



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: April 16, 2025 REPORT NO. HO-25-018

HEARING DATE: April 23, 2025

SUBJECT: 815 FIFTH AVENUE LIVE ENTERTAINMENT, Process Three Decision

PROJECT NUMBER: [1060654](#)

OWNER/APPLICANT: TEAL 103.LLC/DEK PROPERTY HOLDINGS (Owner)
4 CHILES RESTAURANT GROUP, LLC (Applicant)

SUMMARY

Issue: Should the Hearing Officer approve a Conditional Use Permit (CUP) to allow indoor live entertainment at a restaurant/bar located at [815 Fifth Avenue](#) ("Project") within the Gaslamp Quarter Planned District and the Horton/Gaslamp neighborhood of the [Downtown Community Plan \(DCP\) area](#) (Council District 3)?

Proposed Action: APPROVE CUP No. PMT-3214270

Fiscal Considerations: No fiscal impact; Project is privately owned and funded.

Code Enforcement Impact: No code enforcement impact. There are no active code enforcement cases on the property.

Housing Impact Statement: No increase or reduction of housing units is proposed. Project proposes indoor live entertainment within a restaurant/bar in an existing commercial space.

Community Planning Group Recommendation: On May 17, 2023, the Downtown Community Planning Council voted 9-1 to recommend approval of the Project (Attachment 8).

Other Recommendations: On September 6, 2024, the San Diego Police Department (SDPD) reviewed the application with a recommendation to the hours of operation which has been incorporated into the draft permit (Attachment 6).

Environmental Impact: The Development Services Department completed a California Environmental Quality Act (CEQA) review for the Project. On October 3, 2024, the Environmental Analysis Section (EAS) determined that the Project is consistent with the previously certified City of San Diego Downtown Environmental Impact Report (SCH# 2003041001). Development within the

Downtown Community Planning area is covered under the following documents, referred to collectively as the “Downtown FEIR”: (1) Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan (DCP), Centre City Planned District Ordinance, and 10th Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency (“Former Agency”) and the City Council on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); (2) Subsequent Addenda to the FEIR certified by the Former Agency and City Council on: August 3, 2007 (Resolution R-04193 and R-302932, respectively); April 13, 2010 (Council Resolution R-305759); April 21, 2010 (Former Agency Resolutions R-04509 and R-04510); August 3, 2010 (Former Agency Resolution R-04544 and Council Resolution R-30614); February 12, 2014 (City Council Resolution R-308724); July 14, 2014 (City Council Resolution R-309115); and (3) Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561).

Development within the DCP area is also covered under the following documents, referred to collectively as the “CAP FEIR”: FEIR for the City of San Diego Climate Action Plan (CAP) Project No. 416603/SCH No. 2015021053, certified by the City Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R- 310595).

The Downtown FEIR and CAP FEIR are “Program EIRs” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. The information contained in the Downtown FEIR and CAP FEIR reflects the independent judgment of the City of San Diego as the Lead Agency. The environmental impacts of the Project were adequately addressed in the Downtown FEIR and CAP FEIR; the Project is within the scope of the development program described in the Downtown FEIR and CAP FEIR and is adequately described within each document for the purposes of CEQA; and, none of the conditions listed in CEQA Guidelines Section 15162 exist. Therefore, no further environmental documentation or review is required under CEQA. All environmental documents for the DCP area and CAP FEIR, are available on the City website.

BACKGROUND



The Project is located on the 10,906 square foot site at the east side of Fifth Avenue between E Street and F Street (Attachment 1) within the boundaries of the Gaslamp Quarter Planned District (GQPD) (Attachment 2) in the Horton/Gaslamp neighborhood of the DCP area. The site is surrounded by a mixture of uses including retail, restaurants, hotels, residential, and other live entertainment venues.

The existing building, originally constructed in 1979, is known as the Hubbell Building and is a contributing resource to the nationally and locally designated historic Gaslamp Quarter (Historical District Contributing Site #127-055). A full-service restaurant is proposed to operate on the ground level of the three-story building. The upper two floors contain offices and residential units used as short-term rental residential occupancy (STRO) units.

Pursuant to Gaslamp Quarter Planned District Ordinance (GQPDO) Section [157.0111\(c\)\(2\)\(A\)](#), establishments providing performances by live non-acoustic musicians, disc jockeys, or patron dancing are required to obtain approval of a CUP. A CUP is a Process Three, Hearing Officer decision with appeal rights to the Planning Commission. According to San Diego Municipal Code (SDMC) Section [126.0305](#), "Findings for Conditional Use Permit Approval," the decision maker may approve a CUP if the decision maker finds that the proposed use: 1) will not adversely affect the applicable land use plan; 2) will not be detrimental to the public health, safety, and welfare; 3) will comply with the regulations of the SDMC Land Development Code; and 4) is appropriate at the proposed location.

DISCUSSION

Project Description:

The Applicant is seeking to allow live entertainment in the proposed restaurant/bar at 815 Fifth Avenue. The live entertainment is proposed to be limited to the ground level only and comprised of amplified music by disc jockeys (DJ), live bands, acoustical entertainment (mariachi, trio, and acoustical guitar), karaoke, and include patron dancing on a dedicated dance floor. The acoustical performers will be roaming around the interior dining area only and there will be no live entertainment in the outdoor areas. The designated dance floor area is located near the center of the interior space by the kitchen (Attachment 12). The speaker system is proposed to be inward facing and all doors and windows will remain closed during the live entertainment.

The proposed hours of live entertainment are no later than 1:30 AM seven days per week, which is consistent with the other live entertainment CUPs approved in the Gaslamp Quarter. Restaurant operations and food service are proposed to continue during all business hours.

The Applicant provided a Noise Impact Analysis ("Analysis") evaluating potential noise impacts from live entertainment at 815 Fifth Avenue (Attachment 9). The Analysis determined that live entertainment operations, including amplified music, would exceed noise limits for commercial districts, as specified in the Noise Ordinance of SDMC Section 59.5.0402, at several locations, including the upstairs residential/STRO units and nearby commercial properties. The Analysis recommends implementing noise control measures, such as the sound system to be operated at all times in conformance with the recommended settings and speaker placements and speakers to not be mounted directly on walls or ceilings but shall be placed on vibration-isolating stands. Furthermore, the Analysis recommends building modifications such as all glass doors, windows and non-glass exterior doors to be replaced and noise transmission to the upstairs residential units to be mitigated by removing and replacing existing ceiling with upgraded material and assembly. After project completion, noise monitoring should confirm compliance, and additional mitigation measures, such as administrative controls or engineering solutions, should be implemented if necessary. A licensed Mechanical Engineer should review the final design for code compliance, and a noise verification study should be conducted for future live entertainment. Compliance with the Analysis will ensure that the proposed live entertainment remains within the limits of the SDMC Noise Ordinance.

Permits Required

A CUP per SDMC Section 157.0111(c)(2)(A) for performances by live non-acoustic musicians, disc jockeys, or patron dancing.

Neighborhood Context

The Horton/Gaslamp neighborhood offers a variety of entertainment, shopping, arts, cultural, and dining experiences. The Gaslamp Quarter was Downtown's first commercial and business center and now operates as San Diego's prime entertainment and celebration destination with a mixture of restaurants, cafes, nightclubs, and bars that draw tourists and residents alike. The Gaslamp Quarter is a National Register Historic District, and its historic buildings serve the entertainment uses well by providing a fine-grained, pedestrian-scaled environment and recalling the district's colorful past.

As San Diego's prime entertainment destination, the Gaslamp Quarter hosts many establishments with live entertainment. Within a one block radius of the Project site, 18 establishments have been granted CUPs for live entertainment, as listed in the table below and vicinity map (Attachment 4).

Address	CUP No.	Live Entertainment Hours (No later than 2.00 a.m.)
600 F Street	2002-30A	Outdoor- Sunday through Thursday until 10 p.m. and Friday and Saturday until 12 a.m.
901 Fourth Avenue	2003-06	2:00 a.m.
750 Sixth Avenue	2003-21	1:30 a.m.
420 E Street	2005-29	2:00 a.m.
762 Fifth Avenue	2005-62	2:00 a.m.
868 Fifth Avenue	2006-29A	2:00 a.m.
939 Fifth Avenue	2006-30	1:30 a.m.
835 Fourth Avenue	2007-61	Normal business days 12:00 a.m., special events 1:30 a.m.
715 Fourth Avenue	2008-51	12:00 a.m.
836 Fifth Avenue	2010-07	1:30 a.m.
818 Sixth Avenue	2011-53	2:00 a.m.
738 Fifth Avenue	2012-25	1:30 a.m.
748 Fifth Avenue	2012-43	2:00 a.m.
840 Fifth Avenue	2013-16	2:00 a.m.
411 Broadway	2014-11	Sunday through Thursday 10:30 p.m., Friday and Saturday 12:30 a.m.
818 Sixth Avenue	2015-72	1:30 a.m.
743 Fifth Avenue	653653	Indoor until 1:30 a.m.; outdoor until 12:00 a.m.
701 Fifth Avenue	656544	1:30 a.m.

Community Plan Analysis:

The Project is consistent with multiple DCP goals and policies for Downtown and the Horton/Gaslamp neighborhood, including:

- 3.1-G-2 - Provide for an overall balance of uses—employment, residential, cultural, government, and destination—as well as a full compendium of amenities and services.
- 3.5-G-2 - Foster a rich mix of uses in all neighborhoods, while allowing differences in emphasis on uses to distinguish between them.
- 3.5-P-2 - Emphasize neighborhood character in each district to promote diversity and complexity.
- 6.4-G-1 - Maintain Horton/Gaslamp as an entertainment and shopping district, with broad mix of uses, high activity, and wide-ranging appeal.

Project-Related Issues:

During the review of the Project, no significant issues or major concerns were identified by City staff and the Downtown Community Planning Council voted 9-1 on May 17, 2023 to recommend approval of the Project (Attachment 8).

The Project was also forwarded to the SDPD for review. On September 6, 2024, the SDPD reviewed the application and recommended limiting the operation of live entertainment to no later than 10:00 p.m. due to the existing residential/STRO units on the upper floors. Staff is recommending limiting the hours of live entertainment to no later than 1:30 a.m., which is consistent with nearby establishments in the Gaslamp Quarter that have been granted CUPs for live entertainment. Additionally, staff is recommending conditions of approval to address any potential adverse impacts of the live entertainment, including a requirement for the Owner/Permittee to secure and maintain all necessary licenses and regulatory approvals from relevant agencies, including a Police Permit from the SDPD.

Moreover, standard operational conditions are included in the draft permit to address any potential adverse impacts of the proposed live entertainment and ensure that the use is not detrimental to the neighborhood, including:

- Live entertainment may include amplified music by live bands or disc jockeys (DJs) and designated dance floor for patron dancing.
- Live entertainment shall occur no later than 1:30 a.m. seven days per week.
- All live entertainment shall take place indoors and be confined to the interior of the building. All doors and windows shall remain closed whenever live entertainment is occurring, except for normal ingress and egress, and in case of emergency.
- The Owner/Permittee shall implement all noise abatement measures as outlined in the noise impact analysis by Acoustics Group, Inc. dated October 18, 2024.
- During the hours of live entertainment, a minimum of one (1) additional security officer shall be required for the entrance to that portion of the premises designated for live entertainment.

CONCLUSION

Staff has reviewed the Project and all issues identified through the review process have been resolved in conformance with the regulations of the SDMC. Staff has provided a draft resolution with findings (Attachment 5) and draft permit with conditions (Attachment 6) and recommends the Hearing Officer APPROVE CUP No. 3214270.

ALTERNATIVES

1. Approve CUP No. 3214270, with modifications.
2. Deny CUP No. 3214270, if the findings required to approve the project cannot be affirmed.

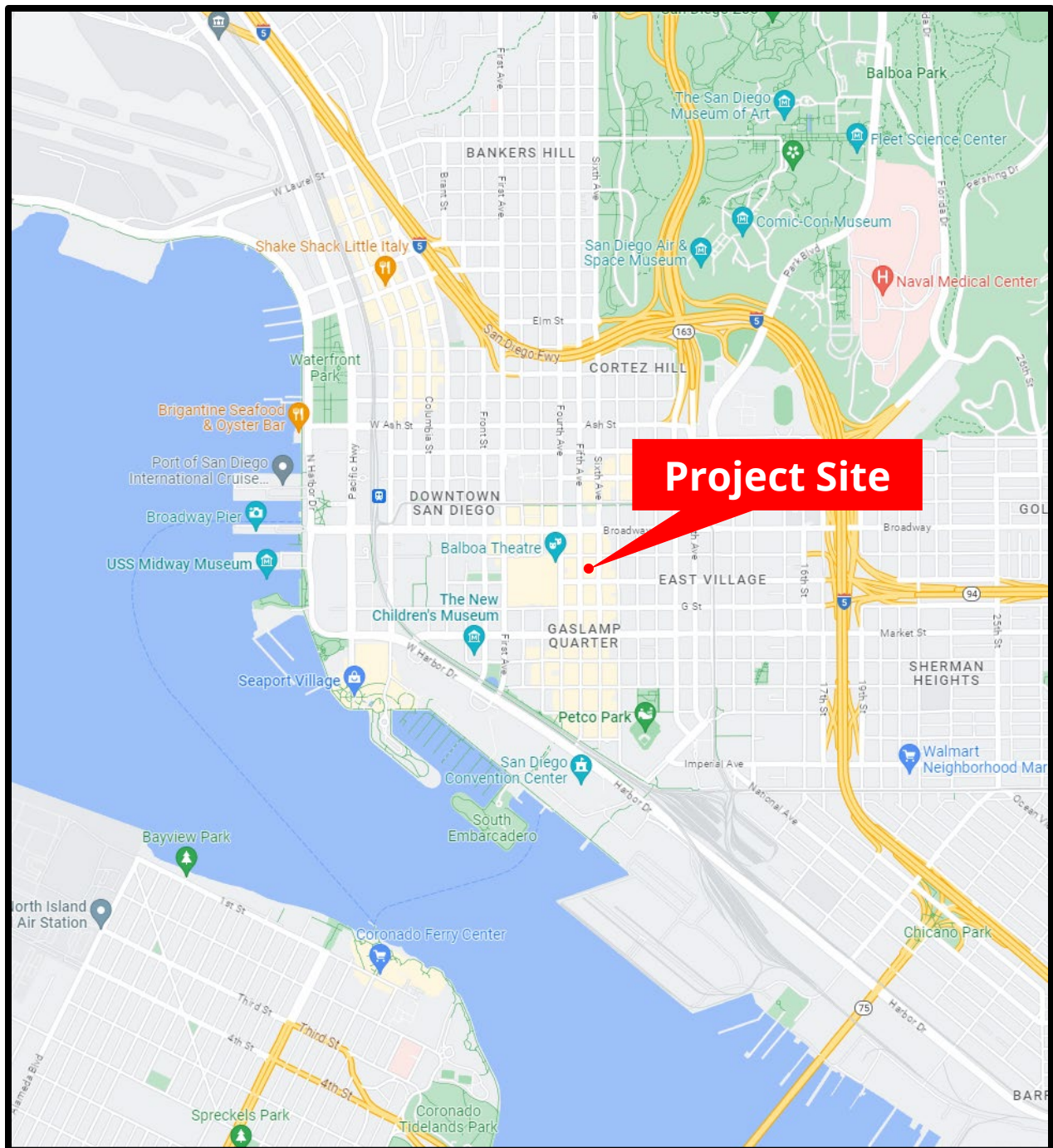
Respectfully submitted,



Saba Raiesmaili
Senior Planner, Urban Innovation Division
Development Services Department

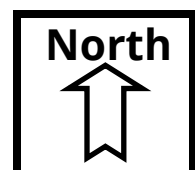
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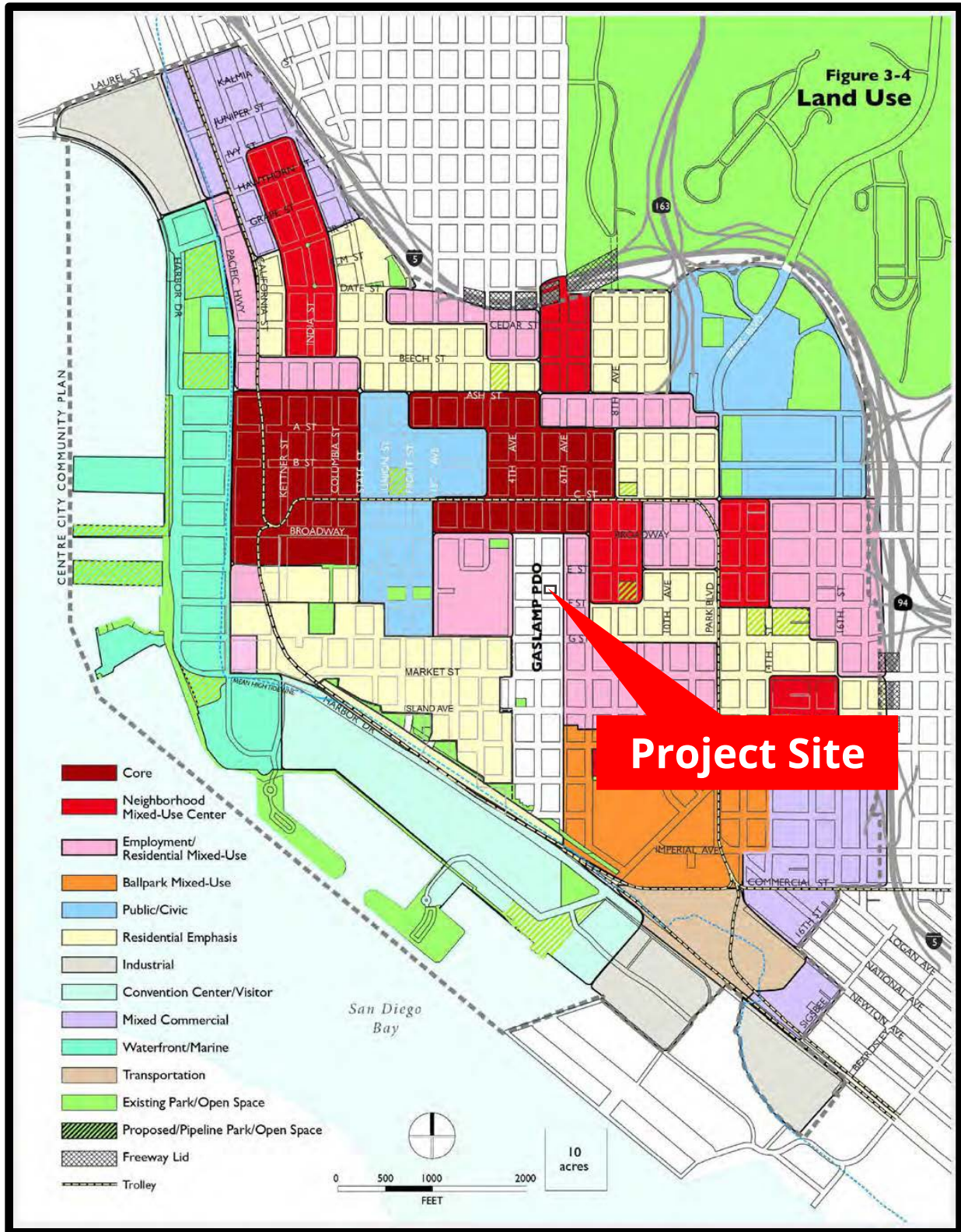
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Live Entertainment Vicinity Map
5. Draft Resolution with Findings
6. Draft Permit with Conditions
7. Ownership Disclosure Statement
8. Community Planning Group Recommendation
9. Noise Impact Analysis
10. Environmental CEQA 15162 Memo
11. Applicant's Letter of Request
12. Project Plans



Project Location Map

815 Fifth Avenue Live Entertainment, Project No. 1060654
815 Fifth Avenue

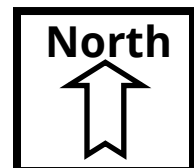






Aerial Photo

815 Fifth Avenue Live Entertainment, Project No. 1060654
815 Fifth Avenue



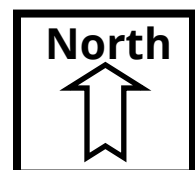


 = Existing Conditional Use Permit for Live Entertainment



Live Entertainment Vicinity Map

815 Fifth Avenue Live Entertainment, Project No. 1060654
815 Fifth Avenue



HEARING OFFICER
RESOLUTION NO. _____
CONDITIONAL USE PERMIT NO. 3214270
815 FIFTH AVENUE LIVE ENTERTAINMENT - PROJECT NO. 1060654

WHEREAS, TEAL 103.LLC/DEK PROPERTY HOLDINGS, Owner, and 4 CHILES RESTAURANT GROUP, LLC, Permittee, filed an application for a Conditional Use Permit (CUP) with the City of San Diego to allow indoor live entertainment for a restaurant/bar ("Project") located within a 10,000-square-foot ground floor tenant space, as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval for the associated CUP No. 3214270;

WHEREAS, the Project site is located at 815 Fifth Avenue in the Gaslamp Quarter Planned District (GQPD) and within Horton/Gaslamp neighborhood of the Downtown Community Plan (DCP) area ("Downtown");

WHEREAS, the Project site is legally described as Parcel 1 located in lots "E" & "H", in block 61 of Horton's addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by L.L. Lockling on file in the office of the County Recorder of San Diego County; Parcel 2 located in lot "F", in block 61 of Horton's addition, in the City of San Diego, County of San Diego, State of California, according to map thereof No. L.L. Lockling on file in the office of the County Recorder of San Diego County;

WHEREAS, on October 3, 2024, the City determined that the Project is consistent with the previously certified Downtown Final Environmental Impact Report (Downtown FEIR) (SCH# 2003041001);

WHEREAS, development within the Downtown Community Planning area is covered under the following documents, referred to collectively as the "Downtown FEIR": (1) Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency ("Former Agency") and the City Council on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); (2) subsequent addenda to the FEIR certified by the Former

Agency and City Council on: August 3, 2007 (Resolution R-04193 and R-302932, respectively); April 13, 2010 (Council Resolution R-305759); April 21, 2010 (Former Agency Resolutions R-04509 and R-04510); August 3, 2010 (Former Agency Resolution R-04544 and Council Resolutions R-30614), February 12, 2014 (City Council Resolution R-308724); July 14, 2014 (City Council Resolution R-309115); and (3) Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561);

WHEREAS, development within the DCP area is also covered under the following documents, referred to collectively as the "CAP FEIR": FEIR for the City's Climate Action Plan (CAP), certified by the City Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R-310595);

WHEREAS, the Downtown FEIR and CAP FEIR are "Program EIRs" prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168; the information contained in the Downtown FEIR and CAP FEIR reflects the independent judgment of the City as the Lead Agency; the environmental impacts of the Project were adequately addressed in the Downtown FEIR and CAP FEIR; the Project is within the scope of the development program described in the Downtown FEIR and CAP FEIR and is adequately described within each document for the purposes of CEQA; and none of the conditions listed in CEQA Guidelines Section 15162 exist;

WHEREAS, based on the foregoing, no further environmental documentation or review is required under CEQA.

WHEREAS, on April 23, 2025, the Hearing Officer of the City of San Diego considered CUP No. 3214270 pursuant to the Land Development Code of the City of San Diego; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to CUP No. 3214270:

A. CONDITIONAL USE PERMIT [SDMC Section 126.0305]

1. Findings For all Conditional Use Permit:

- a. The proposed development will not adversely affect the applicable land use plan.**

The proposed use consists of a CUP request for indoor live entertainment, comprised of amplified music by disc jockeys (DJ), live bands, acoustical entertainment (mariachi, trio, and acoustical guitar), karaoke, and include patron dancing on a dedicated dance floor, in the proposed restaurant/bar. The Project site is located at 815 Fifth Avenue on the east side of Fifth Avenue between E and F Streets within the GQPD and the Horton/Gaslamp neighborhood of the DCP area.

Live entertainment is permitted in the GQPD with approval of a CUP, pursuant to Gaslamp Quarter Planned District Ordinance (GQPDO) Section 157. 0111 (c)(2)(A). Conditions of approval have been incorporated into the permit, including restrictions on the hours of live entertainment to no later than 1:30 a.m. seven days per week, increased security, and noise abatement measures based on the findings of the Noise Study. These measures include keeping all doors closed during live entertainment operations, limiting amplified music to 105 dBA at three feet from each noise source/speaker, minimizing subwoofer gain to reduce low-frequency noise, replacing all glass doors and windows with STC 54-rated sound-rated assemblies, and installing solid-core exterior doors with airtight seals. Additionally, the floor-ceiling assembly between the venue and the upstairs residential/STRO units must be modified to achieve an STC rating of 76, ensuring adequate noise insulation. These measures, amongst others, will ensure that the Project complies with the provisions of the GQPDO and San Diego Municipal Code (SDMC) and does not create a nuisance for neighbors.

Per the DCP, the Horton/Gaslamp neighborhood offers a variety of entertainment, shopping, arts, cultural, and dining experiences. The Gaslamp Quarter operates as San Diego's prime entertainment and celebration destination with a mixture of restaurants, cafes, nightclubs, and bars that draw visitors and residents alike. The Project provides a live entertainment venue that is consistent with other establishments in the neighborhood and the goals of the DCP to maintain Gaslamp as an entertainment district (DCP Goal 6.4-G-1). Within one block of the Project site, 18 establishments have been granted CUPs for live entertainment.

