



Board of Adjustment

**Staff Report
BOA-23926**

Hearing Date: August 12, 2025
Prepared by: Erin Roark
eroark@cityoftulsa.org
918-596-7618

Owner and Applicant Information

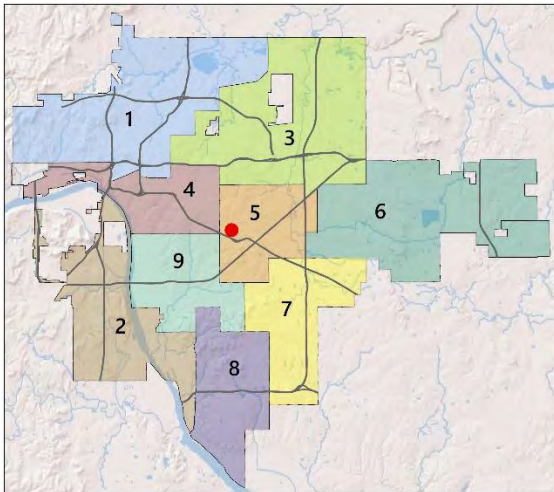
Applicant: Lou Reynolds, Eller & Detrich, P.C.
Property Owner: 31st Street Plaza, LLC

Property Location

Southwest corner of East 31st Street South and South Hudson Avenue
Tract Size: ± 1.89 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 5, Karen Gilbert
County Commission: District 2, Lonnie Sims

Public Notice Required

Newspaper Notice – min. 10 days in advance
Mailed Notice to 300’ radius – min. 10 days in advance

Request Summary

Variance to increase the maximum allowable floor area ratio (FAR) in the CS district (Section 15.030-A, Table 15-3).

Zoning

Zoning District: CS
Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

Land Use Plan: Employment
Small Area Plans: N/A
Development Era: Early Automobile Era

Transportation

Major Street & Highway Plan: Secondary Arterial, Residential Collector
planitulsa Street Type: Multi-Modal Street
Transit: Regular Route
Existing Bike/Ped Facilities: N/A
Planned Bike/Ped Facilities: Sidewalks, Bike Corridor

Environment

Flood Area: N/A
Tree Canopy Coverage: 0-9%
Parks & Open Space: N/A

Staff Analysis

The applicant is requesting a variance to increase the maximum allowable floor area ratio (FAR) in the CS district (Section 15.030-A, Table 15-3). The maximum FAR for this district is 0.50. This is calculated as the area of all floors of the building (107,250 square feet) divided by the area of the lot (82,441 square feet). As proposed, the FAR of the subject property is 1.30.

Section 15.030 Lot and Building Regulations

15.030-A Table of Regulations

The lot and building regulations of

Table 15-3 apply to all principal uses and structures in office, commercial and industrial districts, except as otherwise expressly stated in this zoning code. General exceptions to lot and building regulations and rules for measuring compliance can be found in [Chapter 90](#). Additional regulations governing accessory uses and structures can be found in [Chapter 45](#).

Table 15-3: O, C and I District Lot and Building Regulations

Regulations	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH
Minimum Lot Area (sq. ft.)	-	-	-	10,000	-	-	-	-	-	-	-
Minimum Street Frontage (feet)	50	50	50	-	50	50	-	-	50	50	50
Maximum Floor Area Ratio (FAR)	0.40	0.50	2.00	8.00	0.50	0.75	-	-	-	-	-
Minimum Lot Area per Unit (sq. ft.)	-	-	-	-	-	-	-	-	-	-	-
Min. Open Space per Unit (sq. ft.)	-	-	-	-	-	-	-	-	-	-	-
Building Setbacks (feet)											
Street [1]	10	10	10	10	10	10	-	-	10	10	10
From AG, AG-R, or R district	10	10[2]	10[2]	10	10[2]	10[2]	-	-	75[3]	75[3]	75[3]
From O district	-	-	-	-	-	-	-	-	75[3]	75[3]	75[3]
Max. Building Coverage (% of lot)	-	-	-	-	-	-	-	-	-	-	-
Maximum Building Height (feet)	35	-	-	-	-	-	-	-	-	-	-

15.030-B Table Notes

The following notes refer to the bracketed numbers (e.g., "[1]") in Table 15-3:

- [1] Garage doors must be set back at least 20 feet or 20 feet from the back of the sidewalk, whichever is greater.
- [2] When abutting RE-, RS- or RD-zoned lot, 2 feet of additional building setback required for each foot of building height above 15 feet.
- [3] Minimum building setback abutting freeway right-of-way or railroad right-of-way that is zoned AG, AG-R, R, or O is 10 feet.

