

Zoning Map Proposal

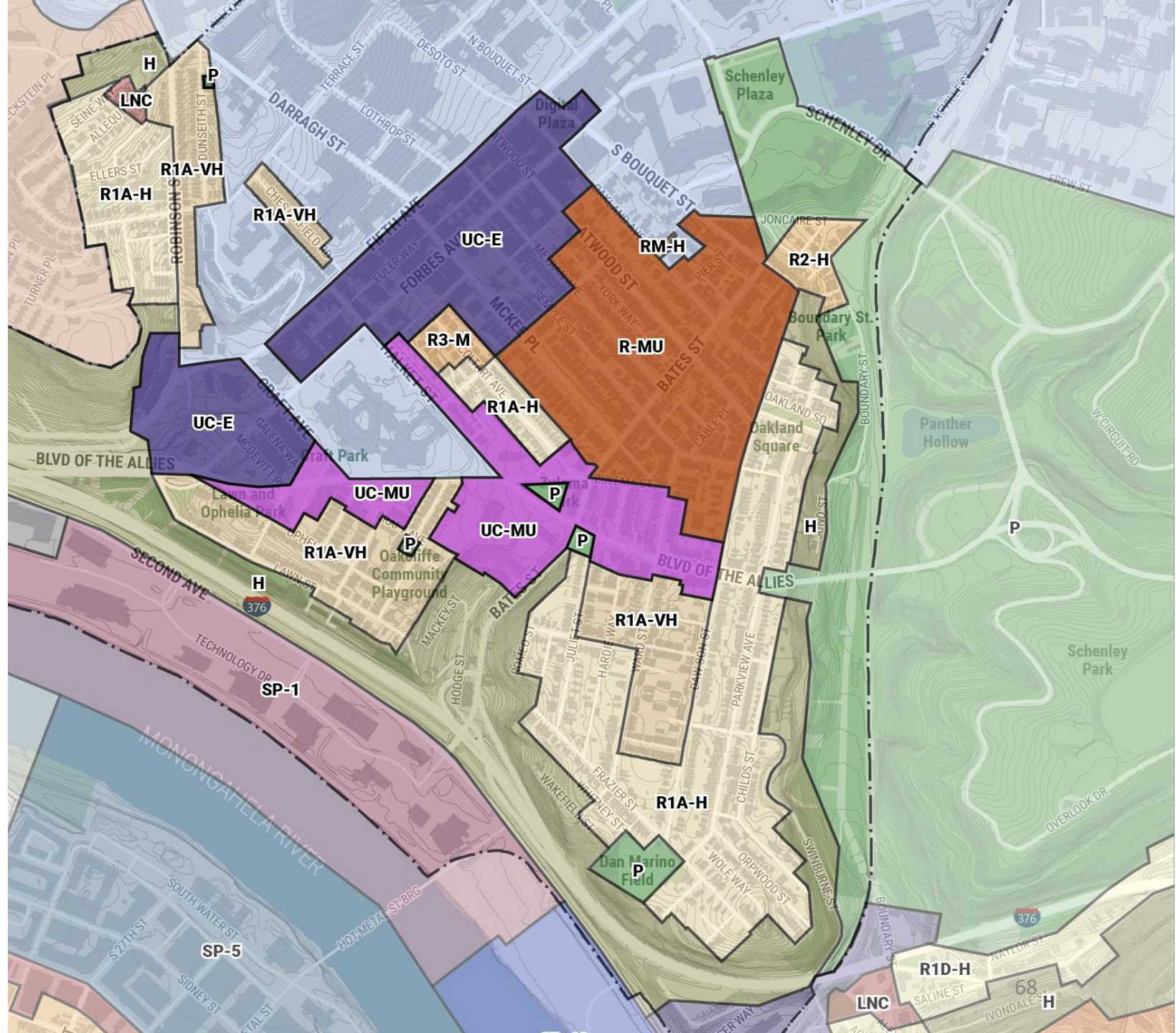
New Base Zoning Districts:

Urban Center – Employment (UC-E)

Urban Center – Mixed Use (UC-MU)

Residential – Mixed Use (R-MU)

Change of Zoning to Parks for City Owned Parks



Height Proposal

Map Notes:

Height is shown as the limit in feet (ft) with the possible maximum height that can be earned through the bonus point system in parentheses.

Note: Height Reduction Areas are illustrated with a thin white line. The height reduction zone restricts building height for twenty (20) feet into the development parcel. Structures or portions of structures in this zone may not exceed the maximum height permitted in the adjacent zoning district plus twenty (20) feet. The height reduction zone is not a setback, it restricts height within the first twenty (20) feet as shown on the adopted height map.



Oakland Inclusionary Zoning Overlay

- Streets
- Open Spaces
- Water
- Oakland Inclusionary Zone



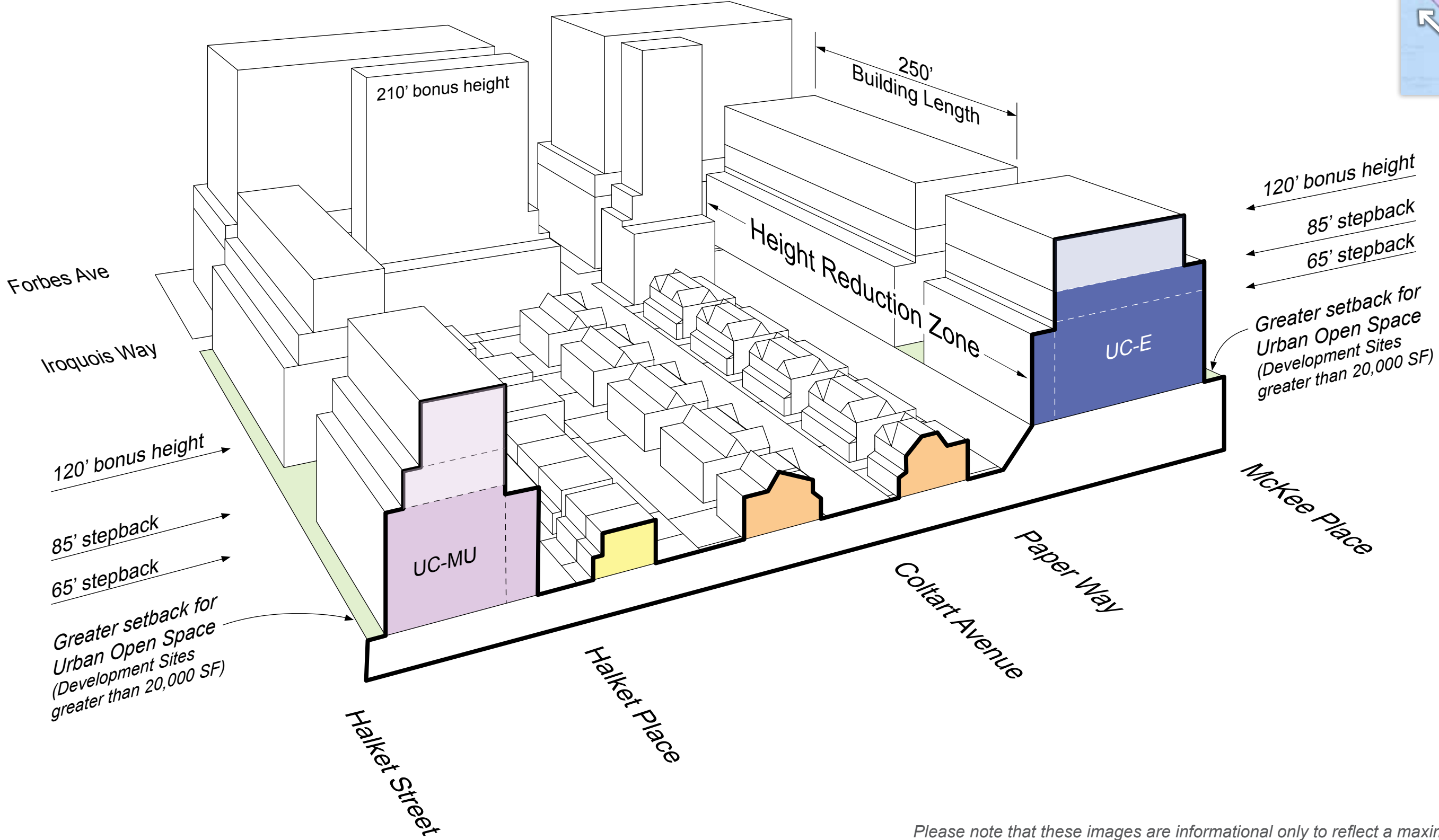
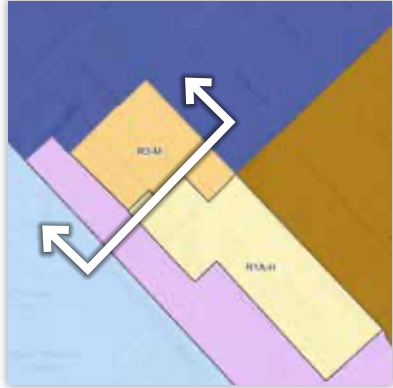
0 1,000 2,000 Feet

