

***Oakland City Planning Commission***  
***Zoning Update Committee***

**STAFF REPORT**

Case File Number PLN15-378; ER15-004

November 16, 2016

<b>Project Name and Location:</b>	<b>Oak Knoll Mixed Use Community Plan Project</b> , located on the former Oak Knoll Naval Medical Center Property at 8750 Mountain Boulevard, bounded by Keller Avenue and Mountain Boulevard. APNs: 043A-4675-003-21, 043A-4712-001 (portion), 043A-4675-003-19, 043A-4675-003-16, 043A4678-003-17 {roadway easement), 043A-4675-003- 30 (roadway easement) 048-6865-002-01, and 043A-4675-74-01.
<b>Proposal:</b>	Master Planned community on approximately 188 acres consisting of 935 residences, 72,000 square feet of neighborhood commercial, 14,000 square feet of civic use (relocated historic Club Knoll building as a community center), open space, creek restoration and trails.
<b>Applicant/Owner:</b>	Oak Knoll Venture Acquisitions LLC, c/o Suncal, Sam Veltri (949) 777-4000
<b>Planning Permits Required:</b>	Rezoning, Planned Unit Development permit (Preliminary and Final Development Plans), Tentative Tract Map, and other permits and/or approvals
<b>General Plan:</b>	Hillside Residential, Community Commercial, Institutional, Urban Open Space and Resource Conservation Area
<b>Zoning:</b>	RH-3 Hillside Residential Zone-3, and RH-4 Hillside Residential Zone -4
<b>Environmental Determination:</b>	A Supplemental Environmental Impact Report (SEIR) was prepared and submitted for public review on August 29, 2016. The 45-day public comment period on the DSEIR concluded on October 12th.
<b>Historic Status:</b>	The existing Club Knoll building on the Project site is an historic resource under CEQA, listed on the Local Register, Oakland Cultural Heritage Survey rating of B+3, eligible for Landmark status with an A rating, and placed on the Preservation Study List as a Designated Historic Property.
<b>City Council District:</b>	District 7 - Reid
<b>Action to be Taken:</b>	Receive public and Zoning Update Committee comments on the draft Planning Code amendments (text and map changes). No decisions will be made on the project at this hearing.
<b>For Further Information:</b>	Contact case planner <b>Scott Gregory</b> , Contract Planner at (510) 535-6671 or by e-mail at <a href="mailto:sgregory@lamphier-gregory.com">sgregory@lamphier-gregory.com</a>

**SUMMARY**

The City has prepared draft Planning Code amendments including new zoning districts, new text and zoning map changes to accompany and implement the land use plans and design guidelines as contained in the draft Oak Knoll Planned Unit Development (PUD) permit and draft Oak Knoll Preliminary Development Plan (PDP) applications. These Planning Code amendments will help establish the future character of the Oak Knoll project by providing detailed regulations on land use activities and development standards for the design of new development within Oak Knoll.

The Oak Knoll project site consists of an approximately 165 acre portion of the 183-acre former U.S. Navy Oak Knoll Medical Center Oakland (NMCO), approximately 15 acres of adjacent and

undeveloped property, and approximately 8 acres of City-owned property, for a total of 188 acres. With the exception of two separate private parcels now occupied by the Sea West Credit Union and Seneca School, and the Club Knoll building (a locally-designated historic resource constructed in 1924 as a clubhouse for the Oak Knoll Golf and Country Club), all structures within the former NMCO site have been demolished.

The project applicant (Suncal) is seeking City approval for a number of land use entitlements including rezoning, a PUD permit, a Preliminary Development Plan for the overall Project, Final Development Plans for those major “backbone infrastructure” improvements to be completed by Suncal as Master Developer, a Vesting Tentative Tract Map, and other permits and/or approvals. These approvals, if granted, would enable development of 935 residential units, 72,000 square feet of primarily neighborhood-serving commercial uses and a combination of commercial (10,000 square feet) and civic (4,000 square feet) uses within a relocated Club Knoll building, with the remainder of the site consisting of parks, open space and streets.

The purpose of this informational briefing is to provide the Zoning Update Committee with draft Planning Code amendments (new districts, text and map changes) intended to help implement the project. Staff seeks the comments of the Committee on these draft Planning Code amendments. Generally, staff is supportive of the current Oak Knoll Project as proposed, and continues to work with the applicant to refine and finalize their application materials, including these Planning Code amendments, and to process the required environmental review.

## **BACKGROUND**

### **Existing General Plan**

The City of Oakland General Plan Land Use Diagram applies five different land use designations to the project site including Hillside Residential, Community Commercial, Urban Open Space, Institutional and Resource Conservation (see **Attachment A**).

In May of 2007, the City concluded that a prior 2006 proposed Oak Knoll Plan was in substantial compliance with the General Plan, that the land uses and facility types conformed to the LUTE land use plan and diagram, and that 960 residential units (as then proposed) were within the maximum density limits set forth in the General Plan.<sup>1</sup> The current project differs slightly from the 2006 Oak Knoll Plan, but remains substantially similar and therefore also meeting the same criteria for General Plan consistency. Given the project’s substantial compliance with the existing General Plan, including the LUTE Land Use Diagram, no General Plan amendments are proposed or necessary for the project.

### **Existing Zoning**

The City of Oakland’s currently effective zoning for the majority of the 188 acre project site (see **Attachment B**) is Hillside Residential-4 (RH-4). The intent of the RH-4 Zone is to create, maintain and enhance areas for single-family dwellings on lots of 6,500 to 8,000 square feet. For subdivisions of 5 or more lots, the minimum lot size is 8,000 square feet. A small portion of the project site (approximately 5 acres and owned by the City of Oakland) is currently zoned Hillside Residential-3

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<sup>1</sup> City of Oakland, 2007

(RH-3), which is generally intended for areas with single-family dwellings on lots of at least 12,000 square feet.

The current RH-4 and RH-3 zoning is inconsistent with several of the five different General Plan land use designations on the project site. The RH-4 and RH-3 zoning also do not enable a mix of different types of land uses and do not permit the types of commercial activities, townhomes and smaller-lot single family residences that are proposed. When the RH-4 zoning was applied to the site in 2011, the accompanying Planning Department's staff report acknowledged that the RH-4 zoning was "an interim measure, and that the City anticipated a subsequent rezoning when a specific development proposal came forward."

## **PROJECT DESCRIPTION**

### **Planned Unit Development**

Sections 17.140 and 17.142 of the City of Oakland Planning Code include regulations that govern Planned Unit Developments (PUDs). The purposes of these regulations are to encourage comprehensive planning of larger tracts of land; to provide flexibility in the application of certain regulations in a manner consistent with the general purposes of the zoning regulations; and to promote a "harmonious variety of uses, the economy of shared services and facilities, compatibility with surrounding areas, and the creation of attractive, healthful, efficient and stable environments for living, shopping or working." These PUD regulations are applicable and appropriate for master planning the development of this large site.

### **Preliminary Development Plan**

Pursuant to Section 17.140.020 of the Planning Code, all applications for a PUD shall include a Preliminary Development Plan (PDP) of the entire development showing relevant information to clearly establish the scale, character and relationship of buildings, streets, and open spaces. Suncal has submitted a PUD permit application and PDP for the City's review. Copies of the PDP and accompanying proposed Design Guidelines have previously been provided to all Planning Commissioners, and are available for public review on the City web site at:

<http://www2.oaklandnet.com/government/o/PBN/OurOrganization/PlanningZoning/OAK052335>

As indicated in **Table 1**, the Oak Knoll PDP provides for development of 935 residential units, 72,000 square feet of primarily neighborhood-serving commercial uses, and approximately 14,000 square feet of a combination of commercial and civic uses within the relocated Club Knoll building. The remainder of the site (approximately 85 acres) will consist of permanent open space within the community. Open space areas include the more sensitive areas of the site such as the Rifle Range Creek corridor, visible high points (i.e., the Knoll), and the wooded Hardenstine property. Also included are areas for active and passive parks, creek habitat, and visual buffers providing separation between neighborhoods. Trails, paths and streets provide connections between open space and neighborhoods. Smaller neighborhood parks are anticipated in the public realm, and group open space is planned within in-tract townhome parcels.

Table 1: Land Use Program

Land Use	Density	Acres (Net)	% of Total Acres	Units / SF	Net Density
<b>Residential</b>					
Single Family Detached Residential	Low	22.9	12%	188	8.2
Small Lot Single Family Detached					
Townhomes	Medium-Low	13.5	7%	175	13.0
	Medium	34.0	18%	572	16.8
Subtotal:		70.4	37%	935	13.3
<b>Commercial</b>					
Village Center		6.6	4%	72,000	
<b>Open Space</b>					
Parks / Community Center		5.6	3%	14,000	
Undeveloped Open Space		43.5	23%		
Revegetated Slopes		18.5	10%		
Restored Creek Corridor		17.6	9%		
Streets		25.7	14%		
Subtotal:		117.6	63%	86,000 sf	
Total		188		935 units and 86,000 sf	

The following provides a brief overview of those specific elements of the proposed Oak Knoll PDP that are particularly relevant to the proposed new Planning Code amendments.

### Mix of Uses and Clustering

Pursuant to section 17.142.100(d) of the Oakland Planning Code, the Oak Knoll PUD may be granted a land use type “bonus”, enabling a greater mix of land uses than those otherwise permitted under existing zoning. The PUD bonus would enable the Oak Knoll project to include a variety of land use types that are better reflective of the land use mix indicated by the General Plan, inclusive of single family residential lots, smaller lot and courtyard-type single family lots, townhomes, neighborhood-serving commercial uses, community assembly use and open space.

