



Legislation Details (With Text)

File #: 2021-1906 **Version:** 2
Type: Ordinance **Status:** Held In Council
File created: 9/17/2021 **In control:** Commission - Planning Commission
On agenda: 9/21/2021 **Final action:**
Enactment date: **Enactment #:**
Effective date:

Title: Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article IV, Chapter 908, “Public Realm Districts”, amending the Code by the addition of a new Section, Section 908.03.D.5 “Oakland Subdistrict E / OPR-E: Oakland Crossings”.
(Sent for report and recommendation)
(Needs to be held for a Public Hearing)

Sponsors:

Indexes: PGH. CODE ORDINANCES TITLE 09 - ZONING

Code sections:

Attachments: 1. 2021-1906 Cover Letter-Oakland Crossings Mayor Letter, 2. Summary 2021-1906

Date	Ver.	Action By	Action	Result
10/13/2021	2	Standing Committee	AMENDED	Pass
10/13/2021	2	Standing Committee	Referred for Report and Recommendation	Pass
9/29/2021	1	Standing Committee	Held for Cablecast Public Hearing	Pass
9/21/2021	1	City Council	Read and referred	

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article IV, Chapter 908, “Public Realm Districts”, amending the Code by the addition of a new Section, Section 908.03.D.5 “Oakland Subdistrict E / OPR-E: Oakland Crossings”.

(Sent for report and recommendation)
(Needs to be held for a Public Hearing)

The Council of the City of Pittsburgh hereby enacts as follows:

Section 1. Amend Article IV, Chapter 908, “Public Realm Districts”, by adding a new Section, Section 908.03.D.5 “Oakland Subdistrict E / OPR-E: Oakland Crossings” which shall contain the following:

908.03.D.5 Oakland Subdistrict E/OPR-E: Oakland Crossings

(a) Purpose

The Oakland Crossings District is generally bounded by Halket Street on the west, parcels south of the Boulevard of the Allies to the south, Bates Street, McKee Place on the east, and Iroquois Way on the North. The purpose is of this District is to: (1) encourage the high quality redevelopment of properties and improvements within the Oakland Crossings District including, the redevelopment of portions of the Boulevard of the Allies, Bates Street, Halket Street and McKee Place; (2) address the need for urban density for a variety of uses,

including mixed uses, while at the same time creating significant open space and public amenities; (3) develop the opportunities for a variety of types of housing within the District; (4) establish and reestablish safe and attractive pedestrian, bicycle, and transportation improvements and enhancements; (5) create consistency of scale, size and design of buildings and amenities within this District; and (6) provide meaningful connections from this District to the rest of Oakland and the surrounding neighborhoods. The regulations are intended to encourage the mixed-use nature of the community and encourage investment to increase the residential population and commercial activity.

(b) Development Subdistricts

The Oakland Crossings District shall be divided into three (3) “Subdistricts” referred to as “Subdistrict A”, “Subdistrict B”, and “Subdistrict C”, inclusive. The Subdistricts shall be located in those areas as described below and as depicted on Figure 1.

(1) Development Subdistrict A

(a) Permitted Uses. In Subdistrict A, identified as the property generally bounded by Iroquois Way to the north, by McKee Place on the east, then along McKee Place a distance of 1,207 to the south, then by a line running a distance of 180 feet west from McKee Place, and then by a line running parallel to the westerly property line a distance north of 1,207 feet to Iroquois Way, and including the right-of-way of Louisa Street from McKee Place and westerly to Halket Street, land may be used and structures may be erected, altered, demolished or enlarged for the following permitted uses listed in this section.

- (i) Single-Unit Attached Residential
- (ii) Two-Unit Residential
- (iii) Three-Unit Residential
- (iv) Multi-Unit Residential
- (v) Child Care (Limited and General)
- (vi) Community Center (Limited and General)
- (vii) Educational Classroom Space (Limited and General)
- (viii) Laboratory/Research Services (Limited and General)
- (ix) Library (Limited and General)
- (x) Medical Office/Clinic (Limited and General)
- (xi) Office (Limited and General)
- (xii) Parking Structure (Limited and General)
- (xiii) Restaurant (Limited and General)
- (xiv) Restaurant, Fast Food (Limited and General)
- (xv) Retail Sales and Services (Limited and General)