Map Prepared on: March 15, 2022
GIS Division



Maximum Zoning Envelope

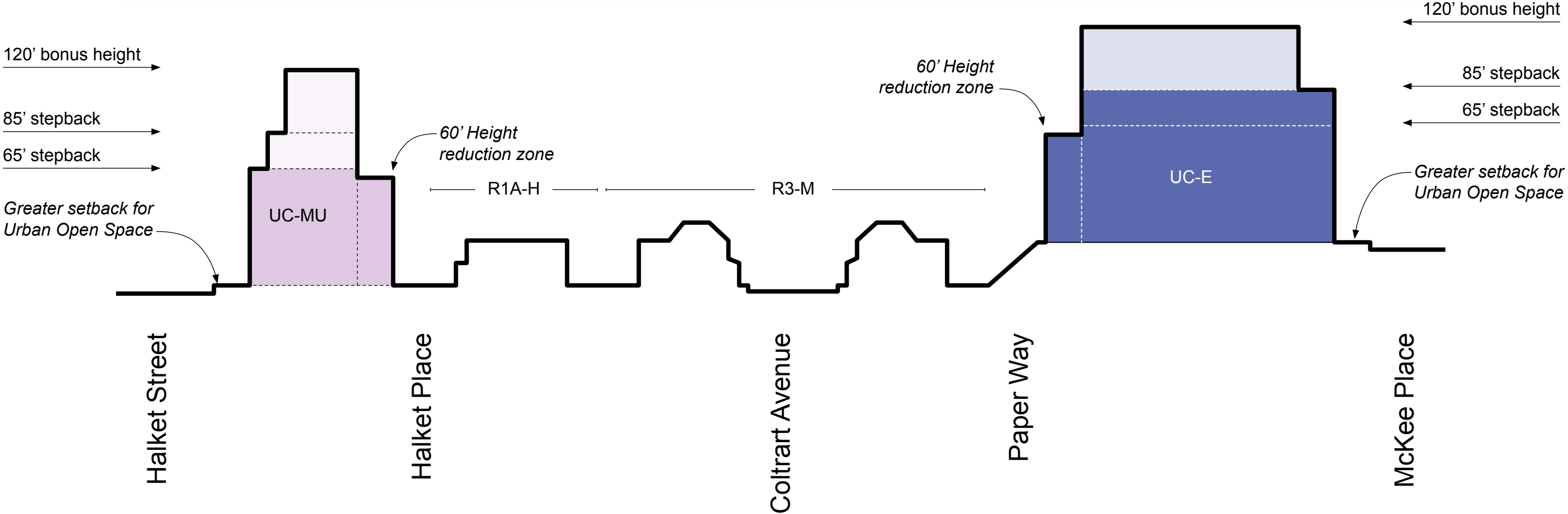
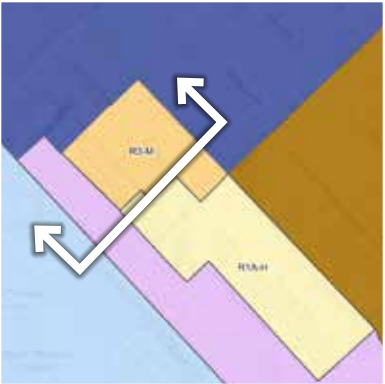
Zoning study showing maximum building height and massing



Please note that these images are informational only to reflect a maximum build-out of a site and not a development proposal. Prepared by City of Pittsburgh Department of City Planning.

Maximum Zoning Envelope

Zoning study showing maximum building height and massing



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Zoning Text and Map Amendment

ZONING:	New Base Zoning Districts, Expansion of IZ-O, Amendments to Chapter 915 Performance Points and other related Zoning Code Amendments
NEIGHBORHOODS:	Central Oakland, South Oakland, North Oakland and West Oakland
ACTION REQUIRED:	Report and recommendation to City Council
DATE:	June 14, 2022
SUBMITTED TO:	The Planning Commission of the City of Pittsburgh
FROM:	The Zoning Administrator

FINDINGS OF FACT

1. The Department of City Planning proposes Zoning Code text and map amendments that have been developed through an extensive community planning process together with and as a recommendation of the Oakland Plan.
 2. The beginning of this report summarizes the changes proposed in the legislation, then later each section of the proposed Zoning Legislation is described.
 3. A draft of the Oakland Plan and a summary of the proposed zoning was released for public review and comment on March 7, 2022 through the EngagePGH platform. Virtual Development Activities meetings were held on Saturday, March 19, 2022 and Wednesday, March 23, 2022. Please find the memo summarizing that meeting attached to this report.
 4. Through the EngagePGH outreach, public meetings, and other community input, staff proposed changes to Zoning Map and Zoning legislation since the public notice release date. Attached please find a memo summarizing the changes.
 5. The hearing on the Oakland Plan and the proposed zoning code text changes was originally scheduled for May 17, 2022, however, Planning Commission granted a continuance until June 14, 2022 to allow for further discussion and refinement around outstanding comments.
 6. The legislation proposes to rezone multiple parcels from R1A-H Single-Unit Attached Residential High Density; R1A-VH Single-Unit Attached Residential Very High Density; R2-H Two-Unit Residential High Density; R3-M Three-Unit Residential Moderate Density; RM-H Multi-Unit Residential High Density; OPR-A Oakland Public Realm - Subdistrict A; OPR-C Oakland Public Realm - Subdistrict C; OPR-D Oakland Public Realm - Subdistrict to: UC-E (Urban Center – Employment); UC-MU (Urban Center – Mixed Use); R-MU (Residential – Mixed Use), and P (Parks). Please see attached map.
 7. The zoning text proposes to create three new base Zoning Districts and associated review standards. The three new Base Zoning Districts are:
 - o UC-E (Urban Center – Employment) – Intending to support life sciences, healthcare, and other industrial sectors that benefit from locating together and provide employment a variety of workers and educational levels
 - o UC-MU (Urban Center – Mixed Use) – Intending to permit commercial uses while also allowing for diverse housing options
 - o R-MU (Residential – Mixed Use) – Intending to provide healthy, attractive, and affordable rental housing in multifamily buildings with neighborhood serving retail and commercial.
 8. The parcels proposed for rezoning to the Parks zoning district are for City-owned park parcels currently zoned residential or Oakland Public Realm.
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ZONING TEXT and MAP AMENDMENT

9. The proposed rezoning expands the Inclusionary Housing Overlay District to include North Oakland, West Oakland, South Oakland, Central Oakland, excluding any areas mapped Education Medical Insitution or Uptown Public Realm.
 10. The proposed legislation amends Chapter 915 related to the Performance Points System including:
 - Creation of Equitable Development Bonus Point
 - Creation of Bonus for providing Fresh Food Access
 - Updates to the On-Site Energy Consumption and Production to exceed current building code updates and incentivize Zero Energy and Zero Carbon Building
 - Amends the Affordable Housing Points to mirror the design requirements in the On-Site Standards of the Inclusionary Housing Overlay District
 - Updates the compliance and enforcement sections for clarify
 11. The legislation creates a new Section 922.15 with proposed standards for the proposed Base Zoning districts including:
 - Urban Open Space Requirements
 - Parking Requirements
 - Requirements for EV Ready or EV Capable parking
 - Maximum building length to 400 feet
 - Required screening of mechanical equipment
 - Commercial and Residential Design Standards
 - Green Buffer and Height Reduction for residential compatibility
 - Requirements for certain projects to complete a Whole-Building Life-Cycle Assessment
 12. The sections of the proposed Zoning Code legislation are:
 - a. Section One – Proposes the zoning map amendments including the height map.
 - b. Section Two and Three – Proposes to amend the zoning map to expand the Inclusionary Housing Overlay District to include North Oakland, West Oakland, South Oakland, Central Oakland, excluding any areas mapped EMI or UPR.
 - c. Section Four – Proposes map amendments from R1A-VH to Parks at 354 Craft Avenue and 268 Dunseith Street.
 - d. Section Five – Proposes map amendments from OPR-D to Parks, 436 Zulema Street
 - e. Section Six – Proposed new UC-MU Urban Center Mixed Use District with height mapped separate from zoning district and base height with bonus height allowed through use of the performance points system.
 - f. Section Seven – Proposed new UC-E Urban Center Employment District with height mapped separate from zoning district and base height with bonus height allowed through use of the performance points system.
 - g. Section Eight – Proposed new R-MU Residential Mixed Use District with height mapped separate from zoning district and base height with bonus height allowed through use of the performance points system.
 - h. Section Nine – Removes the Oakland Public Realm Subdistricts A (Atwood Street), C (Fifth and Forbes) and D (Boulevard of the Allies) from the Zoning Code
 - i. Section Ten – Amends the Use Table and Use Standards to add the new uses and standards for UC-MU, UC-E, and R-MU.
 - j. Section Eleven – Amends the off-street parking reduction area to remove the reduction for Oakland and add the reduction for the UC-E, UC-MU and R-MU.
 - k. Section Twelve - Amends the Performance Points System, including adding the two new points for Fresh Food Access and Equitable Development.
 - l. Section Thirteen and Fourteen – Amends the sign regulations to add the UC-E, UC-MU and R-MU.
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ZONING TEXT and MAP AMENDMENT

- m. Section Fifteen – Creates a new Section 915.22 with standards for development in the the UC-E, UC-MU and R-MU.
 - n. Section Sixteen – Amends the Definition Section to add the definitions for Green Buffer, EV Ready, EV Capable, Whole-Building Life Cycle Assessment, and Zero Carbon
13. Mailed and posted notice of the Public Hearing was completed more than 21 days prior to the hearing, as required by the Zoning Code.
14. In accordance with Section 922.05.F, the Planning Commission and City Council shall review Zoning Code text and map amendments based on the following criteria:
- The consistency of the proposal with adopted plans and policies of the City;
 - The convenience and welfare of the public;
 - The intent and purpose of the Zoning Code;
 - Compatibility of the proposal with the zoning, uses and character of the neighborhood;
 - The suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
 - The extent to which approval of the proposed zoning map amendment will detrimentally affect nearby property;
 - The length of time the subject property has remained vacant as zoned;
 - Impact of the proposed development on community facilities and services; and
 - The recommendations of staff.

Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision.

MOTION

That the Planning Commission makes a **positive recommendation** to Council on the zoning legislation with the following conditions:

1. City Planning provide more information to City Council that there is no detrimental effect on the height district on Coltart that is limited at 40 feet because of the zoning on Halket from Louisa to Iroquois. Planning Commission is concerned that this Coltart district is surrounding by tall buildings and the rezonings it pushes to increased density and they have not had the chance to have that conversation yet.
2. Planning Commission believes that 400 feet is too long for maximum building length and staff shall propose a different max length.
3. In the thresholds of projects scopes requiring Planning Commission review and approval, the minimum number of structured parking spaces requiring approval shall be lower than 50.

