER NOR ITS PERSONNEL CAN OR DO WARRANT THESE DESIGNS OR PLANS AS CONSTRUCTED EXCEPT IN THE SPECIFIC CASES WHERE THE ENGINEER INSPECTS AND CONTROLS THE PHYSICAL CONSTRUCTION ON A CONTEMPORARY BASIS AT THE SITE.

NOTICE TO BIDDERS:

ALL QUESTIONS REGARDING THE PREPARATION OF THE GENERAL CONTRACTOR'S BID SHALL BE DIRECTED TO THE OWNER'S CONSTRUCTION REPRESENTATIVE. SUBCONTRACTORS MUST DIRECT THEIR QUESTIONS THROUGH THE GENERAL CONTRACTOR. THE CONSULTING ARCHITECT AND/OR THE CONSULTING ENGINEER SHALL NOT BE CONTACTED DIRECTLY WITHOUT PRIOR AUTHORIZATION FROM THE OWNER/DEVELOPER.

FLOOD CERTIFICATION:

THIS PROPERTY LIES IN ZONE "X" AND DOES NOT LOCATE WITHIN ANY PRESENTLY ESTABLISHED 100—YEAR FLOOD PLAIN, AS SHOWN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP FOR THE DENTON COUNTY OF DENTON, TEXAS, COMMUNITY PANEL NUMBER 48121C0360G EFFECTIVE DATE MARCH 18, 2011.

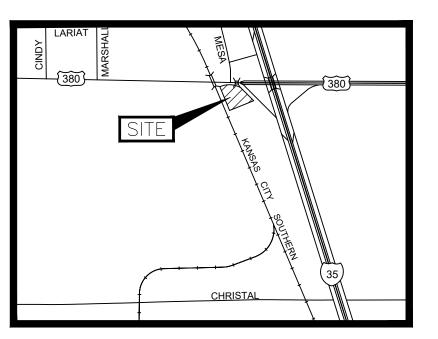
BENCHMARKS:

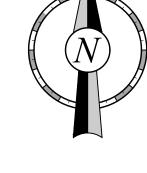
- BM-1 THE SITE BENCHMARK IS AN "X" CUT WITH BOX SET ON THE SOUTHWESTERN EDGE OF A CONCRETE SIDEWALK ADJACENT TO THE WEST LINE OF INTERSTATE HIGHWAY 35, BEING LOCATED APPROXIMATELY 406 FEET WEST OF THE INTERSECTION OF INTERSTATE HIGHWAY 35 AND WEST UNIVERSITY DRIVE.
 - ELEVATION=693.43
- BM-2 THE SITE BENCHMARK IS AN "X" CUT WITH BOX SET ON THE TOP OF CONCRETE CURB MEDIAN NOSE OF A PARKING STALL ADJACENT TO THE SOUTH LINE OF THE SITE, BEING LOCATED APPROXIMATELY 508 FEET SOUTHWEST OF THE INTERSECTION OF INTERSTATE HIGHWAY 35 AND WEST UNIVERSITY DRIVE.

ELEVATION=694.93

PARKING EXPANSION PLANS FOR QUIKTRIP STORE #912 3113 W UNIVERSITY DR.

DENTON, TX





Vicinity Map

MUNICIPAL CONTACT LIST:

CITY OF DENTON

PLANNING AND INSPECTIONS
DEPARTMENT
PLANNING DIVISION
221 N. ELM STREET
DENTON, TEXAS, 76201
TEL: (940) 349-8541

DENTON, TEXAS, 76201
TEL: (940) 349-8541
FAX: (940) 349-7707
CONTACT: LAURIE LEWIS

CAPITAL IMPROVEMENT PROJECTS/

ENGINEERING DEPARTMENT 901-A TEXAS STREET DENTON, TEXAS, 76209 TEL: (940) 349-8910 FAX: (940) 349-8951

CITY FIRE DEPARTMENT 332 E. HICKORY DENTON, TEXAS, 76201 TEL: (940) 349-8840 FAX: (940) 349-8841 CONTACT: KAYLA CLARK PLANNING AND INSPECTIONS
DEPARTMENT-INSPECTIONS DIVISION
221 N. ELM STREET
DENTON, TEXAS, 76201
TEL: (940) 349-8360
FAX: (940) 349-7208