Section 90.040 Floor Area

The floor area of a building is measured as the sum of the gross horizontal areas of all floors within the building, including basements, as measured from the exterior faces of the exterior walls or from the centerline of walls separating 2 buildings. The floor area of enclosed required off-street parking areas is not included in the measurement of floor area.

Section 90.050 Floor Area Ratio

The floor area ratio (FAR) is the floor area of all buildings on a lot, divided by the area of that lot.

Relevant Case History

- BOA-16810, September 27, 1994; The board of adjustment voted to approve a special exception to permit automobile sales in the CS district.

Statement of Hardship

The applicant's statement of hardship is attached as a separate exhibit.

Comprehensive Plan Considerations**Land Use Plan**

Employment is intended to accommodate offices, warehousing and storage, manufacturing and assembly, and industrial processes. The Industrial Site Suitability map corresponds to the Employment land use designation and indicates where uses that are potentially incompatible with sensitive land uses are best suited to locate. This directs industrial uses to particular areas of the city while discouraging industrial in close proximity to Neighborhood areas.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-3	Neighborhood	Residential
East	RS-3	Multiple Use, Neighborhood	Religious Assembly
South	CS then RM-2	Employment then Neighborhood	Office then Residential
West	CS	Employment	Office

Small Area Plans

The subject property is not within a small area plan.

Development Era

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

Transportation

Major Street & Highway Plan: East 31st Street South runs parallel to the north side of the subject property and is classified as a Secondary Arterial, which has a planned minimum right-of-way width of 100 feet. South Hudson Avenue runs parallel to the east side of the subject property and is classified as a Residential Collector, which has a planned minimum right-of-way width of 60 feet.

Comprehensive Plan Street Designation: East 31st Street South is designated as a Multi-Modal Street. Multi-modal streets support commercial and residential development along major arterial streets. These streets align with the recommendations for on-street bicycle infrastructure establish in the 2015 GO Plan, and they should be evaluated for feasibility with regard to the reallocation of street space for bicycle facilities.

Transit: Regular Route 300 runs along East 31st Street South.

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: Sidewalks are recommended along street frontages. The 2015 GO Plan recommends a Bike Corridor along East 31st Street South.

Arterial Traffic per Lane: East 31st Street South has an average annual daily traffic (AADT) of 3,411 vehicles per lane.

Environmental Considerations

Flood Area: N/A

Tree Canopy Coverage: Tree canopy in the area is 8%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: N/A

Site Photos



View southeast from 31st Street, May 2025 (Image from Google Street View)



View southwest from Hudson Avenue, May 2025 (Image from Google Street View)

Sample Motion

I move to approve or deny a variance to increase the maximum allowable floor area ratio (FAR) in the CS district from 0.50 to 1.30 (Section 15.030-A, Table 15-3),

- per the conceptual plan(s) shown on page(s) _____ of the agenda packet.
- subject to the following conditions (including time limitation, if any): _____.

The board finds the hardship to be _____.

In granting the Variance, the Board finds that the following facts, favorable to the property owner, have been established:

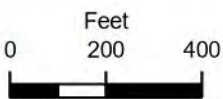
- That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- That literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose;
- That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;
- That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
- That the variance to be granted is the minimum variance that will afford relief;
- That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and
- That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.