SUBMITTED BY: Kate Rakus, Land Use Policy and Code Implementation Coordinator

Technical Corrections

Section	Change	Explanation
Multiple	Replaced “Sideway” with Sidewalk	Typo.
904.09.C.1	Removed references to specific base heights in the text, refer to height map only.	Clarifying language.
904.10.C.1	Clarified height of stepback in R-MU	Typo.
915.07.E.2	Changed “developer” to “property owner”.	Clarifying responsible party under enforcement for performance points.
926 34.1	Moved definition of Green Buffer to the Definition Chapter	May be more widely applicable in the Zoning Code.
926 262.1	Moved definition of Zero Carbon to the Definition Chapter	May be more widely applicable in the Zoning Code.
Multiple	Removed language regarding URA relating to MWBE compliance	Recommendation of the Law Department.
Multiple	Corrected typos and incorrect code section references.	Scrivener’s Errors

Content Changes

Section	Change	Explanation
Height Map	UC-MU along Boulevard of the Allies, east of Bates Street, Maximum height with Performance Points reduced to 120 feet.	Public Input.
Height Map	UC-E east of Coltart and south of Fresco Way/ Sennot Street, Maximum height with Performance Points reduced to 120 feet.	Public Input.
Map	UC-E changed to UC-MU on a half of a block bounded by Meyran Avenue, Louisa Street, and Atwood Street.	Public Input.
Multiple	Updates to Intent Statements.	Public Input.
Multiple	UC-E, UC-MU and R-MU not allowed to use LEED Bonus.	Focus incentives on Performance Points System.
Multiple	Added language clarifying that Contextual Height Provisions shall not be permitted in UC-E, UC-MU and R-MU.	Public Comment.
904.08.C.5	Added Fresh Food Access and Rainwater to Performance Points to UC-MU.	Consistent with recommendation that PC

		made on Council Bill 2021-1906.
904.09.C.4	Added Rainwater to Performance Points for UC-E	Consistent with UC-MU and R-MU.
911.02	Removed Helipad, Check Cashing, and Correctional Facility (Limited) from UC-MU	Public Input.
911.02	Removed Firearm Business Establishment, Hospital, and College or University Campus as permitted Uses from UC-E and UC-MU	Public Input.
911.02	In the UC-E, permitting by right Assisted Living, Community Home, Housing for the Elderly, and Personal Care Residence.	Fair housing.
911.04	Modified Housing for the Elderly Use Standards to remove requirements for additional open space and flat terrain.	Consistent with denser neighborhoods.
911.04	Added requirements to Educational Classroom Space (Limited and General) that the use be in a mixed-use structure and be limited to half of the GSF of the mixed-use structure.	Public Input.
915.07.D.3	Updated On-Site Energy Generation to reference the new language in 915.07.D.a "Zero Energy or Zero Carbon".	Overlooked previously.
915.07.D.1 2	Reduce Equitable Development Trust Fund payment by \$1 (per RCSF) per Point	Better weight against other bonus points.
915.07.C.15	Definition of Underrepresented Groups, clarified that for the third option, individuals needed to be residents of the City of Pittsburgh.	Language clarification.
919.03.F	Added Real Estate Development Signs as a permitted sign type.	Overlooked previously.
904.08.B.2	Allows 10 surface parking spaces for multi-unit residential use with 50 or more dwelling units in the UC-MU.	Consistent with recommendation that PC made on Council Bill 2021-1906.
922.15	Clarified that Section 922.15 only applies to UC-MU, UC-E, and R-MU.	Language clarification.
922.15.A.3	Affordable Housing exempt from EV Ready and EV Capable Requirements.	Affordable Housing Developer Input.
922.15.I.2	Reduced fence height in setback to 6 feet from 6.5 and allows Admin Exception.	Matches recent amendment to fence standards elsewhere in the city.

June 14, 2022, Proposed Zoning Changes from March 2022 Draft

926 33.1	Clarify that parking is not permitted in the Green Buffer.	Public Input.
922.15.H	No longer requiring Bird Safe Glass, encouraging it as best practice.	Consistent with UC-MU that received a positive recommendation from Planning Commission.
	Removed requirement for structured parking to be designed to be conversion to other uses.	Consistent with UC-MU that received a positive recommendation from Planning Commission.

Development Activities Meeting – Form to Use During DAM

This report created by the Neighborhood Planner and included with staff reports to City Boards and/or Commissions.

Logistics	Stakeholders
Project Name/Address: Oakland Plan Zoning Proposals	Groups Represented (e.g., specific organizations, residents, employees, etc. where this is evident): Oakland Business Improvement District (OBID) Oakland Transportation Management Association (OTMA) Oakcliffe Community Organization (OCO) South Oakland Neighborhood Group (SONG) Oakland Planning and Development Corporation (OPDC) University of Pittsburgh Carnegie Mellon University Oakland Innovation District Walnut Capital
Parcel Number(s): n/a	
ZDR Application Number: n/a	
Meeting Location: Zoom (DCP-hosted)	
Date: March 19 and March 23, 2022	
Meeting Start Time: 10:00 AM	
Applicant: City of Pittsburgh Department of City Planning	Approx. Number of Attendees: 21
Boards and/or Commissions Request(s): Planning Commission – zoning map change	

How did the meeting inform the community about the development project?

Ex: Community engagement to-date, location and history of the site, demolition needs, building footprint and overall square footage, uses and activities (particularly on the ground floor), transportation needs and parking proposed, building materials, design, and other aesthetic elements of the project, community uses, amenities and programs.

- This DAM took place over two days (Saturday, March 19 and Wednesday, March 23) as part of the Zoning breakout room during the Oakland Plan virtual open house sessions. The sessions both covered the same material but had different levels of attendance and participation, with the Wednesday session having higher attendance.
- Kate Rakus from the Department of City Planning (DCP) was the main presenter at both DAMs, going through the four key components of the zoning proposals: the employment district of Central Oakland centered around Fifth and Forbes (which was currently zoned OPR-C and would be rezoned UC-E), the residential district of Central Oakland between Louisa and Dawson (of which various zones would be replaced by R-MU), the mixed-used district along the Boulevard of the Allies (in which OPR-D would be rezoned UC-MU), and an expansion of the City’s inclusionary zoning overlay into Oakland (IZ-O).
- K. Rakus mentioned that these changes comprised the first phase of the rezoning strategy in Oakland and that there would be potential further rezoning phases in other areas of Oakland to come later, such as in North Oakland.
- K. Rakus explained that the IZ-O would apply everywhere in Oakland other than in the EMI districts, because the primary residential uses in the EMI district are dormitories for the universities, and in a small part of West Oakland in the Uptown Public Realm (UPR) district. She added that the IZ-O is currently applied in Lawrenceville and is going through City Council to expand to Bloomfield and Polish Hill. The IZ-O would affect 10% of units in new residential projects of 20 or more units.
- K. Rakus showed maps of the current and proposed zoning districts, pointing out that the OPR-C and OPR-D would be going away and that the new R-MU would be rezoned over the various residential areas of Central Oakland.
- K. Rakus discussed the performance point system and where else it was found in the Zoning Code, mentioning the RIV and UPR districts as precedents. The goals of the performance point system were identified for needs such as affordable housing, which, if provided, could allow for bonuses such as additional height allowances.
- K. Rakus showed proposed zoning height maps, with and without development bonuses.

- K. Rakus went through a performance points summary, discussing prerequisites such as working with the URA to show satisfactory efforts toward achieving MWBE hiring and needing to meet the point for on-site energy consumption. She added that the first energy point was being updated to exceed new building energy code requirements and that a new workforce development bonus point was being included under the equitable development goal. She then went over the on-site public art, building reuse, and rainwater (for residential districts) points.
- K. Rakus discussed managing the impacts of height, by requiring a green buffer of 15+ feet for ecological benefit or pedestrian access and a height reduction zone to limit the height for the first 20 feet of a taller building to no more than 20 feet taller than adjacent structures. Upper-floor setbacks for the UC-E and UC-MU, she explained, were similar to what was found in the RIV zoning code to mitigate the “canyon effect.”
- K. Rakus briefly went over the list of existing and proposed uses in the land use tables.
- K. Rakus then discussed site and design standards, with topics such as cool roofs, open space, minimum sidewalk widths, bird-safe glazing, maximum building length (400 feet), and whole-building life-cycle assessment, among other topics.
- K. Rakus discussed reducing parking minimums to half of the base requirements, pointing out that existing minimums were now maximums. This, however, does not apply to bike parking. She also mentioned that developers could contribute to a mobility trust fund to further reduce their parking requirements. Other related subjects she mentioned included EV-ready parking, requiring curb cuts in ways rather than along streets, and the prohibition of ground-floor parking unless wrapped by an active use.
- K. Rakus closed by discussing the Planning Commission thresholds

Input and Responses

Questions and Comments from Attendees	Responses from Applicants
“OPR-C and OPR-D keep their areas, but their uses are changed to the Oakland Center model? Is this just new nomenclature? And then Louisa/Dawson is mostly R2/R3?”	“The new districts will use the performance points system — more height above base for various things like workforce development housing.”
“As far as height bonuses, the UC areas, that seems like something we tend to encourage for point bonuses; is that something that’s going to be for RM zones as well?”	“Correct.”
“So, it seems like rest of Oakland east of Dawson, south of Boulevard of the Allies is largely left alone? Much of that district is already zoned fairly high density, so I think that makes sense.”	“We may be looking to rezone those areas in the future, but we wanted to do this as a first phase. Something else we’re doing is residential compatibility. Building height would be limited there to only 20’ above the permitted number. And then there would be a green buffer and height reduction zone for the building setback.”
“One of the early criticisms of the UC plan was all the various ways to get points that didn’t seem to do much for the community. What points do we have now?”	“For the UC-E, they can use energy points, affordable housing, on-site public art, or workforce development (on-site or contribute to a trust fund). For the UC-MU, the points have been narrowed from the Oakland Crossings proposal.”

