



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: July 23, 2024

SUBJECT

Hold a public hearing and consider adopting an ordinance of the City of Denton, Texas, approving a Specific Use Permit (2003-325) Amendment to allow for site modifications on approximately 0.89 acres of land, generally located approximately one block south of Teasley Lane and to the west of FM 2181/Teasley Lane, in the City of Denton, Denton County, Texas; adopting an amendment to the City's Official Zoning Map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for severability and an effective date. The Planning and Zoning Commission voted [5-0] to recommend approval. Motion for approval was made by Commissioner Pruett and second by Commissioner Thaggard. (S24-0002b, DATCU, Erin Stanley) THIS HEARING WAS OPENED AND POSTPONED AT THE JUNE 18, 2024 CITY COUNCIL MEETING. <https://dentontx.new.swagit.com/videos/308201?ts=17499>

BACKGROUND

The request is for an amendment to the site plan associated with Specific Use Permit (SUP) 2003-325 (Exhibit 6), which granted approval of a drive-through for a financial institution on a property zoned Neighborhood Residential Mixed Use (NRMU), a zoning district from the 2002 Denton Development Code (DDC). The requested amendment is to allow for a reduction in the existing number of drive-through banking lanes and replacement of the area with additional parking for the bank. Additionally, the proposal includes an 88 square foot vestibule to be added to the front of the building and function as the main building entry and extended pedestrian pathways on site to provide better connection around the building and to parking areas. The property is zoned Mixed Use Neighborhood (MN) under the current (2019) DDC, and bank/financial institutions with drive-through facilities are permitted under the current zoning with a SUP.

Since the initial SUP ordinance included a detailed site plan and did not include provisions for administrative approval of site plan changes, the Director determined that the requested site plan amendments require approval through the standard SUP process per Subsection 2.5.2 of the 2019 DDC. Below is a summary of the history of this project and how the proposed amendments to the SUP and existing conditions on site compare to the originally approved SUP site plan.

This item was postponed at the June 18, 2024 City Council meeting to a date certain of July 23, 2024.

PLANNING AND ZONING COMMISSION

On May 29, 2024, the Planning and Zoning Commission held a public hearing and voted [5-0] to recommend approval of the zoning change. Motion for approval was made by Commissioner Pruett and second by Commissioner Thaggard. No questions were asked by the Commission. No members of the public spoke.

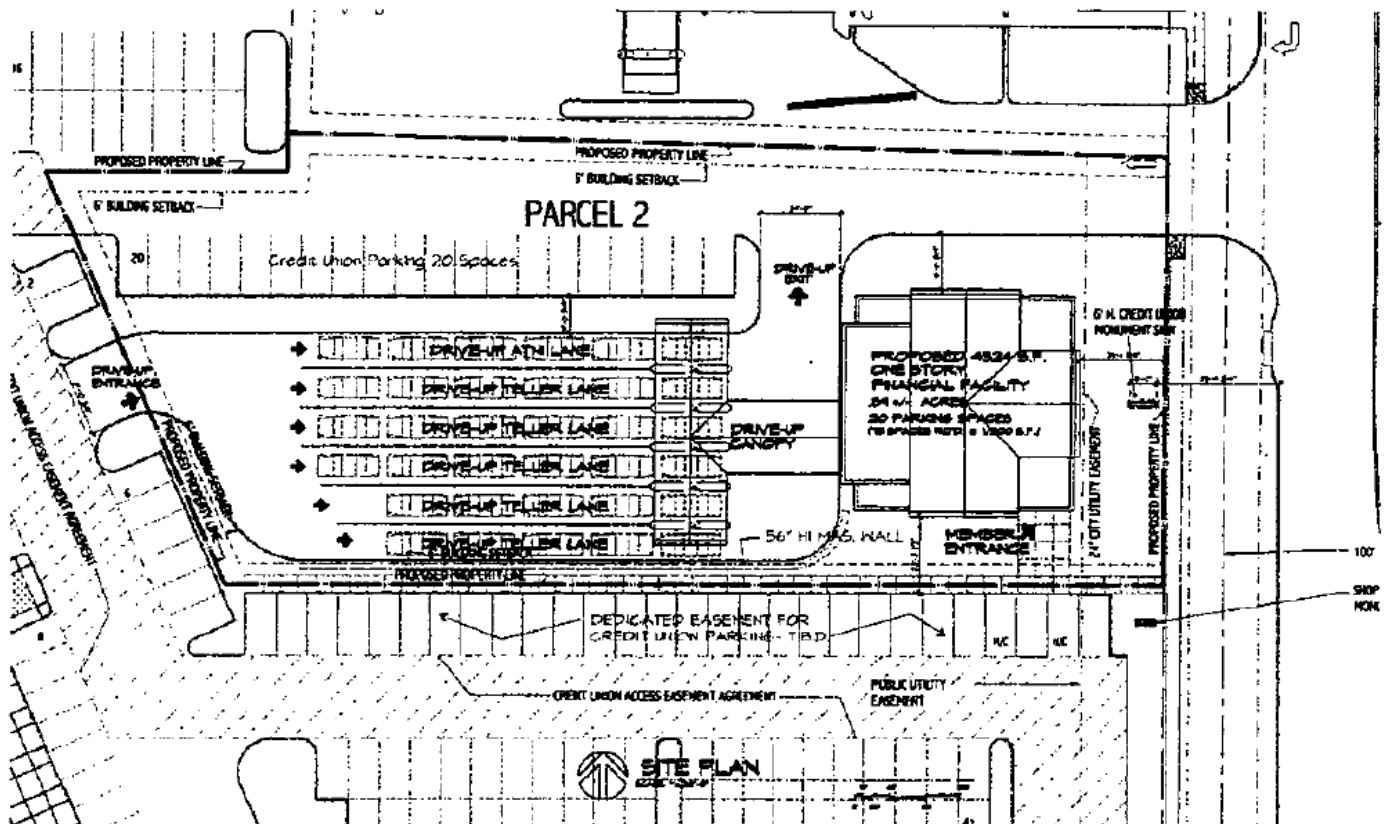
Existing Conditions, SUP/Site History, and Proposed Changes