Property Description

A TRACT OF LAND BEING A PART OF LOT 1, BLOCK 1, CITY PLAZA ADDITION. SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1, CITY PLAZA ADDITION; THENCE SOUTH 00°02'00" WEST ALONG THE EAST LINE OF LOT 1 FOR A DISTANCE OF 217.85 FEET; THENCE NORTH 89°58'00" WEST, DEPARTING FROM SAID LINE, FOR A DISTANCE OF 46.67 FEET; THENCE SOUTH 50°18'29" WEST FOR A DISTANCE OF 37.31 FEET; THENCE SOUTH 89°57'40" WEST FOR A DISTANCE OF 258.02 FEET; THENCE NORTH 40°48'01" WEST FOR A DISTANCE OF 42.35 FEET; THENCE NORTH 09°47'35" EAST FOR A DISTANCE OF 124.58 FEET; THENCE NORTH 02°50'59" WEST FOR A DISTANCE OF 87.11 FEET TO A POINT ON THE NORTH LINE OF LOT 1; THENCE NORTH 90°00'00" EAST ALONG SAID LINE FOR A DISTANCE OF 344.34 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 82,441.57 SQUARE FEET (1.89 ACRES), MORE OR LESS.

Exhibits

- Case map
- Aerial (small scale)
- Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map



Subject Tract

BOA-23926

19-13 22

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2025



14.7



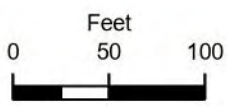
E 31ST ST S

SERVICE RD

S HUDSON AVE

E 32ND ST S

E 32ND ST S



Subject Tract

BOA-23926

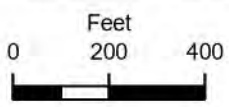
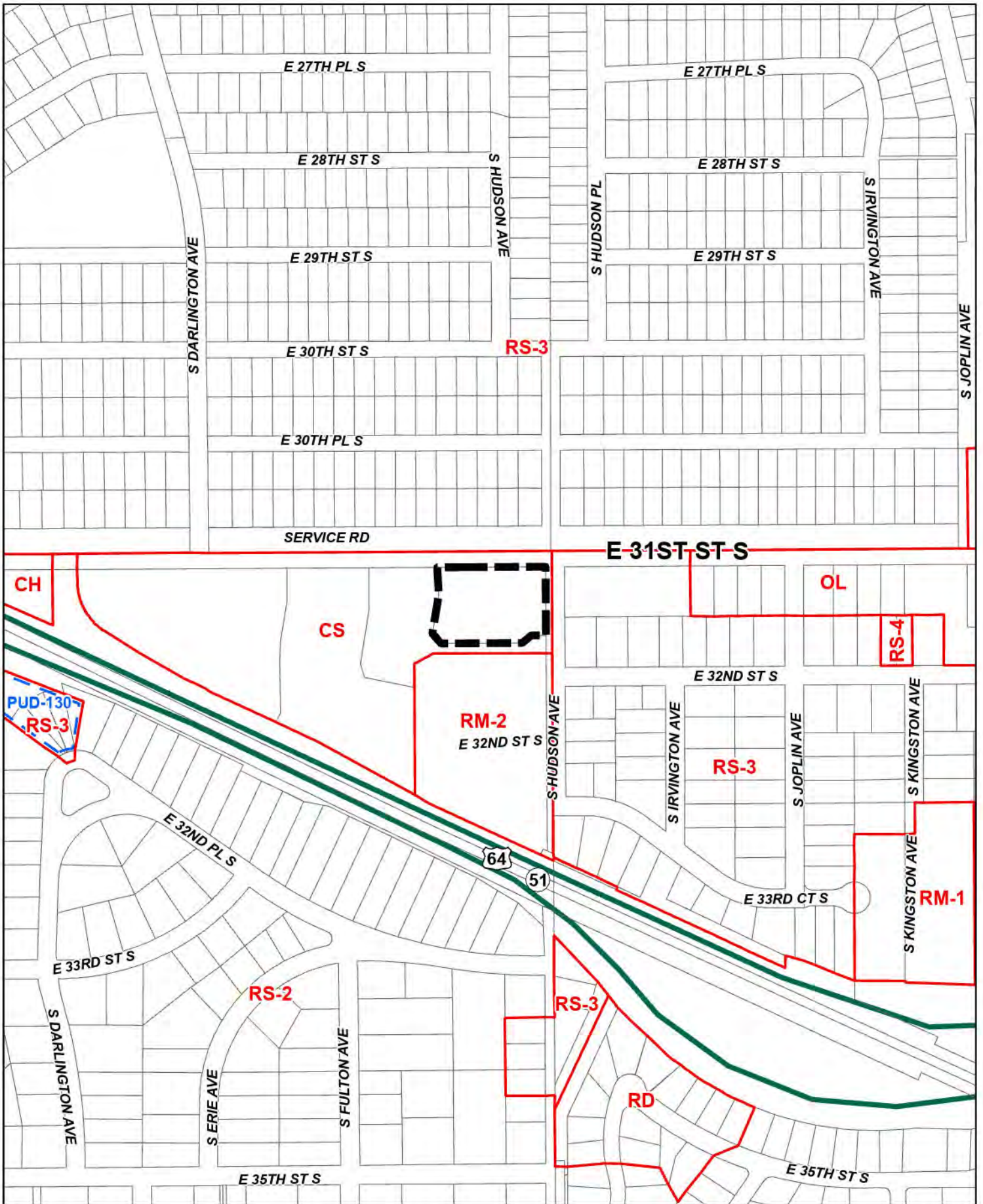
19-13 22

