



THE CITY OF SAN DIEGO

DATE OF NOTICE: APRIL 9, 2025

NOTICE OF PUBLIC HEARING

HEARING OFFICER

DATE OF HEARING:	APRIL 23, 2025
TIME OF HEARING:	9:00 AM
LOCATION OF HEARING:	CITY OPERATIONS BUILDING, 1222 FIRST AVENUE, SAN DIEGO, CA 92101
PROJECT NUMBER:	PRJ-1060654
PROJECT NAME:	<u>815 FIFTH AVENUE LIVE ENTERTAINMENT</u>
PROJECT TYPE:	CONDITIONAL USE PERMIT, PROCESS THREE
APPLICANT:	4 CHILES RESTAURANT GROUP, LL
COMMUNITY PLAN AREA:	DOWNTOWN
COUNCIL DISTRICT:	3
CITY PROJECT MANAGER:	Saba Raisesmaili, Senior Planner
PHONE NUMBER/E-MAIL:	(619) 446-5054 / FRaisesmaili@sandiego.gov

As a property owner, tenant, or person who has requested notice, you should know that a public hearing will be held by the Hearing Officer to consider an application for a Conditional Use Permit for indoor live entertainment at a restaurant located at 815 Fifth Avenue on the 10,906 square-foot property at the east side of Fifth Avenue between E Street and F Street in the Gaslamp Quarter Planned District and the Transit Priority Area Overlay within the Horton/Gaslamp neighborhood of the Downtown Community Plan area.

Development within the Downtown Community Planning area is covered under the following documents, referred to collectively as the "Downtown FEIR": the Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project (SCH No. 2003041001) certified by the former Redevelopment Agency ("Former Agency") and the San Diego City Council ("City Council") on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); subsequent addenda to the FEIR adopted by the Former Agency and the City Council on August 3, 2007 (Resolutions R-04193 and R-302931, respectively), April 23, 2010 (Resolutions R-04508 and R-305761, respectively), April 13, 2010 (Resolutions R-04510 and R-305759, respectively), and August 3, 2010 (Resolutions R-04544 and R-306014, respectively), and adopted by the City Council on February 12, 2014 (Resolution R-308724), July 14, 2014 (Resolution R-309115), and November 17, 2020 (Resolution R-313302); and the Final Supplemental Environmental Impact Report (SEIR) for the Downtown San Diego Mobility Plan (SCH No. 2014121002) certified by the City Council on July 6, 2016 (Resolution R-310561). Development within the Downtown Community Planning

area is also covered under the following documents, referred to collectively as the "CAP FEIR": the FEIR for the City of San Diego Climate Action Plan ("CAP") (Project No. 416603/SCH No. 2015021053) certified by the City Council on January 4, 2016 (Resolution R-310176); the Addendum to the CAP FEIR for the CAP Consistency Checklist (Project No. 416603/SCH No. 2015021053) adopted by the City Council on July 19, 2016 (Resolution R-310595); and the Addendum to the CAP FEIR for the City of San Diego CAP Update (Project No. 416603/SCH No. 2015021053) adopted by the City Council on August 10, 2022 (Resolution R-314298). The Downtown FEIR and CAP FEIR are both "Program EIRs" prepared in compliance with the California Environmental Quality Act ("CEQA") Guidelines Section 15168. The information contained in the Downtown FEIR and the CAP FEIR reflects the independent judgement of the City of San Diego as the Lead Agency. All environmental documents for the Downtown Community Plan area are available on the City of San Diego website (<https://www.sandiego.gov/ceqa/final>) and the Urban Division website (<https://www.sandiego.gov/development-services/news-programs/downtown-development/eirs>). This project is a subsequent discretionary action within the scope of the development program evaluated in the Downtown FEIR and the CAP FEIR and is not a separate project for the purposes of CEQA review pursuant to CEQA Guidelines Sections 15378(c) and 15060(c)(3). Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, there is no change in circumstance, additional information, or project changes to warrant additional environmental review for this action. Therefore, no further environmental documentation is required under CEQA.

APPEAL OF THE HEARING OFFICER DECISION: The decision of the Hearing Officer is final unless appealed to the Planning Commission. The decision made by the Planning Commission is the final decision by the City. In order to appeal the decision, you must be registered as a speaker at the public hearing concerning the application or have expressed interest by writing to the Hearing Officer, HearingOfficer@sandiego.gov before the close of the public hearing. Appeal procedures are described in Information Bulletin 505 (<https://www.sandiego.gov/development-services/forms-publications/information-bulletins/505>). Appeals to the Planning Commission can be filed by email/mail or in person:

1. Appeals filed via email

Send the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation in pdf format) to PlanningCommission@sandiego.gov by 4 p.m. on the last day of the appeal period. When received by the City, the appellant will be invoiced for payment of the required Appeal Fee per this bulletin. Timely payment of this invoice is required to complete the processing of the appeal. Failure to pay the invoice within five business days of invoice issuance will invalidate the appeal application.

2. Appeals filed in person

Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the touchless payment drop-off drop safe in the first-floor lobby of the Development Services Center, located at 1222 First Avenue, San Diego, CA 92101 by 4 p.m. on the last day of the appeal period.

- The completed appeal package must be clearly marked on the outside as "Appeal" and must include the required appeal fee per this bulletin in the form of a check payable to the City Treasurer. This safe is checked daily, and payments are processed the following business day.
- On the memo line of the check, write the project number and the appellant's name exactly as it is stated on the associated form DS-3031.
- Cash payments are only [accepted by appointment](#).

COMMUNICATIONS:

To join using the Zoom platform use this link:

<https://sandiego.zoomgov.com/s/1613102034>

To join by using Telephone:

Dial 1-669-254-5252 or (Toll Free) 1-833-568-8864. When prompted, input Webinar ID: 161 310 2034.

In lieu of in-person attendance, members of the public may submit their comments on agenda items using the public comment [webform](#) found on the Hearing Officer webpage: (<https://www.sandiego.gov/development-services/hearing-officer/agenda-comment-form>). If you have an attachment to your comment, you may send it to HearingOfficer@sandiego.gov and it will be distributed to the Hearing Officer.

The public is encouraged to [subscribe](#) to receive meeting agendas.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the Development Project Manager listed above.

REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS:

As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above. This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at (619) 321-3208 or via e-mail to hearingofficer@sandiego.gov at least five (5) business days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order No: 24009279



Development Services Department

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RETURN SERVICE REQUESTED