Questions and Comments from Attendees	Responses from Applicants
<p>“My concern is that it seemed to be that folks could do a lot of the zero energy, on-site, easy stuff, etc. — that they could more or less hit their height cap before even touching things like affordable housing, workforce development, etc. I’m trying to see how many points developers can get with how the building is built vs. how the building is integrated in the community, to make sure that in an ideal world, the developer would have to do some of both.”</p>	<p>“I understand where you’re coming from. The system is set up to be a menu of points. We’re trying to stack things that are coming out of the Oakland Plan.”</p>
<p>“How is it determined that 15’ is the correct tradeoff for any of these items?”</p>	<p>“It’s hard, but we rolled these out in Uptown and then the RIV, and we looked at levelling the playing field, and it’s set up to be a menu.”</p>
<p>“I was sort of curious that if a developer says they don’t care about affordable housing or workforce housing, how many points could they get? The concerns I’m hearing more from residents is how well the building integrates in the community and the housing problem. I know you have to give developers a carrot, but still.”</p>	<p>“In Uptown and the RIV, we understood this was a very different way for us to do things, and new to the zoning field. We realized there were mistakes along the way that we would have to reweight points, add points, etc. We’re always looking at these and refining. We’ve added two prerequisites to these bonus points, unlike in Uptown and the RIV: one is to work with the URA to meet MWBE goals, and the second is, they have to reduce energy. I don’t think it’s feasible to require them to do affordable housing, but they can get a point.”</p>

“My first question is on the UC-E. The maps imply that it should not be along Boulevard of the Allies at Craft Avenue towards town, that it should be on Forbes. The area on the Boulevard should be UC-MU in that section. The next part is along the Boulevard — the height reduction zone you’re giving us now — instead of residential compatibility, there is no residential compatibility. Height reduction does not offer us the same protection; we’ve had to use the residential compatibility. We need residential compatibility and something comparable to that; we can’t just have a 10’ green area. The Isaly site, Panera, and Halket to Louisa is much too high for height — it went from 85’ to 185’. We’re asking for a compromise to 100’ both south and north of the Boulevard. Height is a major concern of ours.”

Attendee response: “Why? I know you’re asking for this height reduction, but can you explain why you feel a need to reduce it?”

Questioner response: “Because in the past, we have seen in some ZBA meetings where we’ve asked for developers to move something back from the sidewalk, like Skyvue, and the response was, “We build to the zoning. If you feel any different, talk to the City people.” I know people say they’re going to do shadow studies, but height makes us feel shadowed and blocked off. We’ve always tried to make our neighborhood feel open. This blocks us off from sun, from people knowing about us, from entrances/exits. My neighborhood will be sending a letter about this. Didn’t you have a new high building built on Centre Avenue in North Oakland?”

Attendee response: “I live in one of those buildings.”

Questioner response: “I live in a regular Oakland house, an old coal miner’s house; I’ve lived here for 40 years. This is a very livable neighborhood. The buildings around the Strip District don’t give you a very human perspective. Maybe if you had a wife and kids, you would have more of a thought about that.”

Attendee response: “Personally, I’m okay with the current height restrictions. We can build tall buildings, but we’re not building skyscrapers. The area currently zoned for high buildings doesn’t touch deeper residential areas. It’s creating more of a mixed-use area. Higher buildings allow for more density. We can create more of a community with them because there are more people who can populate these zones. Higher buildings allow us to address the need for more housing, as long as it’s not the entire neighborhood turning into skyscrapers. Not every building is going to be 185’ tall either; there’s obviously going to be some variation.”

Questioner response: “As I mentioned before, a developer will build to what they want to, what the rules allow.”

“We want to make sure there’s ground-floor transparency, prohibitions on blank facades, trying to limit overall building length, large sidewalk widths, etc. It’s built on the downtown model for open space.”