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2025



14.8



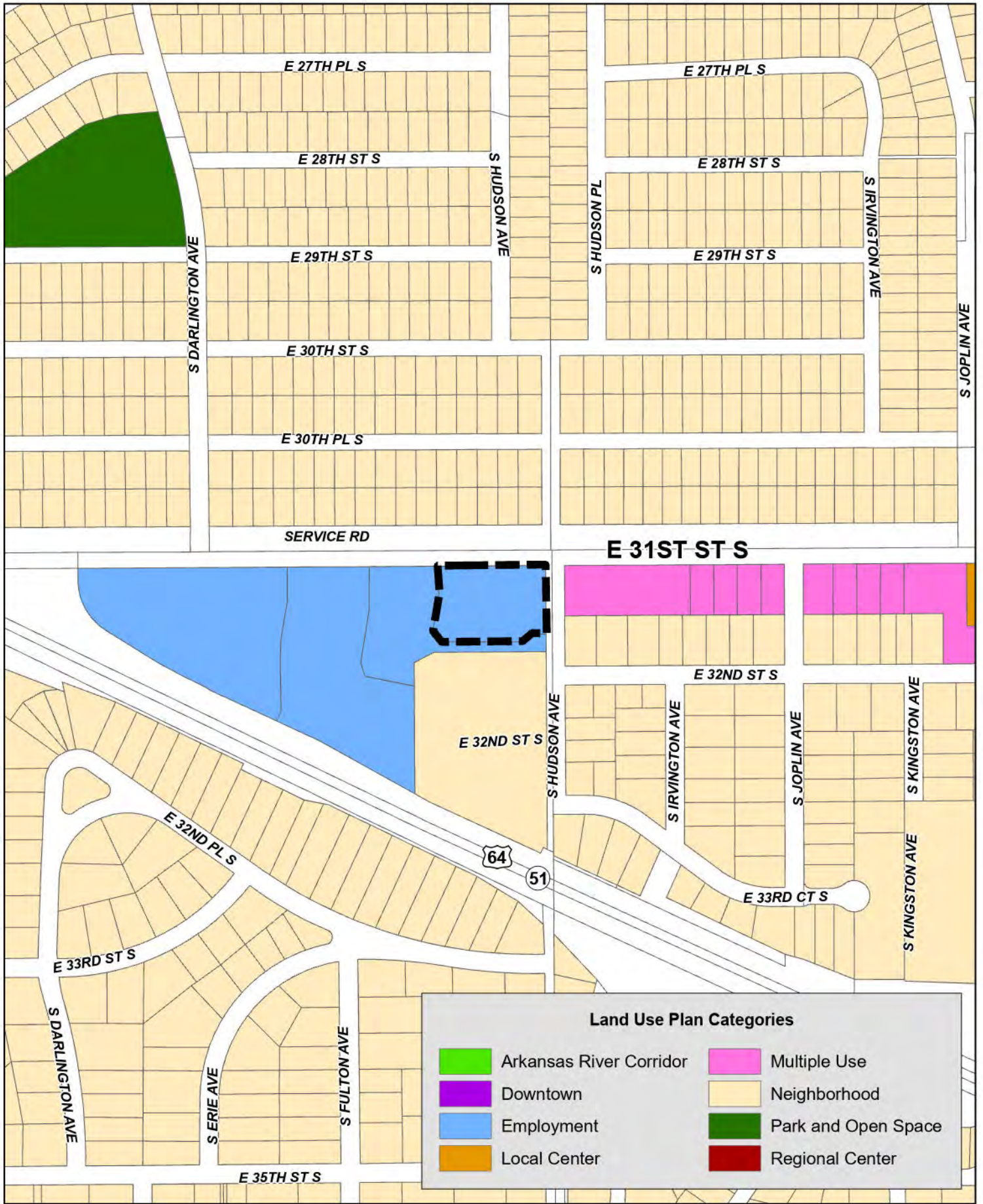
 Subject Tract

BOA-23926









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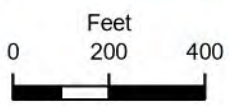


14.9



Land Use Plan Categories

 Arkansas River Corridor	 Multiple Use
 Downtown	 Neighborhood
 Employment	 Park and Open Space
 Local Center	 Regional Center



 Subject Tract

BOA-23926

19-13 22



14.10

Exhibit "A"

A TRACT OF LAND BEING A PART OF LOT 1, BLOCK 1, CITY PLAZA ADDITION. SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1, CITY PLAZA ADDITION; THENCE SOUTH 00°02'00" WEST ALONG THE EAST LINE OF LOT 1 FOR A DISTANCE OF 217.85 FEET; THENCE NORTH 89°58'00" WEST, DEPARTING FROM SAID LINE, FOR A DISTANCE OF 46.67 FEET; THENCE SOUTH 50°18'29" WEST FOR A DISTANCE OF 37.31 FEET; THENCE SOUTH 89°57'40" WEST FOR A DISTANCE OF 258.02 FEET; THENCE NORTH 40°48'01" WEST FOR A DISTANCE OF 42.35 FEET; THENCE NORTH 09°47'35" EAST FOR A DISTANCE OF 124.58 FEET; THENCE NORTH 02°50'59" WEST FOR A DISTANCE OF 87.11 FEET TO A POINT ON THE NORTH LINE OF LOT 1; THENCE NORTH 90°00'00" EAST ALONG SAID LINE FOR A DISTANCE OF 344.34 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 82,441.57 SQUARE FEET (1.89 ACRES), MORE OR LESS.

Exhibit “B”

The Applicant, Mercy Housing, requests a Variance of Table 15-3 of the Tulsa Zoning Code to increase the Floor Area Ratio (FAR) from 0.5 to 1.3 in the CS District for an affordable housing project located at the southwest corner of East 31st Street and South Hudson Avenue (the “Property”) in the Legacy Plaza Campus.

Mercy Housing is a national non-profit which specializes in affordable housing projects. As part of its mission, Mercy Housing offers a resident services program, providing support to its resident families by connecting them with local resources in order for residents to achieve housing stability and mobility. These services range from financial counseling and after-school programming to providing access to healthcare and food.

The Property is part of Legacy Plaza Campus and is the last remaining lot to be developed. The Property is a corner lot at the signalized intersection of 31st & Hudson, bounded by East 31st Street to the north and South Hudson Avenue to the east. Highland Park Christian Church is located on the east side of South Hudson Avenue and to the south are the City Garden Apartments and the Broken Arrow Expressway.

Mercy Housing intends to construct a 5-story, 100-unit multi-family housing project on the Property. A Conceptual Site Plan for the Project is attached hereto as Exhibit “C”.

