



**SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET**

FILED

Aug 21, 2023 04:22 PM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2023-000679
State Receipt # 37082120230614
Document # 2023-NOD-103

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

ZAMA ENTERTAINMENT

Check Document being Filed:

- ☒ Environmental Impact Report (EIR)
☐ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
☐ Notice of Exemption (NOE)
☐ Other (Please fill in type):

**FILED IN THE OFFICE OF THE SAN DIEGO
COUNTY CLERK ON** August 21, 2023
Posted August 21, 2023 **Removed** SEP 20 2023
Returned to agency on SEP 20 2023
DEPUTY M. Gomez

M. Gomez

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

**NOTICE OF DETERMINATION
SUBSEQUENT ACTION**

(Choose one)

To: ☐ Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

From: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: 1050027

State Clearinghouse Number: (2003041001)

Project Title: Zama Entertainment

Project location: The Project is located at 467 5th Avenue San Diego CA 92101.

Description of Previous Action/Project:

The DCP, CCPDO, Redevelopment Plan for the Centre City Redevelopment Project and related activities have been addressed by the following environmental documents, all referred to as the "Downtown FEIR":

Final Environmental Impact Report (FEIR) for the DCP, CCPDO, and 10th Amendment to the Redevelopment Plan for the Centre City Project (State Clearinghouse Number 2003041001, certified by the Redevelopment Agency (Resolution No. R-04001) and the San Diego City Council (City Council) (Resolution No. R-301265), with date of final passage on March 14, 2006.

Addendum to the Downtown FEIR for the 11th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, Amendments to the DCP, CCPDO, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program of the Downtown FEIR for the DCP, CCPDO, and the Redevelopment Plan for the Centre City Redevelopment Project certified by the Redevelopment Agency (Resolution No. R-04193) and by the City Council (Resolution No. R-302932), with date of final passage on July 31, 2007.

Second Addendum to the Downtown FEIR for the proposed amendments to the DCP, CCPDO, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program (MMRP) certified by the Redevelopment Agency (Resolution No. R-04508), with date of final passage on April 21, 2010.

Third Addendum to the Downtown FEIR for the RE District Amendments to the CCPDO certified by the Redevelopment Agency (Resolution No. R-04510), with date of final passage on April 21, 2010.

Fourth Addendum to the Downtown FEIR for the San Diego Civic Center Complex Project certified by the Redevelopment Agency (Resolution No. R-04544) with date of final passage on August 3, 2010.

Fifth Addendum to the Downtown FEIR for the Industrial Buffer Overlay Zone Amendments to the CCPDO certified by the City Council (Resolution No. R-308724) with a date of final passage on February 12, 2014.

Sixth Addendum to the Downtown FEIR for the India and Date Project certified by the City Council (Resolution No. R-309115) with a date of final passage on July 14, 2014.

The Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561).

The City of San Diego FEIR for the Climate Action Plan ("CAP FEIR") certified by the City Council on December 15, 2015, (City Council Resolution R-310175) which includes the Addendum to the CAP FEIR certified by the City Council on July 12, 2016.

Final Supplemental Environmental Impact Report for the 1122 4th Avenue Redevelopment Project certified by the City Council (Resolution No. R-311016) on April 4, 2017

Seventh Addendum to the FEIR for the Tailgate Park Project certified by the City Council (Resolution R313302) with date of final passage on November 17, 2020.

City of San Diego FEIR for the Climate Action Plan (CAP FEIR) certified by the City Council on December 15, 2015, (Resolution No. R-310176), including the Addendum to the CAP FEIR certified by the City Council on July 12, 2016.

City of San Diego Final Program Environmental Impact Report No. 2019060003 for Complete Communities: Housing Solutions and Mobility Choices (Complete Communities FPEIR) certified by the City Council on November 17, 2020 (Resolution No. R-313279); and associated resolutions amending the Land Development Manual to amend the City's CEQA Significance transportation thresholds, and adding the new Transportation Study Manual and Mobility Choices Regulations Implementing Guidelines, all relating to the City's Complete Communities Mobility Choices Program (Resolution Number R-313280). The Mobility Choices Regulations were adopted by City Council Ordinance No. 0-21274 on December 9, 2020.