Questions and Comments from Attendees	Responses from Applicants
<p>“There was talk in the zoning about the performance points. What are the two different numbers?”</p>	<p>“Base height + maximum with bonus points. Each bonus point gets you an additional 15’ of height.”</p>
<p>“My next question is about R-MU. It’s only 85’ max, and then the blue area that’s now 210’, that’s real close to my neighborhood. Why so high? Remember, I said it would be good to see a 3D model of this. What does 85’ vs. 210’ look like? If all these other places are only 95’ or 85’, why do we get all of these high ones near my neighborhood? How about 100’? You say you’re willing to compromise. Why can’t we do 120’ or 100’ rather than 210’ or 185’? These are tall buildings and right near my neighborhood. I can’t understand what the earlier gentleman is saying, but I already hear from people saying Forbes Avenue is like driving down a wind tunnel. If Walnut Capital and the Oakland Plan are approved on Tuesday and their differences, if they get approved, is Walnut Capital going to be determining what’s going in the Oakland Plan?”</p>	<p>“That’s something we’re going to have to determine. The Walnut Capital proposal introduced by Mayor Peduto was separate from the Oakland Plan. Mayor Gaaney has come into office and made it more aligned with the proposal but not completely.”</p> <p>Questioner response: “That’s not an answer.”</p> <p>Applicant response: “We don’t know, and we’ll make our recommendations to Planning Commission, and they will make recommendations to City Council. It just depends on how different things end up being, since it hasn’t been approved. I understand it’s difficult because of the timing, but there’s a bit of confusion on all sides.”</p>
<p>“I’m more partial to the way the Oakland Plan is looking at things vs. Walnut Capital’s plan. I’ve seen the Strip District having issues. I think there’s a lot more community engagement with this Oakland Plan. I’m concerned about the Walnut Capital plan becoming part of this plan.”</p>	
<p>“I have a dumb question: Are there height maps for the EMI district? I haven’t been able to locate them.”</p>	<p>“There aren’t, per se, because each IMP plan calls out different heights in different areas, but we can get the IMPs to you. Also, IMPs are required within the 10-year timeline to build out what’s in the plan. You can find all the IMPs online at https://pittsburghpa.gov/dcp/imp.”</p>
<p>“My question is about lighting of TV screens. I’m not sure if we ever got a satisfactory response on that.”</p>	<p>“You were referring to the TV screen at Bakery Square, right? As long as it’s not an advertising sign flipping between different businesses. This carries over lighting requirements from the existing code.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“We don’t want a big TV screen. If it’s not near the highway, it’s near my neighborhood. Downtown fought that for a long time. It was only 15 years or so that UPMC was the one who was able to put the sign on the Steel Tower. Please, no downtown signage, TV screens, or helicopter ports, specifically in UC-MC.”</p>	<p>“We can’t regulate outdoor TV screens other than for light and noise.”</p> <p>Questioner response: “I’m surprised you can’t say no TV screens or moving images.”</p> <p>Attendee response: “The logistics of the TV screens — I’m confused on what they are.”</p> <p>Questioner response: “See Penn Avenue coming down from Bakery Square. It’s either a football game or CNN or FOX News going on the TV. Seems dangerous for public safety.”</p> <p>Attendee response: “To my understanding, it’s not an advertisement?”</p> <p>Questioner response: “Except at the back of the screen, it’s Walnut Capital’s name, so it serves some advertising purpose.”</p> <p>Applicant response: “I pulled up the residential compatibility standards relative to light. It requires light to be arranged and controlled away from residential lots. Those standards would still be included in the new zoning (916.07). Noise is 916.06; there are hours on that — 10 PM to 6 AM. There’s a 24-hour standard but lower decibels are allowed in nighttime.”</p>
<p>“Height-height-height, lighting, and noise. Can the public read what your view is on the Oakland Plan after Tuesday?”</p>	<p>“The report will be available after the meeting.”</p>
<p>“I haven’t been able to find the height plans. The other side of Schenley Farms — do they have height maps too?”</p>	<p>“That area doesn’t have a height map because we’re not proposing changing any zoning. But the development group can show what’s changing over there long-term. You can move over to the development group, and Andrea and Derek can walk you through that. This is only about the four targeted zoning areas + IZ.”</p>
<p>“Do the point systems apply to North Oakland?”</p>	<p>“No, only to these areas we’re talking about now, plus Uptown and RIV.”</p>
<p>“Does UPMC have a separate master plan, or are they part of Pitt?”</p>	<p>“In Oakland, they have two separate master plans — one that includes Presby and a separate one for Magee.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“Do we have any control over their helicopter use and how often and when they can fly?”</p>	<p>“This is the area of the code where I’m a little less familiar with. I don’t think I was here when they added the last helicopter path in Oakland. There are a lot of rules surrounding that are not related to local control and are related to flight paths, etc.”</p>
<p>“In the UC-MC area, a building can be 400’ long. That’s like a train with 8 boxcars. $50 \times 8 = 400$, so I can have that 8-boxcar train sitting on Halket Street. The whole height thing bothers me, and the thing about the Oakland Plan was to make things a more human scale, unlike things in the Strip District or SkyVue, etc. It takes away human character for the handicapped, anyone who walks, etc. There are no pass-throughs. I think it should be 100’ or 200’. You Zoning people ought to be able to come up with a better recommendation than that. There are humans in Oakland, whether they live there, work there, or play there. This brings me memories of what happened to East Liberty in the 70s with the ring road. We all know what happened in East Liberty; it got choked out and was a dead neighborhood for a long time. Tall and long aren’t human perspectives.”</p>	<p>“So noted. This is something that most of our base districts don’t have — a building length maximum. It’s something we introduced in the RIV.”</p>
<p>“Isn’t that a shame that I have to walk past 8 boxcars? Why did that happen in the RIV zoning? Whose bright idea was that? The developers’?”</p>	<p>“What I was saying is that RIV was the first time we introduced building lengths.”</p>
<p>“Is there no public process for people to object?”</p>	<p>“If there was a Planning Commission hearing, we could use a the Planning Commission’s review criteria, but there is no specific regulation against a 475’-long building.”</p>
<p>“I saw someone make a comment about no firearms sales. Why can’t we have fire and safety?”</p>	<p>“An Administrator’s Exception means a posting required but the use would be permitted by the zoning administrator. Housing for the elderly (limited) is permitted by right in UC-MU but not permitted in UC-E.”</p>
<p>“We had a lot of discussion about lab space at one point. What kinds of things can go in the Isaly’s site? Dorms? Classrooms? Labs with animals?”</p>	<p>“There’s nothing that says anything about animal testing.”</p>
<p>“Why have limited and general labs, then?”</p>	<p>“It’s just square footages that make the difference between limited and general.”</p>
<p>“Case in point —there could be labs at the corner right around my neighbor. They could be up to 210’ tall right?”</p>	<p>“Yeah, but I think animal labs were permitted under OPR-D.”</p>
<p>“Everything we hear, though, will be that everything that was allowed before this will still be allowed. I’m surprised we haven’t heard anything more about animal research. We can’t bring the height down? It goes from 85’ to 210’. Seems over the top. Why can’t we compromise and make the maximum 100’ or 120’?”</p>	<p>“There will be public testimony taken at Planning Commission.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“In group processes, sometimes there’s a flip chart with dots, so what gets counted? How do I know how much my voice counts vs. Walnut Capital’s?”</p>	<p>“This is the official DAM for the meeting. This will all get reported to the Planning Commission. It will go to the Planning Commission when they have the briefing and then a public hearing.”</p>
<p>“So, for me to have a very specific ask: All of UC-MU should have heights no higher than 100’, and then businesses down at the bottom should still be included in UC-MU separated from the other blue blocks. Whatever that block is down in the far left, that should be UC-MU, not UC-E. No reason why not. It’s in OPR-D now, so why change it? That’s a big change and could affect a lot in my neighborhood in the future. Underline that one twice. We need an extension to this review period. It’s confusing to us and confusing to you. We don’t have the paper copies at OPDC or an online tutorial. The review period started on the 8th, and that’s 11 days into a 30-day period that it hasn’t happened.”</p>	<p>“The review period has been extended. We just made that determination when SJ and I met with you at 2 PM yesterday. It’s been extended to May 1; it originally was April 7. We did hear there was a desire to have more time to go through things.”</p>
<p>“You guys assume that everyone has a strong connection. I was at camp and had a weak connection and had to use my cell connection.”</p>	<p>“There is a recording of that Zulema Park meeting on the website.”</p>
<p>“I had asked a question about helicopter staff, and SJ got back to me and said that they’re permitted by special exception in certain areas.”</p>	<p>“That would be a hearing in front of the zoning board.”</p>
<p>“Is there room for public input there?”</p>	<p>“Yeah, there’s room for public input for everything.”</p>
<p>“What is the fee to appeal zoning decisions? If it’s too high, then that’s essentially no.”</p>	<p>“\$500 is probably right.”</p>
<p>“My ask is to please reduce that fee. It’s impossible for a local neighborhood group to raise that kind of money. I just wanted to make sure I understood the fee and that you’ll put in there that it’s too high.”</p>	<p>“I’ve noted your comment.”</p>
<p>“The use table for the MU zoning, both in the draft plan as well as what was sent to the Planning Commission for the Oakland Crossing areas — is it the intent for the Oakland Crossing areas to share the same zoning as the area around the Boulevard? What has been proposed for Oakland Crossings is the MU zone, provided to the Planning Commission. The use table is different from the use table published for the Oakland Plan draft for the MU zone. We’re trying to submit testimony to the Planning Commission about what’s okay or not okay for that area. Is this just supposed to be one zone?”</p>	<p>“As of late this week, the use table that the Planning Commission will act upon on Tuesday has been updated to match the one for the UC-MU on the website; the website was updated late on Friday.”</p>
<p>“It would be helpful that if I’m asking a very simple question that I can have that answered. Was the Planning Commission document changed so that it matches what was in the draft of the Oakland Plan?”</p>	<p>“Yeah.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“The use table for the draft plan included ‘university campus’ as a use for special exception or a conditional use, right? It shouldn’t be there and needs to be removed.”</p>	<p>“It’s a conditional use in the UC-E and UC-MU.”</p>
<p>“There is no need to be any kind of ancillary university use outside of EMI zoning. There has been a clear historical pattern that the university creeps through different zones to expand its footprint. Then, those properties are then magically included in the EMI zone, and there’s very little the surrounding community can do about it. This is contrary to the goals from the Oakland Plan; it would work against that. It’s contrary to the community and does not assist with residential development patterns, and I wish it removed. It would also be great that no firearm sales are allowed along the Boulevard of the Allies.”</p>	<p>“We just took that from what’s generally permitted in mixed-use districts, but we will note that and have heard that from others.”</p>
<p>“There’s no purpose to having educational and classroom space as a by-right use outside of the EMI district. I can think of a hypothetical scenario that a charter school would use a floor or something.”</p>	<p>“A charter school would probably be a different use category.”</p> <p>“Educational and classroom space is permitted as special exception in UC-E and UC-MU.”</p>
<p>“It seems like a low hurdle for outside the EMI boundaries. You had ‘parking structure’ as a special exception; that’s now how it’s registered in Oakland Crossings as well.”</p>	<p>“Yeah, that would be a special exception. If someone’s doing integral parking, that would be permitted by right.”</p>
<p>“Commercial parking like Oakland Crossings has been taken out?”</p>	<p>“Yeah.”</p>
<p>“Fast food drive-throughs?”</p>	<p>“Yeah, we were looking at this from before the fast-food legislation. That has been thrown out.”</p>
<p>“How is zoning being treated separately? Heights? Uses?”</p>	<p>“You’re asking what the room is discussing? We’re laying out the proposals and taking comments and questions about the three new base zoning districts — Fifth/Forbes, Boulevard of the Allies, Central Oakland between Louisa and Dawson, and then IZ that’s mostly everywhere other than EMI and West Oakland (a tiny bit in the UP), and then discussing the phases of rezoning.”</p>
<p>“The intent is to advance the inclusionary overlay and consider UC-E and UC-MU at the same time?”</p>	<p>“Correct.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“What’s the timeline?”</p>	<p>“It’s 21 days that mailed and posted notice has to be received by property owners. We’ll send two different pieces of mail. The only thing for some property owners is inclusionary zoning. The other property owners will also get mailers about the new zoning districts, and then three different signs will go up: IZ, IZ + new districts, new districts, and then City-owned parks get rezoned as Park.”</p>
<p>“Ophelia and Lawn — should the former park there be rezoned as Park? There’s another City-owned parcel designated as green space at the corner of Juliet and the Boulevard that’s just currently trees — could that also conceivably be designated as Park? It would be great to have a relationship between that parcel and Zulema, but it would be a big push since Pitt owns property now that makes them not contiguous. Is that just now included in the MU zone?”</p>	<p>“No, we’re rezoning that one as well.”</p>
<p>“The City owns and maintains the green space in the middle of Oakland Square. What is the difference from a zoning perspective from City-owned green space for recreation and a park?”</p>	<p>“Oakland Square is not a City park. DPW treats it the same way they treat a traffic median in being the space between the streets. As to zoning, City designation for how they treat a space is different from the zoning classification. Even in our Parks district, there is an allowance for residential development; it’s not solely limited to park type uses. How the City treats it is determination of what goes on in that space. Sites like Zulema Park creating that limitation does keep the park intact vs. having something that would open it up for high-density development.”</p>
<p>“So OPR will survive in North Oakland?”</p>	<p>“For now, yes. Looking at MU zones that came through the Oakland Plan in North Oakland, that will come through the next phase of rezoning. So, Melwood, accessory dwelling units, some of the surrounding residential districts — those are some of the things that are more further off.”</p>
<p>“In second stage, would the use tables you’re considering now be applied there, or would there be new uses that would be backfilled into Boulevard of the Allies zone?”</p>	<p>“If we were to apply the E zone to Melwood or the MU zone to Craig Street, that would be a part of that conversation. We’re trying to have an eye to that these are created as base districts that could be applied elsewhere; but we just don't know yet.”</p>
<p>“I want educational and classroom space removed from the MU zone. There’s just not much sense be that something that happens, with the purpose of campus uses to be utility to existing higher education uses, there’s no reason for them to be expanded into the community, and they should be governed by EMI. I might attend again on Wednesday to see if I have any more questions.”</p>	

Questions and Comments from Attendees	Responses from Applicants
<p>“We were talking about the R-MU subsuming a lot of the other higher density. There was some casual mention about the existing LNC area there on Semple Street near Bates. What parts of R-MU would have zoning differ between the existing LNC area?”</p>	<p>“A lot of the commercial uses permitted in the LNC can be compatible with residential uses. There would probably be a few more uses that would be allowed in the LNC, but the business uses in the R-MU would be those that would easily coexist with residential.”</p>
<p>“So, we’re not anticipating this becoming a business-y area?”</p>	<p>“Right, these would not be your real employment zones.”</p>
<p>“If anything new cropped up in R-MU, it would be more of those limited things or something that already exists, things that add a little bit of vibrancy?”</p>	<p>“Yep.”</p>
<p>“At the start, it was explained that OPR-C is becoming UC-MU, and OPR-D is UC-E. Is that correct?”</p>	<p>“Yes.”</p>
<p>“But that’s not correct in the western part of Oakland. Why is that inconsistency allowed where it was a 40’ height and now it’s 85’? It’s good to have both sides of the street the same. Why was that allowed to happen in the Plan?”</p>	<p>“There are a couple of parcels along Forbes and a couple on Boulevard of the Allies, and that’s why it was proposed as UC-E. Those parcels are directly on Forbes. Where that’s adjacent to residential, there’s a mixed-use district in between.”</p>
<p>“Forbes doesn’t back onto Boulevard of the Allies, though. It’s a block back.”</p>	<p>“All of the UC-E parcels front onto Forbes. As the houses come over past Lawn and Ophelia Park, it is more residential and in UC-MU.”</p>
<p>“Fagnelli Plumbing is in the Oakcliffe residential neighborhood. What is the justification? It fronts on the Boulevard? Why are those lots on UC-E rather than UC-MU?”</p>	<p>“Because of the opportunity to include it in the employment district. We’re recording that as a comment.”</p> <p>“I have the interactive map pulled up if want to see it at the parcel level.”</p>
<p>“Will we be allowed to have curb cuts and park under our houses like we have in Shadyside, like on Howe Street?”</p>	<p>“Yes, integral parking would be allowed. If parking can be accessed from a way, it should be accessed there vs. primary street. But if it cannot access from a way, there’s nothing in the Code that would prohibit that.”</p>
<p>“Does the Code have anything about width? Can I put a garage in? There’s a walking alley in the back but no street. Row houses that are 22’ wide.”</p>	<p>“If you wanted to put a garage down in the basement, yes, there would be no zoning prohibition about that. As long as the car is pulling fully in, and then DOMI has their own regulations about curb cuts.”</p>
<p>“I agree with Elena that UC-E in the west is ridiculous. You need to do three-dimensional modeling. This came up at Planning Commission yesterday too. You are permitting extensively high buildings across the street from homes, so you need to do something 3D to look at that. What you are proposing is wrong.”</p>	