Live entertainment in the proposed restaurant/bar will enhance the mixed-use nature of the neighborhood by increasing the entertainment experiences available for patrons of the Gaslamp Quarter and Downtown as a whole. This is consistent with DCP Goals 3.1-G-2, to provide for an overall balance of uses—employment, residential, cultural, government, and destination—as well as a full compendium of amenities and services, and 3.5-G-2, to foster a rich mix of uses in all neighborhoods, while allowing differences in emphasis on uses to distinguish between them, because the live entertainment will contribute to the mix of uses by adding an entertainment aspect to the restaurant space, while also furthering the Horton/Gaslamp neighborhood's unique qualities as an entertainment district by providing another venue for residents and visitors alike.

Similarly, the project is consistent with DCP Policy 3.5-P-2 to emphasize neighborhood character in each district. The proposed restaurant/bar is located on the ground level within a contributing resource to the Gaslamp Quarter National Register Historic District (Historical District Contributing Site #127-055). No new construction is proposed as part of the Project; therefore, the building will retain its historic character as a contributing

structure to the districts. Moreover, the Gaslamp Quarter is identified by the DCP as an entertainment and shopping district. By providing on-site live entertainment activity, and therefore increasing the use of the historical building, this Project will further emphasize the Gaslamp Quarter's unique neighborhood character as a historical district and live entertainment destination.

This Project will also advance DCP Goal 6.4-G-1, to maintain the Horton/Gaslamp neighborhood as an entertainment and shopping district, with a broad mix of uses, high activity, and wide-ranging appeal. By providing a live entertainment venue, the Project will continue to foster the neighborhood's character as an entertainment district and increase activity within the Gaslamp Quarter. Because live entertainment is permitted with the approval of a CUP in the GQPD and the Project advances the goals and policies of the Horton/Gaslamp neighborhood as described above, the proposed use will not adversely affect the applicable land use plan.

b. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed development will not be detrimental to the public health, safety, and welfare because conditions of approval will be implemented to ensure that the indoor live entertainment will not become a nuisance to the community. These conditions are consistent with other nearby CUPs for live entertainment and include limiting the hours that live entertainment can occur, specifying what kinds of live entertainment are allowed on the premise, specifying where the live entertainment can occur within the premise, and providing adequate security to monitor patron behavior. Additionally, noise abatement measures will be required to mitigate the impact of live entertainment on the surrounding area. These measures include keeping all doors closed during live entertainment operations, limiting amplified music to 105 dBA at three feet from each noise source/speaker, minimizing subwoofer gain to reduce low-frequency noise, replacing all glass doors and windows with STC 54-rated sound-rated assemblies, and installing solid-core exterior doors with airtight seals. Furthermore, the floor-ceiling assembly between the venue and the upstairs residential/STRO units must be modified to achieve an STC rating of 76, significantly reducing sound transmission. A Noise Impact Analysis conducted for the project confirmed that with these noise mitigation measures in place, live entertainment operations would comply with the City of San Diego Noise Standards (SDMC Section 59.5.0401), ensuring that the proposed use does not exceed the allowable noise limits for commercial districts. The conditions of approval and noise abatement measures will ensure that the live entertainment use does not become a nuisance to the surrounding neighborhood, and therefore will not be detrimental to the public health, safety, and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The Project complies with the Land Development Code (LDC) because the proposed live entertainment is allowed in the GQPD with approval of a CUP (SDMC Section 157. 0111

(c)(2)(A)). No deviations from LDC or GQPDO requirements are proposed as part of the Project. The Project was reviewed by multiple City disciplines that determined the live entertainment is consistent with the GQPDO and the DCP with approval of a CUP. In order to address potential adverse impacts, conditions of approval are included that require the Owner/Permittee to provide security, monitor patron conduct and noise levels, and obtain any other applicable government approvals, including the State Department of Alcoholic Beverage Control and the San Diego Police Department (SDPD). By obtaining a CUP and complying with the conditions of approval, the proposed live entertainment will be compliant with the regulations of the LDC.

d. The proposed use is appropriate at the proposed location.

Live entertainment is appropriate at the proposed location because the project is located within the Gaslamp Quarter, which the DCP describes as San Diego's prime entertainment and celebration destination. By providing live entertainment, the Project furthers the DCP goals for the neighborhood to be a high-activity, mixed-use entertainment destination (DCP Goal 6.4-G-1) because it provides an additional attraction in the neighborhood for use by residents and visitors. Furthermore, the live entertainment is appropriate for the location because the building is situated within a mixed-use, commercial area where a number of similar venues with live entertainment already co-exist with the Gaslamp Quarter's existing mix of uses. In a one-block radius surrounding the Project site, 18 establishments currently hold CUPs for live entertainment. The proposed Project will be consistent with those already-permitted establishments, with similar hours of operation, noise monitoring and abatement measures, and security conditions. Therefore, the proposed live entertainment is appropriate for the location.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 3214270 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 3214270, a copy of which is attached hereto and made a part hereof.

Saba Raisesmaili
Senior Planner, Urban Innovation Division
Development Services Department

Adopted on: April 23, 2025

IO#: 24009279

ATTACHMENT: Conditional Use Permit No. 3214270

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24009279

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 3214270
815 FIFTH AVENUE LIVE ENTERTAINMENT PROJECT NO. 1060654
HEARING OFFICER

This Conditional Use Permit No. 3214270 is granted by the Hearing Officer of the City of San Diego ("City") to TEAL 103.LLC/DEK PROPERTY HOLDINGS, Owner, and 4 CHILES RESTAURANT GROUP, LLC, Permittee, pursuant to San Diego Municipal Code (SDMC) Section 126.0305 to allow indoor live entertainment for a restaurant/bar ("Project") on the 10,000 square-foot site located at 815 Fifth Avenue in the Gaslamp Quarter Planned District and within the Horton/Gaslamp neighborhood of the Downtown Community Plan area. The Project site is legally described in Exhibit "B".

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner/Permittee to allow indoor live entertainment within the building as described and identified by size, dimension, quantity, type, and location on the approved exhibits (Exhibit "A") dated April 23, 2025, on file in the Development Services Department.

The Project shall include:

- a. Indoor live entertainment within a restaurant/bar on the ground level of the building located at 815 Fifth Avenue.
- b. Public and private accessory improvements determined by DSD to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by May 07, 2028.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to Development Services Department;
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.
10. If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

12. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the removal of the existing sidewalk Café which includes the canopy, adjacent to the site on Fifth Avenue, satisfactory to the City Engineer.

LIVE ENTERTAINMENT REQUIREMENTS:

13. The primary use of the site shall be a restaurant/bar. The live entertainment shall be accessory to the primary use. The intended uses shall be in conformance with permitted uses as outlined in the Gaslamp Quarter Planned District Ordinance (SDMC Section 157.0304) and all other relevant regulations in the SDMC. Any proposed change in use shall be reviewed and approved by the City. Any significant remodel or tenant improvements shall be reviewed by the City for consistency with the uses as approved in this Permit.
14. Live entertainment may include amplified music by live bands or disc jockeys (DJs) and a designated dance floor for patron dancing.
15. Live entertainment shall occur no later than 1:30 a.m. seven days per week.
16. All live entertainment shall take place indoors and be confined to the interior of the building. All doors and windows shall remain closed whenever live entertainment is occurring, except for normal ingress and egress, and in case of emergency.
17. The Owner/Permittee shall implement all noise abatement measures as outlined in the noise impact analysis by Acoustics Group, Inc. dated October 18, 2024, and described below, to ensure compliance with the City Noise Standards (SDMC Section 59.5.0401) and minimize noise impacts on surrounding properties.
- a. The sound system shall be operated at all times in conformance with the recommended settings and speaker placements. The speakers shall not be mounted directly on walls or ceilings but shall be placed on vibration-isolating stands.

- b. All glass doors, windows and non-glass exterior doors shall be replaced in accordance with the impact analysis.
 - c. Noise transmission to the upstairs residential units shall be mitigated by removing and replacing existing ceiling with upgraded material and assembly.
18. The Owner/Permittee shall secure and maintain compliance with all necessary licenses and regulatory approvals from relevant agencies, including from the San Diego Police Department and the California Department of Alcoholic Beverage Control (ABC).
19. Sound and amplification equipment shall be monitored during business hours to ensure that audible noise remains at acceptable levels. Noise levels shall be in conformance with the noise abatement standards of the SDMC and the City's Noise Ordinance (SDMC Section 59.5.0401). In the event that a noise or vibration complaint is filed, the appropriate decision maker shall evaluate the complaints and if it is determined that the business is potentially creating a nuisance to the neighborhood, a duly noticed hearing shall be scheduled. After receiving public testimony, the City Hearing Officer may revoke or modify the permit.
20. During the hours of live entertainment, the Permittee shall employ one security officer for every fifty (50) patrons of the live entertainment venue(s). The security officers shall wear clothing that identifies them as security officers and shall be on duty from the time live entertainment and dancing begins until one-half hour after the live entertainment ceases. Their primary duty shall be to patrol the interior and the exterior of the premises in order to alleviate police problems, excessive noise, abusive behavior, disturbances, and any other violations of law that occur on or about the licensed premises.
21. During the hours of live entertainment, a minimum of one (1) additional security officer shall be required for the entrance to that portion of the premises designated for live entertainment.
22. During the hours of live entertainment, the Permittee shall post a minimum of one (1) additional security guard for every twenty (20) or fewer patrons who are awaiting admission or exiting the premises.
23. Any queuing of patrons outside of the establishment shall be maintained in an orderly manner and shall be so situated as to allow a clear pedestrian path of at least eight (8) feet on all sidewalk areas. Any queuing may not obstruct access to any other business.
24. Patrons awaiting entrance as well as those leaving the establishment shall be monitored so as to not create a nuisance by obstructing the sidewalk in the area of the business or adjacent business or by being publicly inebriated, noisy, or rowdy.
25. A point of contact shall be kept on file with the City in case any complaints arise. Complaints shall be responded to by the Owner/Permittee within 24 hours.
26. This Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit. If the business creates a nuisance to the surrounding neighborhood, based on a determination of the City, this permit may be revoked after the holding of a public hearing.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on April 23, 2025 and Resolution No. HO-_____.

Permit Type/PTS Approval No.: PMT-3214270

Date of Approval: April 23, 2025

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Saba Raisesmaili
Senior Planner, Urban Innovation Division
Development Services Department

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

TEAL 103.LLC/DEK PROPERTY HOLDINGS
Owner

By _____
Signature
PRINT NAME:
TITLE:

4 CHILES RESTAURANT GROUP, LLC
Permittee

By _____
Signature
PRINT NAME:
TITLE:

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**



City of San Diego
Development Services
1222 First Ave., MS 302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

FORM
DS-318

October 2017

Approval Type: Check appropriate box for type of approval(s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit ☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☒ Conditional Use Permit ☐ Variance ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment • ☐ Other _____

Project Title: CONDITIONAL USE PERMIT FOR LIVE ENTERTAINMENT **Project No. For City Use Only:** _____

Project Address: 815 FIFTH AVENUE, SAN DIEGO, CA 92101

Specify Form of Ownership/Legal Status (please check):

☐ Corporation ☒ Limited Liability -or- ☐ General - What State? _____ Corporate Identification No. 201814210535

☐ Partnership ☐ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: TEAL 103, LLC / DEK PROPERTY HOLDINGS, LLC ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: C/O GOTHAM MGMT, LLC / 861 6TH AVE, #310

City: SAN DIEGO State: CA Zip: 92101

Phone No.: 619-864-5715 Fax No.: _____ Email: ekaero@gothamsd.com

Signature: [Signature] Date: 4/18/22

Additional pages Attached: ☐ Yes ☒ No

Applicant

Name of Individual: 4 CHILES RESTAURANT GROUP, LL ☐ Owner ☒ Tenant/Lessee ☐ Successor Agency

Street Address: 3201 ADAMS AVENUE

City: SAN DIEGO State: CA Zip: 92101

Phone No.: 619-850-5165 Fax No.: _____ Email: daniel@asisuena.net

Signature: [Signature] Date: 04/18/2022

Additional pages Attached: ☐ Yes ☐ No

Other Financially Interested Persons

Name of Individual: N/A ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____


City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: ☐ Yes ☐ No

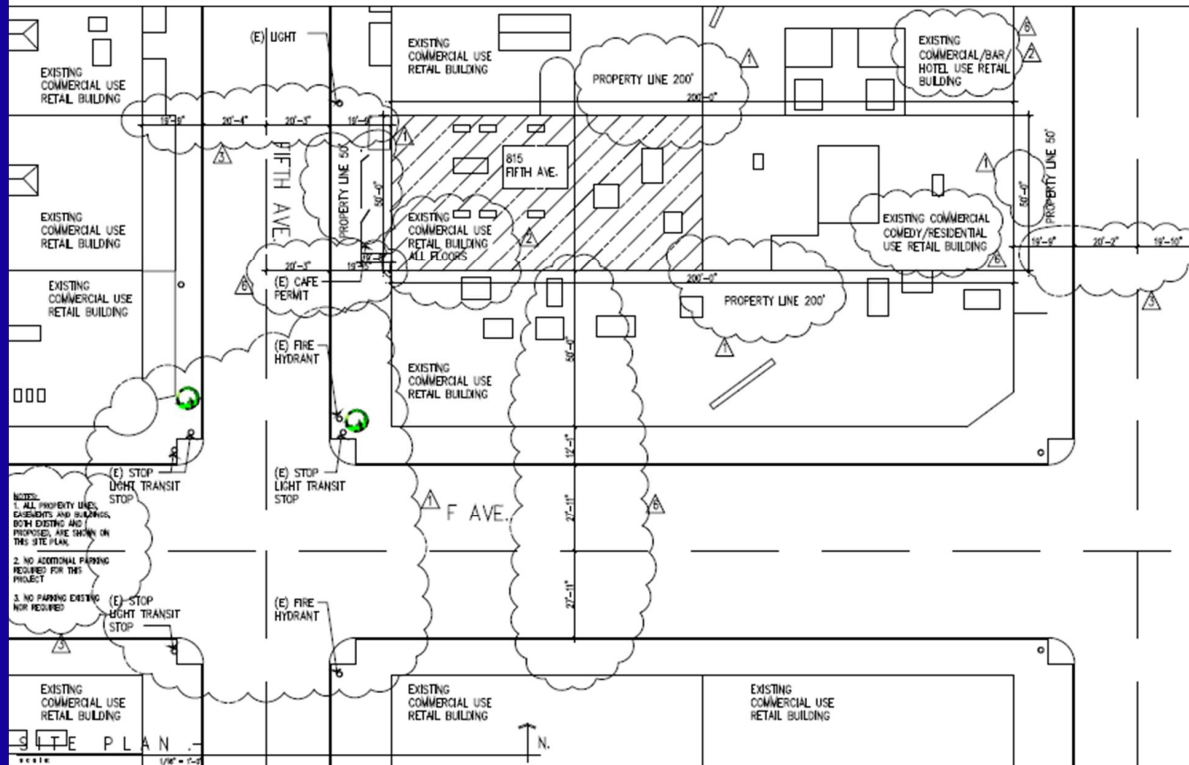
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	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101		Community Planning Committee Distribution Form	
Project Name: 815 5th Avenue Live Entertainment		Project Number: PRJ-1060654		
Community: Downtown				
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>				
<input checked="" type="checkbox"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="checkbox"/> Vote to Deny			Date of Vote: May 17, 2023	
# of Members Yes 9	# of Members No 1	# of Members Abstain 0		
Conditions or Recommendations: N/A				
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)				
NAME: Manny Rodriguez				
TITLE: Chair, Downtown Community Planning Council			DATE: September 05, 2024	

Visit our web site at www.sandiego.gov/development-services.

Upon request, this information is available in alternative formats for persons with disabilities.

DS-5620 (08-18) ONLINE FORM



4 CHILES RESTAURANT GROUP LIVE ENTERTAINMENT NOISE STUDY SAN DIEGO, CA

REVISED OCTOBER 18, 2024

PREPARED FOR:
4 CHILES RESTAURANT GROUP

PREPARED BY:
ACOUSTICS GROUP, INC.
CONSULTANTS IN ACOUSTICS, NOISE & VIBRATION





4 Chiles Restaurant Group Live Entertainment Noise Study – San Diego, CA

Prepared for:

Daniel Garibay
4 Chiles Restaurant Group, LLC.
815 5th Avenue
San Diego, CA 92101

Prepared by:

ROBERT WOO – Principal Acoustical Consultant, INCE
ANGELICA NGUYEN – Senior Acoustical Consultant

ACOUSTICS GROUP, INC.

CONSULTANTS IN ACOUSTICS, NOISE & VIBRATION

(877) 595-9988



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1. EXECUTIVE SUMMARY

Acoustics Group, Inc., (AGI) was retained to conduct a noise study of the 4 Chiles Restaurant Group Live Entertainment at 815 5th Avenue in San Diego, CA. AGI has reviewed the City of San Diego Noise Standards, conducted noise measurements, analyzed the noise levels from future operations at the site, assessed the impact of the future noise to determine compliance with the Noise Standards, and recommended noise control measures.

During Live Entertainment operations, the hourly Leq from operations is estimated to be as high as 79.2, 65.8, 65.1, 81.7, 49.9, and 48.9 dBA at receptors represented by NM1, NM2, and ST1 through ST4, respectively. In front of the project site, represented by receptors NM1 and ST2, and across the street represented by receptors NM2 and ST1, all hours of operations would exceed the City's daytime, evening, and nighttime noise standards of 65, 60, and 60 dBA for commercial land uses. At ST3 and ST4, live entertainment operations would comply with the City's Noise Standards. At the upstairs Airbnb, the live entertainment options would be as high as 80.4 dBA and exceeds the City's daytime, evening, and nighttime noise standards of 65, 60, and 60 dBA for commercial use. Additional noise control is necessary to comply with the noise standards.

Noise control has been analyzed and recommended to reduce operations' noise levels for compliance with the Noise Standards.

This report has been organized into multiple sections for ease of reference. Section 2 introduces the Project and provides a general discussion on the Project Components. Section 3 discusses Noise Fundamentals. Section 4 presents the Noise Standards. Section 5 summarizes the Ambient Noise Survey. Section 6 presents the Noise Analysis. Section 7 discusses the Impact Assessment. Sections 8 and 9 present the Noise Control Analysis and Recommendations, respectively. Section 10 discusses the Conclusion.



2. INTRODUCTION

4 Chiles Restaurant Group proposes renovating their existing facility at 815 5th Avenue in San Diego, CA to include live entertainment including live band and disk jockey. 4 Chiles Restaurant Group proposes the use of indoor live entertainment operations from 10:00AM to 1:30AM. Refer to Figure 1 for the general location of the Site and Vicinity Map. Land uses immediately surrounding the site are commercial and residential. The main noise concern is the operations noise affecting the residential and commercial properties that border the project. Refer to Figure 2 for the Project Site Plan.

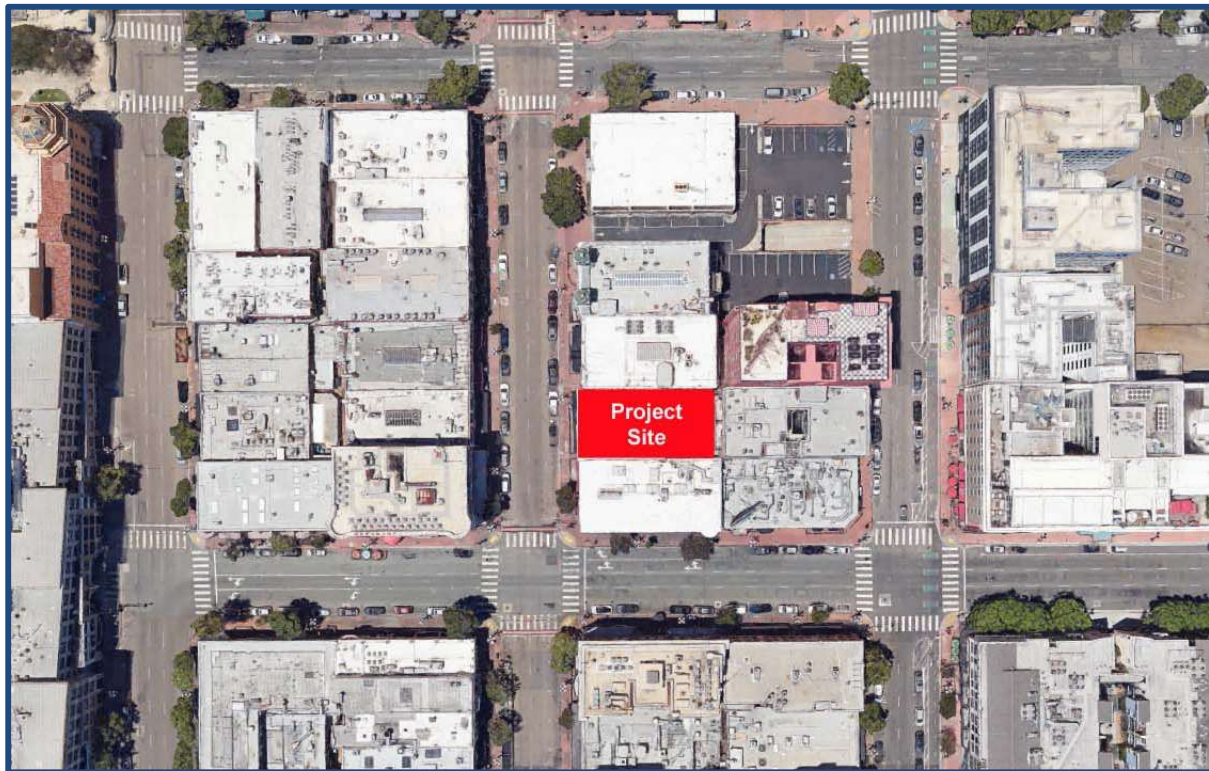


Figure 1. Project Location

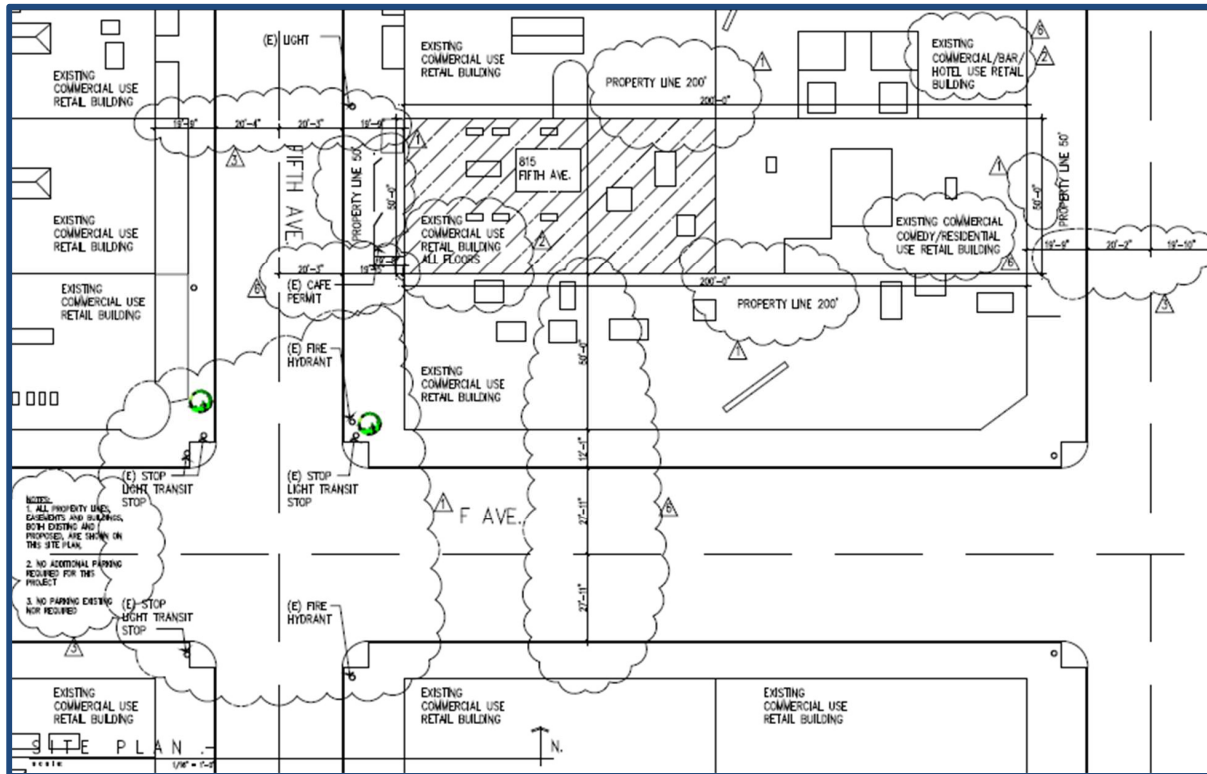
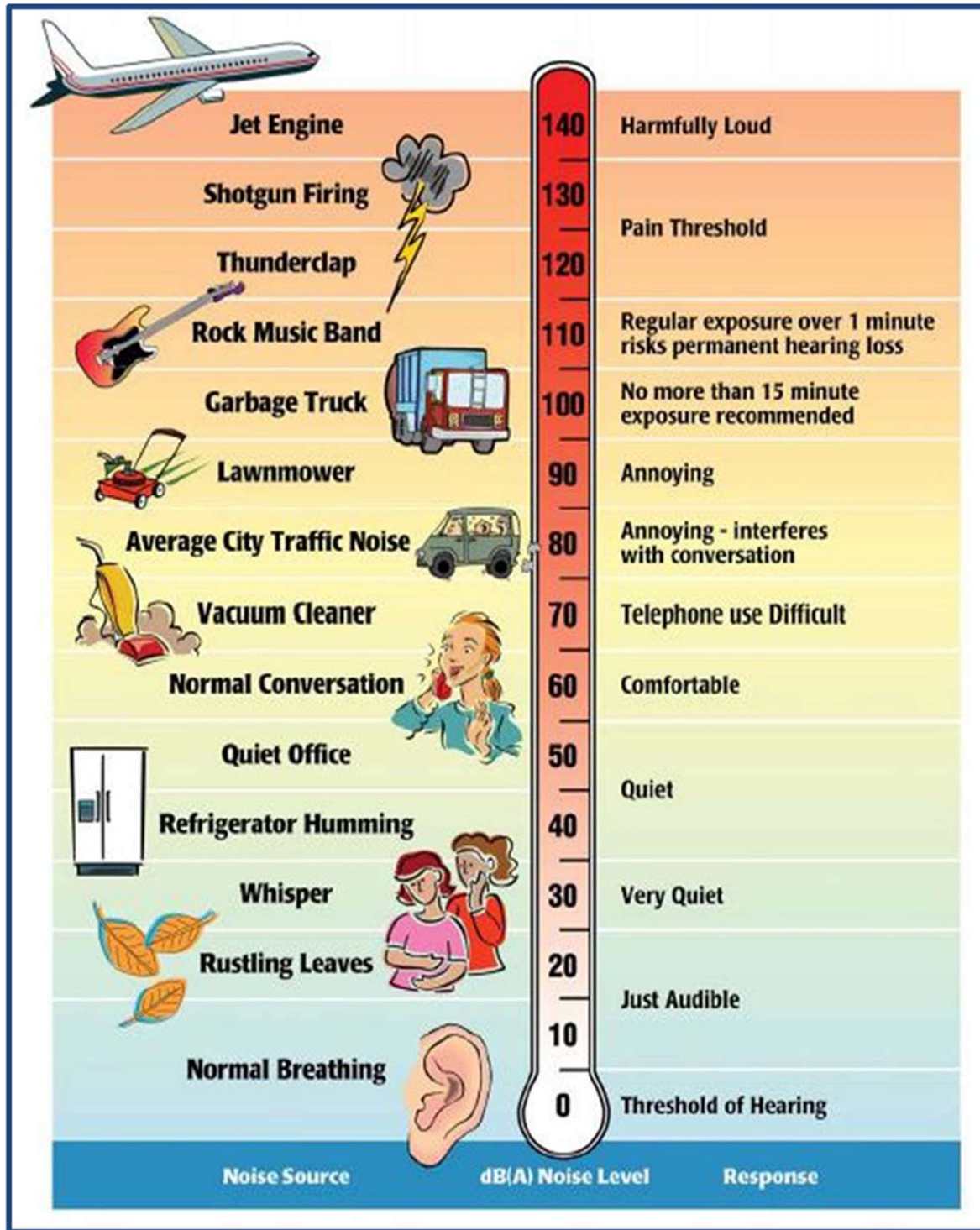


Figure 2. Site Plan

3. NOISE

The magnitude by which noise affects its surrounding environment is measured on a logarithmic scale in decibels (dB). Because the human ear is limited to hearing a specific range of frequencies, the A-weighted filter system is used to form relevant results. A-weighted sound levels are represented as dBA. Figure 3 shows typical A-weighted exterior and interior noise levels that occur in human environments.

