

## Let's Talk... Zoning

Minutes: September 22, 2021

### Let's Talk... Zoning | Wanda Wilson

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Zoning or rezoning requires a thoughtful and careful approach. Current Oakland zoning districts include residential, commercial/mixed use districts, Oakland public realm districts, and specially planned districts. Oakland is in the middle of a planning process that will potentially make changes to zoning in the neighborhood based on community input and priorities.

Our zoning code is unique. Oakland includes zoning districts that permit R1-A units (single unit attached), R1-D (single unit detached), R2 (duplexes), R3 (3-unit dwelling), and RM (4 units and above). The density component of things is also really important because that defines how much lot size you have to build in an R2 R3 or RM district, and there are five density categories. That really helps us to shape the zoning districts.

The Oakland Improvement Strategy led to the public realm districts we have now, and drafting it was a long, thoughtful process. The Department of City Planning (DCP) worked with the community on an engagement process about potential zoning changes. The way zoning is supposed to work, DCP would draft proposed zoning changes and interact with community members about edits. After a thorough, interactive review process which normally takes several months, DCP would submit the draft legislation and go before the City Planning Commission (CPC). There would be public notices, public hearings, a Development Activities Meeting at the registered community organization where the plan would take place. If and when the CPC positively recommends the plan, legislation is introduced to the City Council, where more public hearings would occur before it's enacted into law.

In the present case, a private developer, Walnut Capital, has written a draft ordinance to establish a new public zoning district in central Oakland. The draft suggests making changes to a 17-acre area of Oakland along Halket Street and McKee Place in Central Oakland, as well as along the Boulevard of the Allies between Central and South Oakland. The DCP has not been involved, at all, in the drafting of this legislation, and community stakeholders have been given no public space to share thoughts, ideas, or suggestions. Walnut Capital's proposal calls for a variety of mixed-use buildings between six and 10 stories, which could reach as high as 150 feet. If this were to happen, it would demolish whole swaths of our neighborhood, and quite literally rip the neighborhood fabric from what makes Oakland so vibrant and beautiful.

All of the development will be found in District 3, under the ordinance of Bruce Kraus, and we encourage you to reach out to their office and voice your opinion on the matter (Office number: 412-255-2130). Currently, we are gathering information to petition for a public hearing regarding this matter, which we can give you more information about when we know more.

#### Comments/Questions:

I think another angle that isn't encapsulated by your presentation is how much Walnut Capitals plan will distort traffic patterns by The Boulevard. That process also normally takes a very long time and seems quite rushed, and isn't accounted for in Walnut Capitals plans at all. (Mark Oleniacz)

Just to give context to the timing of things, the bill was submitted from Mayor Peduto's office was sent to City Council on Friday for inclusion in Tuesday's regular meeting. At that regular meeting, Councilman

Bobby Wilson submitted the bill on the mayor's behalf for consideration on the standing committee on Land Use and Economic Development's meeting next week. If there is no objection to that process, the bill will get sent to the Planning Commission, at which point there is a 90 day period in which the proposed legislation must be reviewed. In those 90 days, there would need to be a Design Advisory Meeting, there would need to be a public hearing, and within that 90 day period, the Planning Commission would submit its recommendation back to City Council. (Andrea Boykowycz)

You can clearly see a difference in the content between this "Public Realm" zoning district that's been proposed by Walnut Capital and with that of what's currently taking place in terms of rezoning. Though what you see publically has a nice purpose statement about the intentionality of the project, when you look at the bill drafted by a corporate interest with only capital gain to be had, it speaks volumes to the reason why they're doing this. (Wanda Wilson)

Q: Some years ago, when Oakland Gateway Adventures came up and the topic of changing public property, there was a very long process described at that time. Does that have anything to do with this? (Mark Oleniacz)

A: That's good to bring up. We have been here before, where private developers think that they can just take a city park. We did a lot of research and had public entities from the Urban Redevelopment Authority (URA) and various city partners come in and talk about the process for transferring ownership of a public park. We will regenerate that information and put it on our website again. It's not simple for the city to that though. They would have to go through a very extensive process with both the URA, the city's law department, and a public entity called Orphans Court. (Wanda Wilson)

Q: Has there a public position or stance taken by Pitt? (Andrea Boykowycz)

A: Pitt has two sites that fall under the rezoning by which Walnut Capital is interested in, both at the Quality Inn site, which is slated for redevelopment as a grocery store and non-student housing, and then the other is where the dilapidated townhouses were torn down on Bates, which we have no plans for. We did not propose or shape the rezoning in any capacity, and will make more public comment on it in the future. (Lina Dostillo)

### **Meeting Adjourned | 7:34 pm**

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The next meeting is **Wednesday, October 27, 2021**, 6:00 p.m. - 7:30 p.m. via Zoom.

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