Questions and Comments from Attendees	Responses from Applicants
<p>“Could you zoom in on the proposed zoning districts slide? I was looking for reasoning about R3-M, R1A-H, etc. My interpretation is that we’re consolidating those blocks of zoning? What differentiates those from R-MU?”</p>	<p>“When we were developing the first round of zoning changes, we wanted to focus where we could see the opportunity for change. Hearing both development pressure and the desire for change. We’re not hearing that as intently in this area, which is why this area was not in the first phase of zoning changes. But we will be looking to take on future zoning changes over time, with a community process with residents and stakeholders to look at that area in a later phase of the plan. The R-MU areas are areas where we could see change at this time.”</p>
<p>“Are there concrete plans for a second phase of the neighborhood plan?”</p>	<p>“That’s still being figured out, but we’ve talked about changes to residential zoning more broadly. A lot of discussion on Melwood Street preserving employment uses that are there. Obviously, it would look very different from Fifth and Forbes. We’re also looking at mixed uses in North Oakland. Those were noted as the next-term look at zoning, including the residential piece.”</p>
<p>“Looking at the map that you have, I’m looking at UC-E, and if you take a look at that section intersecting with R-MU, there’s a little piece of land sticking from R-MU into UC-E, that happens to be Atwood Street. That section — I’m very curious how you ended up with that little piece of finger sticking out. You were explaining about housing not just for students but for hospital workers, etc. as well.”</p>	<p>“That line dividing the two is Louisa Street, and Louisa ends there. And that block of Atwood Street (the 200 block) was all within the same zoning district. Although R-MU is primarily a residential district, it does allow for some commercial activity.”</p>
<p>“What does that have to do with taking away from what it is now? The zoning has been changed on Atwood Street twice since I’ve owned property there. I own at least 3/4 of the peninsula there, with a business partner Daniel Robb. The area there has always been residential and we’ve always worked to preserve it as residential. We were trying to maintain a mixed use. You keep on cutting out more and more student housing. There are many people who don’t want to live in university housing. Many of those are working at the hospitals. We don’t want encroachment of commercial in this area. There’s no commercial except for the very corner where a new building was built. I don’t understand the rationale of trying to make available more large construction.”</p>	<p>“These are the properties that front on the 200 block of Atwood and Oakland Avenue? Again, that is the R-MU district, so the intention is that it’s primarily residential and doesn’t have the heights in the Fifth/Forbes corridor. So, R-MU without bonuses is 40’, with bonuses up to 95’ (7 stories).”</p>
<p>“One of my concerns was that the existing zoning, the OPR-C border, came down Senate Street and kind of stepped toward Halket. The new zoning for some reason came further down Atwood and encompassed our property, which has always been multifamily. Why does it have to encompass a whole swath of land that is multifamily?”</p>	<p>“You said you’re on the same block as the UPMC parking lots?”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“Our properties start at the Forbes Tower.”</p>	<p>“That looks like it’s all in the existing OPR-A.”</p>
<p>“Correct, except that that Meyran Avenue side is all R2-H, existing.”</p>	<p>“That would be rezoned as UC-E, north of Louisa Street. To Stephen and Dan, the uses you have existing would be able to continue. We did do, back last May, a charette around development along the Fifth and Forbes corridor and looked at other comparison districts beyond Pittsburgh. One thing we saw from that was vision to move the employment district south to Louisa Street in the long-term — redevelopment for larger employment-type uses. But again, your uses would be able to stay.”</p>
<p>“You’re being very helpful in describing what you’re trying to accomplish, but you said the purpose of moving UC-E down to Louisa Street would be to have development that would need UC-E zoning. But you don’t really need to help anyone in Pittsburgh search out to build big buildings. They’re already doing it. You don’t need to help. In the last 10 years, Oakland’s shooting up all over, and it’s displacing the people who live and work there, including students. You don’t need to change zoning to get people to build bigger buildings. Do you really not see that there’s already a lot of pressure already?”</p>	<p>“There’s a lot of pressure, and Oakland is an area that is continuing to grow and change. And part of that change was to allow for R-MU district that can have both student and non-student housing. And creating additional opportunities for employment in Oakland — so, extending UC-E down to Louisa Street is part of that. I did note your comment about student displacement. But as I said, your existing uses would be allowed to continue.”</p>
<p>“We know we’re grandfathered in, but we don’t know what the future is going to bring. We’ve put over a million dollars in that block. There’s still going to come a time when they’re going to need to be replaced. We’re concerned about the future about what we can do in that place. We’re not in the position to build a commercial structure. The character of that residential area starts at Senate Street. It doesn’t make any sense to make that whole area commercial. The demand is not going to be there.”</p>	
<p>“Talk about students, but if you look at our rent roll, if you have decent housing, you don’t just have students. Students don’t get listed as low-income housing, but many of them literally are. But there are many people who want to live close to the hospital — nurses and residents, for example. We realize the future will lead to changes. We just don’t understand the need for extra help of pushing it down to Louisa. If anything, you’ll be decreasing the sense of neighborhood.”</p>	<p>“We’ve reflected your comments on the map (with post-its). If there are other property owners you’re working with, we encourage you to have them provide their comment as well.”</p>
<p>“If you’re going down to Louisa, why wouldn’t it go down to Oakland and come up?”</p>	<p>“Louisa ends at that location, so we’re trying to include all of Atwood and Oakland in the same district.”</p>
<p>“That doesn’t come down a natural street.”</p>	<p>“If we look at that area both on Oakland Avenue and Atwood, you would cut through buildings.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“You’re already cutting through buildings across Louisa. It goes through McKee, not stopping at McKee.”</p>	<p>“All of the properties fronting McKee are in the same zoning district.”</p>
<p>“You’re going through properties on McKee as well. It feels like that section is being preserved as residential for a reason. The old border is what we’re asking for to be preserved, the old border of OPR-C. It seems that it makes sense just to keep the existing.”</p>	
<p>“My question revolves around the height reduction zones. Can you go into detail? Like, where they’re located?”</p>	<p>“They’re located in the white outlined areas on the maps. We’ve thought about the existing context and have looked at where height should be reduced. Where the height reduction zone exists, building is limited to 20’ greater than abutting residential zone height. Most of the residential zones nearby are 40’ height, so adjacent buildings could only be 6’. Green buffers are site-specific and can be in combination with height reduction zones.”</p> <p>“In some cases, only one of those things would apply, and in some cases both would apply.”</p>
<p>“Could you zoom in at Forbes and McKee? I’m interested in how far down the zones go down on McKee?”</p>	<p>“Are you more concerned about the uses or the heights?”</p>
<p>“It’s hard to see with this map; can’t see the roads. We’re in the transition zone.”</p>	<p>“That transition street is Louisa Street.”</p>
<p>“Is that by the old fire department?”</p>	<p>“You’re right — the fire department is in the UC-E.”</p>
<p>“So, the UC-E is more oriented toward larger buildings of commercial buildings, but R-MU is more residential?”</p>	<p>“Yeah, but R-MU does allow for commercial, but more like neighborhood-serving residential — ground-floor businesses and upper-floor residential. It will be trying to encourage the employment uses in the UC-E zone.”</p>
<p>“Question about the IZ overlay and impact on base districts — is the only thing proposed to change the general boundaries? I’m wondering if the definition for allowable pricing jives with the bonus structure. I’m assuming that someone makes use of the bonus points for affordable housing. How would that work with the IZ?”</p>	<p>“The answer is that there are some slight differences. More generally, if you’re meeting the IZ requirement, which would be mandatory for certain projects, you would automatically qualify for one performance point. The provision of affordable housing on site would both meet the requirement and achieve the bonus.”</p>
<p>“Does the base zoning govern or does the IZ overlay govern?”</p>	<p>“There are two separate options, and both would govern. The performance points are relative to people seeking bonuses for additional height.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“As all of the questions have indicated, we’re at the point where we need to have the street maps on the zoning provided.”</p>	<p>“If you look at the map on the website, that’s much more clear.”</p>
<p>“Is this an official DAM?”</p>	<p>“Yes. The only item that needs a DAM are the changes in zoning. That’s why we have Phil here. The IZ overlay expansion and changes to the base district require a DAM to be held.”</p>
<p>“Is this going to be recorded?”</p>	<p>“The meeting is not being recorded, but we will have a full DAM report for the meeting.”</p>
<p>“I’m thinking back to earlier presentations where we saw land use map and referencing back to innovation district, but is there a reason why we’re not just having one type of zoning code to an innovation district rather than having pockets of different zoning like we’re seeing here so far?”</p>	<p>“The area that was part of the innovation zone is proposed to be rezoned as UC-E. The reason why it was identified as innovation zone in the plan was because UC-E is supposed to be a base district. And we want to see if this could be adaptable to other urban center districts with similar density in the city, like maybe Downtown, or East Liberty, or Allegheny Center.”</p>
<p>“When I was speaking with Derek — I’m representing the Pittsburgh Innovation District — we did not champion for the district to be called ‘Innovation Zone,’ because we didn’t want to be replicated in other parts of the city. Could there ever be a scenario in Oakland where we called something an innovation district? This might be complicated for developers.”</p>	<p>“Having the same base district with heights, we may be looking at different places with different heights. From our perspective, having base districts we hope makes sense easier in how to apply zones. Is your question, do you think there are certain uses in the innovation district that wouldn’t apply in other areas that should be our thought process?”</p>
<p>“I wasn’t sure if this was something you had thought of, and looks like the answer is no. If we start calling something an innovation district, is that something we call out in the Zoning Code, or would that change by geography?”</p>	<p>“That helps clarify things for me. If we were identifying other areas in other neighborhoods as innovation districts, we would intend to have a common definition for that, using the Oakland Plan as a guide. Like, if we did something along the Baum-Centre Corridor, we would try to tie the same definition of what an innovation district is in the development chapter in a plan, and we would try to tie the same types of zoning in those definitions. So, we would try to use those consistently as other neighborhood plans happen across the city.”</p>
<p>“I have a number of comments. Whenever you were talking about the Mobility Trust Fund, a developer can put a pile of money into that if they can’t meet the items to get more height. Am I saying that wrong?”</p>	<p>“This is not related to height. This is if they couldn't meet parking minimums.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“Why would you allow someone to do that?”</p>	<p>“The Mobility Trust Fund is something we still have to flesh out and figure out how to spend money in the neighborhood, but the idea is to spend on mobility improvements in the neighborhood to reduce driving single-occupancy vehicles and improve transit.”</p>
<p>“Parking is so very difficult in our neighborhood and many parts of Oakland. Why allow someone to buy that off? Also, your setbacks...within OPR-D, we have setback protection, 20’ or 30’, something like that. There’s no setbacks in UC-MU of over 10’, and then you can have a balcony. 10’ seems very minimal. You should revisit that and make it 30’. Also, we saw ZBA came down against a developer on Highland Avenue that wanted to build an apartment building. The developer could not prove hardship and the community was able to show there was no hardship. All I can see is that this new proposal...you give away all these bonus points, and the length of a building being 400’? The neighborhood has no recourse. We’re people and we have a community. What you’re doing is lowering the value of my home and ruining our neighborhood, because we have minimal setbacks and 400’-long buildings, and that’s not fair to me as a taxpayer. Are the variances going out the door?”</p>	<p>“We’re trying to set the right building envelope, and the bonus points are behind meeting the community goals. We want to create a zoning envelope that provides opportunities for creation of jobs in the commercial area and protects the residential area. We don’t want a system where everyone has to go for a variance for every development.”</p>
<p>“That is the only thing that has saved my neighborhood from developers, these variances. I don’t see how this new zoning plan will give us protection. The houses I own in Oakcliffie will be devalued because of that. It does not make me happy. I don’t understand why I have to give up capabilities that I have now and leave this to a committee that’s not mostly residents.”</p>	