Existing Conditions

The current site development includes one operating financial institution building (constructed in 2004), five covered drive-through banking lanes, one bypass lane for drive-through banking, 14 parking spaces along the northern drive-aisle, four lot access points (one to Teasley Lane and three internal to the adjacent commercial development known as Teasley Commons), and 39% lot tree canopy coverage. Most of the existing site landscaping is concentrated between the front of the building and FM2181/Teasley Lane and in existing parking lot medians to the rear of the site.

SUP/Site History

The drive-through facility for Denton-Area Teachers Credit Union (DATCU) was approved by SUP ordinance 2003-325 (Exhibit 6), which provided for a drive-through facility for a financial institution on approximately 8.3 acres (the total area of Teasley Commons). A detailed site plan for "Parcel 2" (the 0.89-acre subject site) was also approved as part of the SUP ordinance. The plan designated 20 parking spaces for DATCU all along the northern drive-aisle, five drive-through teller lanes, and one drive-through ATM lane (original site plan shown below and provided in Exhibit 6).



There were no additional written conditions set forth in SUP ordinance 2003-325, which specified that development of the drive-through facility was to be “in accordance with the site plan attached.”

Since the approval of the SUP and present day, there have been several changes made to the site that are not reflected in the approved site plan. A trash enclosure was added to the site, taking the place of five parking spaces in the parking row along the northern drive-aisle. One parking space was replaced by an

ADA loading area, leaving a total of 14 existing parking spaces on-site. Additionally, only five of the six proposed drive-through banking lanes were constructed, with the southernmost planned drive-through lane serving instead as a by-pass lane.

The existing SUP Ordinance 2003-325 (Exhibit 6) does not specify a process for amendments to the associated site plan.