### Small Lot Single-Family Development

The Land Use and Transportation Element (LUTE) of the General Plan contains land use policies (specifically Policy N7.3: Subdividing Hill Area Properties), which provides that, “at least 8,000 square feet of lot area per dwelling unit should be required when land in the hills area is subdivided. Lots smaller than 8,000 square feet may be created to cluster development, and as long as this ratio is maintained for the parcel being divided.” The minimum lot size permitted in the currently effective RH-4 zone is also 8,000 square feet (net lot size, not including publicly dedicated streets, alleys or paths). Under the proposed PUD clustering, the project’s design includes a variety of single-family residential lot sizes, all of which are substantially smaller and with smaller setback requirements than the currently applicable zoning regulations would allow. Generally, the project’s design includes three types of single-family lot types:

- Small Lots, which are generally located within the central portion of the site in Creekside Village, have a minimum lot size of only 2,000 square feet.
- Courtyard Lots, which are generally located within the central portion of the site in Creekside Village 1 and along the easterly side of Rifle Range Creek in the Creekside South neighborhood, have a minimum lot size of only 2,500 square feet.
- Upland Lots, which are generally located within the easterly and southerly hillside portions of the site, have a minimum lot size of 4,000 square feet.

As proposed under the Oak Knoll's clustered development plan, the underlying ratio of 5 dwelling units per acre (8,000 square foot lots / 43,560 square feet per acre = approximately 5 units /acre) is maintained for the overall Oak Knoll site (935 lots / 188 acres = 5 units/acre).

#### Hillside Residential Lot Grading and Design

The project proposes substantial grading in the Upland neighborhoods for corrective grading to eliminate unstable slopes and grading necessary to meet acceptable roadway grades, but also proposes grading that will provide individual flat pad lots for the proposed home sites. The project's proposed design employs a variety of techniques as indicated in the City's Design Review Manual to provide hillside development that is aesthetically pleasing and appropriate for the site. Specifically, the project's proposed hillside design:

- avoids large retaining walls by instead using multiple, smaller retaining walls and side slopes between each home site;
- uses a series of stepped terraces, side slopes and retaining walls to create grade transition between the street and the houses;
- uses courtyards and terraces to organize building volumes and create transitions from house to land;
- avoids long and high building walls close to side lot lines by instead using graded flat-pad lots;
- steps the building mass of individual homes with the (future) terrain with a stepped terrace wall pattern; and
- positions future homes on the site in a manner that minimizes the building height on the downslope side, and places the floor level at (future) grade to avoid or minimize tall skirt walls and other tall support structures.

Furthermore, the PDP and associated Design Guidelines include special consideration for those home sites proposed at the upper Eastern ridgeline near Keller Avenue, and that are visibly sensitive. Development of these home sites would provide custom home designs that seek to minimize grading along the length of the ridge, and better relate to the existing grade of the hill and Knoll and to minimize loss of mature native trees (specifically at the northern end of the ridge where it transitions to the preserved Knoll Open Space and memorial park). Additionally, the landscaping for this area would visually buffer new homes using quantities of vegetation beyond the basic landscaping requirements.

### Village Center Design Concept

The Oak Knoll PDP includes a design concept for the proposed Retail Village, together with design guidelines intended to create an appropriate and unique center for the project. These guidelines provide for street-front retail facades, a plaza for outdoor events and outdoor dining and where occasional fairs/events can be hosted, screening of large parking areas with landscaping and building form, integration and connections to pedestrian and bicycle networks, and anticipated types of future tenants (such as grocery, barber, bank, pharmacy, dry-cleaner, etc.). It is Suncal's intention that their proposed Oak Knoll Design Guidelines for the Village Center provide a conceptual vision of the layout and character of the retail facades, and the intended look and feel of the Village Center at the street level. However, a Final Development Plan (FDP) for the final design of the Retail Village will need to be prepared, submitted and reviewed by the City Design Review Committee and Planning Commission.

Staff has previously indicated to the Design Review Committee that we believe the current retail design guidelines do not address a number of important topics that should be included, such as loading areas; buffering of parking; the Main Street roadway section; allowable uses along the sidewalk; requirements that buildings should front the plaza and that the plaza should front Main Street; and the potential for a tall architectural feature to draw people to the Village. Suncal and their design team from Hart-Howerton have presented their proposed design guidelines for the retail Village to the Design Review Committee (DRC) on two occasions, and the DRC has requested this particular aspect of the project come back before them yet again for further consideration.

### **DRAFT PROPOSAL FOR REZONING**

To provide greater consistency between the proposed Oak Knoll PDP land use mix and City zoning, a set of unique draft Oak Knoll-specific zoning districts and new Planning Code text have been prepared to provide an accurate reflection of the Oak Knoll PDP's proposed land use plan (**Attachment D**). This new Planning Code text includes land use regulations and development standards that are consistent with the Oak Knoll PUD permit and that apply only to the Oak Knoll project. The intent of these new zoning districts and regulations is to create, maintain, and enhance residential areas characterized by single family homes and townhouses at a mix of densities; allow for different types and characters of development where appropriate on the site; provide for appropriately scaled retail and commercial uses in a village center setting; allow neighborhood and community-serving assembly uses in the relocated and rehabilitated Club Knoll building; and identify areas best suited for conservation or restoration and permanently protect these areas as open space.

A brief summary of these new zoning districts and regulations is provided below, together with a comparison to other similar City zoning districts by which they were modeled or informed.

### **New Zoning Districts**

The proposed new zoning districts for the Oak Knoll project (D-OK zones) establish land use regulations for the following seven new zoning districts.

D-OK-1: Oak Knoll District Residential Zone – 1

The D-OK-1 Zone is intended to create, maintain, and enhance areas suitable for low-density single-family home development that responds to the site's topography and includes appropriate landscaping. This district would apply to the proposed Upland lots located within the easterly and southerly hillside portions of the project site.

D-OK-2: Oak Knoll District Residential Zone - 2

The D-OK-2 Zone is intended to create, maintain, and enhance areas suitable for medium-low density single-family homes. This district would apply to the proposed Courtyard Lot sites located within the central portion of the site in Creekside Village 1 and along the easterly side of Rifle Range Creek in the Creekside South neighborhood, and to the proposed Small Lot development sites located within the central portion of the site in Creekside Village.

D-OK-3: Oak Knoll District Residential Zone - 3

The D-OK-3 Zone is intended to create, maintain, and enhance areas suitable for medium-density residential units, such as townhomes. This district would apply to the proposed Townhome sites located on the westerly side of Rifle Range Creek, and to other Townhome sites located in the south, mid and northerly frontages along Creekside Loop.

D-OK-4: Oak Knoll District Commercial Zone - 4

The D-OK-4 Zone is intended to create, maintain, and enhance areas that provide neighborhood-serving retail, such as supermarkets, banks, cafes, and dry-cleaners. Ground floor commercial uses and upper story office uses are encouraged in this zone. This district would apply to the proposed Village Center retail site located between Mountain Boulevard and Creekside Parkway.

D-OK-5: Oak Knoll District Amenity Community Commercial Zone - 5

The D-OK-5 Zone is intended to create, maintain, and enhance areas for civic community activities and commercial uses that provide a community amenity. Although this area is intended primarily to serve the community, spaces may be rented for non-community functions, including weddings and other organized events. This district would apply only to the proposed Community Center site where the historic Club Knoll building is proposed to be relocated.

D-OK-6: Oak Knoll District Active Open Space Zone – 6

The D-OK-6 Zone is intended to create, maintain and enhance open space areas that provide opportunities for informal active recreation and park use. The programming of each individual open space will respond to its location and the needs of surrounding residents. This zone is appropriate for lawn and landscaped areas, tot lots, and street furniture, such as benches, tables, and ornamental fixtures. This district would apply only to three of the project's four parks – the South Creekside Entry Park (1.2 acres); the North Creekside Park (1.4 acres), and the Creekside Village Pocket Park (a portion of the 2.8-acre Community Center site).

D-OK-7: Oak Knoll District Passive Open Space Zone - 7

The D-OK-7 Zone is intended to create, maintain, and enhance open space areas that preserve natural features of the site and provide opportunities for passive recreation and maintenance of visual buffers. The programming of each individual open space will respond to its location, natural resources, and topography. This zone is appropriate for management of vegetation and water features, hiking and walking trails, and enhancement of wildlife. This district would apply to the project's proposed passive open space areas including the top of the Knoll and the proposed Oak Knoll Memorial Park, the restored Rifle Range Creek corridor, and open space buffers along Mountain Boulevard and at the project's southerly boundary adjacent to existing residential neighborhoods.

Application of these seven new zoning districts within the Oak Knoll site as proposed is shown on the attached Proposed Oak Knoll Zoning Diagram (**Attachment C**).

