



# City of Denton

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

## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ICM:** Cassey Ogden

**DATE:** April 6, 2026

### SUBJECT

Hold a public hearing and consider approval of a variance from Denton Development Code Subsection 7.9.4B regarding the maximum amount of parking spaces allowed for an automotive fuel sales development located on an approximately 2.73-acre property on the northeast corner of the intersection of Cooper Creek Road and University Drive. (V26-0002, QT-1899 Maximum Parking, Matt Bodine)

### BACKGROUND

The applicant is requesting a variance from Denton Development Code (DDC) Subsection 7.9.4B regarding the maximum amount of parking spaces allowed for an automotive fuel sales development.

The subject property is 2.73 acres and located at the northeast corner of Cooper Creek Road and University Drive with vacant buildings on-site. Plans for an automotive fuel sales development on the property are currently under staff review. Per Table 7.9-I: Minimum Required Off-Street Parking of the DDC, the minimum parking requirement for the automobile fuel sales land use is one vehicular space per 350 square feet of gross floor area, and the maximum parking allowed is 125 percent of the minimum parking requirement. The Director may approve a modification to the maximum parking allowed up to 150 percent provided the applicant submits a parking demand study demonstrating the need.

Based on the proposed building size of 5,023 square feet, the DDC requires a minimum of 15 parking spaces, allows for a maximum of 19 parking spaces, and the Director may modify the maximum to be up to 23 parking spaces. The applicant is requesting an additional 16 parking spaces above the Director-modified maximum for a total of 39 parking spaces, as summarized in the table below.

Minimum Parking	Maximum Parking (125% of Minimum Required)	Director-modified Maximum Parking (150% of Minimum Required)	Requested Parking	Difference between Requested and Director-modified
15 spaces	19 spaces	23 spaces	39 spaces	+16 spaces

The proximity of several, heavily trafficked major roadways such as University Drive and Loop 288 create special conditions unique to this area of the City but not uniquely special to just this site. The applicant submitted a parking demand study (see Exhibit 5) comparing the provided on-site parking of two other gas stations, under the same franchise, in DFW similarly located along heavily trafficked corridors. The study provided evidence that these gas stations saw higher parking space usage than what the DDC would allow. The granting of this variance for additional parking would not be detrimental to the public welfare as the

applicant indicates that insufficient parking creates safety risks for customers and emergency vehicles as customers typically park in areas on site not designated for such a function (see Exhibit 4). The applicant has indicated that the variance is the minimum needed to accomplish this purpose as other options to allow additional parking, such as adjacent on-street parking, are not feasible. Although the maximum parking limits in the DDC are applicable to all similar developments, the applicant has indicated that maximum parking limit is an unnecessary hardship as market conditions and the location of the site create the need for more parking to ensure the safety of their patrons and employees. The applicant has provided a site design incorporating the additional parking that also meets all other requirements and the intent of the DDC (see Exhibit 6). The variance is not solely for the purpose of mitigating financial hardship and special conditions related to the site's surrounding street context are not the result of the owner's actions. However, the site has not been developed for the proposed use, so the safety risks that the additional parking is argued to mitigate for have not been realized for this particular site.

A full Staff Analysis based upon the criteria for approval for a sign variance is provided in Exhibit 2.

### **OPTIONS**

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

### **RECOMMENDATION**

Staff does not find that all the criteria are strictly met; therefore staff does not recommend approval of the variance. However, staff has no objection should the Zoning Board of Adjustment find that the request meets the spirit and intent of the DDC and the criteria for approval provided that stormwater discharge created by the additional parking is mitigated as a condition of approval.

### **PUBLIC OUTREACH:**

Public outreach is not required for this variance request.

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

No prior action/review.

### **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. Parking Demand Analysis
6. Development Site Plan

Respectfully submitted:  
Hayley Zagurski, AICP  
Planning Director

Prepared by:  
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Assistant Planner