Proposed Changes

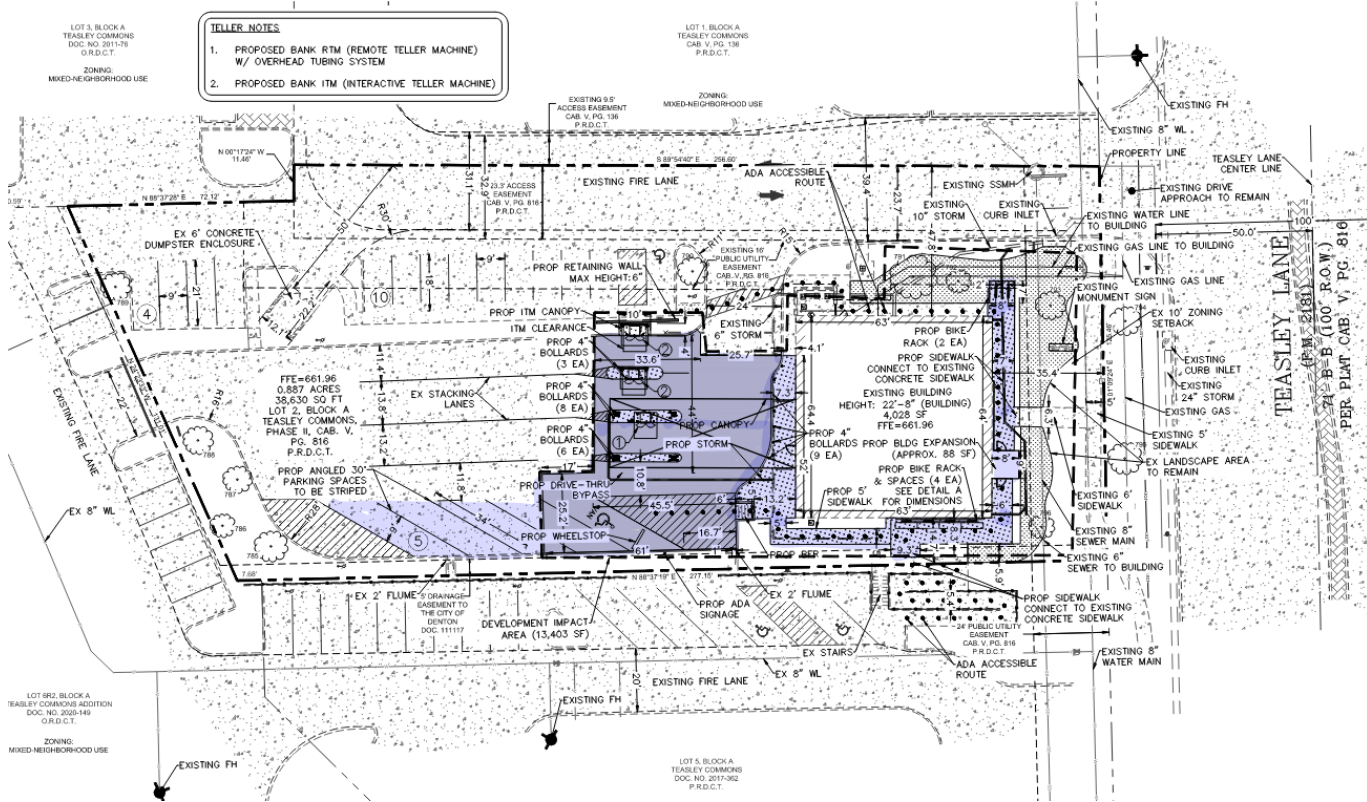
According to the applicant's narrative (Exhibit 9), changes to the banking industry have required changes to support DATCU's current business model. The property owner has requested to remove two of the existing drive-through lanes, leaving three lanes (one ATM lane and two teller lanes). In the removed drive-through area, five parking spaces are proposed to be added, totaling 19 parking spaces for the entire site. The applicant is proposing a total of six bicycle spaces on-site to offset the difference in vehicular parking (two as the standard required for all sites, and four in substitution of one required vehicular parking space).

In addition to the drive-through lanes and parking changes, an 88 square foot vestibule is proposed to be added to the front of the building facing FM2181/Teasley Lane. This is to be the new primary building entrance and will match the existing façade and conform with current building standards. With the aforementioned site changes, greater pedestrian connectivity is proposed by extending the pedestrian walkway, which will connect the rear parking area to the front building entrance.

The existing site landscaping is mostly undisturbed by the proposed changes and will continue to comply with the site plan by which the development was originally approved and current DDC standards to the greatest extent possible. Within the Development Impact Area, the required 20% landscaping will be maintained (22% provided). The required overall 40% tree canopy is proposed to be enhanced from 39% to 42%.

The proposed site plan is shown below (proposed additions/modifications shaded in purple):

(continued on next page)



In summary, the Drive-Through Financial Institution land use and site plan was approved by ordinance in 2003, and the use is still permitted under the current zoning with an approved SUP. Given that the land use is already existing under the approved SUP, this request is related to the following items only:

- Reduction from 5 existing to 3 proposed drive-through banking lanes (3 less than originally approved)
- Increase from 14 existing to 19 parking spaces (1 less than originally approved)
- 88 SF vestibule addition to the front of the building
- Extension of pedestrian pathway on-site

Due to the lack of language in SUP ordinance 2003-325 allowing for minor modifications to the site plan and drive-through use, the Director determined that the request requires an amendment to the SUP ordinance to adopt an updated site plan. Moving forward, staff is recommending conditions be imposed with the SUP that would allow for staff approval of minor changes to the site plan.