**Comparative Regulations and Development Standards**Residential Districts

For each of the residential zones of the project (i.e., D-OK-1, D-OK-2 and D-OK-3), the newly proposed districts have been primarily informed by and tailored after the City's existing RM-4: Mixed Housing Type Residential Zone-4 district and its accompanying regulations. The RM-4 zone was selected as a base comparison for Oak Knoll's residential zones because the Oak Knoll's PUD clustering provisions enable a variety of single-family residential lot sizes that are substantially smaller and with smaller setback requirements than the currently applicable RH-4 zoning regulations would allow. Key differences between the new D-OK zones, the City's RM-4 zone, and the currently applicable RH-4 zone include the following:

	D-OK-1	D-OK-2	D-OK-3	RM-4	RH-4
<b>Permitted and Conditionally Permitted Uses (Selected Differences):</b>					
One Family Dwelling	P	P	C	P	P
Multi-Family Dwelling	-	-	P	P	-
Supportive Housing	P	P	P	C	-
Transitional Housing	P	P	P	C	-
Commercial Uses	-	-	-	C (limited list)	-
Limited Agriculture	-	-	P	P	P
Community Garden			P	n/a	n/a
<b>Development Standards (Selected Differences):</b>					
Min. Lot Area	3,750 sf.	2,000 sf.	5,000 sf.	4,000 sf	8,000
Density	1 primary unit/lot	1 primary unit/lot	1 unit per 1,600 sf of lot area	1 unit per 1,100 sf of lot area	1 primary unit/lot
Max FAR (slopes >20%)	0.65	n/a	n/a	n/a (3 or more units/lot)	.50 (at 8,000 sf lot)

	D-OK-1	D-OK-2	D-OK-3	RM-4	RH-4
Max Lot Coverage	50%	55%	55%	n/a (3 or more unit/lots)	40% (at 8,000 sf lot)
Mean Lot Width	42 ft.	40 ft.	20 ft.	25 ft	45 ft.
Min. Frontage	25 ft.	25 ft.	20 ft.	25 ft	25 ft.
Minimum Setbacks: (front/side/rear ft.)	$15(5)^1 / 4(5)^2 / 15$	$8 / 3(5)^3 / 12(5)^4$	$8 / 4 / \text{n/a}$	$15(5)^1 / 4 / 15$	$20(5)^1 / 5 / 20$
Max. Wall Height	30 ft – 2 stories	35 ft – 3 stories	35 ft	35 ft	25 ft.
Max. Pitched Roof Ht.	35 ft	35 ft	40 ft	35 ft	30 ft.
Group Open Space	n/a	n/a	170 sf / unit	175 sf / unit	n/a

## Notes:

- 1: For lots with a street-to-setback gradient of less than 20%, the minimum front setback is as shown. For lots with a street-to setback gradient equal to or greater than 20%, the minimum front setback is shown as (x) feet.
- 2: In the D-OK-1 Zone, the minimum interior side yard is four (4) feet on lots less than six thousand (6,000) square feet. The minimum interior side yard is five (5) feet on all other lots.
- 3: In the D-OK-2 Zone, the minimum interior side yard is 3 feet. For a single-family dwelling unit on a lot with two interior side yards, one of the two interior side yards can be reduced to zero (0) feet without a variance if the other interior side yard is at least five (5) feet.
- 4: In the D-OK-2 Zone, the minimum rear setback can be reduced to five (5) feet over a maximum of one-half (1/2) the width of the developable portion of the lot

Home sites proposed at the lower Eastern ridgeline near Keller Avenue (the lower elevations along Admiral's Ridge) are visibly sensitive. The PUD permit and EIR mitigation measures for this area require that development of new home sites in this particular area:

- Be custom home designs that seek to minimize grading along the length of the ridge, and better relate to the existing grade of the hill and Knoll,
- Minimize loss of mature native trees (specifically at the northern end of the ridge where it transitions to the preserved Knoll Open Space and memorial park), and that
- Landscaping for this area should visually buffer new homes using quantities of vegetation beyond the basic landscaping requirements of the zoning regulations.

### Commercial Districts

For the commercial/civic zones of the project (i.e., D-OK-4 applicable to the Village Retail Center, and D-OK-5 applicable to the project Community Center – including the relocated Club Knoll), the newly proposed districts have been tailored after the City's existing CN-4: Neighborhood Commercial Zone-4 and its accompanying regulations. The CN-4 zone was selected as a base comparison for Oak Knoll's commercial and civic zones because this zone is specifically intended for low impact retail and service uses in small commercial districts, often near lower density residential neighborhoods, such as at Oak Knoll. Key differences between the new D-OK-4 and -5 zones, the City's CN-4 zone include the following:

*Permitted, Conditionally Permitted and Not Permitted Uses*

- Whereas a number of residential uses types are permitted with a CUP in the City's CN-4 zone, no residential uses are permitted in the Oak Knoll commercial districts, except that emergency shelter use is permitted with a CUP at the relocated Club Knoll building.
- Whereas community assembly, recreational assembly and health care civic uses are permitted with a CUP in the City's CN-4 zone, the assembly uses are permitted by right, and health care uses are not permitted at the relocated Club Knoll building.
- Commercial uses permitted either by right or with a CUP in the City's CN-4 zone, but that are not permitted in the Oak Knoll Village Center include fast food restaurants, video games, dry cleaning plants, automotive fee parking, extensive agriculture and plant nurseries.
- The list of commercial uses permitted within the relocated Club Knoll is specifically limited to general food sales (less than 5,000 sf), full service restaurant (with cup), limited service restaurant (less than 5,000 sf with cup), alcoholic beverage sales (with cup), general retail (less than 5,000 sf), personal services, and administrative offices (5,000 sf maximum on the ground floor).
- Animal boarding (not permitted in the CN-4 zone), is permitted at the Oak Knoll Village Center with a CUP, and animal care (permitted with a CUP in the CN-4 zone) is permitted by right in the Village Center.
- Within both the Village Center and the relocated Club Knoll, custom manufacturing activities that need a kitchen (such as beverage and food production), are permitted by right in areas with kitchens, as are demonstrations of and workshops about custom manufacturing activities. Permanent establishment of custom manufacturing activities that do not rely on kitchens is prohibited. In the City's CN-4 zone, all custom manufacturing uses are only permitted with a CUP.

*Development Standards*

- The City's CN-4 zone does not include any required setbacks. Similarly, the Oak Knoll Village Center does not require any specific setbacks, but does require the relocated Club Knoll to be set back by 20 feet from the front, side and rear lot lines.
- The City's CN-4 zone has a permitted maximum FAR of 0.4, whereas both commercial districts in Oak Knoll permit FARs up to 0.5.
- The City's CN-4 zone has a maximum height depending on the Corridor Height Limit of its specific location. Building heights in the Village Center are limited to 30 feet, and the relocated Club Knoll is limited in height to 42 feet (46 feet with a pitched roof), consistent with its current design
- The City's CN-4 zone does not have parking and driveway location requirements, ground floor active space requirements or minimum ground floor façade glazing requirements. The Village Retail Center does have such requirements, including a minimum 40% to 70% ground floor glazing as specified in the Oak Knoll Design Guidelines.

Open Space Districts

For the parks and open space zones of the project (i.e., D-OK-6 applicable to the project's park spaces, and D-OK-7 applicable to the project's passive open spaces), the newly proposed districts have been tailored from the City's existing OS: Open Space district, and specifically the Neighborhood park (NP) and Resource Conservation Area (RCA) categories and their accompanying regulations. The few key differences between the new D-OK-6 and -7 zones, the City's NP and RCA categories include the following:

- City's NP and RCA Open Space categories essentially require a major or minor conditional use permit for virtually any use or activity other than benches, street furniture and landscaping. Both of the Oak Knoll open space districts would only permit by right limited agriculture and essential service uses, and community assembly and recreational assembly would be permitted with a CUP in the active parks only, and not in the open space areas. All telecommunications facilities would only be permitted with a CUP, and towers would be prohibited.
- Open, non-residential structures intended for recreational use would be permitted in the parks, provided they are only 20 feet tall to the maximum pitched roof, have an FAR of no more than 0.15, and are setback 8 feet in the front and 4 feet on the side.
- In the open space areas (D-OK-7), the only permitted uses would include landscaping, trails and paths, bridges (crossing Rifle Range Creek), and passively-design scenic overlooks and rest areas.

### **Individual Project Review Process**

As intended, all development within these new Oak Knoll zoning districts will be subject to an approved PUD permit for the Oak Knoll project, including demonstrated consistency with the Oak Knoll PDP (as it may be amended) and in particular with the Oak Knoll Design Guidelines, which are intended to be adopted as part of the PDP. Conformance to the Oak Knoll Design Guidelines will be required for any change to the exterior of a building that requires a building permit in the Oak Knoll zoning districts.

As Master Developer for the project, Suncal intends to create individual large parcels that they intend to sell to future home and commercial builders, who will in turn build the residential and commercial uses of the project. These subsequent builders will need to submit their own Final Development Plans (or FDPs) to the City for review and approval. According to the Planning Code, these subsequent FDPs must demonstrate consistency with the overall PDP. A determination of consistency for the FDP shall take the place of, and be deemed equivalent to the City's standard Design Review procedures. The review of development proposals for one or two individual new lots (rather than FDPs for multiple new lots within a subdivided large parcel) would instead be subject to the City's standard Design Review procedures set forth in the Planning Code under section 17.136.

If an FDP deviates only slightly from the approved PDP, staff would likely recommend approval of the FDP to the Planning Commission with the proposed minor changes. However, if Staff finds these subsequent FDPs to be inconsistent with the design intent of the PDP, or if more than minor changes are requested, there are only two options: 1) staff would make a recommendation to the Planning Commission to deny the FDP, or 2) the subsequent builder could apply for a revision or amendment to the PDP, which would re-open the project's PUD approval process, in addition to the FDP. Both the PUD amendment and FDP would be reconsidered by the Planning Commission.

## PUBLIC PROCESS AND NEXT STEPS

The public planning and environmental review process for this project to date has included the following steps:

- March 20, 2015: Notice of Preparation (NOP) to prepare the SEIR published, opening a 30-day comment period
- April 13 and April 15, 2015: Public scoping sessions on the EIR before the Landmarks Preservation Advisory Board (LPAB) and the Planning Commission.
- May 19, 2016: Presentation to LPAB of the applicant's proposal to relocate and rehabilitate the historic Club Knoll building.
- July 27, 2016: Presentation to the Design Review Committee (DRC) of preliminary information about Oak Knoll's draft PDP and draft FDP. Generally, the DRC expressed support of the current Oak Knoll Project, but desired follow-up detailed information.
- August 29, 2016: The Notice of Availability for the Draft SEIR was released and copies of the Draft SEIR made available.
- September 12, September 17 and October 5, 2016: Opportunities to provide oral comments on the Draft SEIR were provided at three public hearings, including the LPAB, the Bicycle and Pedestrian Advisory Commission and the Planning Commission, respectively.
- October 12, 2016: The 45 day public comment period on the Draft SEIR ended.
- October 27, 2016: Follow-up presentation to the DRC on those issues for which they requested more information during the prior July 27 meeting.