- (xvi) Retail Sales and Services, Residential Convenience
- (xvii) Sidewalk café
- (xviii) Utility (Limited and General)
- (xix) Park and Open Space and outdoor recreational uses
- (xx) Accessory Uses and Accessory Structures pursuant to Chapter 912
 - (b) Site Development Standards
 - (i) Bulk Regulations

Site Development Standards	OPR-E Regulation - Subdistrict A
Minimum Lot Size	None
Minimum Height	30 feet
Maximum Height without Bonus	60 feet
Maximum Height with Bonus	108 feet
Front Yard Setback (along McKee Place)	40 feet
Minimum Exterior Sideyard Setback	10 feet
Minimum Interior Sideyard Setback	0 feet
Minimum Rear Yard Setback	0 feet
Build To Line Along McKee Place	40 feet
Maximum Lot Coverage	85%

(ii) Urban Open Space

At least twenty (20) percent of the land within Subdistrict A shall be utilized or designated as Urban Open Space pursuant to Section 909.01.D.3(c).

(iii) Parking

All structured parking shall be screened from McKee Place, and along the ground plane from any adjacent residential use

(iv) Signs

All signs shall comply with the requirements applicable to signage in the LNC, UNC, CP and AP Districts as set forth in Section 919.03.M.5. Furthermore, all signage should be directed toward McKee Place, unless a corner lot where signage may be directed toward any public street, way, or right-of-way.

(v) Mixed Use Commercial Requirements

- (a) All non-residential uses within Subdistrict A shall be located only on the first two floors of a building and shall not exceed more than twenty-five percent (25%) of

the total gross floor area of the building.

- (b) Medical Office/Clinic (Limited and General), Office (Limited and General), and Research and Development Services uses may be located on any floor of a building and shall not be subject to the twenty-five percent (25%) limitation set forth in subparagraph v(a) above. Provided however, that in no event shall such non-residential uses provided in this subparagraph exceed fifty percent (50%) of the total square footage of a building.

(2) Development Subdistrict B

(a) Permitted Uses. In Subdistrict B, bounded by Iroquois Way on the north, then by Halket Place on the east, then by Subdistrict A to the south, and then by Halket Street on the west, land may be used and structures may be erected, altered, demolished or enlarged for the following permitted uses listed in this section.

- (i) Single-Unit Attached Residential
- (ii) Two-Unit Residential
- (iii) Three-Unit Residential
- (iv) Multi-Unit Residential
- (v) Bank or Financial Institution (Limited and General)
- (vi) Child Care (Limited and General)
- (vii) Community Center (Limited and General)
- (viii) Cultural Service (Limited)
- (ix) Educational Classroom Space (Limited and General)
- (x) Hotel/Motel (Limited and General)
- (xi) Laboratory/Research Services (Limited and General)
- (xii) Library (Limited and General)
- (xiii) Medical Office/Clinic (Limited and General)
- (xiv) Office (Limited and General)
- (xv) Parking Structure (Limited and General)
- (xvi) Public Assembly (Limited and General)
- (xvii) Restaurant (Limited and General)
- (xviii) Restaurant, Fast Food (Limited and General)
- (xix) Retail Sales and Services (Limited and General)

- (xx) Retail Sales and Services, Residential Convenience
- (xxi) School, Elementary or Secondary (Limited and General)
- (xxii) Sidewalk café
- (xxiii) Utility (Limited and General)
- (xxiv) Park and Open Space and outdoor recreational uses
- (xxv) Accessory Uses and Accessory Structures pursuant to Chapter 912

(b) Site Development Standards

(i) Bulk Regulations:

Site Development Standards OPR-E Regulation - Subdistrict B	
Minimum Lot Size	None
Minimum Height	30 feet
Maximum Height without Bonus	60 feet
Maximum Height with Bonus	120 feet
Front Yard Setback (along Halket Street)	10 feet
Minimum Exterior Sideyard Setback	10 feet
Minimum Interior Sideyard Setback	0 feet
Minimum Rear Yard Setback	0 feet
Maximum Lot Coverage	85%

(ii) Urban Open Space

At least fifteen (15) percent of the land within Subdistrict B shall be utilized or designated as Urban Open Space pursuant to Section 909.01.D.3(c).

(iii) Parking

All structured parking shall be screened along the ground plane from any adjacent residential use.

(iv) Signs

All signs shall comply with the requirements applicable to signage in the LNC, UNC, CP and AP Districts as set forth in Section 919.03.M.5. Furthermore, all signage should be directed toward Halket Street, unless a corner lot where signage may be directed toward any public street, way, or right-of-way.