Project Description Zama Live Entertainment CUP - DOWNTOWN (Process 3) Conditional Use Permit for indoor live entertainment at Zama Restaurant located at 467 5th Avenue on the 10,000 square-foot property at the southeast corner of 5th Avenue and Island Avenue in the Gaslamp Quarter neighborhood of the Downtown Community Plan area (Council District 3).

Project Applicant Amazonian Restaurants- 465 5th Avenue, San Diego CA 92101 (619) 370-9841

This is to advise that the Hearing Officer of the City of San Diego on July 26, 2023 approved the above described project and made the following determinations:

- (1) No Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,

- (2) No Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR 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, shows any of the following:
- a. The project will have one or more significant effects not discussed in the previous EIR
 - 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.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: Jeffrey Szymanski

Telephone: (619) 446-5324

Filed by:

Jeff Szymanski
Signature

Senior Planner
Title



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: March 22, 2023

TO: County of San Diego – Assessor/Recorder/County Clerk

FROM: James Alexander, Senior Planner, Urban Division

SUBJECT: Notice of Determination Filing for Project Relying on Previously Certified Downtown Final Environmental Impact Report

Per the attached Notice of Determination (NOD), the City of San Diego determined that the previously certified Downtown Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2003041001) adequately addressed all environmental impacts for the enclosed project and that no further environmental review is required under the California Environmental Quality Act (CEQA). The Downtown FEIR was adopted by City Council on February 28, 2006.

Per the California Department of Fish and Wildlife (CDFW), only one fee is required when an existing certified EIR is used for multiple project approvals that would result in no additional effect to fish and wildlife (Cal. Code Regs. Tit. 14, § 753.5, Subd. (e)(3)). A copy of that receipt shall be attached to any additional notices of determination that may be required for the same project, which shall suffice as documentation that the fee was paid (Cal. Code Regs. Tit. 14, § 753.5, Subd. (e)(4)).

Therefore, the NOD for the enclosed project includes a copy of the original NOD for the Downtown FEIR and CDFW Certificate of Fee Exemption, filed in the Office of the County Clerk on March 17, 2006. County of San Diego Recorder/County Clerk management has confirmed that this approach is acceptable as proof of CDFW review and payment. If you have any questions, feel free to reach out to me at (619) 446-5188 or JamesA@sandiego.gov.

Recording Requested by
and Mail to:

Centre City Development Corporation
Attn: Planning Department
225 Broadway, Suite 1100
San Diego, CA 92101

FILED
Gregory J. Smith, Recorder/County Clerk

MAR 17 2006

[Signature]
DEPUTY

018482
FILED IN THE OFFICE OF THE COUNTY CLERK

San Diego County on MAR 17 2006

Posted MAR 17 2006 Returned

Returned to agency by

Deputy

THIS SPACE FOR RECORDER'S USE ONLY

NOTICE OF DETERMINATION

TO: County Clerk
County of San Diego
Records Division
1600 Pacific Highway, Room 280
San Diego, CA 92101

FROM: Centre City Development Corporation (CCDC)
225 Broadway, Suite 1100
San Diego, CA 92101

Subject:

Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: San Diego Downtown Community Plan, Centre City Planned District Ordinance, and Tenth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.

SCH #2003041001
State Clearinghouse Number

Alexandra Elias
Contact Person

(619) 235-2200
Area Code/Telephone

Project Location: The area included in the Downtown Community Plan, Redevelopment Plan for the Centre City Redevelopment Project ("Redevelopment Plan"), and Centre City Planned District Ordinance ("PDO") covers the downtown area of the City of San Diego, west of Interstate 5.

Project Description: The Downtown Community Plan and Redevelopment Plan establish land use designations as well as goals and policies to govern development through the year 2030. The Centre City PDO provides more specific standards for future downtown development.

Action: On March 14, 2006, the Mayor signed the Resolution approving the Downtown Community Plan, pursuant to San Diego City Charter section 280(c) (Resolution No. 301264, which was passed by the City Council on February 28, 2006). On February 28, 2006, the City Council also introduced the ordinance approving the Tenth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, and the Centre City PDO, which ordinances will be considered for adoption at a subsequent Council meeting and shall also be subject to the mayoral approval provisions of Charter section 280.