### Next Steps

Staff anticipated that the project will include, at a minimum, the following additional steps prior to consideration of EIR certification and consideration of project approvals:

- Staff and the applicant intend to return to the LPAB on November 14, 2016 with further detail on the applicant's proposal to relocate and rehabilitate the historic Club Knoll building.
- Staff and the applicant will return to the DRC on November 30, 2016 for further clarifications and detail on the project's design.
- Staff and the City's EIR consultants will prepare and distribute (date not determined) copies of the Response to Comments on the Draft SEIR, and complete the Final EIR. This document will be made available at least 10 days prior to any consideration on the requested project approvals.

**RECOMMENDATIONS**

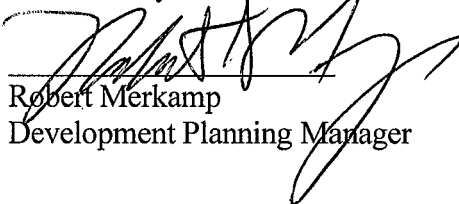
Staff requests the ZUC review the attached materials, solicit public comments, and provide Staff with your comments on the draft Planning Code amendments (new districts, text and map changes) for the Oak Knoll project. If the ZUC is generally satisfied with the draft Planning Code amendments as adequately and accurately representing the project's proposed PUD/PDP, Staff requests the Committee provide any further direction to Staff as may be necessary prior to full consideration of the Planning Code amendments by the City Planning Commission as part of their considerations in the project's approval process.

Prepared by:

**Scott Gregory**

Scott Gregory  
Contract Planner

Reviewed by:



Robert Merkamp  
Development Planning Manager

**ATTACHMENTS:**

**Attachment A:** City of Oakland General Plan Land Use Diagram

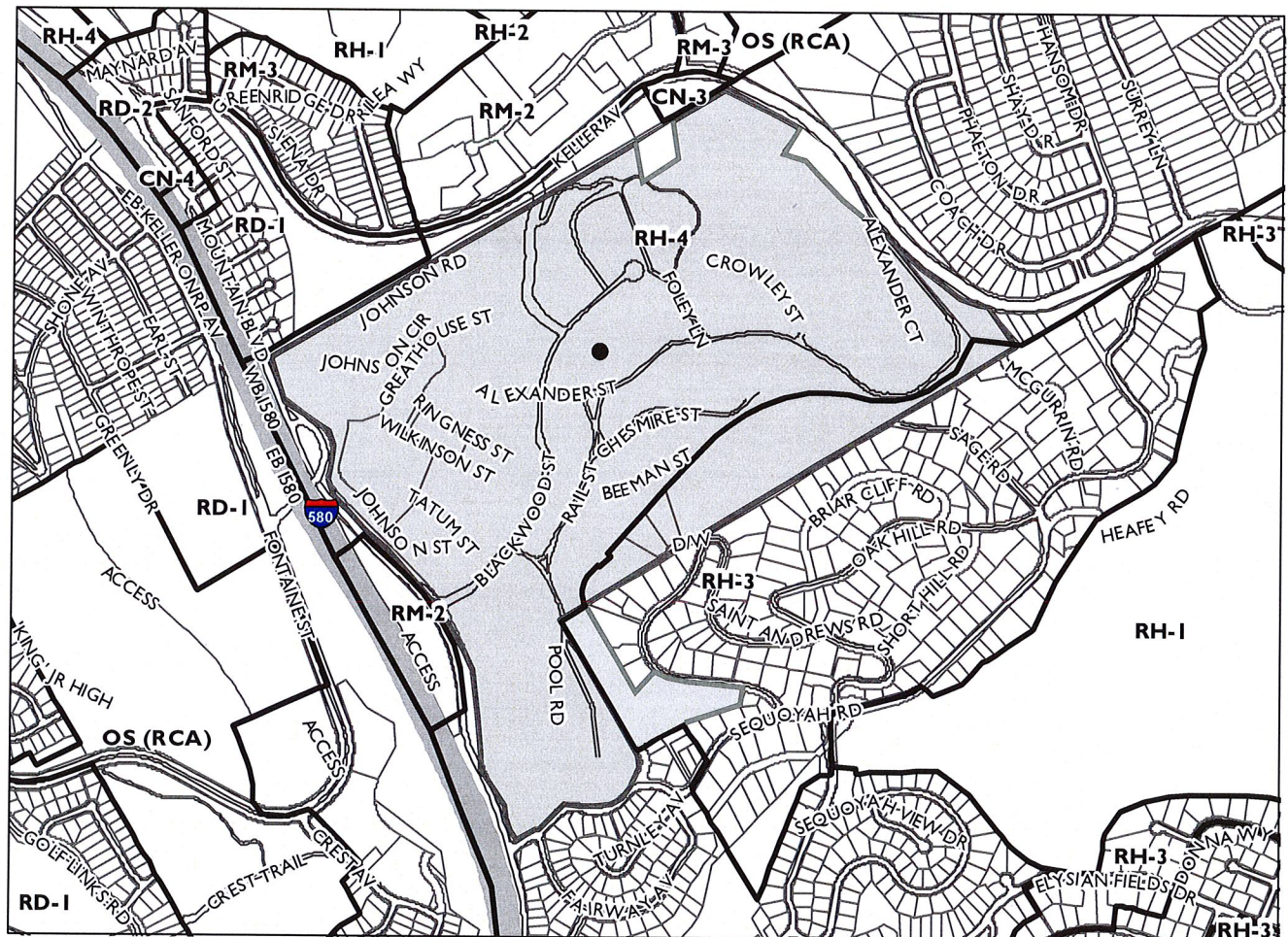
**Attachment B:** Existing Zoning map

**Attachment C:** Proposed Oak Knoll Zoning map

**Attachment D:** Proposed Planning Code text amendments

# CITY OF OAKLAND PLANNING COMMISSION

## Attachment A



Case File: ER15004

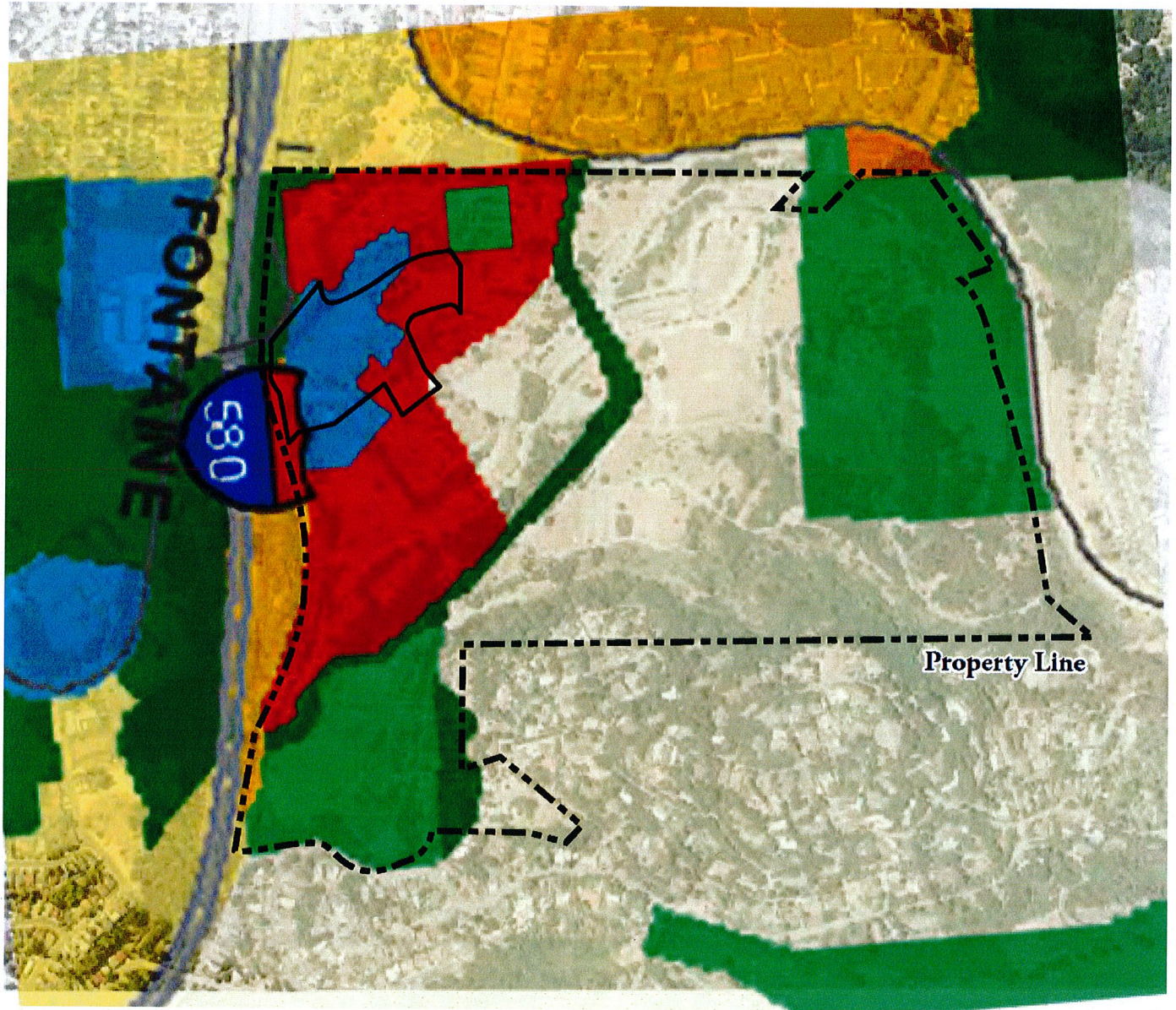
Applicant: Oak Knoll Venture Acquisitions, LLC ; Sam Veltri

Address: 8750 Mountain Boulevard (bounded by Mountain Blvd and Keller Avenue)