(3) Development Subdistrict C

(a) Permitted Uses. In Subdistrict C, bounded by Louisa Street on the north, then by Halket Street on the west, by Craft Avenue on the south, and by Bates Street on the east, land may be used and structures may be erected, altered, demolished or enlarged for the following permitted uses listed in this section.

- (i) Multi-Unit Residential
- (ii) Art or Music Studio
- (iii) Bank or Financial Institution (Limited and General)
- (iv) Child Care (Limited and General)
- (v) College or University Campus
- (vi) Community Center (Limited and General)
- (vii) Cultural Service (Limited and General)
- (viii) Educational Classroom Space (Limited and General)
- (ix) Grocery Store (Limited and General)
- (x) Hotel/Motel (Limited and General)
- (xi) Laboratory/Research Services (Limited and General)
- (xii) Laundry Services
- (xiii) Library (Limited and General)
- (xiv) Medical Office/Clinic (Limited and General)
- (xv) Nursery, Retail (Limited)
- (xvi) Office (Limited and General)
- (xvii) Outdoor Retail Sales and Service
- (xviii) Parking, Commercial (Limited and General)
- (xix) Parking Structure (Limited and General)
- (xx) Public Assembly (Limited and General)
- (xxi) Recreation and Entertainment, Indoor (Limited and General)
- (xxii) Research and Development Services for development and service uses, including but not limited to advanced methodologies and processes in biotechnology, modern biological technology, computer hardware and software, artificial intelligence and accessory and support facilities related to these uses but not including medical and animal testing
- (xxiii) Restaurant, Fast-Food (Limited and General)
- (xxiv) Restaurant (Limited and General)
- (xxv) Retail Sales and Services (Limited and General)
- (xxvi) Retail Sales and Services, Residential Convenience
- (xxvii) Sidewalk café
- (xxviii) Spa

- (xxix) Transit Facility
- (xxx) Utility (Limited and General)
- (xxxi) Vocational School (Limited and General)
- (xxxii) Access rights-of-way, roadway, and trackage, including shelter and comfort stations incident to the use thereof
- (xxxiii) Park and Open Space and outdoor recreational uses
- (xxxiv) Accessory Uses and Accessory Structures pursuant to Chapter 912

(b) Site Development Standards

(i) Bulk Regulations

Site Development Standards OPR-E Regulation - Subdistrict C	
Minimum Lot Size	None
Minimum Height	30 feet
Maximum Height without Bonus	90 feet
Maximum Height with Bonus	160 feet
Front Yard Setback (along Halket Street and/or Boulevard of the Allies)	10 feet
Minimum Exterior Sideyard Setback	10 feet
Minimum Interior Sideyard Setback	0 feet
Minimum Rear Yard Setback	0 feet
Maximum Lot Coverage Below 85 Feet	90%
Maximum Lot Coverage Above 85 Feet	70%

(ii) Urban Open Space

At least twenty (20) percent of the land with Subdistrict C shall be utilized or designated as Urban Open Space pursuant to Section 909.01.D.3(c).

(iii) Parking Regulations

Any parking area adjacent to the Boulevard of the Allies must be adequately screened from view with decorative fencing or landscaping.

(iv) Signs

All business identification signs in Subdistrict C shall be subject to the sign regulations applicable to the GT Golden Triangle District, as described in Section 919.03.M.7 of the Code. Other identification signage shall be in accord with Section 919.03.N.

(c) Regulations Applicable to the Entire Oakland Subdistrict E/OPR-E:

(1) All contiguous parcels in any Subdistrict may be combined or subdivided as required to

facilitate building development.

(2) Parking Structures:

a. Parking Structures may be constructed on the lower levels of a building. Such Parking Structures may be accessory to the primary use(s) of the building. Within Subdistricts A and B, all Parking Structures, whether primary or accessory, may be utilized for uses within any structures that are located within such Subdistricts.

b. All Parking Structures within Subdistrict C may be utilized for commercial parking.

c. The ground plane facades of all Parking Structures abutting residentially zoned districts shall be screened and subject to Design Review.

d. All Parking Structures shall incorporate secured bike storage within the structures.