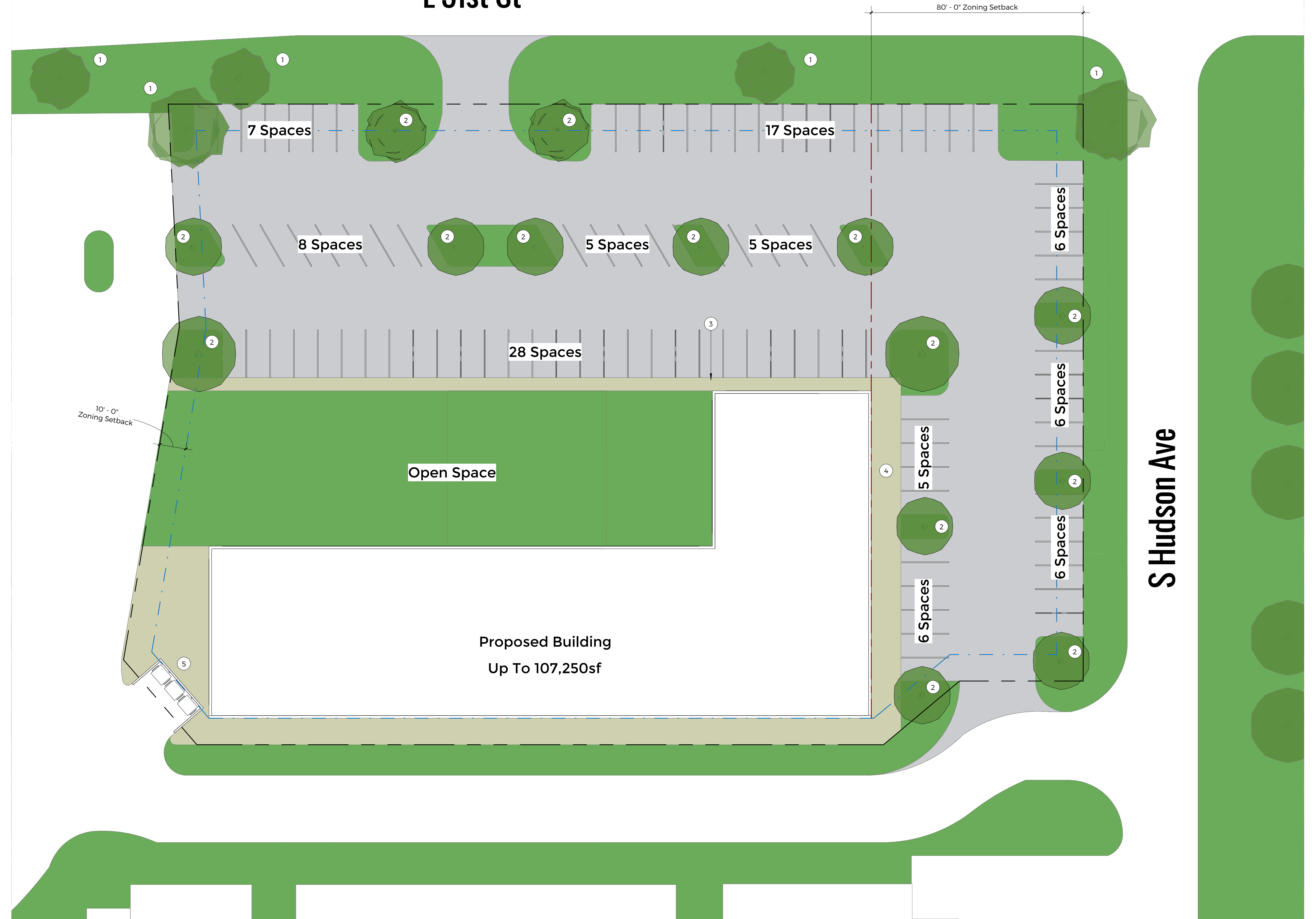
The Property is uniquely situated for the Project. The proximity to the plethora of social services offered in Legacy Plaza will be a key partnership for the resident services program, as well as partnership opportunities with the Church to the east. The Property also has excellent access to the highway, public transportation, and public schools, with Hoover Elementary School within walking distance. Additionally, no utility upgrades are necessary to support the increased FAR for the Project.

The CS District has a FAR of 0.5, which would only permit approximately 38 units on the Property, which is approximately 1.89 acres/82,441 square feet. In this case, limiting what can be constructed on the Property to the 0.5 FAR results in an unnecessary hardship because: (1) additional FAR would not negatively affect the neighborhood density; or (2) the character of the neighborhood. Additionally, because of the unique location of the Project and the Legacy Plaza Campus along South Hudson Avenue between East 31st Street and the Broken Arrow Expressway, the Project will not impose any adverse demands on the public infrastructure.