Several noise metrics have been developed to evaluate noise. L_{eq} is the energy average noise level and corresponds to a steady-state sound level that has the same acoustical energy as the sum of all the time varying noise events. L_{max} is the maximum noise level measured during a sampling period, and L_{xx} are the statistical noise levels that are exceeded xx-% of the time of the measurement. L_{50} is the average noise level that is exceeded 50% of the time, 30 minutes in a 60-minute period.



Source: Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.

Figure 3. Typical A-weighted Noise Levels



4. NOISE STANDARDS

The City of San Diego Municipal Code has adopted regulations for the purpose of protecting citizens from potential hearing damage and from various other adverse physiological, psychological, and social effects associated with noise (Section 59.5.0401). The City Planning Department has indicated that the commercial land use sound level limits apply to this project¹. At Commercial Land Uses, the City's Code limits hourly noise levels to 65, 60 and 60 dBA in the daytime (7AM-7PM), evening (7PM-10PM), and nighttime (10PM-7AM), respectively. The noise from Live entertainment must not exceed these limits, regardless of ambient noise level. Refer to Table 1 for the City of San Diego Noise Standards.

Table 1. City of San Diego Exterior Noise Standards

Land Use	Time Period	One-Hour Average Sound Level (dBA)
Commercial	Daytime (7AM to 7PM)	65
	Evening (7PM to 10PM)	60
	Nighttime (10PM to 7AM)	60

Sound Transmission Class Criteria

Per LEED acoustic design criteria, for a residential area adjacent to a retail space, the recommended minimum STC rating is 60. A demising separation assembly with a minimum STC rating of 60 or greater would provide sufficient sound insulation between two adjacent uses to ensure speech privacy and insulation from airborne noise such as amplified music, persons talking, etc. Table 2 lists the LEED Acoustic Design Criteria and specified STC ratings for adjacent spaces.

Table 2. LEED Minimum STC Acoustic Design Criteria

Adjacency combinations		Minimum STC rating
Residence (within multi-family residence), hotel, or motel room	Residence, hotel, or motel room	55
Residence, hotel, or motel room	Common hallway	50
Residence, hotel, or motel room	Retail	60

Source: LEED EQ10 Acoustic Performance

For this project and use, an STC of 60+ will be used for assessment of the Floor-ceiling separation assembly.

¹ Email from Saba Raisesmaili, Senior Planner, Urban Innovation Division, City of San Diego Development Services Department to Marco Polo Cortes of Mr. Permits, Inc., dated September 5, 2024.

5. EXISTING NOISE LEVELS

AGI performed a site visit on July 17 to 18, 2024 to conduct two long-term ambient noise measurements and four short-term ambient noise measurements to document existing baseline hourly noise levels. Figure 4 shows the location of the noise measurements.

At NM1, the measured Leq ranged from 59.2 to 69.9 dBA. At NM2, the measured Leq ranged from 59.7 to 71.2 dBA, respectively. At ST1, the measured Leq was 56.5 and 57.1 dBA. At ST2, the measured Leq was 61.7 and 72.7 dBA. At ST3, the measured Leq was 72.6 and 64.6 dBA. At ST4, the measured Leq was 72.7 and 64.7 dBA. At NM1, NM2, ST1, and ST2, the noise sources contributing to the ambient measurement data were primarily from vehicular traffic. At ST3 and ST4, the primary noise source contributing to the ambient measurement was from the rooftop HVAC and mechanical equipment. Table 3 summarizes the noise measurement data from the survey. Refer to the Appendix for the field measurement data sheets.



Figure 4. Noise Measurement Locations


Table 3. Summary of Ambient Noise Measurements

Receiver Location Location		Time	Lmin, dBA	Lmax, dBA	Leq, dBA	Contributing Noise Sources
NM1	Front of Project Site	7/17/24 12:00 PM – 7/18/24 12:00 PM	49.8	95.8	59.2 to 69.9	Vehicular Traffic, People Talking
NM2	Across the Street from Project Site (802 Fifth Ave)	7/17/24 12:00 PM – 7/18/24 12:00 PM	51.5	96.6	59.7 to 71.2	Vehicular Traffic, People Talking
ST1	Across the Street from Project Site (836 Fifth Ave)	7/17/24 12:46 PM – 12:47 PM	53.8	59.4	56.5	Vehicular Traffic, People Talking
		7/18/24 1:35 PM – 1:36 PM	55.0	60.8	57.1	Vehicular Traffic, People Talking
ST2	Front of Project Site	7/17/24 12:45 PM – 12:46 PM	54.2	71.5	58.3	Vehicular Traffic, People Talking
		7/18/24 1:38 PM – 1:39 PM	54.4	72.4	61.7	Vehicular Traffic, People Talking
ST3	Southeast Corner/ Rear Roof of Project Site	7/17/24 12:51 PM – 12:52 PM	71.3	73.2	72.6	HVAC Noise
		7/18/24 1:42 PM – 1:43 PM	63.7	65.1	64.6	HVAC Noise
ST4	Northeast Corner/ Rear Roof of Project Site	7/17/24 12:52 PM – 12:53 PM	71.7	73.2	72.7	HVAC Noise
		7/18/24 1:42 PM – 1:43 PM	64.3	65.0	64.7	HVAC Noise

Sound Transmission Test

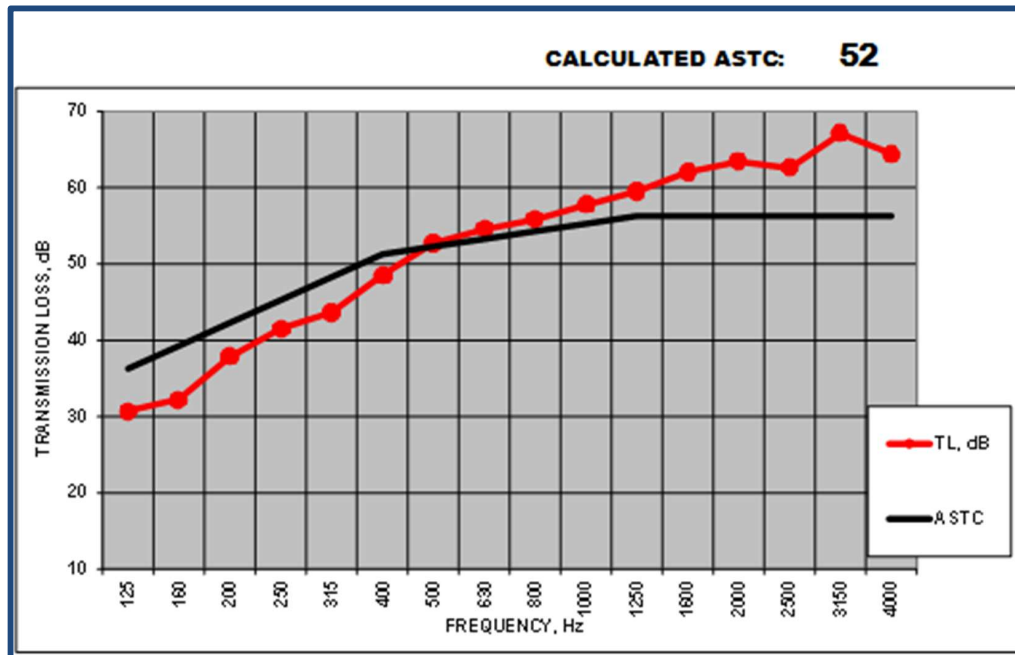
AGI also conducted a sound transmission test at the project site. The measurements reported herein were conducted per ASTM Test Designations for sound transmission. The field test's sound pressure levels were measured by manually sweeping the microphone within the receiving rooms. Ambient level and room absorption measurements were conducted in the receiving room. A Brüel & Kjær 2250 was used to measure sound transmission and was checked for field calibration before and after testing.

The floor-ceiling assemblies separating the project space with the upstairs Airbnb achieved an apparent STC rating of 52. An ASTC rating of 60 or higher is desirable to minimize airborne sound transfer. Table 4 summarizes the ASTC test result. Refer to Figure 5 for the ASTC of the floor-ceiling assembly.



Table 4. Summary of Separation Assembly Test Ratings

Source Room	Receiver Room	ASTC
Project Space	Upstairs Airbnb	52





6. NOISE ANALYSIS

The following section evaluates the noise impacts associated with the proposed project.

Methodology

The future noise generated from indoor operations has the potential to impact nearby properties. The methodology used to analyze and predict operations noise from the project involved the use of the CadnaA computer noise model. CadnaA can simulate the physical environment by factoring in x, y, and z geometrics of a particular site to simulate the buildings, obstacles, and typography. The model uses industry recognized algorithms (ISO 9613) to perform acoustical analyses. The noise generated by future operations was calculated by inputting acoustical sources at the project site. The performance of the existing building shell was modeled based on the noise measurements. The CadnaA Noise Model was also used to evaluate noise control options. The noise was modeled at NM1, NM2, and ST1 through ST4.

4 Chiles Restaurant Group provided operations sound levels and assumptions. 4 Chiles operations will operate live entertainment, including live band and disk jockey, at the interior (with windows and doors closed) from 10:00AM to 1:30AM. Occupancy for operations has not been finalized; however, a total of 100 occupants was considered. Refer to Table 5 for the noise sources used in the analysis.

Table 5. Operations Noise Sources

Noise Source	Distance, ft	Equipment Noise Level Leq, dBA
Live Entertainment/ Amplified Music	3	108

Source: AGI Industry Database

Live Entertainment Operations Noise

The noise from future live entertainment operations was analyzed using the operations data from the previous section, the measured ASTC test data and the acoustical model created in CadnaA. The hourly Leq from only interior live entertainment operations is estimated to be as high as 79.2, 65.8, 65.1, 81.7, 49.9, and 48.9 dBA at NM1, NM2, and ST1 through ST4, respectively. With the existing floor-ceiling assembly, the live entertainment noise experienced at the upstairs Airbnb would be as high as 80.4 dBA. Refer to Figure 6 for a noise contour map of the Live Entertainment Operations without additional noise control. Table 6 summarizes the predicted Live Entertainment noise levels without noise control.

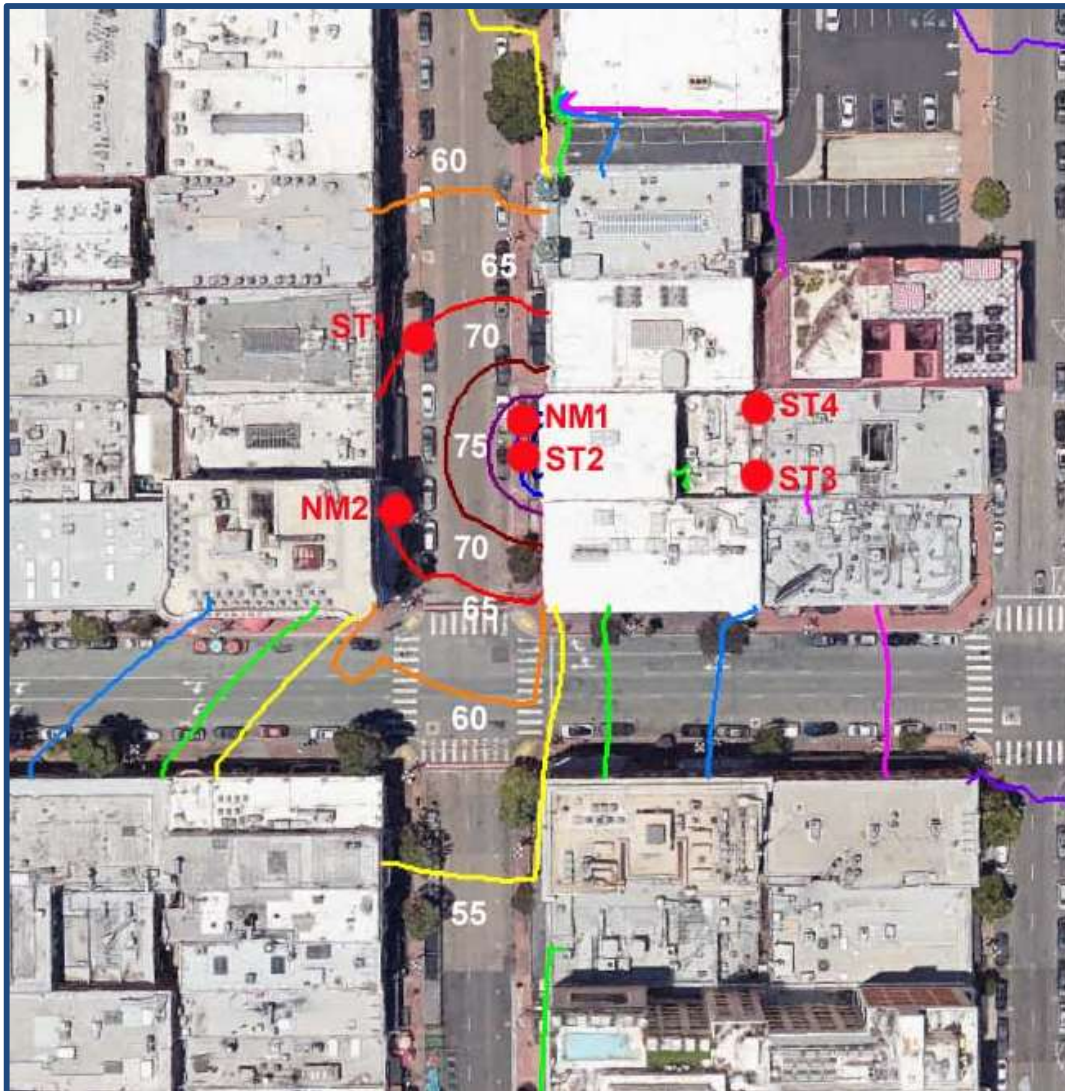


Figure 6. Predicted Live Entertainment Operations Noise Contour Map – Project Design

Table 6. Predicted Noise Levels for Live Entertainment – Project Design

Receptor		Live Entertainment Noise Level, Leq, dBA
NM1	Front of Project Site	79.2
NM2	Across the St from Project Site (802 Fifth Ave)	65.8
ST1	Across the St from Project Site (836 Fifth Ave)	65.1
ST2	Front of Project Site	81.7
ST3	Southeast Corner/ Rear Roof of Project Site	49.9
ST4	Northeast Corner/ Rear Roof of Project Site	48.9
Upstairs Airbnb		80.4



7. IMPACT ASSESSMENT

During Live Entertainment operations, the hourly Leq from operations is estimated to be as high as 79.2, 65.8, 65.1, 81.7, 49.9, and 48.9 dBA at receptors represented by NM1, NM2, and ST1 through ST4, respectively. In front of the project site, represented by receptors NM1 and ST2, and across the street, represented by receptors NM2 and ST1, all hours of operations would exceed the City's daytime, evening, and nighttime noise standards of 65, 60, and 60 dBA for commercial uses. At ST3 and ST4, live entertainment operations would comply with the City's Noise Standards. With the existing floor-ceiling assembly, the live entertainment options at the upstairs Airbnb would be as high as 80.4 dBA and exceeds the City's daytime, evening, and nighttime noise standards of 65, 60, and 60 dBA for commercial use. Additional noise control is necessary to comply with the noise standards. Refer to Table 7 which summarizes the assessment of the future Live Entertainment noise levels from Project Design with the applicable noise standard. Tables 8 through 14 summarize the assessment of the Live Entertainment noise levels from Project Design with the applicable noise standard at NM1, NM2, ST1 through ST4, and the upstairs Airbnb, respectively. Figures 7 to 13 show a comparison of the future Live Entertainment with the applicable noise standard at NM1, NM2, ST1 through ST4, and the upstairs Airbnb, respectively.

**Table 7. Summary of Impact Assessment of Live Entertainment Noise
– Project Design**

Receptor		Noise Standard, dBA (Daytime/ Evening/ Nighttime)	Live Entertainment Noise Level, dBA (10AM to 1:30AM)	Assessment
NM1	Front of Project Site	65/ 60/ 60	79.2	Exceedance
NM2	Across the St from Project Site (802 Fifth Ave)	65/ 60/ 60	65.8	Exceedance
ST1	Across the St from Project Site (836 Fifth Ave)	65/ 60/ 60	65.1	Exceedance
ST2	Front of Project Site	65/ 60/ 60	81.7	Exceedance
ST3	Southeast Corner/ Rear Roof of Project Site	65/ 60/ 60	49.9	Compliance
ST4	Northeast Corner/ Rear Roof of Project Site	65/ 60/ 60	48.9	Compliance
Upstairs Airbnb		65/ 60/ 60	80.4	Exceedance



Table 8. Impact Assessment of Live Entertainment Noise at NM1 – Project Design

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	79.2	Exceedance
11:00 AM	65.0	79.2	Exceedance
12:00 PM	65.0	79.2	Exceedance
1:00 PM	65.0	79.2	Exceedance
2:00 PM	65.0	79.2	Exceedance
3:00 PM	65.0	79.2	Exceedance
4:00 PM	65.0	79.2	Exceedance
5:00 PM	65.0	79.2	Exceedance
6:00 PM	65.0	79.2	Exceedance
7:00 PM	60.0	79.2	Exceedance
8:00 PM	60.0	79.2	Exceedance
9:00 PM	60.0	79.2	Exceedance
10:00 PM	60.0	79.2	Exceedance
11:00 PM	60.0	79.2	Exceedance
12:00 AM	60.0	79.2	Exceedance
1:00 AM	60.0	79.2	Exceedance

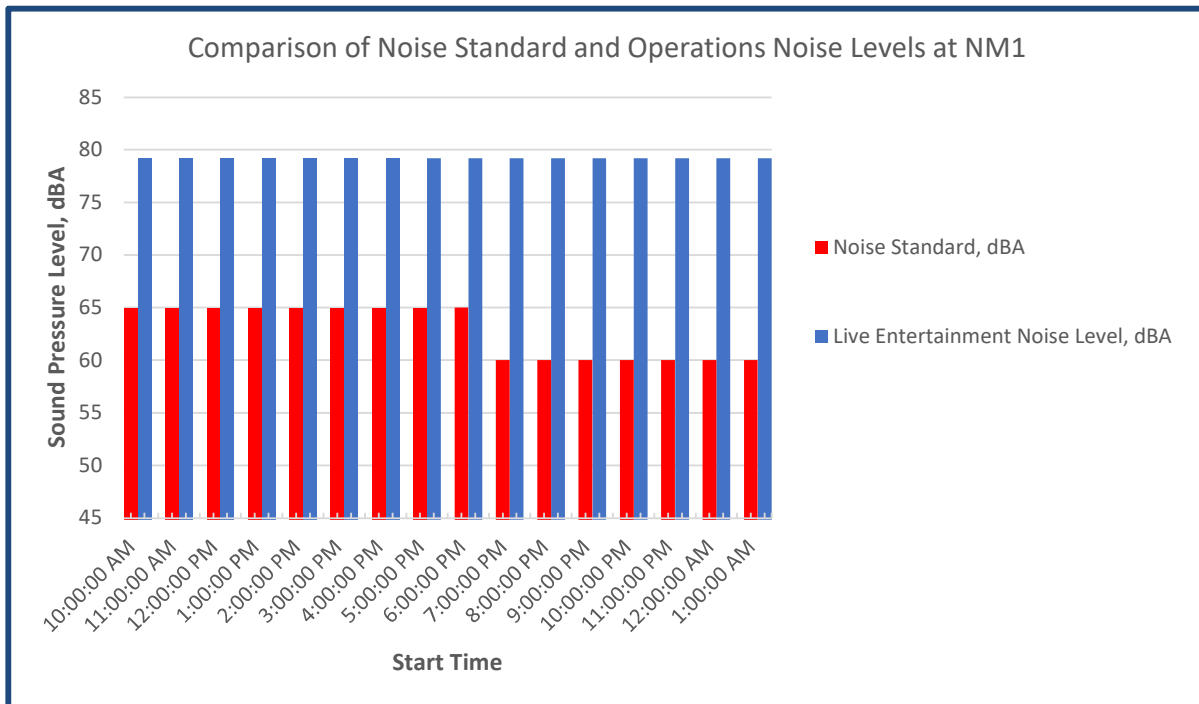


Figure 7. Comparison of Future Noise from Live Entertainment with Noise Standard at NM1 – Project Design



Table 9. Impact Assessment of Live Entertainment Noise at NM2 – Project Design

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	65.8	Exceedance
11:00 AM	65.0	65.8	Exceedance
12:00 PM	65.0	65.8	Exceedance
1:00 PM	65.0	65.8	Exceedance
2:00 PM	65.0	65.8	Exceedance
3:00 PM	65.0	65.8	Exceedance
4:00 PM	65.0	65.8	Exceedance
5:00 PM	65.0	65.8	Exceedance
6:00 PM	65.0	65.8	Exceedance
7:00 PM	60.0	65.8	Exceedance
8:00 PM	60.0	65.8	Exceedance
9:00 PM	60.0	65.8	Exceedance
10:00 PM	60.0	65.8	Exceedance
11:00 PM	60.0	65.8	Exceedance
12:00 AM	60.0	65.8	Exceedance
1:00 AM	60.0	65.8	Exceedance