Zone: RH-3, RH-4

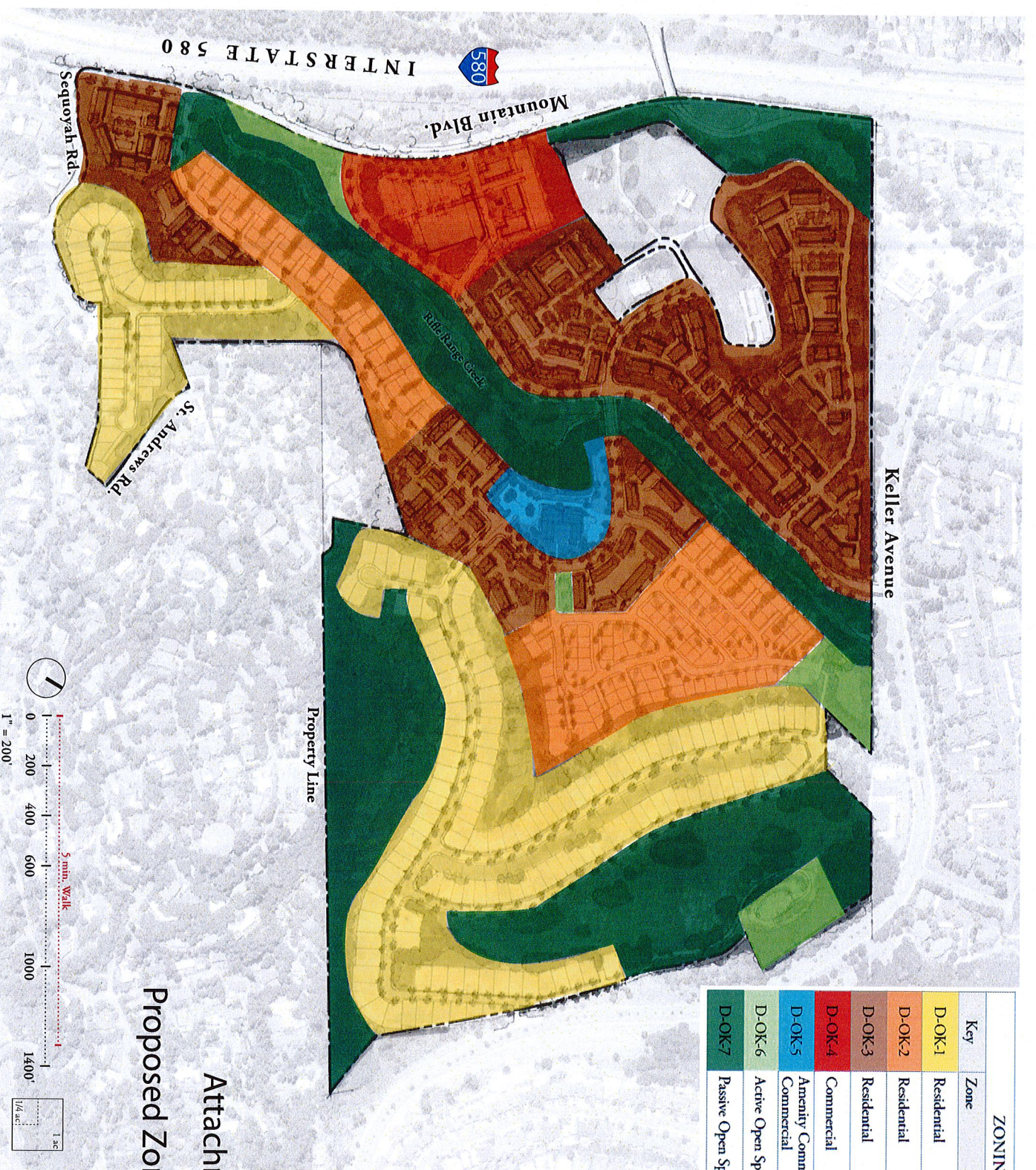
# Attachment B

## General Plan Land Use Diagram



-  Hillside Residential
-  Community Commercial
-  Urban Open Space
-  Institutional
-  Resource Conservation

ZONING LEGEND		
Key	Zone	Use
D-OK1	Residential	Low Density
D-OK2	Residential	Medium-Low Density
D-OK3	Residential	Medium Density
D-OK4	Commercial	Community Retail
D-OK5	Amenity Community Commercial	Community and Commercial
D-OK6	Active Open Space	Recreation and Parks
D-OK7	Passive Open Space	Open Space/Creek Riparian/Trails



## Chapter 17.101J - D-OK OAK KNOLL DISTRICT ZONES REGULATIONS

### Sections:

17.101J.010 - Title, intent, and description.

17.101J.020 - Required design review process, including preliminary and final development plan approval and Oak Knoll Design Guidelines.

17.101J.030 - Permitted and conditionally permitted activities.

17.101J.040 - Permitted and conditionally permitted facilities.

17.101J.050 - Property development standards.

17.101J.060 - Subdivision.

17.101J.070 - Conditional use permit criteria.

17.101J.080 - Other zoning provisions.

### **17.101J.010 - Title, intent, and description.**

- A. Title and Intent. The provisions of this Chapter shall be known as the D-OK Oak Knoll District Zones Regulations. The intent of the Oak Knoll District (D-OK) Zones is to implement the Oak Knoll District Planned Unit Development (OKPUD) permit. The OKPUD intends to establish and maintain a pedestrian-oriented neighborhood that contains a mix of housing types, community amenities, a retail area, passive and active recreational opportunities, and open spaces. These regulations shall apply to the six (6) zoning districts (the D-OK zones) in the OKPUD area.
- B. Description of Zones. This Chapter establishes land use regulations for the following six zones:
1. **D-OK-1 Oak Knoll District Residential Zone - 1.** The D-OK-1 Zone is intended to create, maintain, and enhance areas suitable for low-density single-family home development that responds to the site's topography and includes appropriate landscaping.
  2. **D-OK-2 Oak Knoll District Residential Zone - 2.** The D-OK-2 Zone is intended to create, maintain, and enhance areas suitable for medium-low density single-family homes.
  3. **D-OK-3 Oak Knoll District Residential Zone - 3.** The D-OK-3 Zone is intended to create, maintain, and enhance areas suitable for medium-density residential units, such as townhomes.
  4. **D-OK-4 Oak Knoll District Commercial Zone - 4.** The D-OK-4 Zone is intended to create, maintain, and enhance areas that provide neighborhood-serving retail, such as supermarkets, banks, cafes, and dry-cleaners. Ground floor commercial uses and upper story office uses are encouraged in this zone.
  5. **D-OK-5 Oak Knoll District Amenity Community Commercial Zone - 6.** The D-OK-6 Zone is intended to create, maintain, and enhance areas for community activities and commercial uses that provide a community amenity. Although this area is intended

primarily to serve the community, spaces may be rented for non-community functions, including weddings and other organized events.

6. **D-OK-6 Oak Knoll District Active Open Space Zone – 6.** The D-OK-6 Zone is intended to create, maintain and enhance open space areas that provide opportunities for informal active recreation and park use. The programming of each individual open space will respond to its location and the needs of surrounding residents. This zone is appropriate for lawn and landscaped areas, tot lots, and street furniture, such as benches, tables, and ornamental fixtures.
7. **D-OK-7 Oak Knoll District Passive Open Space Zone - 7.** The D-OK-7 Zone is intended to create, maintain, and enhance open space areas that preserve natural features of the OKPUD area and provide opportunities for passive recreation and maintenance of visual buffers. The programming of each individual open space will respond to its location, natural resources, and topography. This zone is appropriate for management of vegetation and water features, hiking and walking trails, and enhancement of wildlife.

**17.101J.020 - Required Design Review Process, Including Preliminary and Final Development Plan Approval and Oak Knoll Design Guidelines.**

- A. All development within the Oak Knoll District is subject to an approved Planned Unit Development (PUD) permit pursuant to Chapters 17.140 and 17.142.
- B. Development within the District shall be consistent with the Oak Knoll Preliminary Development Plan (as it may be amended), in particular with the Oak Knoll Design Guidelines, which were adopted as part of the Preliminary Development Plan. Conformance to the Oak Knoll Design Guidelines is required for any change to the exterior of a building that requires a building permit in the Oak Knoll District.
- C. In addition, as applicable, development is subject to the following design review requirements:
  1. Original development of more than two lots at the same time shall require approval of, and be consistent with, a Final Development Plan in accordance with the procedures set forth in Chapter 17.140. For development requiring a Final Development Plan, a determination of consistency with the Final Development Plan shall take the place of, and be deemed equivalent to, the design review procedures in Chapter 17.136.
  2. Original development of two or fewer lots at the same time shall be subject to the design review procedures set forth in under 17.136.
  3. Subsequent approvals to existing development shall be subject to design review under Chapter 17.136, except where such projects are exempt from design review pursuant to Section 17.136.025. Where there is a conflict between the design review criteria contained in Section 17.136.070 and the design objectives contained in the Oak Knoll Design Guidelines, the design objectives in the Oak Knoll Design Guidelines shall prevail.
  4. Telecommunications facilities shall be subject to design review in accordance with Chapter 17.128 unless they have already been approved pursuant to a Final Development Plan.

5. Signs other than those covered by a Final Development Plan shall be subject to design review in accordance with Chapter 17.104.

**17.101J.030 - Permitted and conditionally permitted activities.**

Table 17.101J.01 lists the permitted, conditionally permitted, and prohibited activities in the D-OK Zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a Conditional Use permit (CUP) in the corresponding zone (see Chapter 17.134 and Section 17.101J.070 for the CUP procedure and criteria).

