

[Preparation of Findings to Reverse the Categorical Exemption Determination - Proposed 350 Amber Drive Project]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 350 Amber Drive is categorically exempt from environmental review.

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

WHEREAS, The project site is located at 350 Amber Drive (Assessor’s Block 7521, Lot 005), with frontage along Amber Drive to the northwest, Turquoise Way to the west and Duncan Street to the north; and

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

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

WHEREAS, The proposed Project would construct a new AT&T Macro Wireless Telecommunication Facility on a new approximately 104-foot-tall monopole located at the rear of the San Francisco Police Academy, over a paved parking area with a footprint of approximately 550 square feet; the new facility would consist of twelve antennas, nine remote radio units, three tower-mounted surge suppressors, one global positioning system unit mounted on a proposed outdoor equipment cabinet, one walk-up cabinet, and one 30-kilowatt

1 direct current backup generator with a 190-gallon diesel fuel tank on a concrete pad, with the
2 ancillary equipment to be surrounded by an eight-foot-tall chain link fence; and

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

6 WHEREAS, CEQA Guidelines, Section 15303 (New Construction or Conversion of
7 Small Structures), or Class 3, applies to projects that include new construction or changes of
8 use under 10,000 square feet, if such change of use is principally permitted or permitted with
9 a Conditional Use Authorization; and

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

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

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

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

24 WHEREAS, In reviewing the appeal, this Board reviewed and considered the
25 categorical exemption determination, the appeal letter, the responses to the appeal

1 documents that the Planning Department and the Project Sponsor prepared, the other written
2 records before the Board of Supervisors and all of the public testimony made in support of
3 and opposed to the appeal; and

4 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
5 conditionally reversed the categorical exemption determination, subject to the adoption of
6 written findings of the Board in support of such determination based on the written record
7 before the Board of Supervisors as well as all of the testimony at the public hearing in support
8 of and opposed to the appeal; and

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

15 MOVED, That the Board of Supervisors directs the Clerk of the Board to prepare the
16 findings specifying the basis for its decision on the appeal.

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