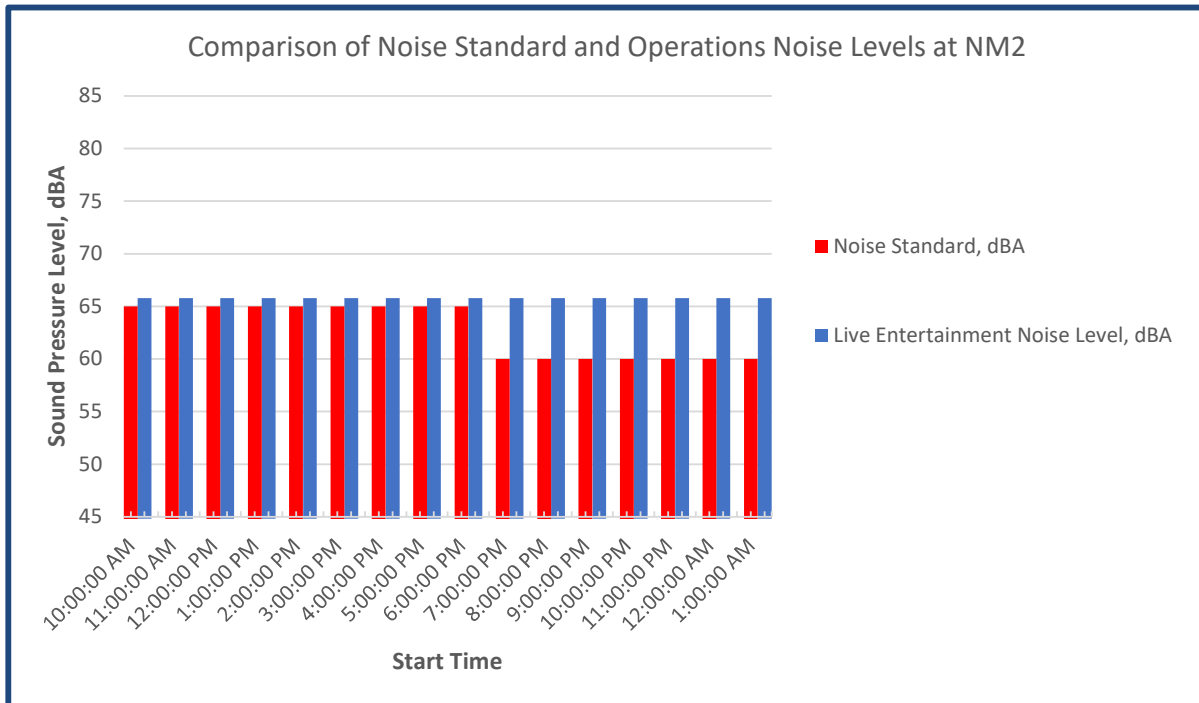


Figure 8. Comparison of Future Noise from Live Entertainment with Noise Standard at NM2 – Project Design



Table 10. Impact Assessment of Live Entertainment Noise at ST1 – Project Design

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	65.1	Exceedance
11:00 AM	65.0	65.1	Exceedance
12:00 PM	65.0	65.1	Exceedance
1:00 PM	65.0	65.1	Exceedance
2:00 PM	65.0	65.1	Exceedance
3:00 PM	65.0	65.1	Exceedance
4:00 PM	65.0	65.1	Exceedance
5:00 PM	65.0	65.1	Exceedance
6:00 PM	65.0	65.1	Exceedance
7:00 PM	60.0	65.1	Exceedance
8:00 PM	60.0	65.1	Exceedance
9:00 PM	60.0	65.1	Exceedance
10:00 PM	60.0	65.1	Exceedance
11:00 PM	60.0	65.1	Exceedance
12:00 AM	60.0	65.1	Exceedance
1:00 AM	60.0	65.1	Exceedance

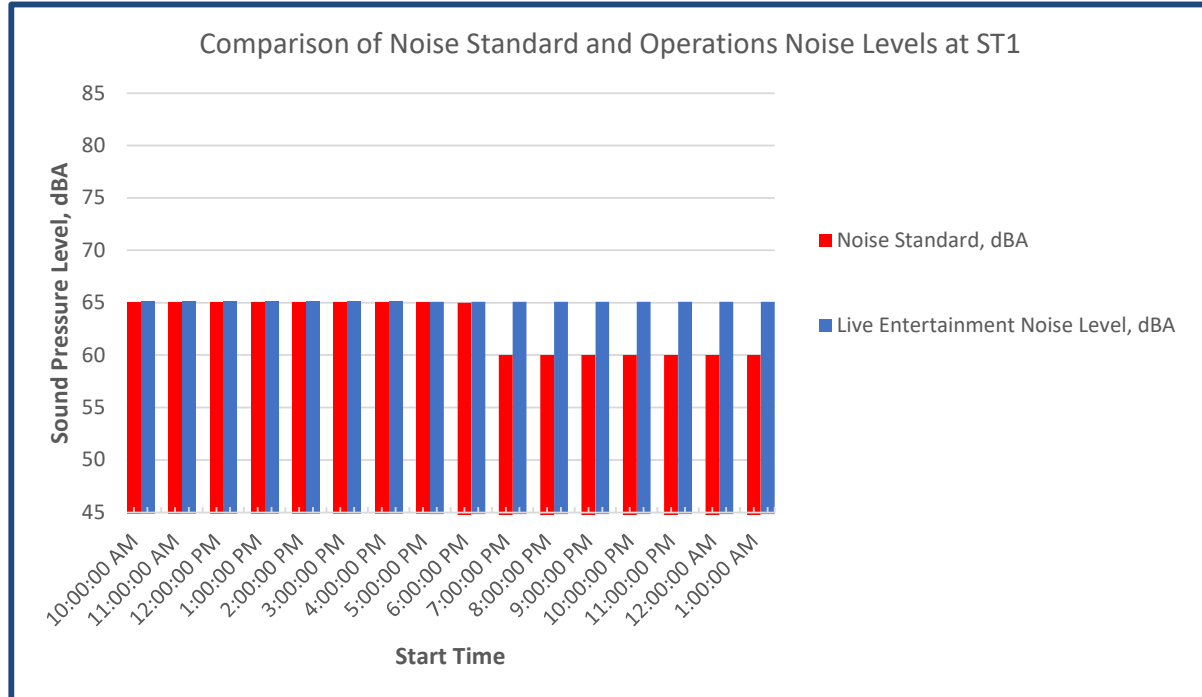


Figure 9. Comparison of Future Noise from Live Entertainment with Noise Standard at ST1 – Project Design



Table 11. Impact Assessment of Live Entertainment Noise at ST2 – Project Design

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	81.7	Exceedance
11:00 AM	65.0	81.7	Exceedance
12:00 PM	65.0	81.7	Exceedance
1:00 PM	65.0	81.7	Exceedance
2:00 PM	65.0	81.7	Exceedance
3:00 PM	65.0	81.7	Exceedance
4:00 PM	65.0	81.7	Exceedance
5:00 PM	65.0	81.7	Exceedance
6:00 PM	65.0	81.7	Exceedance
7:00 PM	60.0	81.7	Exceedance
8:00 PM	60.0	81.7	Exceedance
9:00 PM	60.0	81.7	Exceedance
10:00 PM	60.0	81.7	Exceedance
11:00 PM	60.0	81.7	Exceedance
12:00 AM	60.0	81.7	Exceedance
1:00 AM	60.0	81.7	Exceedance

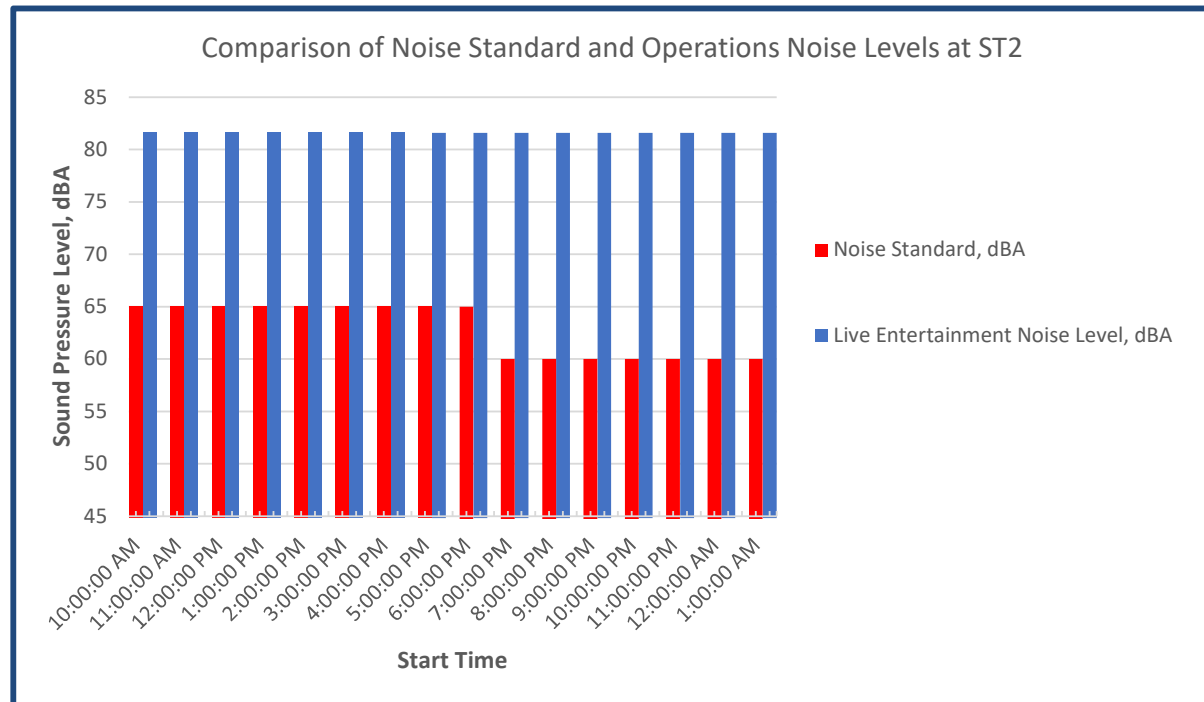


Figure 10. Comparison of Future Noise from Live Entertainment with Noise Standard at ST2 – Project Design



Table 12. Impact Assessment of Live Entertainment Noise at ST3 – Project Design

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	49.9	Compliance
11:00 AM	65.0	49.9	Compliance
12:00 PM	65.0	49.9	Compliance
1:00 PM	65.0	49.9	Compliance
2:00 PM	65.0	49.9	Compliance
3:00 PM	65.0	49.9	Compliance
4:00 PM	65.0	49.9	Compliance
5:00 PM	65.0	49.9	Compliance
6:00 PM	65.0	49.9	Compliance
7:00 PM	60.0	49.9	Compliance
8:00 PM	60.0	49.9	Compliance
9:00 PM	60.0	49.9	Compliance
10:00 PM	60.0	49.9	Compliance
11:00 PM	60.0	49.9	Compliance
12:00 AM	60.0	49.9	Compliance
1:00 AM	60.0	49.9	Compliance

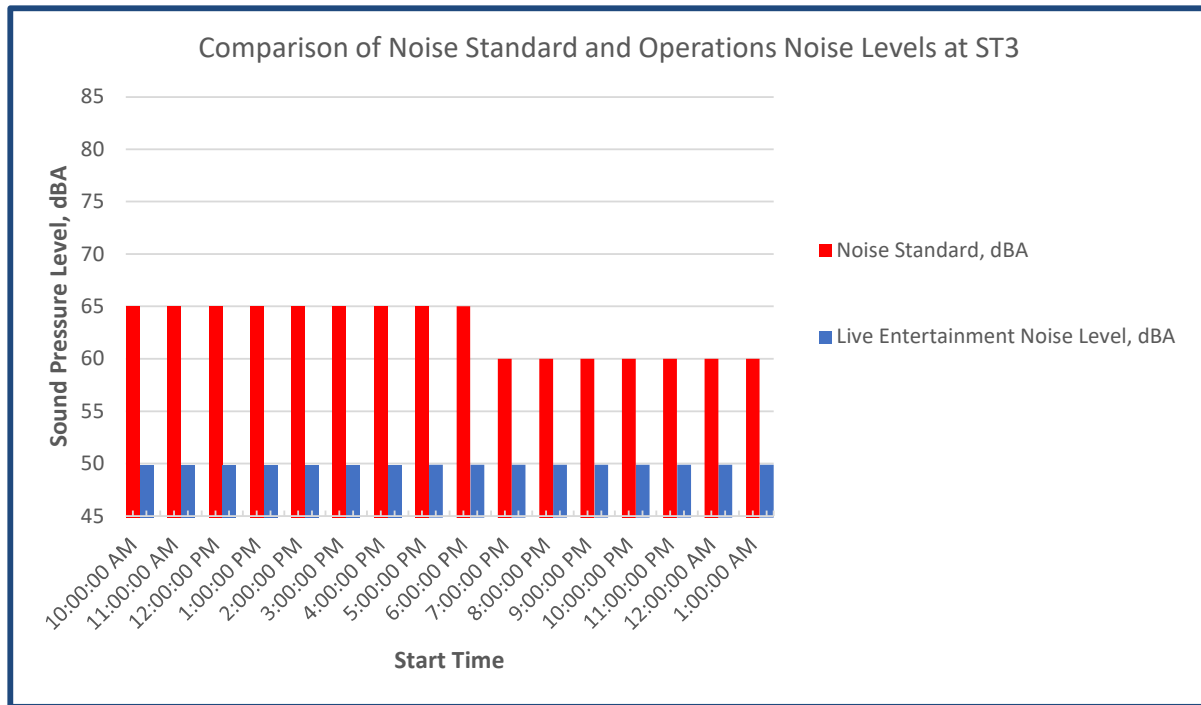


Figure 11. Comparison of Future Noise from Live Entertainment with Noise Standard at ST3 – Project Design


Table 13. Impact Assessment of Live Entertainment Noise at ST4 – Project Design

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	48.9	Compliance
11:00 AM	65.0	48.9	Compliance
12:00 PM	65.0	48.9	Compliance
1:00 PM	65.0	48.9	Compliance
2:00 PM	65.0	48.9	Compliance
3:00 PM	65.0	48.9	Compliance
4:00 PM	65.0	48.9	Compliance
5:00 PM	65.0	48.9	Compliance
6:00 PM	65.0	48.9	Compliance
7:00 PM	60.0	48.9	Compliance
8:00 PM	60.0	48.9	Compliance
9:00 PM	60.0	48.9	Compliance
10:00 PM	60.0	48.9	Compliance
11:00 PM	60.0	48.9	Compliance
12:00 AM	60.0	48.9	Compliance
1:00 AM	60.0	48.9	Compliance

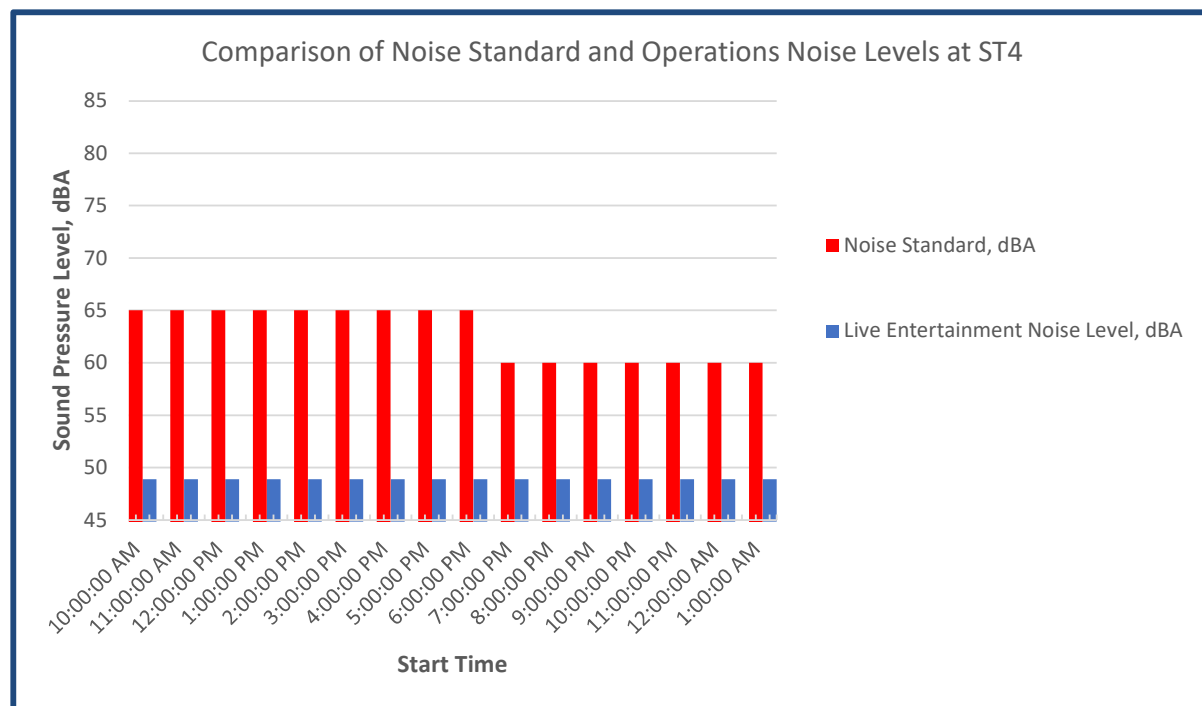

Figure 12. Comparison of Future Noise from Live Entertainment with Noise Standard at ST4 – Project Design



Table 14. Impact Assessment of Live Entertainment Noise at Upstairs Airbnb – Project Design

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	80.4	Exceedance
11:00 AM	65.0	80.4	Exceedance
12:00 PM	65.0	80.4	Exceedance
1:00 PM	65.0	80.4	Exceedance
2:00 PM	65.0	80.4	Exceedance
3:00 PM	65.0	80.4	Exceedance
4:00 PM	65.0	80.4	Exceedance
5:00 PM	65.0	80.4	Exceedance
6:00 PM	65.0	80.4	Exceedance
7:00 PM	60.0	80.4	Exceedance
8:00 PM	60.0	80.4	Exceedance
9:00 PM	60.0	80.4	Exceedance
10:00 PM	60.0	80.4	Exceedance
11:00 PM	60.0	80.4	Exceedance
12:00 AM	60.0	80.4	Exceedance
1:00 AM	60.0	80.4	Exceedance

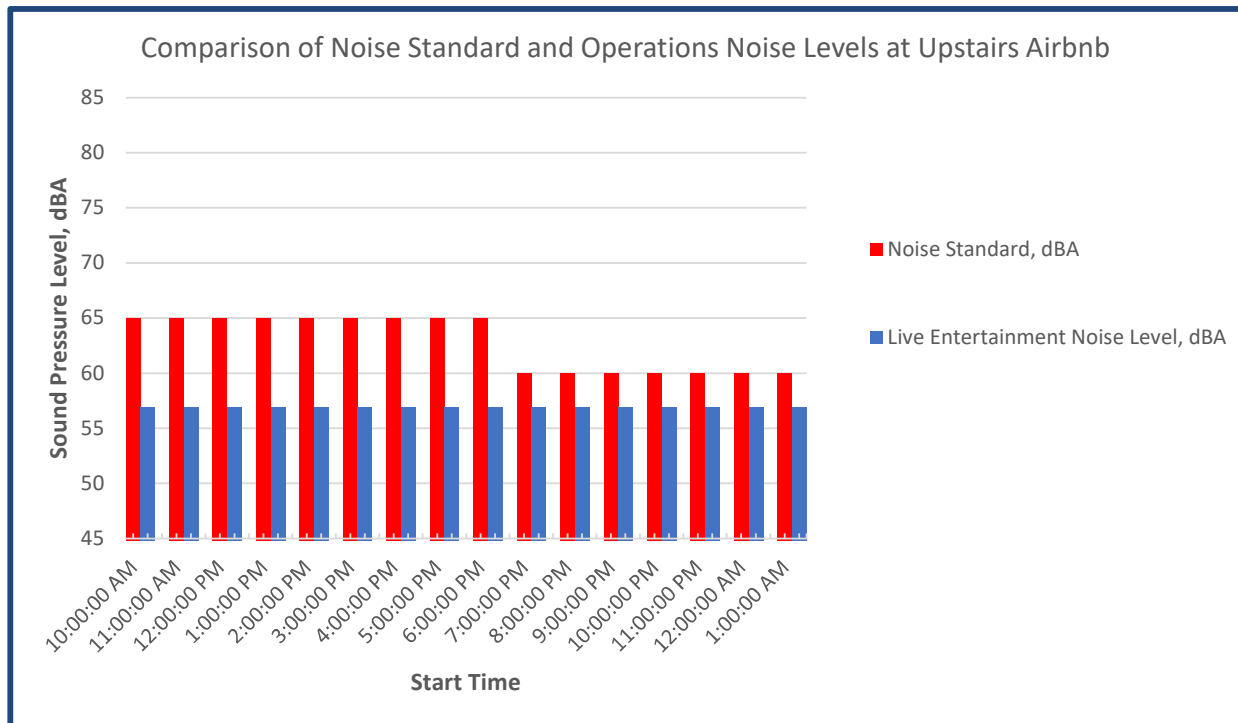


Figure 13. Comparison of Future Noise from Live Entertainment with Noise Standard at Upstairs Airbnb – Project Design



8. NOISE CONTROL ANALYSIS

Noise control was evaluated to improve the building shell and reduce the live entertainment noise at the interior. With exterior windows and glass doors upgraded to an STC of 53 and an interior amplified music noise level limited to 105 dBA at 3 feet from each loudspeaker, the hourly Leq from operations is estimated to be as high as 56.3, 43.7, 42.6, 58.6, 29.9, and 28.4 dBA at receptors represented by NM1, NM2, and ST1 through ST4, respectively. With the recommended modifications to the floor-ceiling assembly, the live entertainment options at the upstairs Airbnb would be as high as 56.9 dBA. At NM1, NM2, ST1 through ST4, and the upstairs Airbnb, all hours of operations would comply with the City's daytime, evening, and nighttime noise standards of 65, 60, and 60 dBA for uses at the commercial boundary.

Table 15 summarizes the assessment of the future Live Entertainment noise levels with noise control with the applicable noise standard. Refer to Figure 14 for a noise contour map of the Live Entertainment Operations with noise control. Tables 16 through 22 summarize the assessment of the Live Entertainment noise levels with noise control with the applicable noise standard at t NM1, NM2, ST1 through ST4, and the upstairs Airbnb, respectively. Figures 15 to 21 show a comparison of the future Live Entertainment with noise control with the applicable noise standard at the same locations.