"L" designates activities subject to certain limitations or notes listed at the bottom of the table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

**Table 17.101J.01: Permitted and Conditionally Permitted Activities**

Activities	Primary Zones							Additional Regulations
	D-OK-1	D-OK-2	D-OK-3	D-OK-4	D-OK-5	D-OK-6	D-OK-7	
<b>Residential Activities</b>								
Permanent	P	P	P	—	—	—	—	
Residential Care	P(L1)	P(L1)	P(L1)	—	—	—	—	17.103.010
Supportive Housing	P	P	P	—	—	—	—	
Transitional Housing	P	P	P	—	—	—	—	
Emergency Shelter	—	—	—	—	C(L1) (L2)	—	—	17.103.010
Semi-Transient	—	—	—	—	—	—	—	
Bed and Breakfast	—	—	—	—	—	—	—	

<b>Civic Activities</b>								
Essential Service	P	P	P	P	P	P	P	
Limited Child-Care Activities	P	P	P	P	P	—	—	
Community Assembly	C	C	C	C	P	C(L3)	—	
Recreational Assembly	C	C	C	P	C	C	—	
Community Education	C	C	C	C	C	—	—	
Nonassembly Cultural	C	C	C	P	P	—	—	
Administrative	—	—	—	P	P	—	—	
Health Care	—	—	—	C(L4)	—	—	—	
Special Health Care	—	—	—	—	—	—	—	17.103.020
Utility and Vehicular	C	C	C	C	—	—	—	
Extensive Impact	—	—	—	—	—	—	—	
<b>Commercial Activities</b>								
General Food Sales	—	—	—	P	P(L5)	—	—	
Full Service Restaurants	—	—	—	P	C	—	—	
Limited Service Restaurant and Cafe	—	—	—	P	P(L5)	—	—	

Fast-Food Restaurant	—	—	—	—	—	—	—	17.103.030 and 8.09
Convenience Market	—	—	—	C	—	—	—	17.103.030
Alcoholic Beverage Sales	—	—	—	C	C	—	—	17.103.030, and 17.114.030,
Mechanical or Electronic Games	—	—	—	—	—	—	—	
Medical Service	—	—	—	P(L5)	—	—	—	
General Retail Sales	—	—	—	P	P(L5)	—	—	
Large-Scale Combined Retail and Grocery Sales	—	—	—	—	—	—	—	
Consumer Service	—	—	—	P(L6) (L7)	—	—	—	
Consultative and Financial Service	—	—	—	P	—	—	—	
Check Cashier and Check Cashing	—	—	—	—	—	—	—	
Consumer Cleaning and Repair Service	—	—	—	P(L7)	—	—	—	
Consumer Dry Cleaning Plant	—	—	—	—	—	—	—	
Group Assembly	—	—	—	C	P	—	—	

Personal Instruction and Improvement Services	—	—	—	P	P	—	—	
Administrative	—	—	—	P(L8)	P(L8)	—	—	
Business, Communication, and Media Services	—	—	—	P(L9)	—	—	—	
Broadcasting and Recording Services	—	—	—	—	—	—	—	
Research Service	—	—	—	C(L9)	—	—	—	
General Wholesale Sales	—	—	—	—	—	—	—	
Transient Habitation	—	—	—	—	—	—	—	17.103.050
Building Material Sales	—	—	—	—	—	—	—	
Automobile and Other Light Vehicle Sales and Rental	—	—	—	—	—	—	—	
Automobile and Other Light Vehicle Gas Station and Servicing	—	—	—	—	—	—	—	
Automobile and Other Light Vehicle Repair	—	—	—	—	—	—	—	

and Cleaning								
Taxi and Light Fleet-Based Services	—	—	—	—	—	—	—	
Automotive Fee Parking	—	—	—	—	—	—	—	
Animal Boarding	—	—	—	C	—	—	—	
Animal Care	—	—	—	P	—	—	—	
Undertaking Service	—	—	—	—	—	—	—	
<b>Industrial Activities</b>								
Custom Manufacturing	—	—	—	P	P(L10)	—	—	17.120
Light Manufacturing	—	—	—	—	—	—	—	
General Manufacturing	—	—	—	—	—	—	—	
Heavy/High Impact	—	—	—	—	—	—	—	
Research and Development	—	—	—	—	—	—	—	
Construction Operations	—	—	—	—	—	—	—	
<b>Warehousing, Storage, and Distribution-Related</b>								
Warehousing, Storage, and Distribution-Related (all categories)	—	—	—	—	—	—	—	

<b>Recycling and Waste-Related</b>								
Recycling and Waste-Related (all categories)	—	—	—	—	—	—	—	
<b>Agriculture and Extractive Activities</b>								
Limited Agriculture	—	—	P(L11) (L12)	P(L11) (L12)	P(L11) (L12)	P(L11) (L12)	P(L11) (L12)	
Extensive Agriculture	—	—	—	—	—	—	—	
Plant Nursery	—	—	—	—	—	—	—	
Mining and Quarrying	—	—	—	—	—	—	—	

**Limitations on Table 17.101J.01:**

**L1.** Residential Care is only permitted in a One-Family Dwelling Residential Facility. No Residential Care or Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such Activity or Facility. See Section 17.103.010 for other regulations regarding Residential Care and Emergency Shelter Residential Activities.

**L2.** An Emergency Shelter Residential Activity is limited to the temporary housing of displaced people after a catastrophe, including earthquake, fire, flood, or other similar act of God, that makes residences uninhabitable. All other types of Emergency Shelter Residential Activities are prohibited.

**L3.** Community Assembly Civic Activities are allowed only in accordance with the requirements in Section 17.11.060 for parks designated Neighborhood Park (NP).

**L4.** In addition to the Conditional Use Permit (CUP) criteria required under Section 17.134.050, as modified by Section 17.101J.070, the following additional criteria also must be met:

1. That the proposal will not interfere with the operations of the surrounding uses;
2. That the proposal will not exceed 5,000 square feet on the ground floor; and
3. That the proposal will not interfere with the movement of people along the sidewalk or pedestrian walkways.

**L5.** The total floor area devoted to these activities is limited to 5,000 square feet.

**L6.** See Section 17.102.170 for special regulations relating to massage services. Also, no new or expanded laundromat shall be located closer than five hundred (500) feet from any existing laundromat. See Section 17.102.450 for further regulations regarding laundromats.

**L7.** The total floor area devoted to these activities on the ground floor by any single establishment may only exceed five thousand (5,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 and Section 17.101J.070 for the CUP procedure and criteria).

**L8.** The total floor area devoted to Administrative Activities is limited to 5,000 square feet if located on the ground floor. There is no size limitation for such uses if not located on the ground floor.

**L9.** Except for media services, these activities are not permitted if located on the ground floor of a building.

**L10.** Custom Manufacturing Activities that need a kitchen, such as beverage and food production, are permitted in areas with kitchens. Demonstrations of and workshops about custom manufacturing activities are permitted. The permanent establishment of Custom Manufacturing Activities that do not rely on kitchens is prohibited.

**L11.** Other than Community Gardens (see Note L12), Limited Agriculture is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 and Section 17.101J.070 for the CUP procedure and criteria). In addition to the CUP criteria contained in Section 17.134.050 and Section 17.101J.070, this activity must meet the following use permit criteria:

1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic;
2. Agricultural chemicals or pesticides will not impact abutting properties or the surrounding neighborhood; and
3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil.

**L12.** Community Gardens are permitted by right if they do not include the cultivation of animals, animal products, and/or livestock production, except for bee keeping involving no more than three (3) hives. The cultivation of animals, animal products and/or livestock production, except for bee keeping involving no more than three (3) hives, is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 and Section 17.101J.070 for the CUP procedure and criteria).

#### **17.101J.040 - Permitted and conditionally permitted facilities.**

Table 17.101J.02 lists the permitted, conditionally permitted, and prohibited facilities in the D-OK Zones. The descriptions of these facilities are contained in Chapter 17.10.

"P" designates permitted facilities in the corresponding zone.

"C" designates facilities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 and Section 17.101J.070 for the CUP procedure and criteria).

"L" designates facilities subject to certain limitations listed at the bottom of the Table.

"—" designates facilities that are prohibited.

**Table 17.101J.02: Permitted and Conditionally Permitted Facilities**

Facilities	Zones							Additional Regulations
	D-OK-1	D-OK-2	D-OK-3	D-OK-4	D-OK-5	D-OK-6	D-OK-7	
Residential Facilities								
One-Family Dwelling	P	P	C	—	—	—	—	
One-Family Dwelling with Secondary Unit	P	P	C	—	—	—	—	17.103.080
Two-Family Dwelling	—	—	P	—	—	—	—	
Multifamily Dwelling	—	—	P	—	—	—	—	
Rooming House	—	—	—	—	—	—	—	
Mobile Home	—	—	—	—	—	—	—	
Nonresidential Facilities								
Enclosed Nonresidential	—	—	—	P	P	C	—	
Open Nonresidential	P	P	P	C	C	P	P	
Sidewalk Cafe	—	—	—	P(L1)	—	—	—	17.103.090
Drive-In	—	—	—	—	—	—	—	
Drive-Through	—	—	—	—	—	—	—	17.103.100
Telecommunications Facilities								
Micro Tele-communications	C	C	C	C	C	C	C	17.128
Mini Tele-communications	C	C	C	C	C	C	C	17.128
Macro Tele-communications	C	C	C	C	C	C	C	17.128
Monopole Tele-communications	C	C	C	C	C	C	C	17.128
Tower Tele-	—	—	—	—	—	—	—	17.128

communications								
<b>Sign Facilities</b>								
Residential Signs	P(L2)	P(L2)	P(L2)	—	—	—	—	
Special Signs	P(L2)	P(L2)	P(L2)	P(L3)	P(L2)	P(L2)	—	
Development Signs	P(L2)	P(L2)	P(L2)	P(L3)	P(L2)	—	—	
Realty Signs	P(L2)	P(L2)	P(L2)	P(L3)	P(L2)	—	—	
Civic Signs	P(L2)	P(L2)	P(L2)	P(L3)	P(L2)	C(L2)	—	
Business Signs	—	—	—	P(L3)	P(L2)	—	—	
Advertising Signs	—	—	—	—	—	—	—	

L1. Sidewalk cafes are allowed only as an accessory facility to an approved Full Service Restaurant or Limited Service Restaurant and Cafe. The sidewalk cafe may only operate within the hours of 7:00 a.m. to 10:30 p.m. See Section 17.103.090 for other regulations regarding Sidewalk Cafes; however, the regulations in this Section supersede any contradicting regulations in Section 17.103.090.