(3) A Traffic and Parking Demand Analysis shall be required in a format specified by the Zoning Administrator for all development in this District. The Zoning Administrator shall review the submitted analysis, including all sources of data, to establish appropriate traffic and parking mitigation measures. The costs for constructing and implementing all required mitigation measures shall be the responsibility of the Applicant. Shared parking is encouraged, and parking requirements may be met in the form of shared parking amongst parcels located within the district.

(4) Individual buildings that house two or more permitted uses are encouraged in the Oakland Crossings District.

(5) Accessory uses and structures as set forth in Chapter 912 and in Section 914.02.C shall be permitted subject to the applicable setback, entry and screening requirements set forth in the section.

(6) Ground Floor Height Requirements. All buildings, except for buildings containing a ground floor residential use, shall have a minimum ground floor height of fourteen (14) feet or greater measured from the finished floor elevation located at ground level and the highest point of the ceiling.

(7) For all non-residential or mixed use buildings, active uses shall be provided along at least fifty percent (50%) of the ground plane of the primary building frontage. Active uses shall include, but shall not be limited to, child care, residential, retail, restaurant, office, lobbies, and bike facilities. At least fifty percent (50%) of the ground plane (ie. between two (2) feet and ten (10) feet) along the primary building frontage shall be transparent unless a historic façade is being reused.

(8) Bonus height earned as set forth herein may not be applied to allow for a building to exceed the maximum heights as set forth in the Bulk Regulations contained herein.

(9) All new buildings within the Oakland Crossings District shall be subject to Design

Review, and shall be reviewed in accordance with the Review Criteria set forth in Section 922.10.E.2.

(10) Residential compatibility standards are not applicable to any development which occurs in this District. Provided however, the following standards shall apply to all development within the District that abuts residentially zoned properties:

a. No building shall be served by garbage or recyclables collection services outside of the building's structure between the hours of 10:00 p.m. and 6:00 a.m.

b. No building shall conduct loading or unloading operations outside of the building's structure between the hours of 10:00 p.m. and 6:00 a.m.

c. No building shall generate noise in excess of forty-five (45) dB(A), or three (3) dB(A) above Background Sound Level, whichever is greater, between the hours of 10:00 p.m. and 6:00 a.m. or in excess of fifty-five (55) dB(A), or three (3) dB(A) above Background Sound Level, whichever is greater, at all other times, as measured at the lot line of any lot zoned R1D, R1A, R2, R3, or RM. Background Sound Level shall mean the measured sound level in the area, exclusive of extraneous sounds and the sound contribution of the specific source in question.

d. Applications for generators shall include a commitment to schedule regular testing and maintenance during daytime hours in order to minimize impact on surrounding residential properties.

e. All exterior lights used by a new building shall be arranged and controlled so as to deflect light away from any lot that is zoned RSD, RSA, RT, RM, or H. Any light or combination of lights that casts light on a public street shall not exceed one (1) foot-candle (meter reading) as measured from the centerline of such street. Any light or combination of lights that cast light on a lot zoned R1D, R1A, R2, R3, RM, or H shall not exceed 0.4 foot-candles (meter reading), as measured no more than three (3) feet inside the lot line of a lot that is zoned R1D, R1A, R2, R3, RM, or H.

f. No building shall be operated in a manner that causes odors that are detectable after the air has been diluted with six (6) or more volumes of odor-free air, as measured within the lot lines of a lot that is zoned R1D, R1A, R2, R3, RM, or H.

(11) As the heights of all of development within this District are controlled by this Chapter, the Code's FAR requirements are not applicable.

(12) The design of all buildings constructed in this District shall speak to how they belong to the context of Oakland.

(13) Any redevelopment of the property located at 3380 Boulevard of the Allies, Pittsburgh, PA 15213 (Block and Lot No. 28-P-305) shall reuse and preserve the façade located on all sides of the of the former Islay's Building located on the property.

(14) Research and Development Services for development and services uses, (including but not limited to advanced methodologies and processes in biotechnology, modern biological technology, computer hardware and software, artificial intelligence and accessory and support facilities related to these uses but not including medical and animal testing) shall be permitted as a Special Exception in Subdistricts A and B subject to meeting the then applicable requirements set forth in Section 911.04.A.37 of the Code and the General Criterial Set forth in Section 922.07.D.1 of the Code.

(15) Zulema Street shall not be permanently closed to vehicular traffic until such time as

vehicles that are travelling eastbound on the Boulevard of the Allies are able to make a left turn onto Bates Street.