**Table 15. Summary of Impact Assessment of Live Entertainment Noise
– with Noise Control**

Receptor		Noise Standard, dBA (Daytime/ Evening/ Nighttime)	Live Entertainment Noise Level, dBA (10AM to 1:30AM)	Assessment
NM1	Front of Project Site	65/ 60/ 60	56.3	Compliance
NM2	Across the St from Project Site (802 Fifth Ave)	65/ 60/ 60	43.7	Compliance
ST1	Across the St from Project Site (836 Fifth Ave)	65/ 60/ 60	42.6	Compliance
ST2	Front of Project Site	65/ 60/ 60	58.6	Compliance
ST3	Southeast Corner/ Rear Roof of Project Site	65/ 60/ 60	29.9	Compliance
ST4	Northeast Corner/ Rear Roof of Project Site	65/ 60/ 60	28.4	Compliance
Upstairs Airbnb		65/ 60/ 60	56.9	Compliance

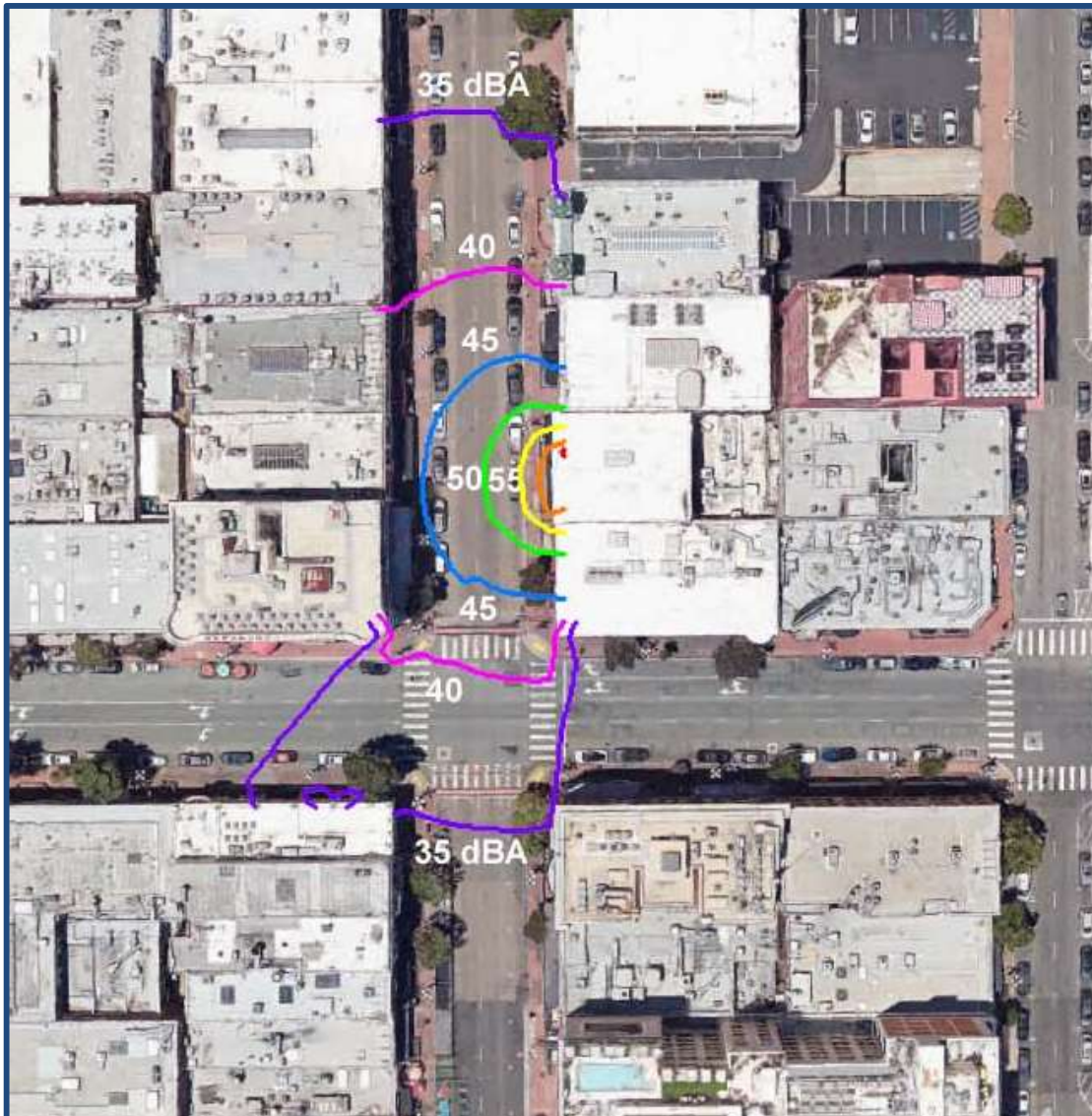
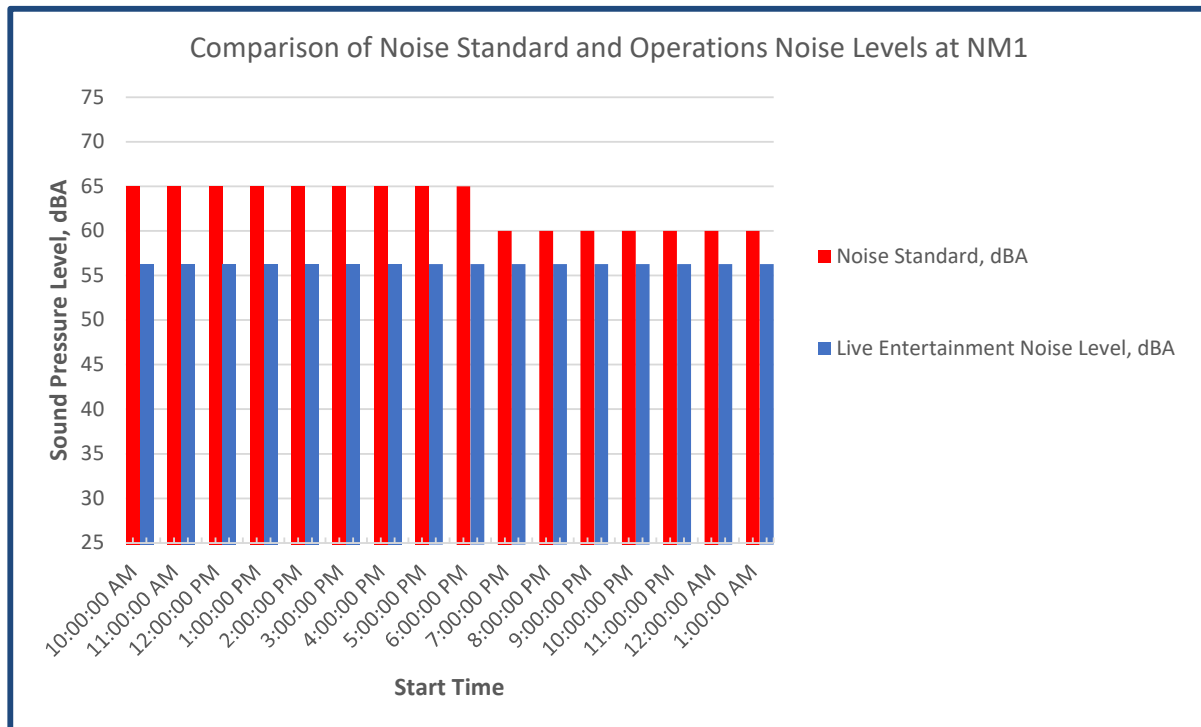


Figure 14. Predicted Live Entertainment Operations Noise Contour Map
– with Noise Control



**Table 16. Impact Assessment of Live Entertainment Noise at NM1
– with Noise Control**

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	56.3	Compliance
11:00 AM	65.0	56.3	Compliance
12:00 PM	65.0	56.3	Compliance
1:00 PM	65.0	56.3	Compliance
2:00 PM	65.0	56.3	Compliance
3:00 PM	65.0	56.3	Compliance
4:00 PM	65.0	56.3	Compliance
5:00 PM	65.0	56.3	Compliance
6:00 PM	65.0	56.3	Compliance
7:00 PM	60.0	56.3	Compliance
8:00 PM	60.0	56.3	Compliance
9:00 PM	60.0	56.3	Compliance
10:00 PM	60.0	56.3	Compliance
11:00 PM	60.0	56.3	Compliance
12:00 AM	60.0	56.3	Compliance
1:00 AM	60.0	56.3	Compliance

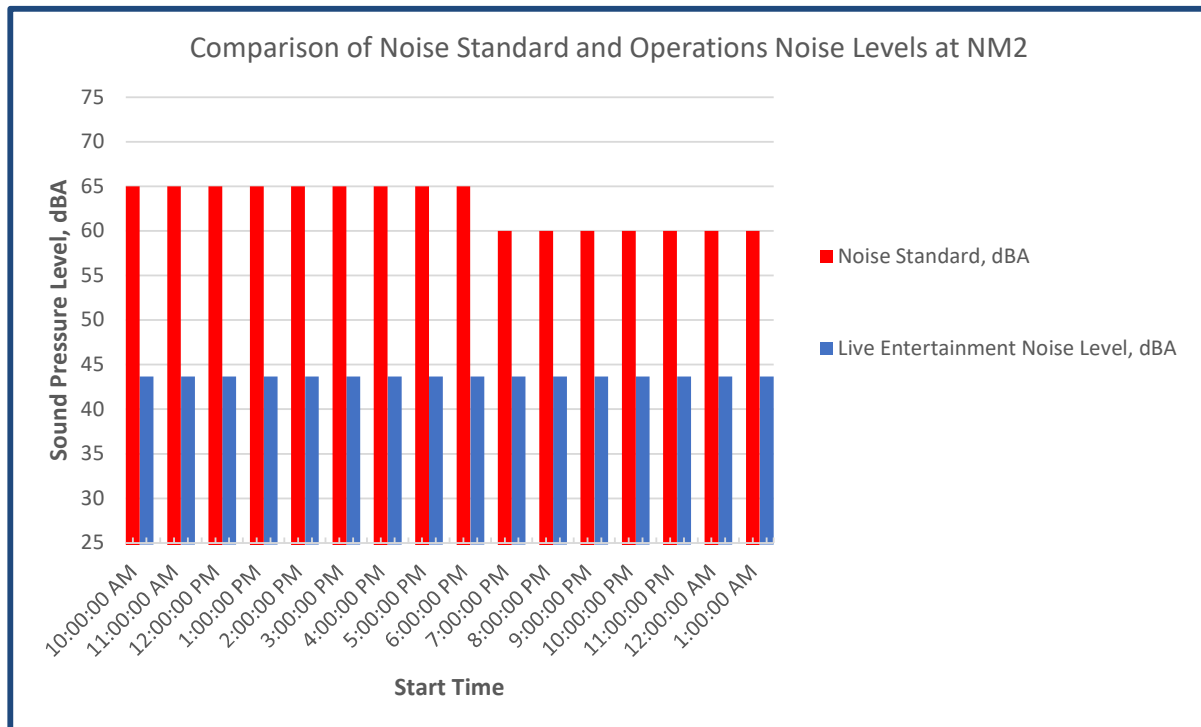


**Figure 15. Comparison of Future Noise from Live Entertainment
with Noise Standard at NM1– with Noise Control**



**Table 17. Impact Assessment of Live Entertainment Noise at NM2
– with Noise Control**

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	43.7	Compliance
11:00 AM	65.0	43.7	Compliance
12:00 PM	65.0	43.7	Compliance
1:00 PM	65.0	43.7	Compliance
2:00 PM	65.0	43.7	Compliance
3:00 PM	65.0	43.7	Compliance
4:00 PM	65.0	43.7	Compliance
5:00 PM	65.0	43.7	Compliance
6:00 PM	65.0	43.7	Compliance
7:00 PM	60.0	43.7	Compliance
8:00 PM	60.0	43.7	Compliance
9:00 PM	60.0	43.7	Compliance
10:00 PM	60.0	43.7	Compliance
11:00 PM	60.0	43.7	Compliance
12:00 AM	60.0	43.7	Compliance
1:00 AM	60.0	43.7	Compliance

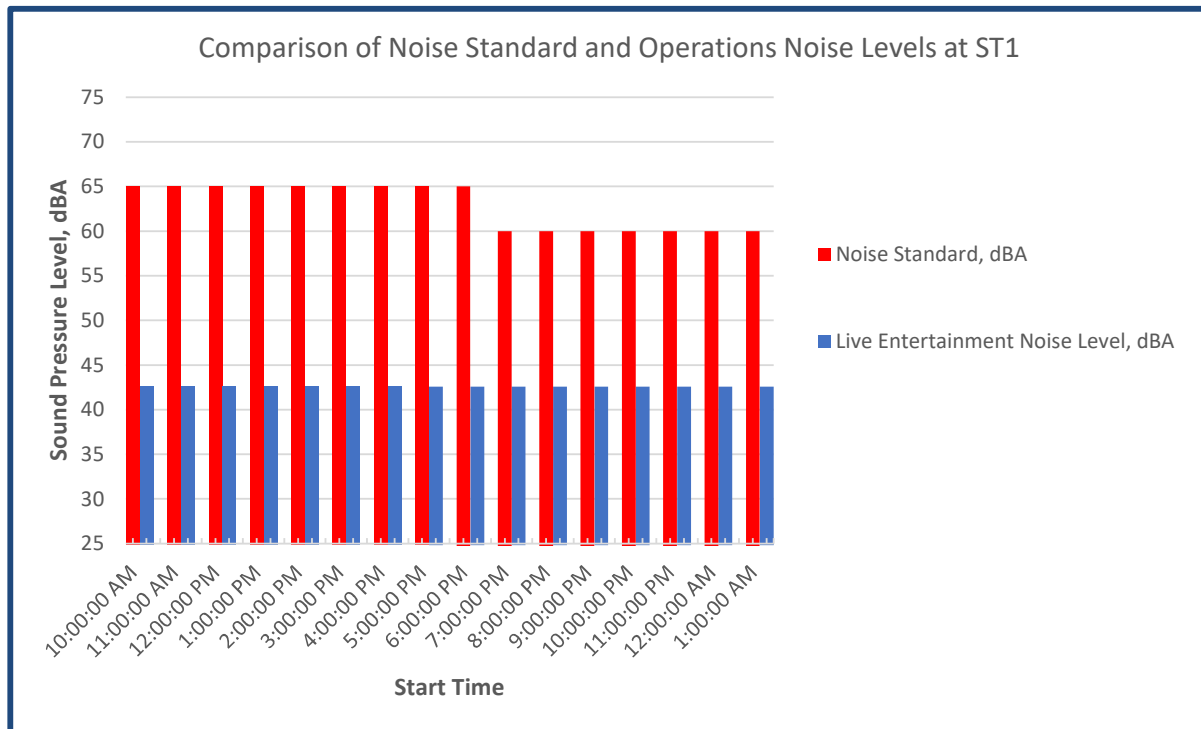


**Figure 16. Comparison of Future Noise from Live Entertainment
with Noise Standard at NM2– with Noise Control**



**Table 18. Impact Assessment of Live Entertainment Noise at ST1
– with Noise Control**

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	42.6	Compliance
11:00 AM	65.0	42.6	Compliance
12:00 PM	65.0	42.6	Compliance
1:00 PM	65.0	42.6	Compliance
2:00 PM	65.0	42.6	Compliance
3:00 PM	65.0	42.6	Compliance
4:00 PM	65.0	42.6	Compliance
5:00 PM	65.0	42.6	Compliance
6:00 PM	65.0	42.6	Compliance
7:00 PM	60.0	42.6	Compliance
8:00 PM	60.0	42.6	Compliance
9:00 PM	60.0	42.6	Compliance
10:00 PM	60.0	42.6	Compliance
11:00 PM	60.0	42.6	Compliance
12:00 AM	60.0	42.6	Compliance
1:00 AM	60.0	42.6	Compliance

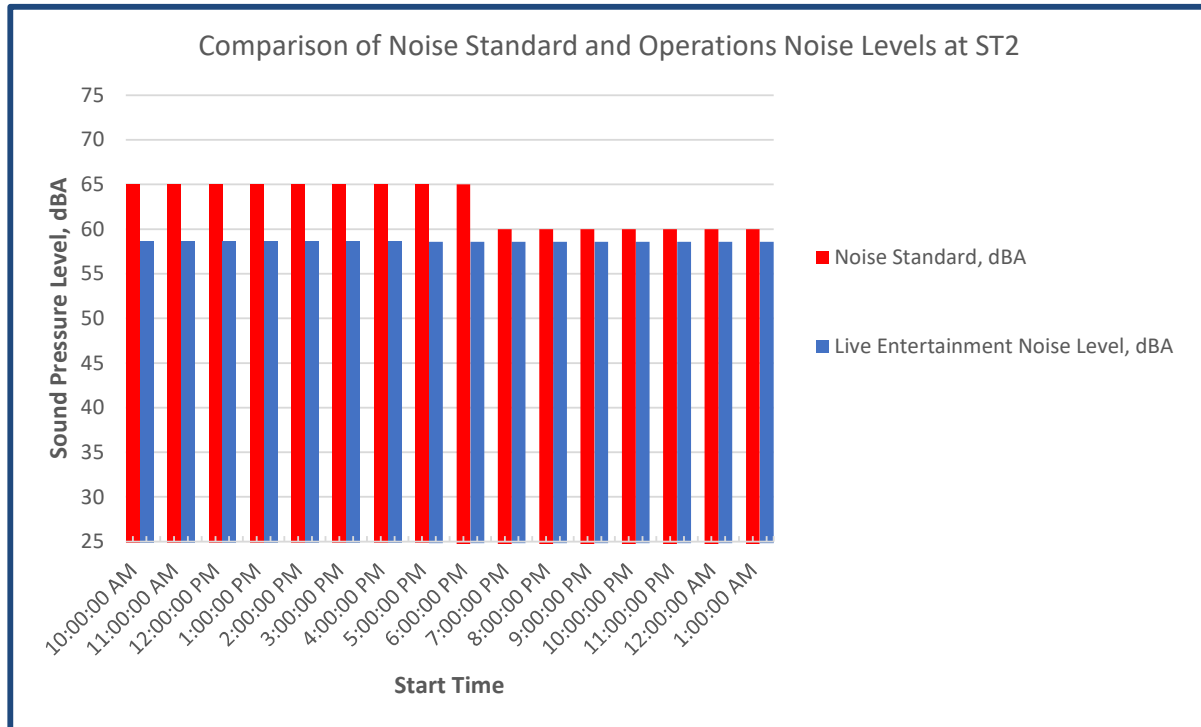


**Figure 17. Comparison of Future Noise from Live Entertainment
with Noise Standard at ST1– with Noise Control**



**Table 19. Impact Assessment of Live Entertainment Noise at ST2
– with Noise Control**

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	58.6	Compliance
11:00 AM	65.0	58.6	Compliance
12:00 PM	65.0	58.6	Compliance
1:00 PM	65.0	58.6	Compliance
2:00 PM	65.0	58.6	Compliance
3:00 PM	65.0	58.6	Compliance
4:00 PM	65.0	58.6	Compliance
5:00 PM	65.0	58.6	Compliance
6:00 PM	65.0	58.6	Compliance
7:00 PM	60.0	58.6	Compliance
8:00 PM	60.0	58.6	Compliance
9:00 PM	60.0	58.6	Compliance
10:00 PM	60.0	58.6	Compliance
11:00 PM	60.0	58.6	Compliance
12:00 AM	60.0	58.6	Compliance
1:00 AM	60.0	58.6	Compliance

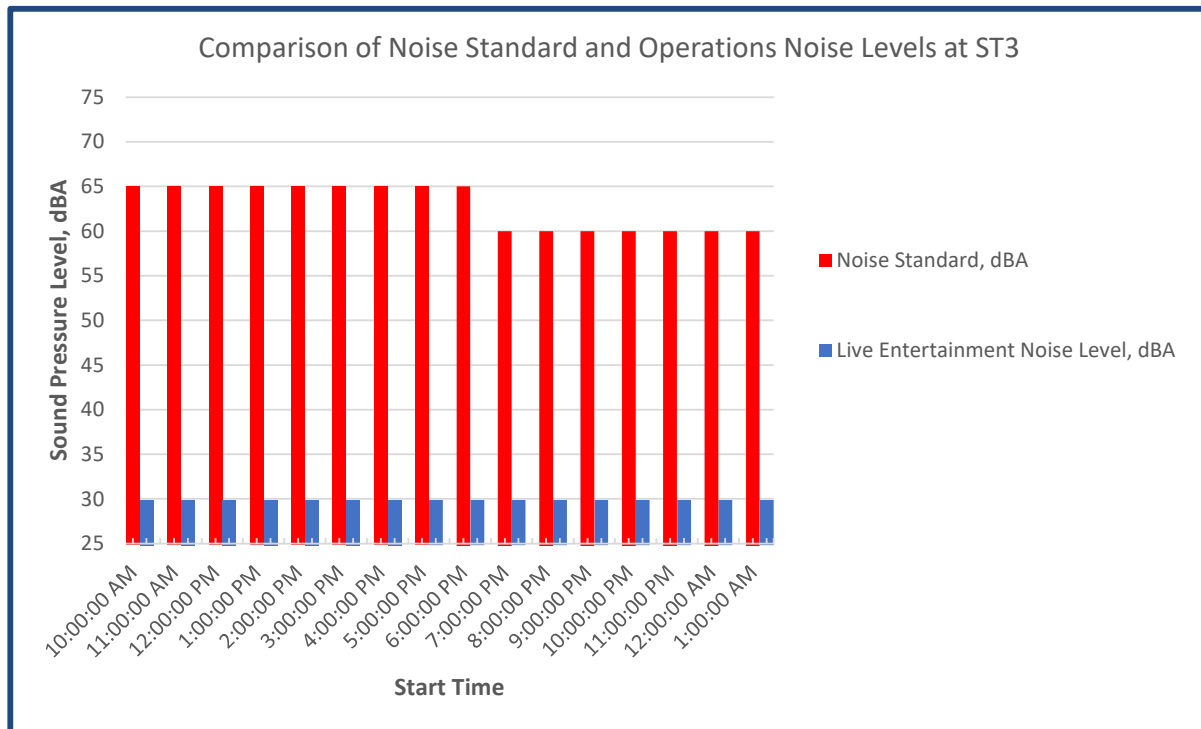


**Figure 18. Comparison of Future Noise from Live Entertainment
with Noise Standard at ST2 – with Noise Control**



**Table 20. Impact Assessment of Live Entertainment Noise at ST3
– with Noise Control**

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	29.9	Compliance
11:00 AM	65.0	29.9	Compliance
12:00 PM	65.0	29.9	Compliance
1:00 PM	65.0	29.9	Compliance
2:00 PM	65.0	29.9	Compliance
3:00 PM	65.0	29.9	Compliance
4:00 PM	65.0	29.9	Compliance
5:00 PM	65.0	29.9	Compliance
6:00 PM	65.0	29.9	Compliance
7:00 PM	60.0	29.9	Compliance
8:00 PM	60.0	29.9	Compliance
9:00 PM	60.0	29.9	Compliance
10:00 PM	60.0	29.9	Compliance
11:00 PM	60.0	29.9	Compliance
12:00 AM	60.0	29.9	Compliance
1:00 AM	60.0	29.9	Compliance

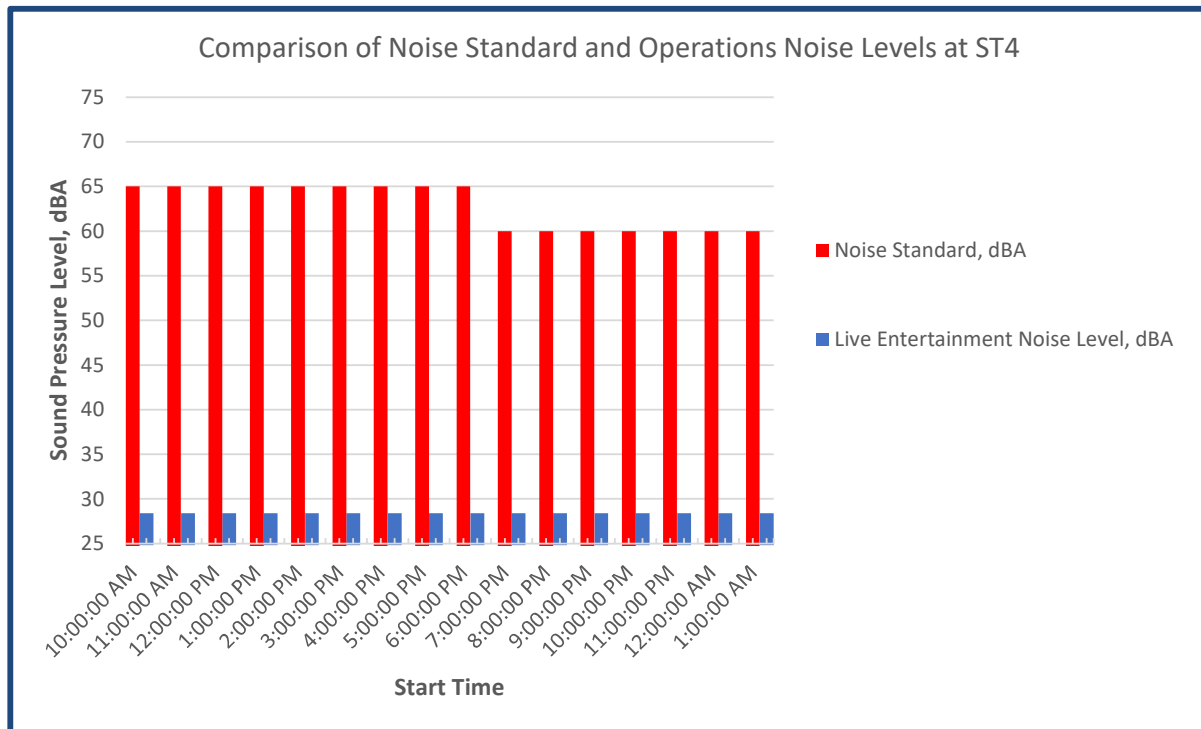


**Figure 19. Comparison of Future Noise from Live Entertainment
with Noise Standard at ST3 – with Noise Control**



**Table 21. Impact Assessment of Live Entertainment Noise at ST4
– with Noise Control**

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	28.4	Compliance
11:00 AM	65.0	28.4	Compliance
12:00 PM	65.0	28.4	Compliance
1:00 PM	65.0	28.4	Compliance
2:00 PM	65.0	28.4	Compliance
3:00 PM	65.0	28.4	Compliance
4:00 PM	65.0	28.4	Compliance
5:00 PM	65.0	28.4	Compliance
6:00 PM	65.0	28.4	Compliance
7:00 PM	60.0	28.4	Compliance
8:00 PM	60.0	28.4	Compliance
9:00 PM	60.0	28.4	Compliance
10:00 PM	60.0	28.4	Compliance
11:00 PM	60.0	28.4	Compliance
12:00 AM	60.0	28.4	Compliance
1:00 AM	60.0	28.4	Compliance



**Figure 20. Comparison of Future Noise from Live Entertainment
with Noise Standard at ST4 – with Noise Control**



Table 22. Impact Assessment of Live Entertainment Noise at Upstairs Airbnb – with Noise Control

Hour Start Time	Noise Standard, Leq, dBA	Entertainment Noise Level, Leq, dBA	Assessment
10:00 AM	65.0	56.9	Compliance
11:00 AM	65.0	56.9	Compliance
12:00 PM	65.0	56.9	Compliance
1:00 PM	65.0	56.9	Compliance
2:00 PM	65.0	56.9	Compliance
3:00 PM	65.0	56.9	Compliance
4:00 PM	65.0	56.9	Compliance
5:00 PM	65.0	56.9	Compliance
6:00 PM	65.0	56.9	Compliance
7:00 PM	60.0	56.9	Compliance
8:00 PM	60.0	56.9	Compliance
9:00 PM	60.0	56.9	Compliance
10:00 PM	60.0	56.9	Compliance
11:00 PM	60.0	56.9	Compliance
12:00 AM	60.0	56.9	Compliance
1:00 AM	60.0	56.9	Compliance