Questions and Comments from Attendees	Responses from Applicants
<p>“We’re getting people turning out, which is nice. As an RCO, we’re trying to get people to provide as much feedback. When we had the original deadline of April 4, we were scurrying to get as much as we could; thank you for moving the deadline to May. The list of comments and questions I have are what we’ve heard from stakeholders. One of the strategies on the zoning map is to preserve single-family zoning in South Oakland? How were the boundaries determined? The points are difficult to come by to achieve maximum height? The pay-to-play notion as part of the Code. Eliminating open spaces. Is there another way?”</p>	<p>“In the past, we’ve had the public realm districts. We’re a little bit past those as being best practice. The Oakland one had good bones, but the weaknesses included the allowable uses (restrictions), and then the predictability of performance points here and elsewhere in the city. If we have lots of public realm districts, it doesn’t serve everyone. We want base districts that can be tailored in different ways. You’re here to tell us whether we got that right or not. That’s sort of the logic for the rezoning. One of the questions we’ve continued to ask ourselves is where we should set those bonus points. Can projects actually achieve those points? Does everything add to the maximum number? Can developers actually make the financing work, such as with energy conservation, etc. We want to set the bar high but want projects to be able to meet or achieve that. We want to get it right now or improve it as part of this process. We were always going to have to update the stormwater and energy points because times and the energy code have changed. The bonus point should reflect goals coming out of the Oakland Plan and then you get extra points for meeting those goals. We’re trying to take pay-to-play out of it.”</p>
<p>“In some cases, you can pay to get that height. Is there a way to get more open space?”</p>	<p>“The Equitable Development bonus point — you can either provide the jobs on site or pay into the trust fund. If someone is building a spec office building, they have no idea if they can meet the employment requirement, but it gives them an ability to still meet that point through donation to the trust fund.”</p>
<p>“Many points have opportunities for monitoring.”</p>	<p>“This was a challenge that we started to take on. We found that we needed to set up these compliance systems. Like with the affordable housing overlay, the Housing Authority helps us with that one. We’ve set up new systems, where we’ll have to try to do this compliance with the workforce development points.”</p>
<p>“The two bullets about ‘areas appear to be preserving disinvestment.’ It also corresponds to preserving single-family in South Oakland.”</p>	<p>“My understanding about allowing more density in R-MU is by allowing medium to larger new residential. We can allow for new student housing to take pressure off of single-family districts. When we first proposed the rezoning, it wasn’t desired to go up Halket Street, but property owners on Halket Street commented, and that changed the shape of map.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“The majority on Coltart St are not single-family occupied. Hence, why we’re trying to preserve South Oakland as single-family.”</p>	<p>“Those are staying single-family. That area is not proposed to change as part of this current rezoning. The residential on Coltart, the question was that 75% of those houses in the R1A-H weren’t owner-occupied.”</p> <p>“There was further discussion on Halket. That didn’t occur in those other locations. We know we have to do more outreach and more work before we know how to rezone that area.”</p>
<p>“So, the City needs to do more outreach?”</p>	<p>“For the higher architectural value single-family homes, there wasn’t enough discussion in those areas, so we’ll have to continue to look at those areas and have more community conversations before we can say we need to rezone those areas.”</p>
<p>“The zoning map needs to meet the Oakland Plan. It appears that the Oakland Plan is being driven by zoning. The Oakland Plan vision feels more like current Oakland vs. aspirational Oakland. We will be coming back to you with a proposed vision statement. We felt that the zoning should follow an aspirational vision statement. What was the logic for the rezoning and how were the boundaries determined?”</p>	<p>“Do you mean the entirety of the Phase I rezoning? If so, this was part of the pattern that started with the initial background reports that we did as part of the plan, that we had Goody Clancy doing — comparing Oakland and other innovation districts. That then transitioned into feedback from action teams thinking about those issues. There was lots of discussion about how the City can encourage more innovation activity along Forbes and how Oakland can provide housing opportunities for everyone. There’s only so much a role that the City and development regulations can play in continual expansion of historically single-family homes being used as rental and the proliferation of that in Oakland and beyond. That led us to the charettes we did last year around Boulevard of the Allies and Forbes, looking at particular sites and how we can treat those areas of Oakland. Then, we took the results of those charettes and what we put forth in the open houses in September. And then we worked to construct zoning to fit those development standards. So, this is how we came up with the Phase I rezoning. We have both the greatest understanding and agreement that things would change and that there was the most discussion on what a future would be. Kate has worked with formerly Derek and now the rest of the team to work to develop zoning that fits the things that were coming out of the land use map in the development chapter of the plan.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“How were the boundaries determined? Goody Clancy — could we reengage them with this zoning? We thought they were great.”</p>	<p>“The boundaries were determined through the charette process. We talked in the Forbes charette about the expansion of the innovation zone down to Louisa Street. The intention was that we were looking to flesh that out based on the work that Goody Clancy had done. We don’t necessarily see the need to have Goody Clancy do this part of the work. We felt that it gave us the information needed to move forward with Phase I rezoning.”</p>
<p>“Before the break, part of the answer to Millie about the bonus points is that they were protecting residents, determined not by us but by city planners. How are you protecting us by losing residential compatibility? Is it now best practice to build closer to residents?”</p>	<p>“We’re looking at how we’re trying to balance the community changing. There is development in Oakland and the need for more housing in Oakland. Trying to balance that with quality of life and with people who have been in Oakland for a long time, that’s where the green buffer and the height reduction zones come from. Where we have traditional residential compatibility standards, we saw that they were not as successful as they should be here. That’s why we looked at other options that could accommodate new development and understand the issues of scale of new buildings.”</p>
<p>“Nothing justifies the loss of residential compatibility standards.”</p>	<p>“Solely providing setbacks from a residential compatibility standpoint isn’t protecting residential areas by scale.”</p> <p>“The way we’re proposing to do residential compatibility here is that we’re looking to see where does it make sense to have a height buffer, which is not how residential compatibility standards work.”</p>
<p>“How are the parking requirements changing in this plan?”</p>	<p>“Surface parking is allowed for new single-unit and two-unit. Otherwise, it’s required to be integral, structured, or tuck-under parking. There are still parking requirements, just half of what it is now. There’s already a parking reduction zone on Fifth and Forbes, which is mostly the same, but for residential, the requirements will go away.”</p>
<p>“What about the parking requirements on Fifth and Forbes?”</p>	<p>“We’re taking away the parking reduction zone and replacing it with this. The parking reduction zone not being further reduced.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“Is there a mechanism of tracking these performance points systems? How do we adjust if they’re not working?”</p>	<p>“There’s not a formal mechanism, but we rolled these bonus points out in the Uptown Public Realm and then in the RIV. We didn’t see a lot of use of it in Uptown and then saw a lot more in the RIV. When we present to the Planning Commission, we’ll want to get numbers from the RIV. As staff working with applicants on this, we hear from developers, etc. We recently improved the stormwater points because stormwater requirements had changed otherwise. We know we have to set these goals right. We realize that we need to keep an eye on these and make sure that the points are high enough but not too high. We realize that we won’t always get it 100% right the first time, but we will continue to track. We have a narrow-ish list of things that were proposing for the base zoning districts, because it’s part of the goals coming from the Oakland Plan. For the RIV or Uptown, do we need to expand the workforce development in those areas?”</p> <p>“Kate hit on it being a constant process of evolution. We had a lot of energy partners at the table because of the interest in that, so we were able to look at effectiveness of energy points and make some tweaks there. Constant evolution that applicants and new developers can use as well as help meet goals of community that we can’t necessarily provide through traditional zoning requirements.”</p>
<p>“Just wondering if there was opportunity to adjust as we go on, but thanks for the context.”</p>	<p>“We also have tried to work with both different organizations and different development interests.”</p>
<p>“So, are parking requirements going away?”</p>	<p>“No, the intention is that new development will have parking requirements. Just for things that are not single or duplex, that they be doing so in structured parking or tuck-under parking with building on top of said parking. We do anticipate that as Oakland continues to change that there will be additional parking spaces required as part of development.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“Why is the inclusionary zoning requirement only 10%?”</p>	<p>“The item around inclusionary zoning and why it’s 10% and not 15% — the City, when we did the Affordable Housing Task Force, we did some basic calculations as to what city could have as far as inclusionary zoning, and it was determined to be 5%. We had some follow-up work from Grounded Solutions, and 10% came from their studies. There was discussion about hot markets being able to support more, but there was a look at LERTA that specific tax benefits that the County and school districts could provide, and since that didn’t pass, there wasn’t anything that we could see above 10% that could work. But developers do have opportunity to achieve a higher percentage of inclusionary zoning as bonus points.”</p>
<p>“Will housing choice vouchers be accepted with the inclusionary units?”</p>	<p>“The voucher program is through the Mayor’s Office. My understanding is that they’re matching housing choice vouchers to specific units outlined for inclusionary zoning on that site. Different from LERTA that would provide tax relief over a certain period of time. But City taxes are only a small portion of what taxpayers pay.”</p>