Legacy Plaza is over 13 acres with two 12-story buildings and one 3-story building totaling around 300,000 square feet. As shown on Exhibit “D”, the proposed housing development will be in scale with the other buildings on the campus, the existing apartment complex directly to the south and the Church across South Hudson Avenue to the east. The Project will otherwise comply with the bulk and area requirements of the CS District, parking and landscaping requirements and the building will not overcrowd or overwhelm the surrounding area; therefore, this Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Exhibit "C" Conceptual Site Plan

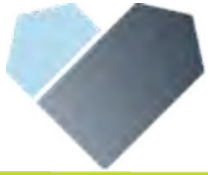
E 31st St



Current Lot Size - 82,441sf
 Total Proposed Building - 107,250sf
 Current FAR - 0.5
 Proposed FAR - 1.3

Presentation Site Plan Legend	
	Property Line
	10' Setback Line
	Zoning Setback Line
Parking Space Total 99 Spaces	
①	Existing Tree
②	Proposed Tree
③	5' Sidewalk
④	10' Sidewalk
⑤	3 Dumpster Enclosure

Conceptual Massing Model





July 15, 2025

Tulsa Board of Adjustments,

Highland Park Christian Church has been meeting needs in our neighborhood at 31st & Hudson since 1956. We believe that one of the reasons God placed us on this planet is to care for this neighborhood.

As we've built relationships with church members, community groups, and folks we serve at our Food Pantry, we've become increasingly aware of the need for quality, affordable housing that treats people with dignity and respect. We've also become aware of the price whole communities pay when housing needs are not met.

We support the housing development being proposed by Mercy Housing. We've met with their leaders and also friends from the Zarrow Foundation about what they will bring to the neighborhood. We believe they will be great neighbors, they will meet a crucial need, and they will provide excellent, long-term care for the property and the residents.

A few people, who were not yet well-acquainted with us, were surprised that we would support the plans. We will, after all, no longer be able to use a parking lot that we've enjoyed for decades. But our first concern is for the residents of this neighborhood. If great housing can be provided, we will gladly figure out some of our parking and event changes.

Lastly, I can't express how appreciative we are that Mercy took the time to meet with us. They asked us about the needs of the neighborhood and how they could help. We are grateful for their concern.

I hope to attend the August 12th meeting, and I will gladly speak on their behalf. If a church emergency arises that needs my attention, please share this letter.

Thank you,

Brian Jennings
Lead Minister
Highland Park Christian Church



July 23, 2025

Burlinda Radney, Vice Chairperson & Tomas Barrientos, Secretary
Tulsa Board of Adjustment - Tulsa City Hall
175 East 2nd Street, 4th Floor
Tulsa, OK 74103

Community Action Project of Tulsa County (CAP Tulsa) is a local leader in providing early childhood education with supportive services for parents and caregivers. We have seen firsthand the effects of Tulsa's housing affordability crisis on families with young children. Too many hard-working families struggle to keep up with the high cost of rent, which leads to housing instability and difficulties maintaining a stable home environment where children can thrive.

This summer, we met with representatives of Mercy Housing and the Anne and Henry Zarrow Foundation to learn more about a potential infill housing project built adjacent to our headquarters. We understand this new housing will be income-restricted for low- and moderate-income families, feature strong wraparound services including some on-site supports, and help residents connect to other resources across the community. We know the proposed development will help meet our community's great demand for more affordable housing.

Based on everything we have seen and the national reputation of Mercy Housing, CAP Tulsa is supportive of this new affordable housing project. The development will be a positive influence on our campus and throughout the surrounding neighborhood. We welcome this addition to Legacy Plaza as part of a shared mission to help lower-income families break the cycle of poverty. We encourage approval by the Tulsa Board of Adjustment of the application from Mercy Housing.

Sincerely,



Karen Tilkin, PhD
Executive Director/CEO

From: [Eileen Bradshaw](#)
To: [Tulsa Planning Office](#)
Subject: Subject Line: BOA Case No 23926
Date: Thursday, July 24, 2025 1:46:06 PM

Dear Board of Adjustment Members:

I am writing today as the CEO of LIFE Senior Services and Vintage Housing in support of the proposed Mercy Housing Development in the Legacy Plaza. As a tenant of Legacy Plaza, LIFE would welcome Mercy as a neighbor and be proud to have affordable housing join our block. We believe that Mercy has a demonstrated track record in this space and are looking forward to seeing the impact this development will have in our community.