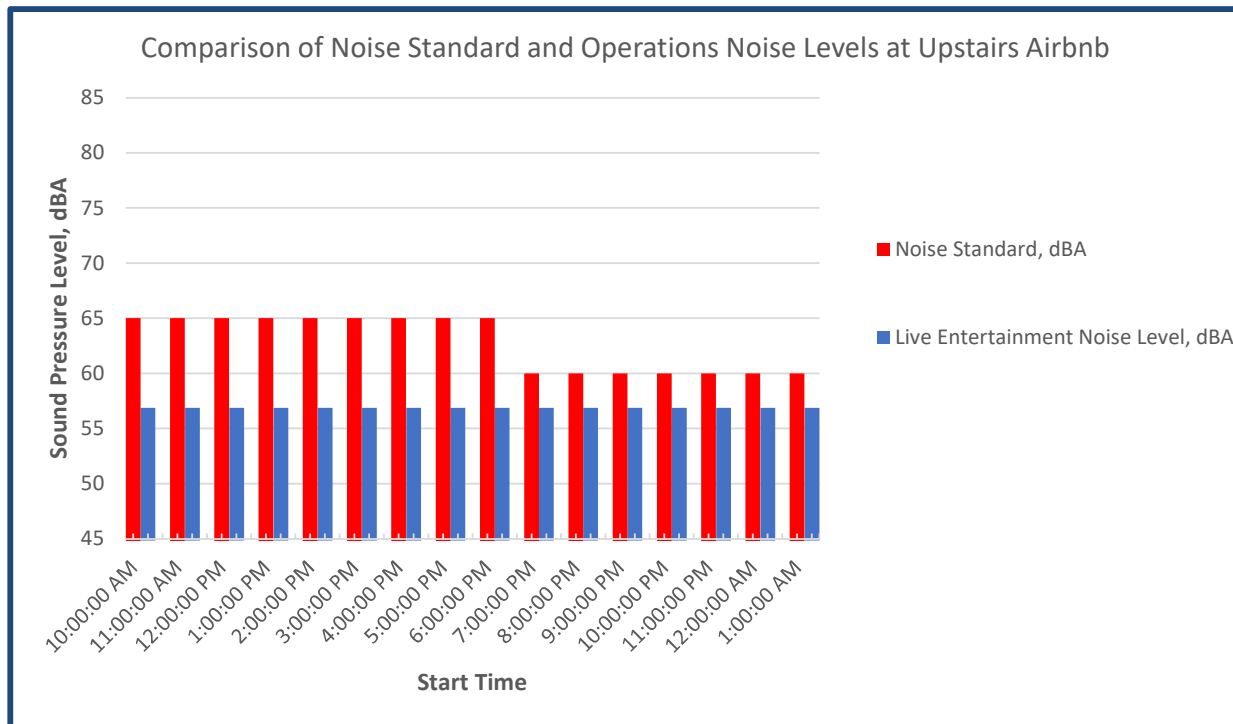


Figure 21. Comparison of Future Noise from Live Entertainment with Noise Standard at Upstairs Airbnb – with Noise Control



9. NOISE CONTROL RECOMMENDATIONS

The following noise control measures are recommended for compliance with the Noise Standards:

1. **Amplified music (live or DJ type) should not exceed 105 dBA at 3 feet from each noise source/speakers.** The gain on the sub-woofers should be minimized to limit low frequency noise whenever possible. The use of Sub-woofers should be minimized to the extent feasible.
2. Employ a multi-loudspeaker system to distribute background music audio around the crowd area at a lower sound level. A speaker audio analysis should be performed to optimize the location, orientation, and layout of the audio system.
3. Loudspeakers should not be mounted in direct contact with the wall or ceiling. Loudspeakers should be moved to the ground floor and should incorporate vibration isolating speaker stands to minimize sound transmission, such as IsoAcoustics ISO-Stands. Refer to the Appendix for Manufacturer's product literature.
4. **All glass doors and windows should be replaced with a sound rated assemblies with a minimum STC of 54.**
5. All non-glass exterior doors should be solid core assemblies.
6. All doors should be fitted with airtight seals to minimize sound transmission.
7. While live entertainment is operational, all doors and windows shall remain closed.
8. The existing floor-ceiling shall be modified as follows:
 - I. Remove the existing gypsum board and possible resilient channel on the project side.
 - II. Install a suspended T-Bar ceiling grid 52" beneath the floor-ceiling assembly.
 - III. Suspend the ceiling grid with Kinetics Type MUTA isolators or Mason RW30 Spring Hangers.
 - IV. The isolators shall be sized by the isolator manufacturer to ensure the proper vibration isolation to support the suspended ceiling weight.
 - V. Install one (1) layer of Type X 5/8" gypsum board on the suspended T-Bar ceiling.
 - VI. Install one (1) layer of Quietrock 545 on underside of gypsum board.
 - VII. Hold back the ceiling 1/8" around the perimeter and apply a continuous bead of non-hardening acoustical caulk to seal the gap where the ceiling butts into the perimeter walls.



- VIII. Install a minimum 24-inch thick layer of Roxul mineral wool continuously above the suspended T-Bar ceiling.

Predicted STC:76 per Insul

9. After project completion, noise monitoring should be conducted during startup and full operations to verify compliance. If the project noise encroaches or exceeds the City Noise Standards, then additional noise control measures should be evaluated to reduce operations noise where appropriate.
10. Additional noise control measures may include administrative noise control (e.g., lowering background music, eliminating/changing patio games after certain hours etc.), limiting occupancy, and engineering noise control (permanent noise monitoring system, noise barriers, etc.).
11. The final design should be reviewed by a licensed Mechanical Engineer to ensure compliance with all applicable mechanical, fire and safety codes.
12. A noise verification study should be performed to verify that future live entertainment operations are in compliance with the noise standards.



10. CONCLUSION

Acoustics Group, Inc., (AGI) was retained to conduct a noise study of the 4 Chiles Restaurant Group Live Entertainment at 815 5th Avenue in San Diego, CA. AGI has reviewed the City of San Diego Noise Standards, conducted noise measurements, analyzed the noise levels from future operations at the site, assessed the impact of the future noise to determine compliance with the Noise Standards, and recommended noise control measures.

During Live Entertainment operations, the hourly Leq from operations is estimated to be as high as 79.2, 65.8, 65.1, 81.7, 49.9, and 48.9 dBA at receptors represented by NM1, NM2, and ST1 through ST4, respectively. In front of the project site, represented by receptors NM1 and ST2, and across the street represented by receptors NM2 and ST1, all hours of operations would exceed the City's daytime, evening, and nighttime noise standards of 65, 60, and 60 dBA for commercial land uses. At ST3 and ST4, live entertainment operations would comply with the City's Noise Standards. At the upstairs Airbnb, the live entertainment options would be as high as 80.4 dBA and exceeds the City's daytime, evening, and nighttime noise standards of 65, 60, and 60 dBA for commercial use. Additional noise control is necessary to comply with the noise standards.

Noise control has been analyzed and recommended to reduce operations' noise levels for compliance with the Noise Standards.



11. REFERENCES

1. Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.
2. Project Drawings.
3. City of San Diego Municipal Code.



12.APPENDIX

FIELD DATA SHEETS & MEASUREMENT DATA

SAN DIEGO NOISE ORDINANCE

MODELING INPUT & OUTPUT

PROJECT DRAWINGS

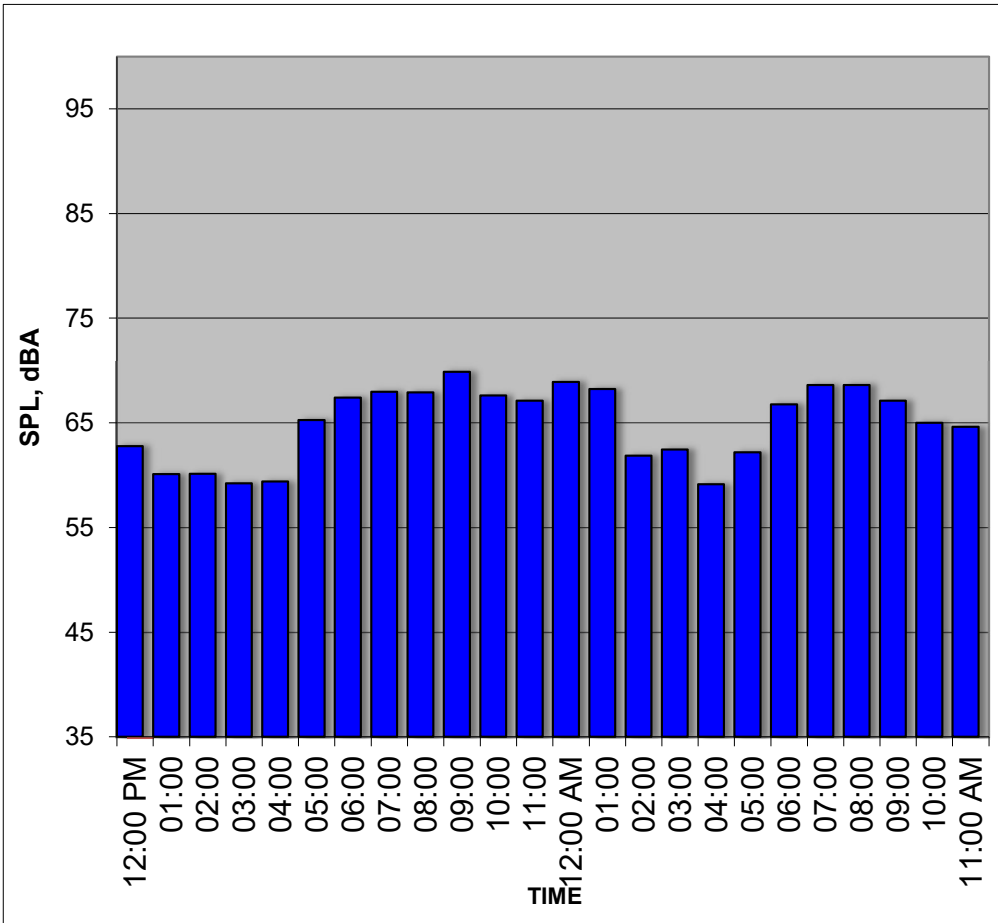


FIELD DATA SHEETS & MEASUREMENT DATA

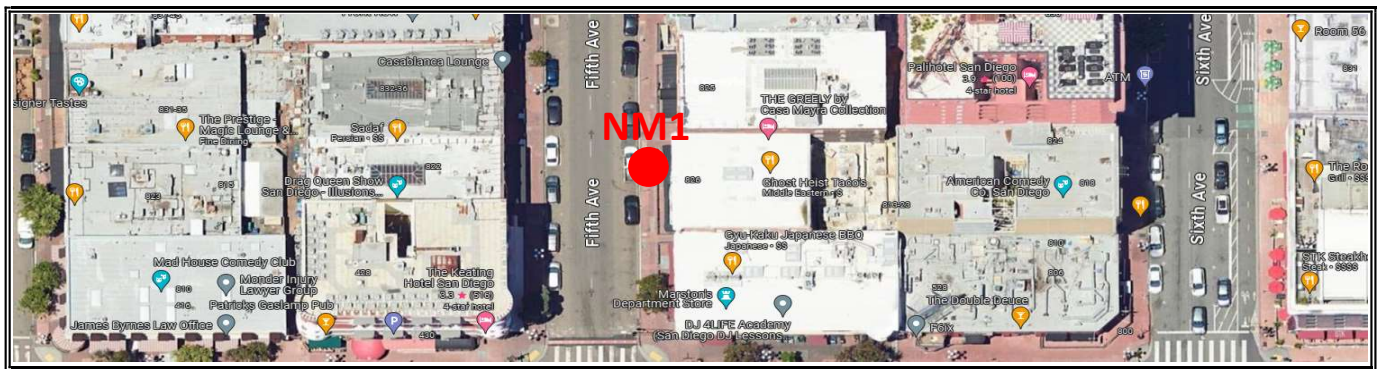
MEASUREMENT DATA - HOURLY NOISE LEVELS

Project: 4 Chiles Restaurant Group, LLC. - Nightclub
 Address: 815 5th Avenue, San Diego, CA 92101
 Location: Light Post In Front of the Nightclub
 Noise Sources: Vehicular Traffic & Music

Date: 7/17/2024
 - 7/18/2024
 Position: NM1



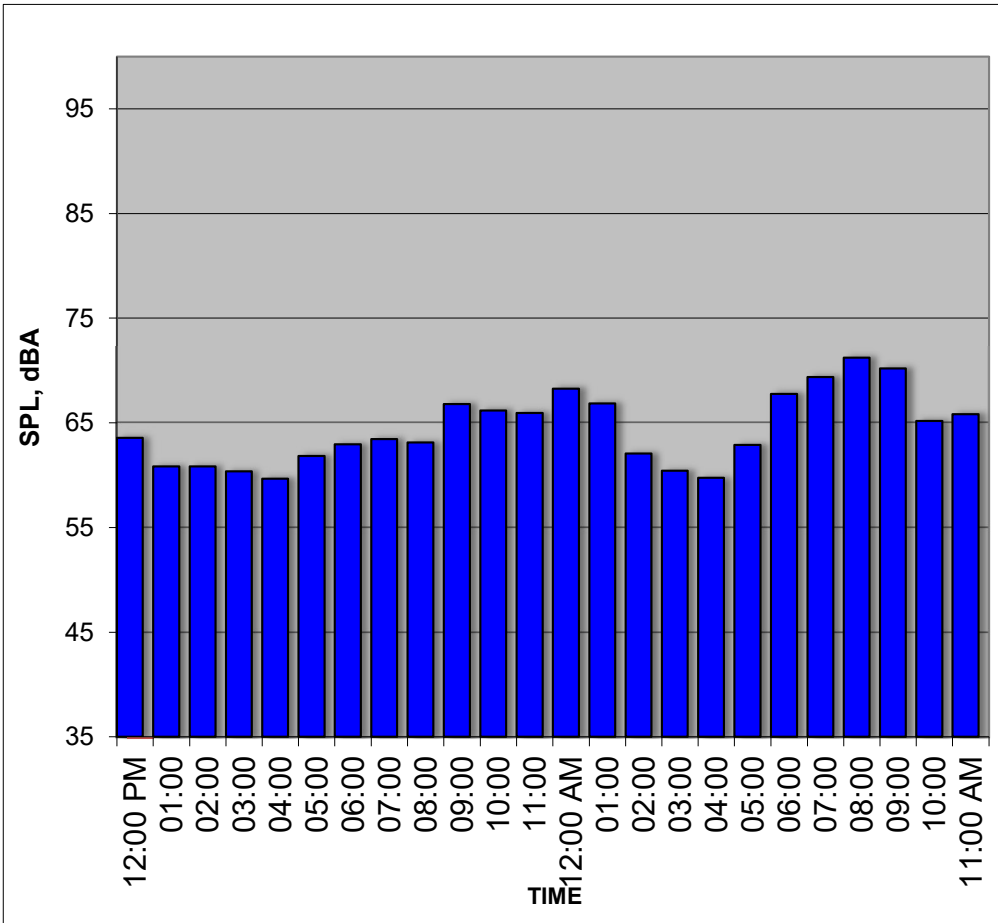
TIME	HNL, dB(A)
12:00 - 01:00 PM	62.8
01:00 - 02:00 PM	60.1
02:00 - 03:00 PM	60.1
03:00 - 04:00 PM	59.2
04:00 - 05:00 PM	59.4
05:00 - 06:00 PM	65.3
06:00 - 07:00 PM	67.4
07:00 - 08:00 PM	68.0
08:00 - 09:00 PM	67.9
09:00 - 10:00 PM	69.9
10:00 - 11:00 PM	67.6
11:00 - 12:00 AM	67.1
12:00 - 01:00 AM	68.9
01:00 - 02:00 AM	68.2
02:00 - 03:00 AM	61.9
03:00 - 04:00 AM	62.5
04:00 - 05:00 AM	59.2
05:00 - 06:00 AM	62.2
06:00 - 07:00 AM	66.8
07:00 - 08:00 AM	68.6
08:00 - 09:00 AM	68.6
09:00 - 10:00 AM	67.1
10:00 - 11:00 AM	65.0
11:00 - 12:00 PM	64.6
CNEL:	72.9



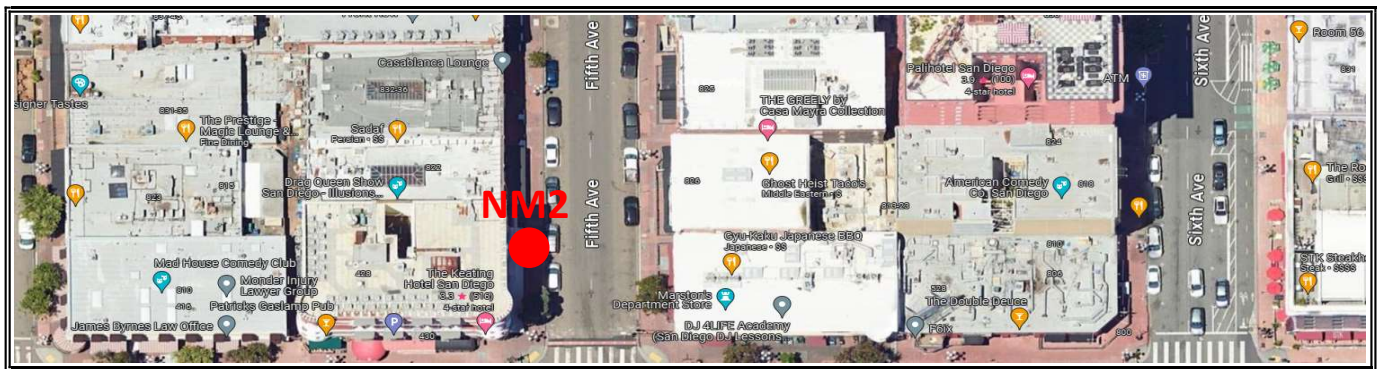
MEASUREMENT DATA - HOURLY NOISE LEVELS

Project: 4 Chiles Restaurant Group, LLC. - Nightclub
 Address: 815 5th Avenue, San Diego, CA 92101
 Location: 802 Fifth Ave, San Diego, CA 92101
 Noise Sources: Vehicular Traffic & Music

Date: 7/17/2024
 - 7/18/2024
 Position: NM2



TIME	HNL, dB(A)
12:00 - 01:00 PM	63.6
01:00 - 02:00 PM	60.8
02:00 - 03:00 PM	60.9
03:00 - 04:00 PM	60.4
04:00 - 05:00 PM	59.7
05:00 - 06:00 PM	61.8
06:00 - 07:00 PM	63.0
07:00 - 08:00 PM	63.5
08:00 - 09:00 PM	63.1
09:00 - 10:00 PM	66.8
10:00 - 11:00 PM	66.2
11:00 - 12:00 AM	66.0
12:00 - 01:00 AM	68.3
01:00 - 02:00 AM	66.9
02:00 - 03:00 AM	62.1
03:00 - 04:00 AM	60.4
04:00 - 05:00 AM	59.8
05:00 - 06:00 AM	62.9
06:00 - 07:00 AM	67.8
07:00 - 08:00 AM	69.4
08:00 - 09:00 AM	71.2
09:00 - 10:00 AM	70.2
10:00 - 11:00 AM	65.2
11:00 - 12:00 PM	65.8
CNEL:	72.1



NOISE MONITORING FIELD DATA SHEET

Project:	4 Chiles Restaurant Group, LLC. - 815 5th Avenue, San Diego, CA 92101	Date:	7/17/2024 - 7/18/2024
Loc:	ST1 - 836 Fifth Ave, San Diego, CA 92101		
	ST2 - Front Fence of Nightclub Patio		
	ST3 - Corner Rear of Nightclub		
	ST4 - 2nd Corner Rear of Nightclub		
SLM:	Brüel & Kjær 2270	SN:	3011341
Mic:	PCB 377B20	SN:	11074
P/A:	Brüel & Kjær ZC0032	SN:	25575

Start	Duration	L2	L8	L25	L50	L90	L99	Lmax	Lmin	Leq	Notes
7/17/2024 12:37 PM	00:01:01	67.3	62.2	59.1	58.3	57.5	57.2	69.1	57.2	59.8	ST1 - Pink Noise, Vehicular Traffic
7/17/2024 12:46 PM	00:01:01	58.8	57.9	57.1	56.5	54.4	53.9	59.4	53.8	56.5	ST1 Ambient - Vehicular Traffic, People Talking
7/18/2024 1:35 PM	00:01:01	59.5	58.9	57.6	56.6	55.6	55.1	60.8	55.0	57.1	ST1 Ambient - Vehicular Traffic, People Talking
7/17/2024 12:39 PM	00:01:04	71.0	70.5	70.2	70.0	69.7	69.5	71.6	69.4	70.1	ST2 - Pink Noise
7/17/2024 12:45 PM	00:01:00	67.5	59.5	57.0	55.4	54.7	54.3	71.5	54.2	58.3	ST2 Ambient - Vehicular Traffic, People Talking
7/18/2024 1:38 PM	00:01:01	70.6	66.1	60.9	59.0	55.5	54.5	72.4	54.4	61.7	ST2 Ambient - Vehicular Traffic, People Talking
7/17/2024 12:33 PM	00:00:53	73.4	73.2	73.0	72.8	72.1	71.2	73.7	70.9	72.7	ST3 - HVAC Noise
7/17/2024 12:51 PM	00:00:40	73.2	73.0	72.8	72.6	72.2	71.4	73.2	71.3	72.6	ST3 Ambient - HVAC Noise
7/18/2024 1:42 PM	00:00:31	65.1	65.0	64.8	64.6	64.4	63.9	65.1	63.7	64.6	ST3 Ambient - HVAC Noise
7/17/2024 12:34 PM	00:00:38	73.2	73.1	72.9	72.6	72.2	71.5	73.4	71.3	72.6	ST4 - HVAC Noise
7/17/2024 12:52 PM	00:00:35	73.2	73.0	72.9	72.8	72.4	71.1	73.2	71.1	72.7	ST4 Ambient - HVAC Noise
7/18/2024 1:42 PM	00:00:31	65.0	64.9	64.8	64.7	64.4	64.3	65.0	64.3	64.7	ST4 Ambient - HVAC Noise



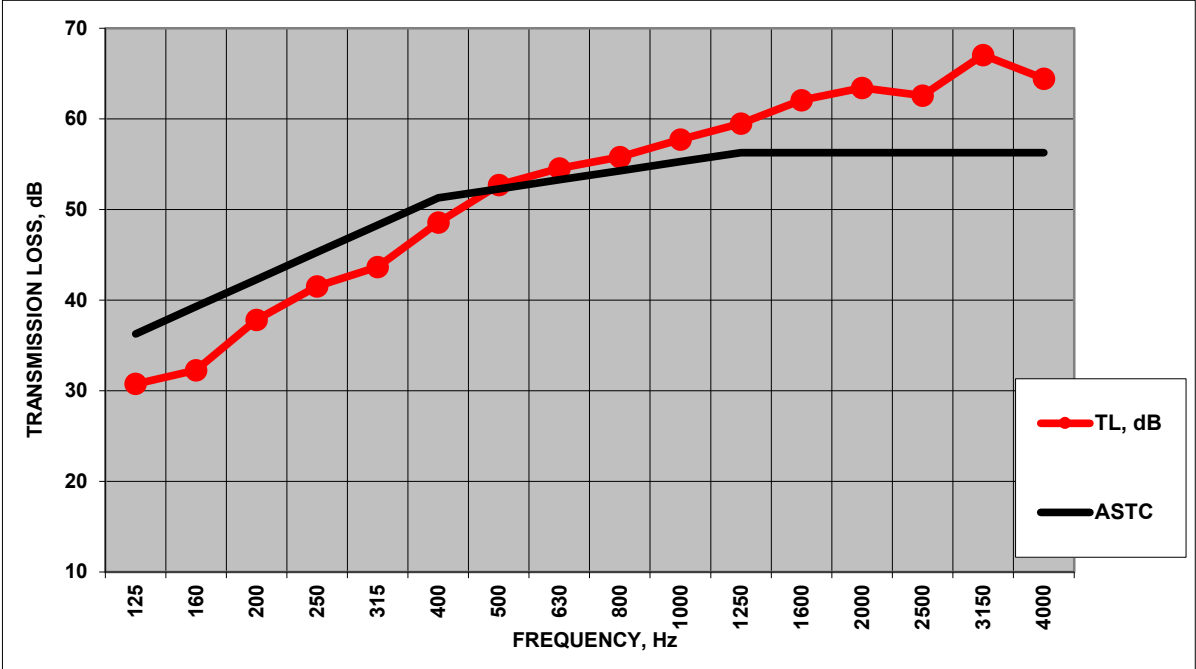
APPARENT FIELD SOUND TRANSMISSION CLASS (ASTC) DETERMINATION

TEST DATE: 7/17/2024
SOURCE: Nightclub
RECEIVER ROOM: Unit 1 Upstairs Living Room
TEST PARTITION: LVT Floor Ceiling Assembly

PARTITION SURFACE AREA: 291 SQ. FT. 27.0 SQ. M.
ROOM VOLUME: 3933 CU. FT. 111.4 CU. M.
ROOM TEMPERATURE: 75 DEG F. 23.9 DEG C.
C: 346 m/s

Freq Hz	AVERAGE SOURCE LEVEL, dB	AVERAGE RECEIVER LEVEL, dB	ROOM ABSORPTION M - SABINS	FIELD TRANSMISSION LOSS, dB	REFERENCE FSTC CURVE
125	93	65	13	31	36
160	89	60	14	32	39
200	87	53	12	38	42
250	92	54	11	42	45
315	89	50	10	44	48
400	89	45	10	49	51
500	89	41	10	53	52
630	90	40	9	55	53
800	87	36	9	56	54
1000	86	33	9	58	55
1250	83	28	9	59	56
1600	81	23	9	62	56
2000	78	20	9	63	56
2500	81	23	10	63	56
3150	84	22	9	67	56
4000	82	22	10	64	56

CALCULATED ASTC: 52





SAN DIEGO NOISE ORDINANCE

Article 9.5: Noise Abatement and Control

Division 4: Limits

("Noise Level Limits, Standards and Control"

added 9-18-1973 by O-11122 N.S.)

(Retitled to "Limits" on 9-22-1976 by O-11916 N.S.)