A full Staff Analysis of the proposed Specific Use Permit Amendment is provided in Exhibit 2.

OPTIONS

1. Recommend Approval
2. Recommend Approval Subject to Conditions
3. Recommend Denial
4. Postpone Item

RECOMMENDATION

Staff recommends approval of the request, as it is consistent with the criteria in Subsection 2.4.5.E of the 2019 Denton Development Code (DDC) for approval of all applications, and Subsection 2.5.2.D of the DDC for approval of a Specific Use Permit amendment, subject to the following conditions:

1. The attached Site Plan and Landscape Plan reflect an intent to comply with the originally approved site plan and the 2019 DDC to the greatest extent possible.
2. The attached Site Plan and Landscape Plan are incorporated as requirements of the SUP. Staff shall have the ability to approve a reduction in the building coverage and a decrease in the number of parking spaces specified in requirements “a” and “b” below, provided the reductions do not equate to a change of more than 5% of the building square footage or 1 parking space and all applicable requirements of the originally approved site plan and current DDC are met:
 - a. No more than one building with a total building footprint not to exceed 4,116 sq. ft or 10.65% of the lot area.
 - b. A total of nineteen (19) parking spaces and 6 bicycle parking spaces are proposed for the drive-through Financial Institution indicated on the Site Plan.
 - c. No more than 3 drive-through banking lanes with one by-pass lane to facilitate on-site circulation.
3. Minor alterations to the depicted locations of the building, pedestrian pathways, and parking may be approved by City Staff, provided that the final plan complies with the attached Site Plan in terms of access and internal pedestrian connectivity.
4. Minor alterations to the depicted locations of individual plantings may be approved by City staff, provided that the final landscaping, as planted, complies with the attached Landscape Plan in terms of required landscape elements and overall tree canopy, as well as all applicable requirements of the current DDC.
5. Notwithstanding the limited administrative approvals authorized in the above conditions, the City reserves the right to require approval by ordinance of any amendments or alterations to the SUP, the attached Site Plan, and the attached Landscape Plan.
6. The zoning map shall reflect the Specific Use Permit on the property consistent with the Post-Decision Action Steps for Specific Use Permits in the 2019 DDC.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
October 16, 1973	City Council	Annexation-SF-10 Zoning	Approved (Ordinance 73-27)
December 18, 1988	City Council	Rezone (Correction) (SF-10 to PD-16)	Approved (Ordinance 88-205)
January 22, 1991	City Council	PD-16 Site Plan	Approved (Ordinance 91-007)
November 10, 1999	City Council	PD-16 Site Plan	Denied
May 16, 2000	City Council	Rezone (PD-16 to Neighborhood Services (NS(c)))	Approved (2000-181)
February 20, 2002	City Council	City-Wide Rezoning (NS to NRMU)	Approved (2002-040)
October 7, 2003	City Council	Specific Use Permit for Drive-Through Facility	Approved (Ordinance 2003-325)

October 1, 2019	City Council	City Wide Rezoning (NMRU to MN)	Approved (DCA18-0009u)
May 29, 2024	Planning and Zoning Commission	SUP Amendment	Approved
June 18, 2024	City Council	SUP Amendment	Public Hearing Opened and Discussion Postponed to date certain of July 23, 2024

PUBLIC OUTREACH:

Twelve notices were sent to property owners within 200 feet of the subject property. Twenty-six courtesy notices were sent to physical addresses within 500 feet of the subject property. As of the writing of this report, staff has received 4 responses in favor of the request. The notification map and responses are provided in Exhibit 12.

A notice was published in the Denton Record Chronicle on May 12, 2024 and again on June 1, 2024.

A notice was published on the City’s website on May 9, 2024 and again on May 30, 2024.

One sign was posted on the property on May 14, 2024.

No neighborhood meetings were held by the applicant.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Staff Analysis
- Exhibit 3 - Site Location Map
- Exhibit 4 - Zoning Map
- Exhibit 5 - Future Land Use Map
- Exhibit 6 - Ordinance 2003-325
- Exhibit 7 - Proposed Site Plan
- Exhibit 8 - Proposed Landscape Plan
- Exhibit 9 - Applicant Project Narrative
- Exhibit 10 - Notification Map and Public Responses
- Exhibit 11 - Draft Ordinance
- Exhibit 12 - Presentation

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

Prepared by:
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Assistant Planner