TRANSPORTATION DEPARTMENT 215 E. MCKINNEY STREET DENTON, TEXAS, 76201 TEL: (940) 349-7702 FAX: (940) 349-7206 CONTACT: JAMES ANDREWS

CITY OF DENTON WATER UTILITIES
TEL: (940) 349-8700

ELECTRIC COMPANY (MUNICIPAL)
TEL: (940) 349-8700

GAS COMPANY (COSERV ELECTRIC) TEL: (940) 321-7800

TEL:(888) 944-0447

PROJECT CONTACT LIST:

SURVEYOR OF RECORD BARTON CHAPA SURVEYING JACK BARTON 5200 STATE HIGHWAY 121 COLLEYVILLE, TEXAS, 76034 TEL: (817) 864-1957

ENGINEER OF RECORD KIRKMAN ENGINEERING JONATHAN SCHINDLER, P.E. 5200 STATE HIGHWAY 121 COLLEYVILLE, TEXAS, 76034 TEL: (817) 488-4960

7

QT REAL ESTATE PROJECT MANAGER
QUIKTRIP CORPORATION
BEN WILLIAMS
8700 FREEPORT PARKWAY SUITE 115
IRVING, TEXAS, 75063
TEL: (945) 455-6426

QT CIVIL PROJECT MANAGER
QUIKTRIP CORPORATION
JIM DEVERS P.E.
4705 SOUTH 129TH EAST AVE.
TULSA, OK 74134
TEL: (918) 615-7297

ODS QUANTITIES: 158,724 SF DEVELOPED SITE (LOD) 7,830 SF 5,493 SF QT SPEC CONCRETE ALTERNATE: QT SPEC ASPHALT/CONCRETE 0 SF/5,493 SF UG DETENTION 0 CF SOD OR DECOMPOSED GRANITE AREA 10, 588 SF ALL OTHER NON-QT SPEC PAVING MASONRY CANOPY NO WATER QUALITY UNIT NO

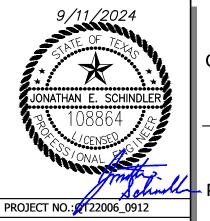
THE QUANTITIES ABOVE ARE INTENDED FOR INTERNAL TRACKING PURPOSES ONLY.
THEY ARE NOT REPRESENTATIVE OF THE QUANTITIES FOR BIDDING PURPOSES.
THE CONTRACTOR IS RESPONSIBLE FOR CALCULATING THEIR OWN QUANTITIES.

-UNIT TYPE:

Sheet List Table

Sheet Number Sheet Title **COVER SHEET** C030 **DEMOLITION PLAN** C100 SITE PLAN C110 **GRADING PLAN** C114 ADA COMPLIANCE PLAN C121 PRE-DEVELOPED DRAINAGE MAP C122 POST-DEVELOPED DRAINAGE PLAN C130 **CONCRETE PAVING PLAN** C140 **EROSION CONTROL PLAN PHASE 1** C141 **EROSION CONTROL PLAN PHASE 2** C500 MISC. SITE DETAILS I C501 MISC. SITE DETAILS II ADA DETAILS I C510 C520 PAVING DETAILS I C521 PAVING DETAILS II LANDSCAPE PLAN TREE PRESERVATION PLAN L101

LANDSCAPE DETAILS

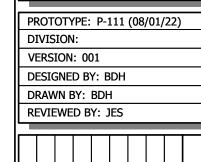


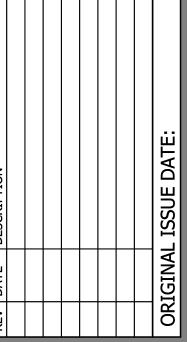


Phone: 817-488-4960
Texas Firm No: 15874

QuikTrip No. 09







SHEET TITLE:

COVER SHEET

SHEET NUMBER:

C001

3

