

1 [Conditionally Reversing the Categorical Exemption Determination - Proposed 350 Amber  
2 Drive Project]

3 **Motion conditionally reversing the determination by the Planning Department that the**  
4 **proposed project at 350 Amber Drive is categorically exempt from environmental**  
5 **review, subject to the adoption of written findings of the Board in support of this**  
6 **determination.**

7  
8 WHEREAS, On May 29, 2025, the Planning Department determined that the proposed  
9 project at 350 Amber Drive (the Project) is categorically exempt from the California  
10 Environmental Quality Act (CEQA) under the Class 3 (New Construction or Conversion of  
11 Small Structures) categorical exemption - section 15303 of the CEQA Guidelines; and

12 WHEREAS, The project site is located at 350 Amber Drive (Assessor's Block No. 7521,  
13 Lot No. 005), with frontage along Amber Drive to the northwest, Turquoise Way to the west  
14 and Duncan Street to the north; and

15 WHEREAS, The property is owned by the City and County of San Francisco and under  
16 the jurisdiction of the San Francisco Police Department (SFPD), with a lot area of  
17 approximately 195,113 square feet (about 4.5 acres); and

18 WHEREAS, The project site contains three existing, one-to-two-story buildings,  
19 currently occupied and used by the SFPD as its police academy; the buildings are surrounded  
20 by paved surface parking; and

21 WHEREAS, The proposed Project would construct a new AT&T Macro Wireless  
22 Telecommunication Facility on a new approximately 104-foot-tall monopole located at the rear  
23 of the San Francisco Police Academy, over a paved parking area with a footprint of  
24 approximately 550 square feet; the new facility would consist of twelve antennas, nine remote  
25 radio units, three tower-mounted surge suppressors, one global positioning system unit

1 mounted on a proposed outdoor equipment cabinet, one walk-up cabinet, and one 30-kilowatt  
2 direct current backup generator with a 190-gallon diesel fuel tank on a concrete pad, with the  
3 ancillary equipment to be surrounded by an eight-foot-tall chain link fence; and

4 WHEREAS, CEQA Guidelines, Sections 15301 through 15333, list the categorical  
5 exemptions for classes of projects that have been determined not to have a significant effect  
6 on the environment and that are exempt from further environmental review; and

7 WHEREAS, CEQA Guidelines, Section 15303 (New Construction or Conversion of  
8 Small Structures), or Class 3, applies to projects that include construction and location of  
9 limited numbers of new, small facilities or structures, installation of small new equipment and  
10 facilities in small structures, and the conversion of existing small structures from one use to  
11 another where only minor modifications are made in the exterior of the structure; and

12 WHEREAS, The Planning Department determined that the Project is exempt under the  
13 Class 3 categorical exemption because it meets the criteria for applicability of the exemption,  
14 and none of the exceptions that would preclude application of the exemption listed under  
15 CEQA Guidelines, Section 15300.2, are present; and

16 WHEREAS, On September 25, 2025, the Planning Commission conducted a duly  
17 noticed public hearing at a regularly scheduled meeting to consider conditional use application  
18 2024-004318CUA, after which it approved the proposed project by granting a conditional use  
19 authorization and required conditions of approval through Motion No. 21825; and

20 WHEREAS, On October 27, 2025, Mitchell M. Tsai of Mitchell M. Tsai Law Firm, on  
21 behalf of the Diamond Heights Community Association (appellant) filed an appeal of the  
22 categorical exemption determination; and

23 WHEREAS, By memorandum to the Clerk of the Board dated November 3, 2025, the  
24 Planning Department's Environmental Review Officer determined that the appeal was timely  
25 filed; and

1 WHEREAS, On December 9, 2025, this Board held a duly noticed public hearing to  
2 consider the appeal filed by Appellant; and

3 WHEREAS, In reviewing the appeal, this Board reviewed and considered the  
4 categorical exemption determination, the appeal letter, the responses to the appeal  
5 documents that the Planning Department and the Project Sponsor prepared, the other written  
6 records before the Board of Supervisors and all of the public testimony made in support of  
7 and opposed to the appeal; and

8 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
9 conditionally reversed the Planning Department's determination that the Project is  
10 categorically exempt, subject to the adoption of written findings of the Board in support of  
11 such determination based on the written record before the Board of Supervisors as well as all  
12 of the testimony at the public hearing in support of and opposed to the appeal; and

13 WHEREAS, The written record and oral testimony in support of and opposed to the  
14 appeal and the oral and written testimony at the public hearing before the Board of  
15 Supervisors by all parties and the public in support of and opposed to the appeal, including  
16 the deliberations by the members of the Board, is in the Clerk of the Board of Supervisors File  
17 No. 251094, and is incorporated in this motion as though set forth in its entirety; now,  
18 therefore, be it

19 MOVED, That the Board of Supervisors conditionally reverses the determination by the  
20 Planning Department that the Project is categorically exempt from environmental review,  
21 subject to the adoption of written findings of the Board in support of this determination.  
22

23 c:\attchmnt\350 amber cat ex - rev.docx  
24  
25