

1 [Affirming the Categorical Exemption Determination - 2001-37th Avenue]

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3 **Motion affirming the determination by the Planning Department that the proposed**
4 **project at 2001-37th Avenue is categorically exempt from further environmental review.**

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6 WHEREAS, On June 3, 2020, the Planning Department issued a CEQA Categorical
7 Exemption Determination for the proposed project located at 2001-37th Avenue (“Project”)
8 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San
9 Francisco Administrative Code, Chapter 31; and

10 WHEREAS, The project site is located at 2001-37th Avenue; the site is located on a
11 495,470 square-foot parcel that is developed with 290,595 square feet of secondary school
12 facilities; J.B. Murphy Field is located at the southwest corner of the campus, with frontage on
13 37th Avenue and Rivera Street; and

14 WHEREAS, The proposed Project is the expansion of an existing private school (St.
15 Ignatius College Preparatory) by adding four (4) 90-foot tall light standards to the J.B Murphy
16 Field Stadium; the standards will be situated symmetrically in a rectangular formation
17 surrounding the existing football field (at approximately the 10-yard line); the lighting would
18 allow for nighttime use of the field for practice and games of St. Ignatius teams; on the
19 proposed northwest standard, Verizon Wireless is seeking to install and operate an
20 unmanned macro wireless telecommunications service (WTS) facility; the WTS consists of
21 nine (9) antennas, six (6) remote radio units located on the light standard, two (2) surge
22 suppressors, and ancillary equipment within a 12-foot by 28-foot fenced compound located on
23 the ground adjacent to the north side of the light standard; and

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1 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines
2 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),
3 issued a categorical exemption for the Project on June 3, 2020, finding that the proposed
4 Project is exempt from the California Environmental Quality Act (CEQA) as a Class 1 and
5 Class 3 categorical exemption (“exemption determination”); and

6 WHEREAS, On February 8, 2018, Ken Stupi of St. Ignatius College Preparatory filed
7 an application for a Conditional Use authorization and Planned Unit Development (“CUA”);
8 and

9 WHEREAS, On June 11, 2020, the Planning Commission conducted a duly noticed
10 public hearing and, at the conclusion of the hearing, granted the CUA for the Project; and

11 WHEREAS, On August 24, 2020, Michael Graf of Michael W. Graf Law Offices, on
12 behalf of Saint Ignatius Neighborhood Association (“Appellant”), filed an appeal with the Office
13 of the Clerk of the Board of Supervisors of the exemption determination; and

14 WHEREAS, By memorandum to the Clerk of the Board dated September 2, 2020, the
15 Planning Department’s Environmental Review Officer determined that the appeal was timely
16 filed; and

17 WHEREAS, On October 6, 2020, this Board held a duly noticed public hearing to
18 consider the appeal of the exemption determination filed by Appellant; and

19 WHEREAS, In reviewing the appeal of the exemption determination, this Board
20 reviewed and considered the exemption determination, the appeal letter, the responses to the
21 appeal documents that the Planning Department prepared, the other written records before
22 the Board of Supervisors and all of the public testimony made in support of and opposed to
23 the exemption determination appeal; and

24 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
25 affirmed the exemption determination for the Project based on the written record before the

1 Board of Supervisors as well as all of the testimony at the public hearing in support of and
2 opposed to the appeal; and

3 WHEREAS, The written record and oral testimony in support of and opposed to the
4 appeal and deliberation of the oral and written testimony at the public hearing before the
5 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
6 the exemption determination is in the Clerk of the Board of Supervisors File No. 200992, and
7 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

8 MOVED, That the Board of Supervisors hereby adopts as its own and incorporates by
9 reference in this motion, as though fully set forth, the exemption determination; and, be it

10 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
11 record before it there are no substantial project changes, no substantial changes in project
12 circumstances, and no new information of substantial importance that would change the
13 conclusions set forth in the exemption determination by the Planning Department that the
14 Project is exempt from environmental review; and, be it

15 FURTHER MOVED, That after carefully considering the appeal of the exemption
16 determination, including the written information submitted to the Board of Supervisors and the
17 public testimony presented to the Board of Supervisors at the hearing on the exemption
18 determination, this Board concludes that the Project qualifies for an exemption determination
19 under CEQA.

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