Thank you so much-

Eileen

Eileen Ryan Bradshaw
President/CEO, LIFE Senior Services and Affiliates
Office: 918-938-1210
Cell: 918-906-8475

CAUTION: This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.



July 28, 2025

VIA E-MAIL ONLY

Tomas Barrientos, Secretary
Tulsa Board of Adjustments
175 E 2nd Street
Tulsa, OK 74103

RE: LETTER OF SUPPORT - BOA-23926

Dear Mr. Barrientos:

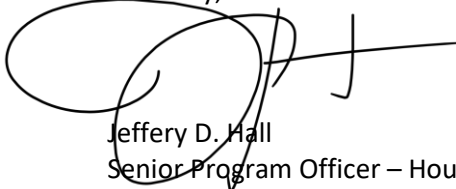
The Anne and Henry Zarrow Foundation (“Foundation”) via a wholly owned entity, 31st Street Plaza, LLC, owns the subject property in BOA-23926. In 2015, the Foundation purchased the former Dollar-Thriftly Campus, remodeling the 3-facility campus and donating most of the property to seven Tulsa nonprofit organizations to provide expanded service and headquarters spaces. Since the initial purchase, the Foundation had always intended for affordable housing to be a key component of the campus, directly connecting high-capacity nonprofit organizations with much needed affordable and workforce housing opportunities, with the intent to build such housing the remaining parcel located at the corner Hudson and 31st.

Following the release of the Tulsa Housing Strategy, a guiding document addressing Tulsa’s housing crisis, the Foundation actively sought out high quality affordable housing owner/operators to help expand Tulsa’s development capacity, with specific focus on Mercy Housing (“Mercy”). Mercy is the country’s largest nonprofit owner of affordable housing. With a development underway in NW Arkansas underway, the Foundation granted funding to support Mercy’s launch into the Tulsa market in late 2024.

The Foundation fully supports this application to increase the floor area ratio for this development. The subject property permits residential by-right. Located on a main corridor, immediately adjacent to two 13-story towers and one three-story building, and adjoining another multifamily property, the subject parcel is uniquely situated to support density at a scale commensurate with its surroundings.

Tulsa needs more housing. But more than that, Tulsa needs more high-quality affordable housing. Providing minimal relief on the floor area ratio can more than double the potential units on this subject parcel, built and maintained by an organization that has a 4-decade history of delivering and maintaining high-quality. We urge your approval.

Sincerely,



Jeffery D. Hall
Senior Program Officer – Housing



CENTER FOR HEALTH SCIENCES
OFFICE OF THE PRESIDENT

July 31, 2025

Tomas Barrientos, Secretary
Tulsa Board of Adjustment
Tulsa City Hall
175 East 2nd Street, 4th Floor
Tulsa, OK 74103

Mr. Barrientos,

In our role to educate physicians who serve the underserved across Oklahoma, we at OSU Medicine have a front row seat on the acute need for affordable housing in Tulsa and surrounding communities. In addition to our academic campus, teaching hospital and clinics across Tulsa, we operate a behavioral health outpatient clinic at the Legacy Plaza campus near 31st and Yale. We have a strong history of collaboration with the Anne and Henry Zarrow Foundation and are familiar with the planning underway with Mercy Housing to develop an infill housing project on this campus.

Based on information we have received thus far, we believe Mercy's proposed housing development could effectively serve a portion of our community's dire demand for affordable housing. This project has strong potential to be a positive influence in our neighborhood, allowing for positive human-scale activity at the corner of 31st and Hudson while also furthering our shared mission of community service and supporting low-income families. OSU Medicine is supportive of this proposed neighboring use and looks forward to future collaboration on this addition to the Legacy Plaza campus.

Thank you,

A handwritten signature in black ink, reading 'Johnny R. Stephens'.

Johnny R. Stephens, Pharm.D.
President, OSU Center for Health Sciences