§59.5.0401 Sound Level Limits

- (a) It shall be unlawful for any person to cause noise by any means to the extent that the one-hour average sound level exceeds the applicable limit given in the following table, at any location in the City of San Diego on or beyond the boundaries of the property on which the noise is produced. The noise subject to these limits is that part of the total noise at the specified location that is due solely to the action of said person.

TABLE OF APPLICABLE LIMITS

Land Use	Time of Day	One-Hour Average Sound Level (decibels)
1. Single Family Residential	7 a.m. to 7 p.m. 7 p.m. to 10 p.m. 10 p.m. to 7 a.m.	50 45 40
2. Multi-Family Residential (Up to a maximum density of 1/2000)	7 a.m. to 7 p.m. 7 p.m. to 10 p.m. 10 p.m. to 7 a.m.	55 50 45
3. All other Residential	7 a.m. to 7 p.m. 7 p.m. to 10 p.m. 10 p.m. to 7 a.m.	60 55 50
4. Commercial	7 a.m. to 7 p.m. 7 p.m. to 10 p.m. 10 p.m. to 7 a.m.	65 60 60
5. Industrial or Agricultural	any time	75

- (b) The sound level limit at a location on a boundary between two zoning districts is the arithmetic mean of the respective limits for the two districts. Permissible construction noise level limits shall be governed by Sections 59.5.0404 of this article.

- (c) Fixed-location public utility distribution or transmission facilities located on or adjacent to a property line shall be subject to the noise level limits of Part A. of this section, measured at or beyond six feet from the boundary of the easement upon which the equipment is located.
- (d) This section does not apply to firework displays authorized by permit from the Fire Department.
- (e) This section does not apply to noise generated by helicopters at heliports or helistops authorized by a conditional use permit, nor to any roller coaster operated on City-owned parkland.

(Amended 9-11-1989 by O-17337 N.S.)

(Amended 11-28-2005 by O-19446 N.S.; effective 2-9-2006.)

§59.5.0402 Motor Vehicles

(a) Off-Highway

- (1) Except as otherwise provided for in this article, it shall be unlawful to operate any motor vehicle of any type on any site, other than on a public street or highway as defined in the California Vehicle Code, in any manner so as to cause noise in excess of those noise levels permitted for on-highway motor vehicles as specified in the table for “45 mile-per-hour or less speed limits” contained in Section 23130 of the California Vehicle Code, and as corrected for distances set forth in subsection A.2. below.

(2) Corrections

The maximum noise level as the off-highway vehicle passes may be measured at a distance of other than fifty (50) feet from the center line of travel, provided the measurement is further adjusted by adding algebraically the applicable correction as follows:

Distance (Feet)	Correction (decibels)
25	-6
28	-5
32	-4
35	-3
40	-2
45	-1
50 (preferred distance)	0
56	+1
63	+2
70	+3
80	+4
90	+5
100	+6

- (3) A measured noise level thus corrected shall be deemed in violation of this section if it exceeds the applicable noise-level limit as specified above.

- (b) Nothing in this section shall apply to authorized emergency vehicles when being used in emergency situations, including the blowing of sirens and/or horns.

(“Motor Vehicles” renumbered from Sec. 59.5.0403 on 9-22-1976 by O-11916 N.S.)

§59.5.0403 Watercraft

Violations for excessive noise of watercraft operating in waters under the jurisdiction of The City of San Diego shall be prosecuted under applicable provisions of the California Harbors and Navigation Code. Permits issued by The City of San Diego for the operation of watercraft not in compliance with noise criteria of the Harbors and Navigation Code shall be reviewed and approved by the Administrator prior to issuance.

(“Watercraft” renumbered from Sec. 59.5.0407 and amended 9-22-1976 by O-11916 N.S.)

§59.5.0404 Construction Noise

- (a) It shall be unlawful for any person, between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.0104 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator. In granting such permit, the Administrator shall consider whether the construction noise in the vicinity of the proposed work site would be less objectionable at night than during the daytime because of different population densities or different neighboring activities; whether obstruction and interference with traffic particularly on streets of major importance, would be less objectionable at night than during the daytime; whether the type of work to be performed emits noises at such a low level as to not cause significant disturbances in the vicinity of the work site; the character and nature of the neighborhood of the proposed work site; whether great economic hardship would occur if the work were spread over a longer time; whether proposed night work is in the general public interest; and he shall prescribe such conditions, working times, types of construction equipment to be used, and permissible noise levels as he deems to be required in the public interest.
- (b) Except as provided in subsection C. hereof, it shall be unlawful for any person, including The City of San Diego, to conduct any construction activity so as to cause, at or beyond the property lines of any property zoned residential, an average sound level greater than 75 decibels during the 12-hour period from 7:00 a.m. to 7:00 p.m.
- (c) The provisions of subsection B. of this section shall not apply to construction equipment used in connection with emergency work, provided the Administrator is notified within 48 hours after commencement of work.

(Amended 1-3-1984 by O-16100 N.S.)

(Amended 8-9-2019 by O-21114 N.S.; effective 9-8-2019.)

§59.5.0406 Refuse Vehicles and Parking Lot Sweepers

No person shall operate or permit to be operated a refuse compacting, processing, or collection vehicle between the hours of 7:00 p.m. to 6:00 a.m. or a parking lot sweeper between the hours of 7:00 p.m. to 7:00 a.m. in any residential area unless a permit has been applied for and granted by the Administrator.

("Refuse Vehicles" added 9-18-1973 by O-11122 N.S.; amended 9-22-1976 by O-11916 N.S.)

(Amended 6-9-2010 by O-19960 N.S.; effective 7-9-2010.)



MODELING INPUT & OUTPUT

CadnaA Input Output
Project: 4 Chiles Live Entertainment
Case: No NC

Receiver

Name	M.	ID	Level Lr		Limit, Value		Land Use		Auto	Noise Type	Height (m)	Coordinates		
			Day (dBA)	Night (dBA)	Day (dBA)	Night (dBA)	Type					X (m)	Y (m)	Z (m)
NM1			79.2	79.2	0	0		x	Total	1.52 r		273.99	216.92	1.52
NM2			65.8	65.8	0	0		x	Total	1.52 r		256.06	204.74	1.52
ST1			65.1	65.1	0	0		x	Total	1.52 r		258.99	229.06	1.52
ST2			81.6	81.6	0	0		x	Total	1.52 r		273.99	212.32	1.52
ST3			49.9	49.9	0	0		x	Total	1.52 g		307.46	209.54	7.01
ST4			48.9	48.9	0	0		x	Total	1.52 g		307.46	219.16	7.01

Vertical Area Source

Name	M.	ID	Result, PWL			Result, PWL"			Lw / Li		Value	norm. dB(A)	Correction			Sound Reduction R	Area (m²)	Attenuation Operating Time			K0 (dB)	Freq. (Hz)	Direct.
			Day (dBA)	Evening (dBA)	Night (dBA)	Day (dBA)	Evening (dBA)	Night (dBA)	Type				Day dB(A)	Evening dB(A)	Night dB(A)			Day (min)	Special (min)	Night (min)			
	1		0	0	0	0	0	0	0 Lw"				0	0	0							3	(none)
	2		77.9	77.9	77.9	68.9	68.9	68.9	Lw"	W2			0	0	0			W				3	(none)
	3		81.6	81.6	81.6	78.9	78.9	78.9	Lw"	G3			0	0	0			G				3	(none)
	4		90.6	90.6	90.6	83.4	83.4	83.4	Lw"	G4			0	0	0			G				3	(none)
5.D			92.8	92.8	92.8	84.6	84.6	84.6	Lw"	D5			0	0	0			D				3	(none)
	6		94.3	94.3	94.3	85.3	85.3	85.3	Lw"	G6			0	0	0			G				3	(none)
	7		85.1	85.1	85.1	80.7	80.7	80.7	Lw"	G7			0	0	0			G				3	(none)
	8		96.8	96.8	96.8	86.5	86.5	86.5	Lw"	G8			0	0	0			G				3	(none)
	9		68.9	68.9	68.9	64.4	64.4	64.4	Lw"	W9			0	0	0			W				3	(none)
9.D			82.6	82.6	82.6	79.5	79.5	79.5	Lw"	D9			0	0	0			D				3	(none)

Sound Levels

Name	ID	Type	Oktave Spectrum (dB)										Source									
			Weight.	31.5	63	125	250	500	1000	2000	4000	8000	A		lin							
W1	W1	Lw		94.7	113.9	105.5	97.5	100.2	96.7	87	77	72.4		101	114.8							
W2	W2	Lw		97.5	116.7	108.3	100.3	103	99.5	89.8	79.8	75.2		103.8	117.6							
G3	G3	Lw		91.1	110.3	101.9	93.9	96.6	93.1	83.4	73.4	68.8		97.4	111.2							
G4	G4	Lw		95.6	114.8	106.4	98.4	101.1	97.6	87.9	77.9	73.3		101.9	115.7							
D5	D5	Lw		96.6	115.8	107.4	99.4	102.1	98.6	88.9	78.9	74.3		102.9	116.7							
G6	G6	Lw		97.5	116.7	108.3	100.3	103	99.5	89.8	79.8	75.2		103.8	117.6							
G7	G7	Lw		92.9	112.1	103.7	95.7	98.4	94.9	85.2	75.2	70.6		99.2	113							
G8	G8	Lw		98.7	117.9	109.5	101.5	104.2	100.7	91	81	76.4		105	118.8							
W9	W9	Lw		93	112.2	103.8	95.8	98.5	95	85.3	75.3	70.7		99.3	113.1							
D9	D9	Lw		91.5	110.7	102.3	94.3	97	93.5	83.8	73.8	69.2		97.8	111.6							
Test	T	Lw		113	132.2	123.8	115.8	118.5	115	105.3	95.3	90.7		119.3	133.1							

Sound Reduction Indices

Name	ID	Oktave Spectrum (dB)										Source									
		31.5	63	125	250	500	1000	2000	4000	8000	Rw										
Glass Wind	G	9	12.1	17.2	21.6	24.1	23.5	17.6	17.3	20.3	22										
Glass Door	D	9	14.2	16.5	17.5	23	21.9	20.2	21.1	23.5	22										
Wall	W	25	25	31.4	41.9	52.5	57.1	50	48.8	50.1	50										
Glass STC + G2		25	28	32.3	36.4	36.7	39.3	48.1	53.7	54	41										
Glass STC + G3		25	28	33.6	40	47.5	50.7	49.6	57.7	60	49										
Glass STC + G4		28	28	39.8	43	50.3	54	58.3	64.1	60	53										

Result Table

Receiver Name	ID	Land Use	Limiting Value		rel. Axis		Lr w/o Noise Control		dL req.		Lr w/ Noise Control		Exceeding		passive NC
			Day dB(A)	Night dB(A)	Station m	Distance m	Height m	Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)

NM1	0	0	79.2	79.2	79.2	79.2	0	0 -	-	-
NM2	0	0	65.8	65.8	65.8	65.8	0	0 -	-	-
ST1	0	0	65.1	65.1	65.1	65.1	0	0 -	-	-
ST2	0	0	81.6	81.6	81.6	81.6	0	0 -	-	-
ST3	0	0	49.9	49.9	49.9	49.9	0	0 -	-	-
ST4	0	0	48.9	48.9	48.9	48.9	0	0 -	-	-

CadnaA Input Output
Project: 4 Chiles Live Entertainment
Case: NC

Receiver

Name	M.	ID	Level Lr Day (dBA)	Night (dBA)	Limit, Value Day (dBA)	Night (dBA)	Land Use Type	Auto	Noise Type	Height (m)	Coordinates X (m)	Y (m)	Z (m)
NM1			56.3	56.3	0	0	x		Total	1.52 r	273.99	216.92	1.52
NM2			43.7	43.7	0	0	x		Total	1.52 r	256.06	204.74	1.52
ST1			42.6	42.6	0	0	x		Total	1.52 r	258.99	229.06	1.52
ST2			58.6	58.6	0	0	x		Total	1.52 r	273.99	212.32	1.52
ST3			29.9	29.9	0	0	x		Total	1.52 g	307.46	209.54	7.01
ST4			28.4	28.4	0	0	x		Total	1.52 g	307.46	219.16	7.01

Vertical Area Source

Name	M.	ID	Result, PWL			Result, PWL"			Lw / Li	Type	Value	norm.	Correction			Sound Reduction	Area (m²)	Attenuation Operating Time			K0	Freq.	Direct.
			Day (dBA)	Evening (dBA)	Night (dBA)	Day (dBA)	Evening (dBA)	Night (dBA)			dB(A)		Day dB(A)	Evening dB(A)	Night dB(A)	R		Day (min)	Special (min)	Night (min)	(dB)	(Hz)	
5.D	1		0	0	0	0	0	0	0 Lw"				0	0	0	0					3		(none)
	2		67	67	67	58	58	58	58 Lw"	D9			0	0	0	0		W			3		(none)
	3		56.8	56.8	56.8	54.1	54.1	54.1	54.1 Lw"	G3			0	0	0	0		G4			3		(none)
	4		65.9	65.9	65.9	58.6	58.6	58.6	58.6 Lw"	G4			0	0	0	0		G4			3		(none)
	5		67.8	67.8	67.8	59.6	59.6	59.6	59.6 Lw"	D5			0	0	0	0		G4			3		(none)
	6		69.5	69.5	69.5	60.4	60.4	60.4	60.4 Lw"	G6			0	0	0	0		G4			3		(none)
	7		60.4	60.4	60.4	55.9	55.9	55.9	55.9 Lw"	G7			0	0	0	0		G4			3		(none)
	8		72.1	72.1	72.1	61.7	61.7	61.7	61.7 Lw"	G8			0	0	0	0		G4			3		(none)
	9		64	64	64	59.5	59.5	59.5	59.5 Lw"	W9			0	0	0	0		W			3		(none)
9.D			57.5	57.5	57.5	54.4	54.4	54.4	54.4 Lw"	D9			0	0	0	0		G4			3		(none)

Sound Levels

Name	ID	Type	Oktave Spectrum (dB)										Source									
			Weight.	31.5	63	125	250	500	1000	2000	4000	8000	A		lin							
W1	W1	Lw		91.8	111	102.6	94.6	97.3	93.8	84.1	74.1	69.5	98.1	111.9								
W2	W2	Lw		94.5	113.7	105.3	97.3	100	96.5	86.8	76.8	72.2	100.8	114.6								
G3	G3	Lw		88.3	107.5	99.1	91.1	93.8	90.3	80.6	70.6	66	94.6	108.4								
G4	G4	Lw		92.8	112	103.6	95.6	98.3	94.8	85.1	75.1	70.5	99.1	112.9								
D5	D5	Lw		93.8	113	104.6	96.6	99.3	95.8	86.1	76.1	71.5	100.1	113.9								
G6	G6	Lw		94.6	113.8	105.4	97.4	100.1	96.6	86.9	76.9	72.3	100.9	114.7								
G7	G7	Lw		90.1	109.3	100.9	92.9	95.6	92.1	82.4	72.4	67.8	96.4	110.2								
G8	G8	Lw		95.9	115.1	106.7	98.7	101.4	97.9	88.2	78.2	73.6	102.2	116								
W9	W9	Lw		90.1	109.3	100.9	92.9	95.6	92.1	82.4	72.4	67.8	96.4	110.2								
D9	D9	Lw		88.6	107.8	99.4	91.4	94.1	90.6	80.9	70.9	66.3	94.9	108.7								
Test	T	Lw		115	134.2	125.8	117.8	120.5	117	107.3	97.3	92.7	121.3	135.1								

Sound Reduction Indices

Name	ID	Oktave Spectrum (dB)										Source									
			31.5	63	125	250	500	1000	2000	4000	8000	Rw									
Glass Wind	G		9	12.1	17.2	21.6	24.1	23.5	17.6	17.3	20.3	22									
Glass Door	D		9	14.2	16.5	17.5	23	21.9	20.2	21.1	23.5	22									
Wall	W		25	25	31.4	41.9	52.5	57.1	50	48.8	50.1	50									
Glass STC + G2			25	28	32.3	36.4	36.7	39.3	48.1	53.7	54	41									
Glass STC + G3			25	28	33.6	40	47.5	50.7	49.6	57.7	60	49									
Glass STC + G4			28	28	39.8	43	50.3	54	58.3	64.1	60	53									

Result Table

Receiver	Land Use	Limiting Value		rel. Axis		Lr w/o Noise Control		dL req.		Lr w/ Noise Control		Exceeding		passive NC	
Name	ID	Day dB(A)	Night dB(A)	Station m	Distance m	Height m	Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)	dB(A)

NM1	0	0	56.3	56.3	56.3	56.3	0	0 -	-	-
NM2	0	0	43.7	43.7	43.7	43.7	0	0 -	-	-
ST1	0	0	42.6	42.6	42.6	42.6	0	0 -	-	-
ST2	0	0	58.6	58.6	58.6	58.6	0	0 -	-	-
ST3	0	0	29.9	29.9	29.9	29.9	0	0 -	-	-
ST4	0	0	28.4	28.4	28.4	28.4	0	0 -	-	-

Table 1. Calculation of Interior Noise Levels

Client: 4 Chiles
Case: No NC

Project No.
Date: 11/14/24

ABSORPTION:

Type	Area	Material
13	400	Wood Flooring
17	400	1/2" Gypsum Board, Painted
17	1200	1/2" Gypsum Board, Painted
15	200	1/4" Glass, Sealed, Large Panes
15	0	1/4" Glass, Sealed, Large Panes
8	0	Lt. Velour, 10 oz., Hung Straight
34	0	1/2" Gypsum Board, Painted (Measured)
35	0	Padded Furniture

PARTITION ELEMENTS:

Element	Type	Area
Floor-Ceiling	9	400
	162	0
	1	0
	1	0

ANGLE OF INCIDENCE: 0

NOISE SOURCE:

SOURCE LEVEL: 108

Source #	Source Name
10	Amplified Music

INTERIOR LEVEL:

80.4

Freq.	Exterior Noise Level dB(A)	Absorption, Sabins	Trans. Loss, dB(A)	Room Correction, dB(A)*	Interior Noise Level dB(A)
100 Hz	99.80112806	230	30	6	76
125 Hz	99.79112806	230	31	6	75
160 Hz	101.7911281	213	32	6	76
200 Hz	90.98112806	195	38	7	60
250 Hz	87.80112806	178	42	7	53
315 Hz	86.71112806	160	44	7	50
400 Hz	85.95112806	142	49	8	45
500 Hz	83.26112806	124	53	8	39
630 Hz	89.34112806	109	55	9	44
800 Hz	95.83112806	95	56	10	50
1000 Hz	97.20112806	80	58	10	50
1250 Hz	98.81112806	79	59	10	50
1600 Hz	94.09112806	79	62	10	42
2000 Hz	92.18112806	78	63	10	39
2500 Hz	94.24112806	79	63	10	42
3150 Hz	88.14112806	79	67	10	31
4000 Hz	87.86112806	80	64	10	34
5000 Hz	84.75112806	80	63	10	32

Wall Elements are:

	STC	Manu.	Description
Floor-Ceiling	52		Floor-Ceiling

* Room absorption calculated from absorption data includes 3 dB reduction for window to room center correction.

Table 1. Calculation of Interior Noise Levels

Client: 4 Chiles
Case: NC

Project No.
Date: 11/14/24

ABSORPTION:

Type	Area	Material
13	400	Wood Flooring
17	400	1/2" Gypsum Board, Painted
17	1200	1/2" Gypsum Board, Painted
15	200	1/4" Glass, Sealed, Large Panes
15	0	1/4" Glass, Sealed, Large Panes
8	0	Lt. Velour, 10 oz., Hung Straight
34	0	1/2" Gypsum Board, Painted (Measured)
35	0	Padded Furniture

PARTITION ELEMENTS:

Element	Type	Area
Floor-Ceiling	8	400
	162	0
	1	0
	1	0

ANGLE OF INCIDENCE: 0

NOISE SOURCE:

SOURCE LEVEL: 105

Source #	Source Name
10	Amplified Music

INTERIOR LEVEL: 56.9

Freq.	Exterior Noise Level dB(A)	Absorption, Sabins	Trans. Loss, dB(A)	Room Correction, dB(A)*	Interior Noise Level dB(A)
100 Hz	96.80112806	230	48	6	55
125 Hz	96.79112806	230	52	6	51
160 Hz	98.79112806	213	57	6	48
200 Hz	87.98112806	195	62	7	33
250 Hz	84.80112806	178	70	7	22
315 Hz	83.71112806	160	78	7	13
400 Hz	82.95112806	142	80	8	11
500 Hz	80.26112806	124	80	8	9
630 Hz	86.34112806	109	84	9	11
800 Hz	92.83112806	95	87	10	15
1000 Hz	94.20112806	80	89	10	15
1250 Hz	95.81112806	79	86	10	20
1600 Hz	91.09112806	79	91	10	10
2000 Hz	89.18112806	78	96	10	3
2500 Hz	91.24112806	79	101	10	1
3150 Hz	85.14112806	79	105	10	0
4000 Hz	84.86112806	80	103	10	0
5000 Hz	81.75112806	80	109	10	0

Wall Elements are:

	STC	Manu.	Description
Floor-Ceiling	76		Floor-Ceiling

* Room absorption calculated from absorption data includes 3 dB reduction for window to room center correction.



PROJECT DRAWINGS



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: October 3, 2024

TO: Environmental/Project File
Development Services Department

FROM: Kelli Rasmus, Associate Planner
Development Services Department

SUBJECT: **815 5th Avenue Live Entertainment (PRJ-1060654)**
California Environmental Quality Act – Section 15162 Evaluation

The Development Services Department (DSD) has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent Environmental Impact Reports and Negative Declarations consistency evaluation for the proposed 4 Chilies Restaurant Group CUP (project). See 14 C.C.R. §15162.

This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed project. As outlined in the evaluation, DSD has determined that the proposed Project is consistent with the original Final Environmental Impact Report (FEIR) for the Downtown Community Plan, Centre City Planned District Ordinance (CCPDO), 10th Amendment to the Centre City Redevelopment Plan (State Clearinghouse (SCH) No. 2003041001) and subsequent addenda to the FEIR, and the Final Supplemental Environmental Impact Report (SEIR) for the Downtown San Diego Mobility Plan; and would not result in new impacts.

BACKGROUND

The purpose of the Downtown Community Plan was to establish the land use vision and development polices for the downtown community as a component of the City of San Diego's General Plan. The Community Plan provides strategies and specific implementation actions that allow the vision to be accomplished. In addition, the Community Plan also provides a basis for evaluating whether specific development proposals and public projects are consistent with Plan policies, standards and the FEIR.

The Final Environmental Impact Report (FEIR) for the Downtown Community Plan, Centre City Planned District Ordinance (CCPDO), and 10th Amendment to the Centre City Redevelopment Plan (State Clearinghouse (SCH) No. 2003041001) was certified by the former Redevelopment Agency (Former Agency) and the Council of the City of San Diego (City Council) on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); and subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R- 04193), April 21, 2010 (Former Agency Resolutions R-04508 and R-04510), August 3, 2010 (Former Agency Resolution R-04544) and certified by City Council on February 12, 2014 (Resolution R-308724) and July 14, 2014 (Resolution R309115), 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). The Downtown FEIR is a Program EIR prepared in compliance with the California Environmental Quality Act ("CEQA") Guidelines Section 15168.

PROJECT DESCRIPTION

A Conditional Use Permit (CUP) for non-acoustic disc jockey, live entertainment, and a dance floor within an approximately 3,000 square-foot fully enclosed ground floor restaurant located at 815 5th Avenue between E Street and F Street in the Gaslamp Quarter neighborhood of the Downtown Community Plan area (District 3).

CEQA 15162 CONSISTENCY EVALUATION

DSD conducted a review pursuant to CEQA Guidelines Section 15162 to determine consistency with the previously certified original Final Environmental Impact Report (FEIR) for the Downtown Community Plan, Centre City Planned District Ordinance (CCPDO), 10th Amendment to the Centre City Redevelopment Plan (State Clearinghouse (SCH) No. 2003041001) and subsequent addenda to the FEIR, and the Final Supplemental Environmental Impact Report (SEIR) for the Downtown San Diego Mobility Plan. It was determined that the project would not result in a change in environmental impacts relative to those assessed in the EIR and subsequent addenda. In addition, live entertainment within the enclosed ground floor restaurant does not constitute a change in circumstances and would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there is no new information of substantial importance that was not known at the time of the EIR approval. As previously noted, there is no change in impact or impact severity relative to that identified in the EIR and subsequent addenda, and no new or different mitigation that would substantially reduce one or more significant effects that the applicant has declined to adopt.

CONCLUSION

Overall, implementation of the proposed project would not result in any significant direct, indirect or cumulative impacts over and above those disclosed in the previously certified EIR and subsequent addenda.

Section 15162 of the CEQA Guidelines states:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Section 15162 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts because of the project. This evaluation, therefore, supports the use of the previously certified EIR and subsequent addenda, under CEQA Guidelines Section 15162, in that previous environmental documents adequately covers the proposed project.

Page 4
Environmental/Project File
October 3, 2024

Kelli Rasmus
Associate Planner

cc: James Alexander, Development Project Manager, Development Services Department



October 31, 2023

Willy Aglupos
Development Project Management 2, Urban Division
Development Services Department
1222 First Avenue
San Diego, CA 92101

RE: LETTER OF REQUEST - PRJ-1060654 / 815 5TH AVENUE, SAN DIEGO, CA 92101;

Mr. Aglupos -

On behalf of the applicant, I am respectfully submitting the "Letter of Request" for your consideration.