<p>“From CMU, I want to clarify and confirm, do you know about the North Oakland component of this? Is there a timetable for that or is that in a zoning purgatory?”</p>	<p>“That’s a future zoning code project after adoption of the plan. Looking at Craig Street, Centre Avenue, Melwood Avenue, etc., we understand in the development chapter of the plan, the land use strategy talks about changes in that area, but further conversations need to take place, so we see that as a next phase. We didn’t want to bite off more than we could chew. We’ll be coming back and having those conversations with the community next. Whether that’s the universities or the BID, or residents and property owners, we definitely see there will be future conversations taking place there.”</p>
<p>“I’m assuming there will be a process and we’ll be engaged. With our master plan in the beginning stages of the public approval process, there’s some angst internally about whether the two align or not. Also, throughout all of this, are the EMI districts still remaining how they are?”</p>	<p>“Yep.”</p> <p>“The EMIs that currently exist and their boundaries do not change. As we reassess EMI districts and their 10-year plans, City staff will be using these neighborhood plans as guidance. We would see a similar thing here as we saw with Duquesne University and Uptown. In the next cycle of these IMPs, the focus of staff would be to try to find alignment between these plans and these rezoning strategies.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“When we talk about the IZ overlay, I assume this is permanent and not temporary, right? How does this apply to student dorms or not?”</p>	<p>“We have excluded EMI for that reason. Dorms are really not allowed anywhere else. Inclusionary housing doesn’t meet the goals of that. And yes, IZ is permanent.”</p>
<p>“When you were talking about parking before the break, I thought I heard that not being able to meet parking requirements that would be only way for developer to pay into the trust fund? But then when Georgia asked her question, Equitable Development was mentioned.”</p>	<p>“The Mobility Trust Fund and Equitable Development Trust Fund are two different trust funds.”</p>
<p>“What are all the ways that developers can pay into any kind of fund?”</p>	<p>“There are trust funds for development all across the city. For example, if someone has a very valid reason they can’t do stormwater, there are things like funds-in-lieu for things like that. But for the Equitable Development Trust Fund, that’s a bonus. There are three options in that Equitable Development point — one being leasing to a local workforce group, one making a commitment to jobs for underrepresented groups, and the third being around the Trust Fund, predicated on them being able to achieve a bonus. The Mobility Trust Fund is that contributions would improve other transportation-related improvements in the district to potentially improve parking needs. So, for example, they could provide other improvements related to mobility in the neighborhood.”</p>
<p>“My next question is about the parking zone. I heard today that the parking zone is not reduced. But hasn’t the requirement per square foot has been doubled, so that effectively reduces the parking requirement by half? Am I correct in that?”</p>	<p>“There are two things going on. That part of Oakland already has a 50% reduction. The parking requirements are based on use. The parking reduction zone exists on Fifth and Forbes, and we’re taking that out and making this wider reduction across the base zoning district.</p>
<p>“So the boundaries are being expanded to everywhere?”</p>	<p>“No, just where the base zoning districts are.”</p>
<p>“But you’re cutting the requirements in half?”</p>	<p>“No, because we’re taking away the parking reduction zone.”</p>
<p>“So right now, it’s 50% on Fifth and Forbes. So, if it’s 1:500, it’s going to be in all base zoning, not just Fifth and Forbes? So, is the area expanding?”</p>	<p>“The essential change is that it is expanding what’s in the Fifth and Forbes district into the three base zoning districts. If, for example, the parking requirement is 1:1,000 in Fifth and Forbes and in other areas was 1:500, it would be 1:1,000 in all those places. So, it is cutting the requirement in half in some of those places.”</p> <p>“But requirements are not being reduced for residential.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“So if this point system goes through as it is, and they get maximum height, can they still ask for a variance to go even higher?”</p>	<p>“A developer has the right to ask for a variance. We set up the system to limit the opportunity for a variance, and the ZBA in recent cases has reflected that. There have been times when riverfront developers have asked for variances in height above what’s allowed, and the ZBA has generally upheld the performance point system. The idea is that the City is providing this mechanism to get bonus height, so there shouldn’t be need for developers to ask for variances except for de minimis height (2 feet or so). This has been our experience, and we anticipate this to continue being the case in Oakland.”</p> <p>“Developers haven’t been getting backdoors to getting more height.”</p>
<p>“There are lots of public realm districts in Oakland, and they’re no longer desired. You’ve created three UC districts. I don’t see that as validation of getting rid of the OPRs.”</p>	<p>“This is more of an administrative piece. These are base districts that can be applied in other areas, so we’re not creating individual zones for individual neighborhoods. Also, this divorces height requirements from zones so that we can still reflect the individualities of the neighborhoods of Pittsburgh.”</p>
<p>“What’s happening with the Residential Parking Permit program in this area?”</p>	<p>“This would probably be best addressed by the folks in the Mobility breakout room.”</p>
<p>“Will shadow studies be required for developers that want to build taller buildings?”</p>	<p>“Shadow studies are required, and we look at them in design review, and they’re part of Planning Commission review, but they’re not part of the assessment of height requirements. At Planning Commission, the public can comment on that as part of the review and approval process.”</p>
<p>“If a developer needs a variance, does the RCO program require them to hold a DAM with the community groups?”</p>	<p>“Not all variances require notification. We do send to community groups a list of all items before the ZBA. Beyond that, whether there’s an RCO, it only applies to certain cases, including use variances.”</p> <p>“Also, if a project has to go to Planning Commission, it requires a DAM.”</p>
<p>“How will the performance points be enforced?”</p>	<p>“Performance points are part of the review of permits — enforcement about a building being able to be occupied.”</p>
<p>“They have three years to prove compliance.”</p>	<p>“In some cases. It depends on which way the bonus points work. Our goal is to design them in that compliance is more likely than default.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“It” only a one-time fee for noncompliance. Why isn’t it an ongoing fee until they comply or until their occupancy permit is revoked? The rewarding of the fines or fees is somewhat ambiguous — 1% of the building cost for noncompliance. If they’re not meeting 3 points, is it 3% of the building cost? It should be designated per point.”</p>	<p>“It’s 1% per point. It’s for each bonus point.”</p>
<p>“1% doesn’t seem like enough for me. And it should be at least each year they’re noncompliant. If I were a developer, it wouldn’t matter.”</p>	<p>“If a fine isn’t paid within 30 days of the issue, then the City can revoke the occupancy permit.”</p>
<p>“They permanently get the height but they pay a one-time fee of 1%. What developer wouldn’t find that as an easy choice? Mathematically it doesn’t work.”</p>	<p>“We hear from developers all the time that banks fear about loss of the occupancy permit.”</p>
<p>“The only enforcement comes if they don’t pay the fine. If they pay the fine, they’re done.”</p>	<p>“I don’t think what you’re describing is true. There’s a fine for not achieving compliance in three years.”</p>
<p>“And then you pay it and you’re done. So far, reading through the code, it doesn’t seem to me that once they pay the fine that there is much enforcement on top of that, only if they don’t pay the fine.”</p>	<p>“We’ll verify that, but I have a different interpretation of that.”</p>
<p>“It will depend on the City taking action pulling the occupancy permit, and enforcement is not one of City’s strong suits. Residents have had to take commercial buildings to court for not complying or taking the City to court.”</p>	<p>“That will be the same for any other zoning standards. If you have questions about enforcement, it would be enforcement over all standards.”</p>
<p>“If the fine were 1% per year, at least it would add up over time. This should be hard, developers should be fearful. Looking at what’s there, I see no teeth there.”</p>	
<p>“The stories aren’t coming off the building, and then they could sell the building.”</p>	<p>“I would disagree, but we can provide more clarity on that as we go more through this public review period.”</p>
<p>“Are you planning on doing 3D models to model heights?”</p>	<p>“We have a desire for more graphics; that’s something we’re committed to trying to provide.”</p>
<p>“That image you’re showing now is woefully inadequate for the UC-MU plan. There are two areas where that doesn’t apply, where the maximum height is nowhere near where it should be portrayed.”</p>	
<p>“The Steering Committee agreed on a vision statement, and the SC is no longer meeting. It’s disconcerting that that vision statement can be changed to meet some stakeholder’s desired vision.”</p>	<p>“That is separate from the zoning, but anyone can provide any comment on any aspect of the plan, including the vision statement.”</p>

Questions and Comments from Attendees	Responses from Applicants
<p>“Can you provide a copy of the notes?”</p>	<p>“Yeah, Phil is typing them all up and will provide them. Not sure about the timeline, but they will also be posted on the DAM website where you can download them. The deadline for the comment period, again, has been extended to May 1. All of this information will be on the Engage website. You can also be able to comment there. We also have physical copies of the plan at various locations. Please let people know and direct them to those locations. This is leading to an anticipated date of May 17 that we would be having the Planning Commission hearing on the adoption of the Oakland Plan and the recommendation to City Council on the first phase of the rezoning.”</p>
<p>“Is the assumption that the planning approval moves at the same rate as the zoning approval? Do you think there will be further time for discussion between Planning Commission and Council?”</p>	<p>“Yes, the intention is to have Planning Commission adopt the plan and then have the recommendation from Planning Commission on the zoning. But there will be mailings and postings in between and opportunities to obtain feedback. We’ve been doing open office hours for other opportunities for people to ask clarifying questions and to provide feedback on both the plan and the zoning.”</p>

Other Notes

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Planner completing report: Phillip Wu