Determination: The Council of the City of San Diego has made the following determinations:

1. The project ☒ will ☐ not have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.
4. Findings and a Statement of Overriding Considerations ☒ were ☐ were not adopted for this project.

The Final Environmental Impact Report (FEIR) for the Downtown Community Plan, Centre City PDO, and Tenth Amendment to the Redevelopment Plan was certified on February 28, 2006 by Resolution No. 301265, which Resolution was also signed by the Mayor on March 14, 2006. The FEIR with comments and responses and record of project approval are available to the public at Centre City Development Corporation, 225 Broadway, Suite 1100, San Diego, CA 92101 and City of San Diego, City Clerk, 202 C Street, San Diego, CA 92101.

Notice: This Notice of Determination is filed and posted with respect to the City Council and Mayor's approval of the Downtown Community Plan, pursuant to CEQA Guidelines section 15094(a). A separate Notice of Determination will be filed and posted, pursuant to Section 15094(a), upon the City Council's adoption of the ordinances approving the Tenth Amendment to the Redevelopment Plan and the Centre City PDO and the Mayor's subsequent approval thereof.

Alexandra Elias, Senior Planner

Date

17 March 2006

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title/Location (include county):

The area included in the Downtown Community Plan, Redevelopment Plan for the Centre City Redevelopment Project ("Redevelopment Plan"), and Centre City Planned District Ordinance ("PDO") covers the downtown area of the City of San Diego, west of Interstate 5.

Project Description:


The Downtown Community Plan and Redevelopment Plan establish land use designations as well as goals and policies to govern development through the year 2030. The Centre City PDO provides more specific standards for future downtown development.

Findings of Exemption (attach as necessary):

An Environmental Impact Report was prepared for the project. The project site is a developed urban environment that does not contain wildlife resources. The project would not have adverse impact on wildlife resources and the De Minimis Impact finding can be made.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.


(Chief Planning Official)
Title: Senior Planner
Lead Agency: CCDC
Date: 17 March 2006

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San Diego County



Transaction #: 7339438
Receipt #: 2023293677

JORDAN Z. MARKS

Assessor/Recorder/County Clerk

1600 Pacific Highway Suite 260

P. O. Box 121750, San Diego, CA 92112-1750

Tel. (619) 237-0502 Fax (619) 557-4155

www.sdarcc.gov

Cashier Date: 08/21/2023

Cashier Location: SD

Print Date: 08/21/2023 4:23 pm

Payment Summary

Total Fees:	\$50.00
Total Payments:	\$50.00
Balance:	\$0.00

Payment

CHECK PAYMENT #7614	\$50.00
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Total Payments	\$50.00
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Filing

CEQA - NOD	FILE #: 2023-000679 Date: 08/21/2023 4:22PM Pages: 7
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State Receipt # 37-08/21/2023-0614

Fees: Fish & Wildlife County Administrative Fee	\$50.00
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Total Fees Due:	\$50.00
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Grand Total - All Documents:	\$50.00
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State of California - Department of Fish and Wildlife

2023 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 01/01/23) Previously DFG 753.5a

RECEIPT NUMBER:

37-08/21/2023-0614

STATE CLEARING HOUSE NUMBER(If applicable)

2003041001

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT	LEAD AGENCY EMAIL	DATE 08/21/2023
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 2023-NOD-0103	
PROJECT TITLE ZAMA ENTERTAINMENT		

PROJECT APPLICANT NAME AMAZONIAN RESTAURANTS	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-370-9841
PROJECT APPLICANT ADDRESS 465 5TH AVENUE	CITY SAN DIEGO	STATE CA
	ZIP CODE 92101	

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

CHECK APPLICABLE FEES:

<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	\$3,839.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,764.00	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,305.25	\$	0.00

☒ Exempt from fee☐ Notice of Exemption (attach)☒ CDFW No Effect Determination (attach)☐ Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee(State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☒ Other

TOTAL RECEIVED \$ 50.00

SIGNATURE

X *Maria Gomez*

AGENCY OF FILING PRINTED NAME AND TITLE

San Diego County Clerk, MARIA GOMEZ, Deputy

Payment Reference #: Check # 7614 and Certificate of fee exemption- De Minimis Impact Finding