THE APPLICANT IS AN EXISTING RESTAURANT THAT IS REQUESTING A CONDITIONAL USE PERMIT FOR LIVE ENTERTAINMENT. THE LIVE ENTERTAINMENT WILL INCLUDE A DISC JOCKEY, LIVE BAND, ACOUSTICAL ENTERTAINMENT (MARIACHI, TRIO, AND ACOUSTICAL GUITAR), DANCING WITH A DEDICATED DANCE FLOOR AND KARAOKE.

THE ACOUSTICAL PERFORMERS WILL BE ROAMING AROUND THE INTERIOR DINING AREA ONLY.

THERE WILL BE NO LIVE ENTERTAINMENT IN THE PATIO AREAS.

THE PROPOSED HOURS OF LIVE ENTERTAINMENT ARE FROM 10:00AM TO 1:45AM DAILY. THE EXISTING SPEAKER SYSTEM WILL BE FACING DOWN INTO THE INTERIOR DINING AREA OF THE PREMISES AND NOT OUTWARD ONTO THE PATIO AREA.

LASTLY, THE BUSINESS WILL REMAIN A RESTAURANT WHILE OPEN AND NOT TRANSITION INTO A NIGHTCLUB.

Thank you for your consideration. Please feel free to contact me directly if I can be of further assistance at 619-852-4690.

Kind regards,

Marco Polo Cortés

Marco Polo Cortés
President

[illegible]

REQUEST:
LIVE ENTERTAINMENT TO INCLUDE DANCING, LIVE BAND AND DISC JOCKEY TO
EXISTING RESTAURANT WITH AN ABC TYPE 47 LICENSE

ASSESSOR'S PARCEL NUMBER:
533-575-11-00

ADDRESS:
815 FIFTH AVE, SAN DIEGO CA 92101

LEGAL DESCRIPTION:
DB0013P6522 BLK 61 LOTS E & H

BUILDING OWNERS:
Teal 103, LLC
DEK Property Holdings, LLC
JB Tri-C, LLC
8300 Regis, LLC
3rd Corner, LLC
WE Tri-City, LLC
c/o Gotham Management, LLC
ADDRESS:
861 6th Ave., Suite 310, San Diego, CA
92101

USE TYPE:
FLOOR 1 COMMERCIAL
FLOOR 2 COMMERCIAL
FLOOR 3 AIRBNB
LOT AREA:
10,000 SQFT
ZONE:
GQPD-GASLAMP-QTR
CONSTRUCTION AREA:
10,906 SQFT FIFTH AVE BUILDING
18,072 SQFT SIXTH AVE BUILDING

PROPOSED LIVE ENTERTAINMENT FROM
CONTACT PERSON:
MARCO POLO CORTES
PRESIDENT
MP PERMITS, INC.
640 WEST BEECH STREET, STE. 3-E
SAN DIEGO, CA 92101
(619) 852-4690
marco@cortescommunications.com

OCCUPANCY:
A-2

OVERLAY ZONE:
AIRPORT LAND USE COMPATIBILITY OVERLAY ZONE
NORTH ISLAND SAN DIEGO INTERNATIONAL
AIRPORT
TRANSIT AREA OVERLAY ZONE
TRANSIT PRIORITY AREA
CONSTRUCTION YEAR:
1979

T-01	TITLE SHEET	1
T-02	EXTENDED SITE PLAN	2
ARCHITECTURAL		
A1-01	FLOOR PLAN	5
A2-01	ELEVATIONS	
A3-02	CUTS	

THIS PROJECT MUST COMPLY WITH:

2022 CALIFORNIA BUILDING CODE
2022 EDITION OF CALIFORNIA RESIDENTIAL CODE
2022 EDITION OF CALIFORNIA PLUMBING CODE
2022 EDITION OF CALIFORNIA ELECTRICAL CODE

ALL CITY OF SAN DIEGO STANDARDS INCLUDING
SDMC 142.0610

LIVE ENTERTAINMENT TO INCLUDE DANCING, LIVE BAND AND DISC JOCKEY TO AN EXISTING RESTAURANT WITH AN ABC TYPE 47 LICENSE

[illegible]

815 FIFTH
AVENUE

815 FIFTH AVENUE
SAN DIEGO CA 92101

815 FIFTH AVE.

815 FIFTH AVE.

PLAN FILE NUMBER
A _____

DATE_ 02.24.2025
JOB NUMBER_
DRAWN BY_
MARIMAR

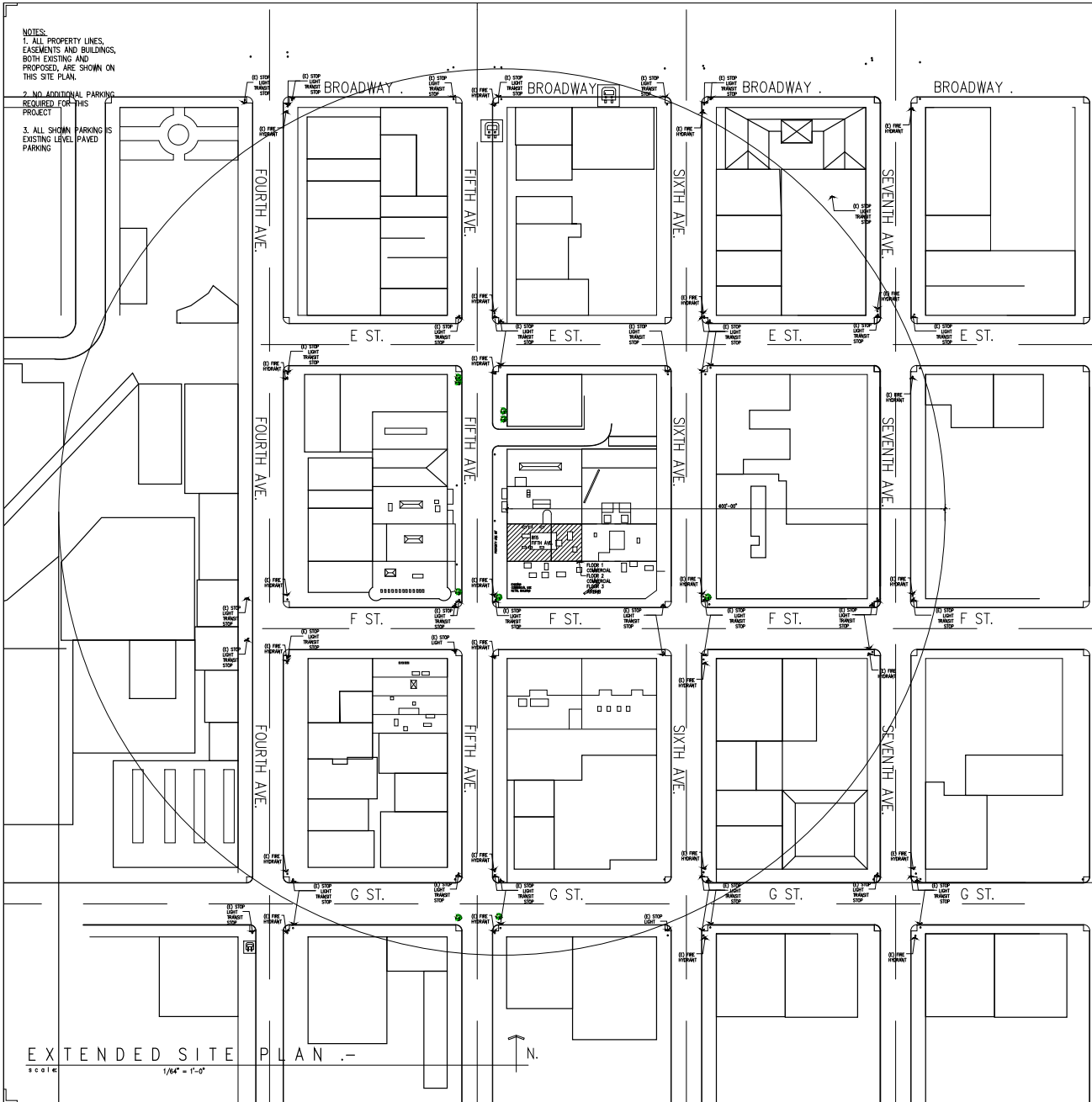
REVISIONS	
1	1ST CORRECTIONS 03/29/2023
2	2ND CORRECTIONS 04/05/2023
3	3RD CORRECTIONS 07/01/2023
4	4TH CORRECTIONS 10/17/2023
5	5TH CORRECTIONS 03/17/2024
6	6TH CORRECTIONS 06/13/2024
7	7TH CORRECTIONS 09/17/2024
8	8TH CORRECTIONS 02/24/2025
SHEET NAME + NO.	

TITLE SHEET

T-01

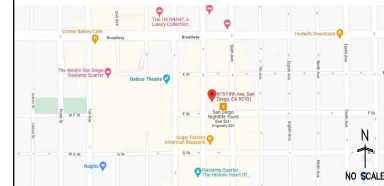
ALL EXISTING DESIGN ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF IMPROVEMENTS, INC. AND WHERE CHANGED, REVISED OR DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH EXISTING ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF IMPROVEMENTS, INC.

- NOTES:
1. ALL PROPERTY LINES, EASEMENTS AND BUILDINGS, BOTH EXISTING AND PROPOSED, ARE SHOWN ON THIS SITE PLAN.
 2. NO ADDITIONAL PARKING REQUIRED FOR THIS PROJECT.
 3. ALL SHOWN PARKING IS EXISTING LEVEL PAVED PARKING.



EXTENDED SITE PLAN
SCALE 1/8" = 1'-0"

VICINITY MAP



815 FIFTH AVE.

815 FIFTH AVE.
SAN DIEGO, CA. 92101

PLAN FILE NUMBER
A
DATE 03.29.2023
JOB NUMBER
DRAWN BY
HARIHAR
REVISIONS

PROJECT NAME & ADDRESS

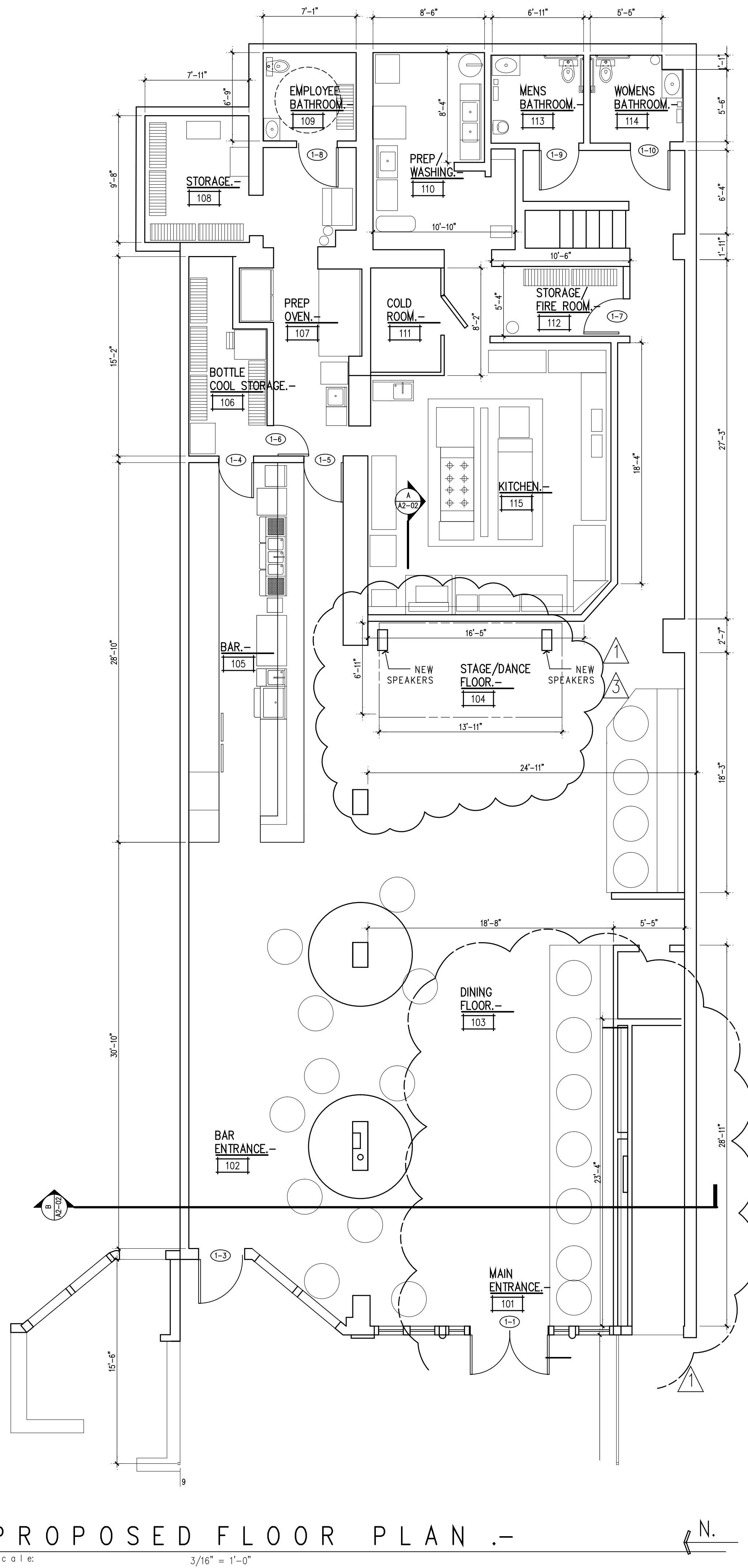
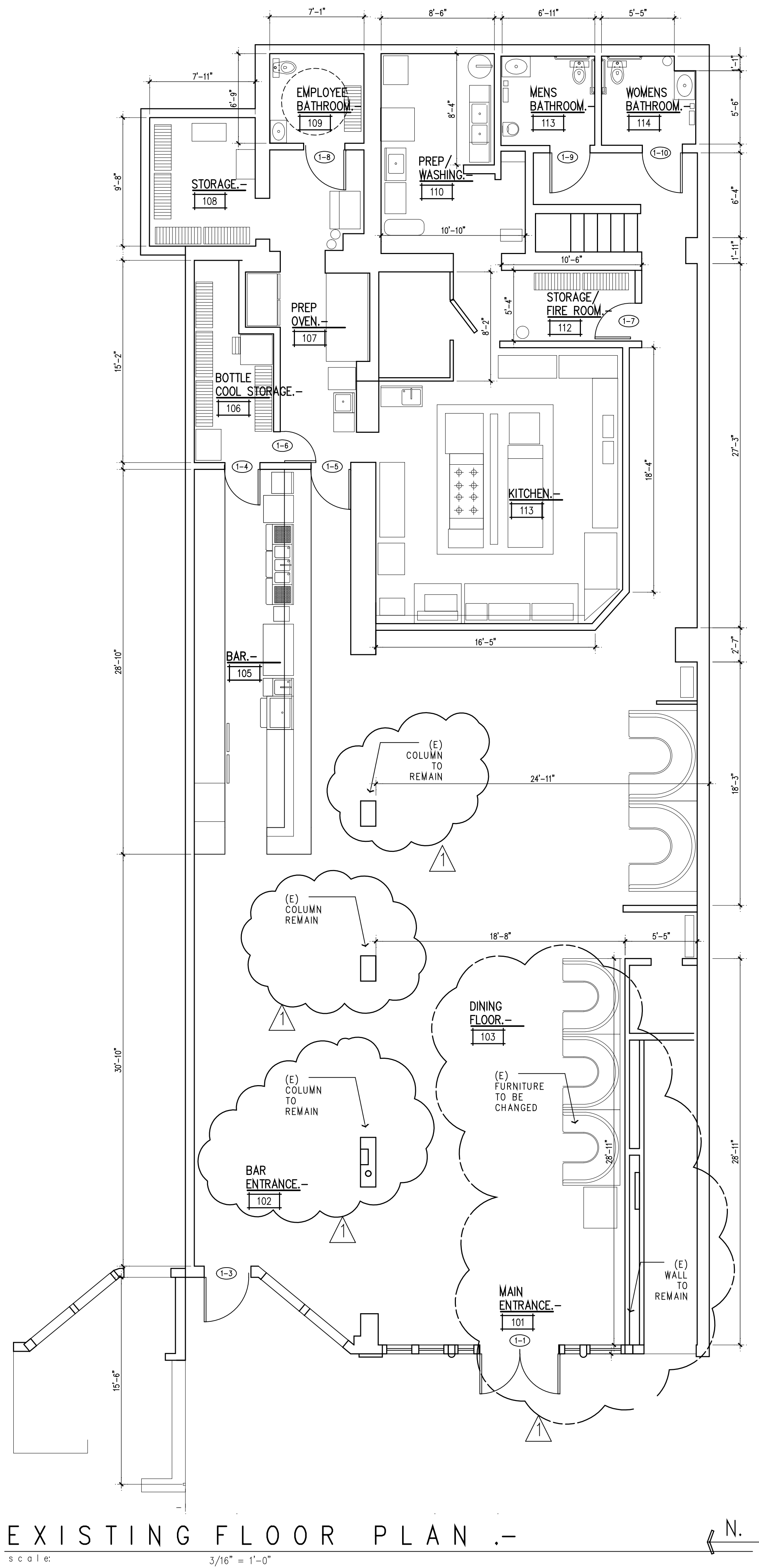
815 FIFTH AVENUE

815 FIFTH AVENUE
SAN DIEGO CA 92101

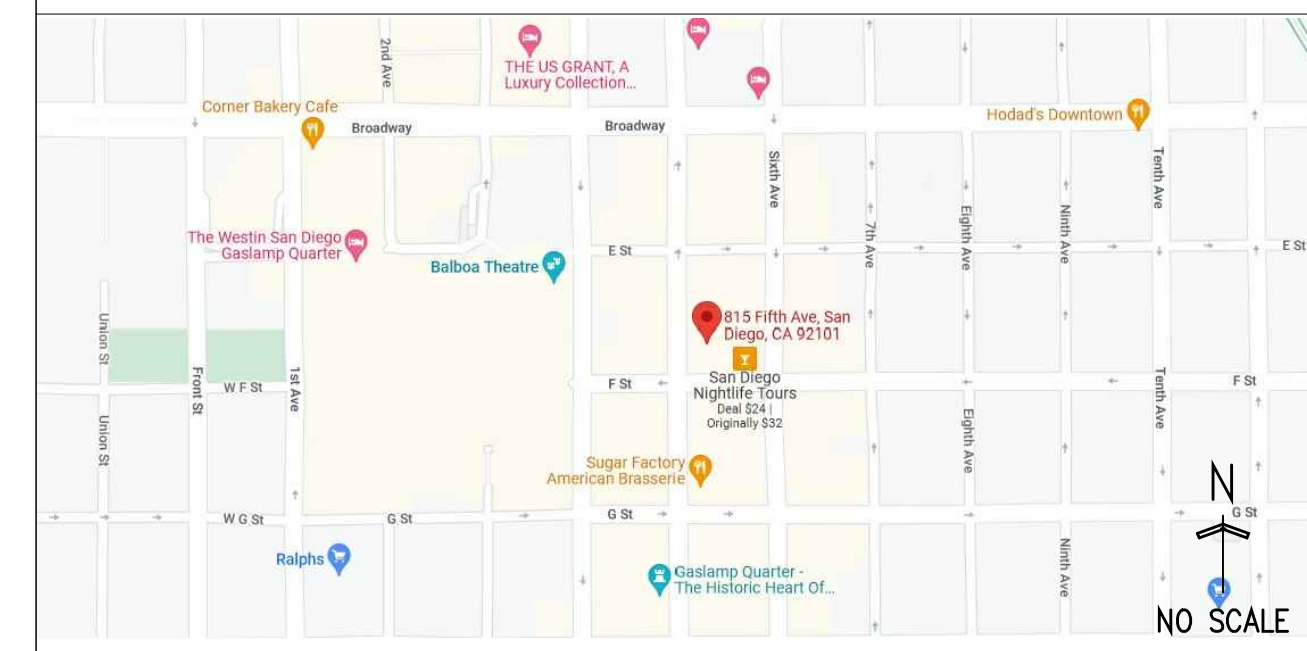
SHEET NAME - No
EXTENDED SITE PLAN

T-02







ALL IDEAS, DESIGN ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF IPPERMITS, INC. AND WERE CREATED, EVALUATED AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF IP PERMITS, INC.



VICINITY MAP



LEGEND

-  NEW WALL OR OPENING TO BE CLOSED
 EXISTING WALL TO REMAIN
 EXISTING WALL TO BE REMOVED
 INDICATES DOOR PER SCHEDULE
 INDICATES WINDOW PER SCHEDULE
 INDICATES ROOM NUMBER

GENERAL NOTES

1. CONTRACTOR SHALL VERIFY EXISTING JOB SITE MATERIALS, DIMENSIONS AND CONDITIONS OF ALL AREAS AFFECTED BY THE PROJECT PRIOR TO COMMENCING THE WORK.
2. CONTRACTOR SHALL VERIFY THE SIZES OF ALL WINDOWS AND DOORS
3. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL EXISTING UTILITIES. CONTRACTOR SHALL NOTIFY AND OBTAIN NECESSARY APPROVALS FROM ALL UTILITY COMPANIES PRIOR TO MODIFICATION. THE CONTRACTOR SHALL SCHEDULE SHUT DOWNS & OBTAIN WRITTEN APPROVAL FROM THE OWNER OF ALL WORK RELATED TO THE SYSTEMS IN ADVANCE OF CONSTRUCTION.
4. SHOULD ANY CONDITION ARISE WHERE THE INTENT OF THE DRAWINGS IS IN DOUBT, WHERE THERE IS A DISCREPANCY OR APPEARS TO BE AN ERROR ON THE DRAWINGS OR SPECIFICATIONS OR WHERE THERE IS A CONFLICT BETWEEN THE DRAWINGS AND THE ACTUAL FIELD CONDITIONS, THE OWNER'S AGENT SHALL BE NOTIFIED AS SOON AS REASONABLY POSSIBLE AND BEFORE ANY WORK IS STARTED FOR PROCEDURES TO BE FOLLOWED.
5. CONTRACTOR SHALL BE LIABLE FOR ANY DAMAGES TO OWNER'S PROPERTY AS A RESULT OF NEGLIGENCE.
6. DIMENSIONS & NOTATIONS SHALL TAKE PRECEDENCE OVER SCALE.
7. BRACING AND TEMPORARY SUPPORT SHALL BE PROVIDED AS REQUIRED TO HOLD THE WORK SECURELY IN PLACE AND TO SUSTAIN ALL LOADS INCLUDING THOSE THAT MAY OCCUR DURING ERECTION AND UNTIL SUBSEQUENT CONSTRUCTION IS ADEQUATE TO REPLACE THE TEMPORARY BRACING. THE DESIGN ADEQUACY AND SAFETY OR ERECTION BRACING, SHORING, TEMPORARY SUPPORTS AND SCAFFOLDING IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
8. OUTCUTS FOR MECHANICAL AND ELECTRICAL ITEMS SHALL BE ACCOMPLISHED IN SUCH A MANNER THAT STANDARD ESCUTCHEON PLATES, COVERS, ETC. WILL ADEQUATELY COVER ROUGH OPENINGS. OVERSIZED OPENINGS SHALL BE REPAIRED TO MATCH ADJACENT EXISTING FINISHED SURFACES.
9. CONTRACTOR SHALL VERIFY THE SIZE AND LOCATION OF ALL UTILITY LINES TO THE BUILDING AS SHOWN ON THE PLANS.
10. DIMENSIONS ARE TO FACE OF STUD, CONCRETE, CONCRETE BLOCK OR CENTERLINE OF STRUCTURAL COLUMNS UNLESS OTHERWISE NOTED.
11. CONTRACTOR SHALL VERIFY WITH OWNER THE EXACT DIMENSIONS OF RADII ON ALL NEW CURVED WALLS PRIOR TO CONSTRUCTION.
12. AT EXISTING CONSTRUCTION, FILL OPENINGS AND REPAIR AND REFINISH ALL EXPOSED FLOOR, WALL, CEILING AND EXTERIOR SURFACES DAMAGED BY DEMOLITION, INCLUDING REMOVAL OF MECHANICAL AND ELECTRICAL EQUIPMENT.
13. DAMAGE BY THE CONTRACTOR, TO FINISHES, MATERIALS, EQUIPMENT, ETC, WHICH IS NOT PART OF THE CONTRACT WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE.
14. ALL COUNTERTOPS WILL BE 3/4" IN HEIGHT MAXIMUM UNLESS OTHERWISE SPECIFIED ON PLANS, SECTIONS OR INTERIOR ELEVATIONS.
15. ALL ELECTRICAL WORK IS TO BE INSTALLED PER THE MOST RECENTLY ADOPTED N.E.C.
16. HIGHLY FLAMMABLE AND COMBUSTIBLE MATERIALS SHALL NOT BE USED IN THESE BUILDING.
17. ROOF DRAINAGE WATER FROM A BUILDING SHALL NOT BE PERMITTED TO FLOW OVER PUBLIC PROPERTY.

815 FIFTH AVE.

815 FIFTH AVE.
SAN DIEGO, CA. 92101

PLAN FILE NUMBER_

DATE_ 05.03.2022
JOB NUMBER_
DRAWN BY_
MARIMAR

REVISIONS_

1 1ST CORRECTIONS
03/29/2023

3 3RD CORRECTIONS
07/01/2023

SHEET NAME + No. _

FLOOR PLAN

A1-01