

November 26, 2025

Via Scan/Email

Ms. Diana Barkume, Project Coordinator – Development
Ms. Sheniqua Dunn, MSW, CHW, BGM, B.E.S.T., Senior Planner
Planning and Development Department
City of Dallas
1500 Marilla Street, Room 5CN
Dallas, Texas 75201

Re: BOA-25-000075; 3219 Knox Street.

Dear Ms. Barkume and Ms. Dunn:

We are sending you this letter to provide factual background and to explain the rationale for our request for a variance of 80 off-street parking spaces, from 870 spaces required for a proposed potential mix of future uses to the 790 spaces provided, currently existing on site in the development as constructed in 2020.

The subject property is addressed as 3219 Knox Street, and is described as Block L/1536, Lot 9A, consisting of 1.2397 acres of land (the “Property”). The Property was developed in 2020 with a 12 story office building with certain additional retail and restaurant uses, totaling 240,205 square feet of development. We are providing you with this letter to affirm for you how we meet the required variance standards, including demonstrable property hardship conditions, and to respectfully ask for City Staff’s recommendation of approval of this variance request.

I. Our Request. The purpose of our request is to be able to accommodate a potential future change of use in the existing building from furniture store to retail, office, and restaurant uses. There are 790 existing, already-constructed spaces on the site, within the existing building envelope, all of which are all located below grade in a six level underground parking structure.

The P.D. Subdistrict parking requirement of 790 spaces was set on the basis of 28,000 square feet of Furniture Store use, with the intention of retaining a long-time locally-owned business in the Knox Street neighborhood. These 790 existing structured parking spaces are 49 percent utilized at peak, per our Parking Demand Analysis prepared by Westwood, so in reality there are far more parking spaces constructed and available on the Property than are ever actually utilized.

Our requested variance would allow for the *potential eventual* conversion of 28,000 square feet of Furniture Store use to 15,000 square feet of Restaurant uses and 13,000 square feet of Retail uses by providing 790 spaces (as constructed) of the otherwise-required 870 parking spaces, which

is an 80 space variance (a 9.2% reduction) to the parking requirement. All of this is discussed and analyzed in more detail in our submitted Parking Demand Analysis.

II. Why We Are required to Apply for a Variance and not a Special Exception. The relevant portion of the Dallas Development Code on parking special exceptions is set forth below. Because of the fact that P.D. 193 has its own required parking ratios, this provision has historically been interpreted by the City to mean that parking special exceptions are not available in P.D. 193 – any parking reduction request to the Board within P.D. 193 must be a variance request.

SEC. 51A-4.311. SPECIAL EXCEPTIONS.

(a) Special exception: parking demand.

*(6) The board **shall not** grant a special exception under Paragraph (1) to reduce the number of off-street parking spaces **expressly required in the text or development plan of an ordinance establishing or amending regulations governing a specific planned development district.** This prohibition does not apply when:*

(A) the ordinance does not expressly specify a minimum number of spaces, but instead simply makes reference to the existing off-street parking regulations in Chapter 51 or this chapter; or

(B) the regulations governing that specific district expressly authorize the board to grant the special exception.

III. The Site; Existing Conditions. The Property was developed in 2020 on the basis of the zoning adopted by the City Council on April 11, 2018, to approve the creation of Planned Development Subdistrict 139 within P.D. 193. P.D.S. 139 provided for additional setback above 48 feet in height and set a maximum Floor Area Ratio of 5.5:1. A Landscape Plan with enhanced landscaping was also approved. Further, Sec. S-139.109(b) specifically required that “*All required off-street parking spaces must be located underground*”, which they are. I have also included a series of Exhibits including aerial photos and site views, the approved P.D.S. 139 Development Plan, and garage floor plans for each of the six garage levels.

IV. How We Meet the Variance Standard. This variance request meets the variance standards mandated by Sec. 51A-3.102(d)(10) of the *Dallas Development Code*, restated below, in every respect.

(10) To grant variances from the front yard, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that:

(A) In General.

(i) the variance is not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;

(ii) the variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

(iii) the variance is not granted to relieve a self-created or personal hardship, nor for financial reasons only, except as provided in Subparagraph (B)(i), nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

(B) Structures. In exercising its authority under Subparagraph (A)(ii), the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code;

(ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur;

(iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;

(iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or

(v) the municipality considers the structure to be a nonconforming structure.

