

ZONING ADMINISTRATOR INTERPRETATION

DATE: November 18, 2009

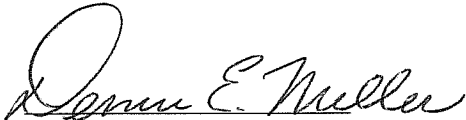
CODE SECTION: Appendix A – PD-10 (Planned Development #10 - Colorado/Lake) Provisions

QUESTION NEEDING INTERPRETATION: The PD-10 provisions indicate that the uses permitted on the site are limited to office and retail uses. The provisions, however, do not list the specific types of uses which would be considered retail. Further, the Zoning Code in effect at the time of the adoption of this PD did not contain a definition of retail uses. Therefore, the question is whether a restaurant would be allowed on this site under the provisions of the Zoning Code then in effect.

INTERPRETATION: The PD-10 was adopted in 1983 to permit development at the corner of Colorado Boulevard and Lake Avenue primarily for office use and some retail space. The primary impetus of the PD was to adopt development standards to guide the physical development of the proposed buildings. Prior to adoption of the PD-10, the subject site was zoned C-2 (Retail Commercial Zone) The staff report and the map exhibit from the PD-10 depicts the zone change as an overlay PD-10/C-2, noting the intent to maintain the general office and retail uses of the C-2 zone which included restaurant or café as permitted uses. Therefore, the reference to retail uses in this PD was intentionally flexible and broad enough to appropriately include restaurant uses while maintaining offices as the primary use at this site.

Further, new restaurant uses would be consistent with the commercial nature and historical development of the Colorado Boulevard corridor and would support Lake Avenue as a pedestrian-oriented commercial street, intended by the current CD-5 zoning district and the Central District Specific Plan.

A restaurant use may be permitted in the PD-10 provided parking for the new use is supplied according to the Zoning Code.



Denver E. Miller
Zoning Administrator