(16) At the time of making application for any building permit for a new building in the District which is intended to house multi-family housing, the applicant shall provide written verification to the Zoning Administrator that at least ten percent (10%) of the units contained in the structure will contain “Walk to Work Housing”. The Zoning Administrator shall verify that this requirement has been met no later than twelve (12) months the issuance of the Certificate of Occupancy for the applicable building.

(17) Any space designated as “Urban Open Space” shall comply with the standards set forth in Section 909.01.D.3(C) of the Code.

(18) Buildings within the District shall be designed to minimize curb cuts to the adjoining public roads.

(19) All rear elevations of buildings abutting residentially zoned districts shall have articulated facades (with articulation at least every fifty (50) feet) and shall not allow for any dumpsters or loading to be directly visible from such residentially zoned parcel.

(20) Public infrastructure improvements within the District shall utilize green infrastructure techniques such as greenways, rain gardens, bioswales, and/or other best management practices (BMPs).

(21) Accessory uses shall be allowed in accordance with the Accessory Use regulations of Chapter 912.

(22) Project Development Plans that are filed for building demolitions not part of an application for new construction shall include a report, study, or statement of the property's future use that meets the review criteria of Section 922.10.E.2 <https://library.municode.com/pa/pittsburgh/codes/code_of_ordinances?nodeId=PIZOCA_TITNINEZOCO_ARTVIIREEN_CH922DEREPR_922.10PRDEPL_922.10.EFIRE_922.10.E.2RECR>.

(23) New buildings and renovations in this district are entitled to receive a bonus of additional building height based upon the incorporation of certain bonus options as identified below.

- (i) A twenty-five percent (25%) increase in the permitted height for each one (1) of the following criteria that is met:
 - a. The building or renovation of any building is designed to meet LEED certification; or
 - b. The proposal for the construction or renovation of a building within the district that includes a Grocery Store (General) use at the time of the submission of a PDP application; or
 - c. A building contains a Hotel / Motel (Limited and General) at the time of the submission of a PDP application; or
 - d. The building contains more than fifty percent (50%) residential at the time of the submission of a PDP application.
- (ii) New building as renovations may also utilize the bonus system set forth in Section 915.07 of the Code. The list below identifies the bonus options available to projects in this district and any modifications to the points earned. Points earned by satisfying the bonus goals can be utilized in this district to achieve a building height bonus equal to

fifteen (15) additional feet for each bonus point earned.

- a. On-site energy consumption - new construction (Section 915.07.D.1.a - 1.c);
- b. On-site energy consumption - existing buildings (Section 915.07.D.2.a - 2.c);
- c. On-site energy generation (Section 915.07.D.3.a - 3.c);
- d. Rainwater (Section 915.07.D.5.a - 5.c);
- e. Building reuse (Section 915.07.D.6a - 6.c);
- f. Neighborhood ecology (Section 915.07.D.8a - 8.b);
- g. Public art (Section 915.07.D.9a - 9.c);
- h. Urban fabric (915.07.D.10.a);
- i. Transit-Oriented Development (Section 915.07.D.11a - 11.b);
- j. The building contains “Walk to Work Housing” (1 point); or
- k. The building contains a compost station (1 point).

(24) If the project does not provide satisfactory evidence of achieving the performance standards of each used bonus within three (3) years of receiving its initial certificate of occupancy, then the developer shall be subject to a fine equal to one (1) percent of the construction costs. If the fine is not paid within thirty (30) days of the date it is imposed, then the City shall have the authority to revoke the certificate of occupancy for the building.

(d) Specific Definitions

(1) “Spa” shall mean an establishment devoted to health, fitness, beauty, and relaxation provided that any massage services are administered by a massage therapist licensed by the Pennsylvania Board of Massage Therapy, or any successor agency.

(2) “Walk to Work Housing” shall mean a residential rental unit, within a multi-family building or structure, whose fair market rental has been reduced by a rental incentive provided by either the building owner or a third party institution so that the rental rate of the unit does not exceed thirty percent (30%) of the gross income of the occupants. This incentive shall be made primarily available to employees and/or independent contractors of the third party institution.

Section 2. Repealer. All ordinances and parts of ordinances, inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeals shall be only to the extent of such inconsistency and in all other aspects, this ordinance shall be cumulative of the other ordinance regulating and governing the subject matter covered by this ordinance.

Section 3. Savings Clause. If any section or provision or parts hereof in this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the ordinance as a whole or any other section or provision or part thereof.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after its passage.

FIGURE 1