Property conditions exist to support our variance request in the following respects. Of most obvious importance, the building is already built – it cannot be expanded in any direction, nor can the garage be made any deeper, since it was already built five years ago. In accordance with the P.D. Subdistrict, all required parking must be provided below grade, which was done, at very considerable expense. Due to this condition, among others, of P.D.S. 139, as well as our approved P.D.S. 139 Development Plan, Subsection (b)(iii) above would also apply – we could not expand the building envelope without violating these approved conditions and Development Plan.

Even aside from that, there is no remotely feasible way to expand the building in any direction, up, down, or outward, to provide more parking. Because there is no way to expand the building or to add more parking, this is a physical property condition. In fact, to try to do so, even if feasible (which it is not), would be a very severe detriment to the neighborhood, not just the construction process but also the negative impact on what is now a first class architectural design. Further, the Property is bounded by two streets and a public alley (which is used to accommodate loading and trash pickup for various users).

Without the requested 9.2 percent reduction, this 28,000 square feet of otherwise retail- and restaurant-ready space would be largely unusable, unlike the other office and mixed-use developments in the neighborhood, which are also in P.D. 193, which goes to the element regarding commensurate development. For example, Highland Park Place at 4514 Cole is 17 stories of development on top of a two level parking podium. The development currently under construction at 4555 Travis Street, across from the Property, is in P.D.S. 169, which allows varying heights up to 399 feet and allows some limited surface parking.

V. **The Public Interest.** Finally, the granting of this variance would not in any way be contrary to the public interest. In fact, the granting of this variance will strongly support the public interest by allowing for the above-described 28,000 square feet of street-facing space to eventually be activated with restaurant and retail uses, which will add greatly to the walkable, pedestrian-friendly character of not just the Property but the entire Knox Street corridor from the Katy Trail to Central Expressway.

VI. **Parking Demand Analysis Conclusions.** Our Parking Demand Analysis makes the following conclusions, which we believe further supports our position that approval of the requested variance is actually strongly in the public interest:

SUMMARY OF FINDINGS

The following findings are based upon Westwood's analysis of parking demand characteristics for the proposed development outlined in the Project Description section of this report.

FINDING: *With the existing uses, which includes a 28,000-square-foot furniture store, the subject property requires 789 parking spaces per PD 193. Once the furniture store is replaced with other uses, the parking requirement could increase up to 870 parking spaces—a code increase of 81 parking spaces.*

FINDING: *Based on on-site parking accumulation counts conducted at various times between Thursday, August 28 and Tuesday, September 9, 2025, the highest overall peak parking demand of 386 parked vehicles was observed during the noon hour on a typical weekday. The tenant occupancy of the property was 100% at the time of the study.*

FINDING: *The Property provides an underground parking structure containing 790 parking spaces. Based on the parking demand study referenced above, the parking supply provides a minimum of 404 surplus parking spaces at any given time.*

The Applicant is seeking a reduction in the parking requirement for the subject property in order to accommodate a change of use for 28,000 square feet of space from a furniture store use to some combination of retail, restaurant, and/or office use that could result in a code deficit of up to 80 spaces. The findings of this analysis show that the current on-site parking supply provides an ample surplus of parking spaces at all times that can easily accommodate the increase in parking needs created by the proposed change of use.

Finally, for more perspective on the parking requirements applicable to the Property, as being in P.D. 193, in comparison to recent City-wide parking reform, we note that if the parking reform Code changes applied to this development, it could easily accommodate the eventual, prospective change in the mix of uses:

Office (257,708 SF): No minimum requirement.

Restaurant (26,212 SF): Minimum 114 required.

Retail (13,000 SF): No minimum requirement.

VII. Conclusion. We appreciate your consideration of our points. We respectfully ask, on the basis of all of our foregoing points, that the City Staff make a recommendation of *approval* of our off-street parking variance request to the Board of Adjustment. Thank you very much.

Very truly yours,


Jonathan G. Vinson

cc: Justin Schoellkopf
Robert Clark
Steve Stoner
Will Guerin