L2. All signs other than monument signs, which are defined in the OKPUD, shall comply with the regulations in Section 17.104.010. Monument signs shall comply with the regulations in Section 17.101J.020 and the OKPUD.

L3. Signs shall comply with the regulations in Section 17.101J.020, 17.104.020, or 17.104.070, as applicable.

#### 17.101J.050 - Property development standards.

- A. Zone Specific Standards. Table 17.101J.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table. "—" indicates that a standard is not required in the specified zone.

Table 17.101J.03: Property Development Standards

Development Standards	Zones							Additional Regulations
	D-OK-1	D-OK-2	D-OK-3	D-OK-4	D-OK-5	D-OK-6	D-OK-7	
Minimum Lot Dimensions								
Width mean	42 ft.	40 ft.	20 ft.	25 ft.	25 ft.	20 ft.	N/A	1
Frontage	25 ft.	25 ft.	20 ft.	25 ft.	25 ft.	20 ft.	N/A	2
Lot area	3,750 sf.	2,000 sf.	5,000 sf.	4,000 sf.	4,000 sf.	2,000 sf.	N/A	
Minimum/Maximum Setbacks								

Minimum Front	15 ft./5 ft.	8 ft.	8 ft.	0 ft.	20 ft.	8 ft.	N/A	3, 4, 5, 9
Minimum Interior Side	4 ft./5 ft.	3 ft. per side or a total of 5 ft.	4 ft.	0 ft./5 ft.	20 ft.	4 ft.	N/A	6, 7, 9
Minimum Street Side	5 ft.	3 ft.	5 ft.	0 ft.	20 ft.	0 ft.	N/A	9
Rear	15 ft.	12 ft.	N/A	0 ft./5 ft.	20 ft.	0 ft.	N/A	8, 9

#### Maximum Density

Permitted Density	1 primary unit per lot	1 primary unit per lot	1 unit per 1,600 sf. of lot area on lots 5,000 sf. or greater	0.50 FAR	0.50 FAR	0.15 FAR	N/A	10
Maximum FAR for Lots with a Footprint Slope >20%	0.65	N/A	N/A	N/A	N/A	N/A	N/A	10
Maximum Lot Coverage (%)	50%	55%	55%	N/A	N/A	N/A	N/A	10

#### Heights

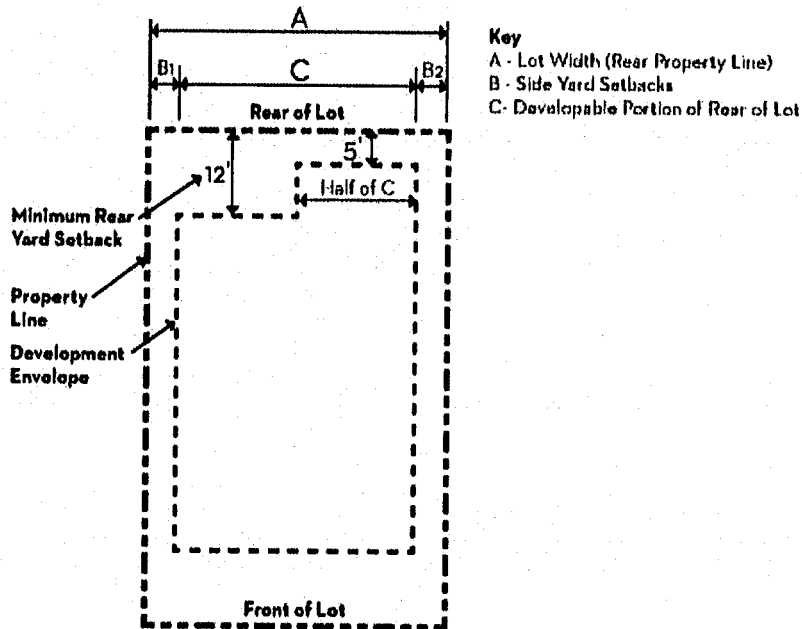
Maximum wall height primary building	30 ft. and 2 stories	35 ft. and 3 stories	35 ft.	30 ft.	42 ft.	15 ft.	N/A	11
Maximum pitched roof height primary building	35 ft. and 2 stories	35 ft. and 3 stories	40 ft.	30 ft.	46 ft.	20 ft.	N/A	11
Maximum height for accessory structures	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	11

Height Regulations for all Lots with a Footprint Slope of > 20%	See Table 17.101J.04	N/A	N/A	N/A	N/A	N/A	N/A	
<b>Minimum Open Space</b>								
Group Open Space	N/A	N/A	170 sf. per unit	N/A	N/A	N/A	N/A	12
Courtyard Regulations	N/A	N/A	See Section 17.108.1 20	N/A	N/A	N/A	N/A	
<b>Other Development Standards</b>								
Parking and driveway location requirements	Yes	Yes	Yes	Yes	No	No	N/A	13
Ground floor active space requirement	N/A	N/A	N/A	Yes	N/A	N/A	N/A	14
Minimum ground floor façade glazing	N/A	N/A	N/A	40 to 70%	N/A	N/A	N/A	15
Minimum height of ground floor facilities	N/A	N/A	N/A	12 ft.	N/A	N/A	N/A	16
Minimum Required Parking	Yes	Yes	Yes	Yes	No	No	N/A	17

**Additional Regulations for Table 17.101J.03:**

1. No additional subdivisions other than what was approved in the OKPUD are permitted unless a new planned unit development (PUD) application is submitted pursuant to the procedures in Chapter 17.140.

2. The minimum frontage requirement does not apply to flag lots created as part of the original OKPUD.
3. For lots in the D-OK-1 Zone with a street-to-setback gradient of less than twenty (20) percent, the minimum front setback is fifteen (15) feet. For lots in the D-OK-1 Zone with a street-to setback gradient equal to or greater than twenty (20) percent, the minimum front setback is five (5) feet.
4. For residences in the D-OK-2 Zone located off of a shared access facility, the minimum front setback is measured from the edge of the pavement of the common access drive.
5. In the D-OK-1, D-OK-2, and D-OK-3 Zones, the minimum front setback for a garage is eighteen (18) feet. In the D-OK-1, D-OK-2, and D-OK-3 Zones, covered porches are permitted in the front setback; in these zones, covered porches shall have a minimum front setback of three (3) feet.
6. In the D-OK-2 Zone, the minimum interior side yard is three (3) feet except, for a single-family dwelling unit on a lot with two interior side yards, one of the two interior side yards can be reduced to zero (0) feet without a variance if the other interior side yard is at least five (5) feet. On the ground-floor, only a garage of a maximum length of twenty-four (24) feet is allowed on the interior side without a side yard. Habitable rooms are permitted over such a garage. On the interior side without a side yard, no windows, doors or upper floor balconies or decks are permitted less than three (3) feet of the property line.
7. In the D-OK-1 Zone, the minimum interior side yard is four (4) feet on lots less than six thousand (6,000) square feet. The minimum interior side yard is five (5) feet on all other lots in the D-OK-1 Zone. In the D-OK-4 Zone, there is no minimum interior side yard setback unless the interior side lot line is adjacent to a Residential Zone, in which case the minimum side yard setback is five (5) feet.
8. In the D-OK-2 Zone, the minimum rear setback can be reduced to five (5) feet over a maximum of one-half (1/2) the width of the developable portion of the lot (i.e., the width not including the applicable side yard setbacks), as shown in the following figure. In the D-OK-4 Zone, there is no minimum rear setback unless the rear lot line is adjacent to a Residential Zone, in which case the rear setback is five (5) feet.



9. If there is any ambiguity regarding the required setbacks, the setbacks in the Oak Knoll Design Guidelines shall control.

10. Where a Secondary Unit is permitted in the D-OK Zones (i.e., on a residential lot with only one (1) single-family dwelling unit), the requirements in Section 17.103.080 shall apply.

11. See Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings. In the D-OK-5 Zone, the maximum height is measured from the ground level of the building, and the tower of Club Knoll is an allowed projection above the height limit. 12. The per unit Group Open Space requirement can be replaced by 70 square feet of dedicated Private Open Space per unit. All usable Group Open Space shall meet the requirements in Sections 17.126.030.A through 17.126.030.E. Usable Private Open Space shall meet the following requirements:

- a. **Usability.** A surface shall be provided which prevents dust and allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt, or other serviceable, dust-free surfacing. Slope shall not exceed ten percent (10%). Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Adequate safety railings or other protective devices shall be erected wherever necessary for space on a roof or balcony, but shall not be more than the minimum height required by the Oakland Building Code.
- b. **Location.** The space may be located anywhere on the lot. Above-ground-level space may be counted even though it projects beyond a street line. All spaces shall be adjacent to, and not more than four (4) feet above or below the floor level of, the living unit served.
- c. **Size and Shape.** An area of contiguous ground-level space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than ten (10) feet. An area of above-ground-level space shall be of such size and shape that a rectangle

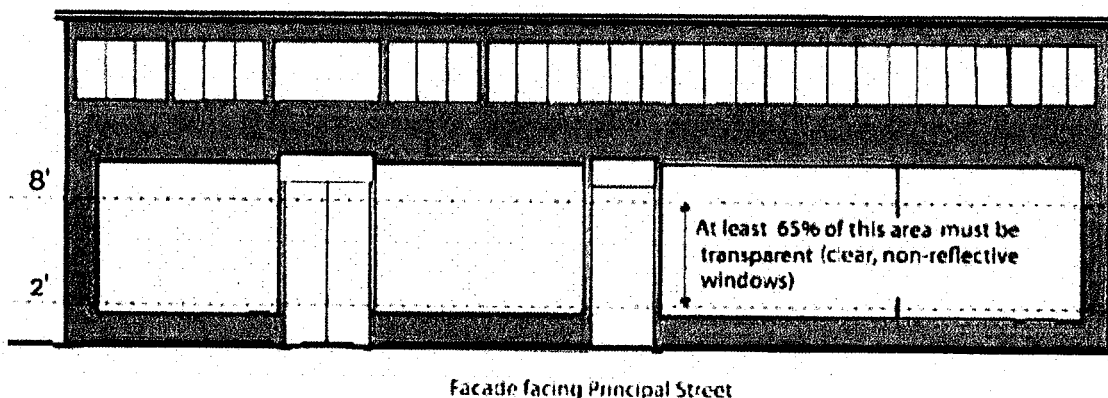
inscribed within it shall have no dimension less than five (5) feet. When space is located on a roof, the area occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.

