

File No. 200994

Committee Item No. \_\_\_\_\_

Board Item No. 47

# COMMITTEE/BOARD OF SUPERVISORS

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Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: October 6, 2020

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- Department/Agency Cover Letter and/or Report
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### OTHER

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Prepared by: Jocelyn Wong

Date: September 18, 2020

Prepared by: Lisa Lew

Date: October 2, 2020

1 [Conditionally Reversing the Exemption Determination - 2001-37th Avenue]

2

3 **Motion conditionally reversing the determination by the Planning Department that the**  
4 **proposed project at 2001-37th Avenue is exempt from further environmental review,**  
5 **subject to the adoption of written findings of the Board in support of this**  
6 **determination.**

7

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

12 WHEREAS, The project site is located at 2001-37th Avenue; the site is locate on a  
13 495,470 square-foot parcel that is developed with 290,595 square feet of secondary school  
14 facilities; J.B. Murphy Field is located at the southwest corner of the campus, with frontage on  
15 37th Avenue and Rivera Street; and

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

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 conditionally reversed the exemption determination for the Project subject to the adoption of

1 written findings of the Board in support of such determination based on the written record  
2 before the Board of Supervisors as well as all of the testimony at the public hearing in support  
3 of and opposed to the appeal; and

4 WHEREAS, The written record and oral testimony in support of and opposed to the  
5 appeal and deliberation of the oral and written testimony at the public hearing before the  
6 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
7 the exemption determination is on file with the Clerk of the Board of Supervisors in File No.  
8 200992 and is incorporated in this motion as though set forth in its entirety; now, therefore, be  
9 it

10 MOVED, That the Board of Supervisors conditionally reverses the determination by the  
11 Planning Department that the project is exempt from environmental review, subject to the  
12 adoption of written findings of the Board in support of this determination.

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# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only