- d. Accessibility. The space shall be accessible to only one living unit by a doorway to a habitable room or hallway.
- e. Openness. There shall be no obstructions over ground-level space except for devices to enhance its usability and except that not more than fifty percent (50%) of the space may be covered by a private balcony projecting from a higher story. Above-ground-level space shall have at least one exterior side open and unobstructed, except for incidental railings or balustrades, for eight (8) feet above its floor level.

Enclosures and landscaping for both usable Group and Private Open Spaces must be consistent with the requirements in the Oak Knoll Design Guidelines.

13. In the D--OK District Residential Zones, Section 2.6 of the Oak Knoll Design Guidelines applies. Parking and loading requirements in the D-OK-4 Zone are the same as in the CN-4 Zone, subject to the exceptions stated in Note 14 below. 14. Locker areas, storage areas, mechanical rooms, and other non-active spaces shall not be located within thirty (30) feet from the front of the principal building except for incidental entrances to such activities elsewhere in the building. Exceptions to this regulation may be permitted by the Planning Director for utilities and trash enclosures that cannot be feasibly placed in other locations of the building. Driveways, garage entrances, or other access to parking and loading facilities may be located in front of the principal building, as regulated by Note 12 to Table 17.33.03 in Planning Code Section 17.33.050.A. "Street" parking is allowed along either the principal street or principal private driveway in front of the principal building. (An example of "street" parking is shown in Figure 1.5 in Chapter 2.3 of the Oak Knoll Design Guidelines.) Parking lots are not allowed in the front of the principal building.

15. The percentage of transparency and locations subject to a minimum glazing requirement are specified in the Oak Knoll Design Guidelines (see Figure 1.6, *Required Façade Treatments*, in Chapter 2.3, Commercial Development Standards). An example of glazing treatment that meets the requirements in the Oak Knoll Design Guidelines is illustrated in the figure below.



16. The minimum height requirement applies only for new principal buildings and the height is measured from the sidewalk grade to the ground floor ceiling.

17. In the D-OK-1, D-OK-2, and D-OK-3 Zones, the regulations in Sections 17.116.050, 17.116.060 and 17.116.070 for the RH and/or RD Zones apply. In the D-OK-4 Zone, the regulations in Sections 17.116.050, 17.116.070, 17.116.080, and 17.116.090 for the CN Zone. In the D-OK-5 and D-OK-6 Zones, the regulations in Section 17.116.050 through 17.116.100 apply.

**B. Height.** Table 17.101J.04 below prescribes the height standards associated with different sloped lots. The numbers in the "Additional Regulations" column refer to the regulations listed at the end of the Table.

**Table 17.101J.04 Height Regulations for all Lots with a Footprint Slope of >20%**

Regulation	Downslope Lot Height Regulations With a Footprint Slope of:			Upslope Lot Height Regulations With a Footprint Slope of:	Additional Regulations
	> 20% and < 40%	> 40% and < 60%	> 60%	> 20%	
Maximum Height for Detached Accessory Structures	15 ft.	15 ft.	15 ft.	15 ft.	1
Maximum Wall Height Primary Building	32 ft.	34 ft.	36 ft.	32 ft.	1, 2
Maximum Wall Height Primary Building with a CUP	36 ft.	38 ft.	40 ft.	35 ft.	1
Maximum Pitched Roof Height Primary Building	36 ft.	38 ft.	40 ft.	35 ft.	1, 2
Maximum Height Above Edge of Payment	18 ft.	18 ft.	18 ft.	N/A	1
Maximum Height Above the Ground Elevation at the Rear Setback Line	N/A	N/A	N/A	24 ft.	1
Maximum Height from Finished or Existing Grade (whichever is lower) Within 20' of the Front Property Line	N/A	N/A	N/A	24 ft.	1, 3

**Additional Regulations for Table 17.101J.04:**

1. See Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.

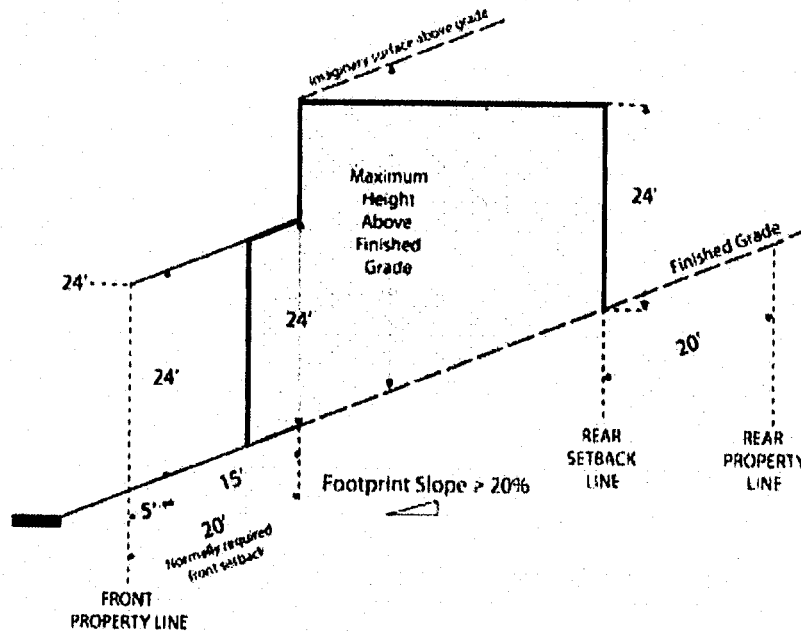
2. On a downslope lot greater than forty percent (40%) footprint slope, the rear wall of an attached garage or carport may exceed the wall height and roof height by five (5) feet, but may not exceed eighteen (18) feet above ground elevation at edge of pavement, if the garage or carport conforms with all of the following criteria:

- a. Maximum width is twenty-two (22) feet and maximum depth is twenty (20) feet; and
  - b. Garage or carport floor is at the same level as the edge of the street pavement resulting from the project at the center point of the driveway entrance or is at a lower level; and
  - c. Maximum height above the garage or carport floor is ten (10) feet for walls to the top of the plate or flat roof, and twelve (12) feet for pitched roofs (see Illustration for Table 17.17.06 [Additional Regulation 2], below).
3. The building height is measured from finished or existing grade, whichever is lower.

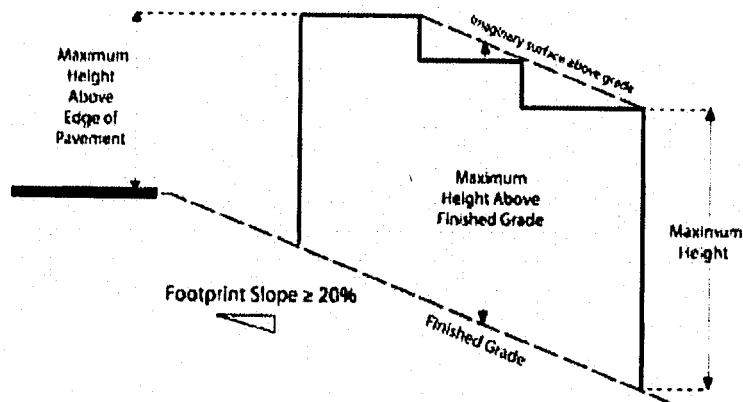
Illustrations for Table 17.101J.04

\*for illustration purposes only

Lip slope



Download



#### 17.101J.060 - Subdivision

The OKPUD is approved for 935 residential dwelling units and 82,000 sf. of non-residential space. No additional residential subdivisions are permitted. **17.101J.070 – Conditional use permit criteria.**

- A. The procedures in Chapter 17.134 apply in the D-OK Zones except for the criterion required by Section 17.134.050.D.
- B. In the D-OK Zones, the following criterion replaces the criterion found in Section 17.134.050.D: That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.101J.020.C and the Oak Knoll Design Guidelines.

#### 17.101J.080 - Other zoning provisions.

- A. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.
- B. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.
- C. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the D-OK Zones to the extent not contrary to the standards specifically set forth in this Chapter and the Oak Knoll Design Guidelines.
- D. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the D-OK Zones.
- E. Landscaping and Screening Standards. The regulations set forth in Chapter 17.124 shall apply in the D-OK Zones to the extent not contrary to the standards specifically set forth in the Oak Knoll Design Guidelines.
- F. Buffering. All uses shall be subject to the applicable requirements of the buffering regulations in Chapter 17.110 with respect to screening or location of parking, loading, storage areas, control of artificial illumination, and other matters specified therein to the

extent not contrary to the standards specifically set forth in the Oak Knoll Design Guidelines.

- G. Bicycle Parking. The bicycle parking requirements in Chapter 17.117 apply in the D-OK Zones.
- H. Special Regulations and Findings for Certain Use Classifications. The regulations set forth in Chapter 17.103 shall apply in the D-OK Zones to the extent noted in Table 17.101J.01.
- I. Performance Standards. The regulations set forth in Chapter 17.120 shall apply in the D-OK Zones.