



City of Alameda • California

DESIGN REVIEW APPROVAL NOTICE

This notice is provided pursuant to Alameda Municipal Code (AMC) Section 30-36.3 to declare that on March 5th, 2026, the City of Alameda approved Design Review Application No. **PLN25-0633** at 313 Spruce Street. This determination has been made following a review for consistency with the City of Alameda's Zoning Ordinance and Design Review Manual.

This is not a Building Permit: This approval is for Design Review only, which allows the applicant to apply for a building permit. Separate application forms, plans, and fees are required for the building permit application process. Construction on the project shall not commence until issuance of a building permit.

This Decision May Be Appealed or Called for Review: An appeal of this decision may be made to the Planning Board within ten (10) calendar days from the date the notice of decision. AMC Section 30-25 also allows the Planning Board or City Council to call a project for review, in which case the project will be scheduled for hearing at the next available Planning Board meeting. Therefore, this approval does not become final until the ten days after its issuance without an appeal or a call for review.

Project Description: The project consists of a new two-story, 1,540 square foot single-family dwelling on an existing 5,000 square foot vacant lot.

General Plan: Medium Density Residential.

Zoning District: R-4, Residential District.

Conditions of Approval:

- (1) A copy of this Design Review Approval Notice shall be printed on the cover of the final Building Permit plans.
- (2) This approval is valid for three years and will expire on March 5th, 2029, unless substantial construction has commenced under valid permits pursuant to AMC Section 30-37.6. *Please note: The approval may be extended to March 5th, 2031, upon submittal of an extension request and the associated fee. Design Review approval may be extended upon application for up to (2) additional years from the date of expiration.*
- (3) The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by Francisco Matos, received on February 17th, 2026, and on file in the office of the City of Alameda Planning Building and Transportation Department, except as modified by the conditions listed in this letter.
- (4) This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits. Any additional exterior changes shall be submitted to the Planning Building

and Transportation Department for review and approval prior to construction. Any additional exterior changes shall be submitted to the Planning Building and Transportation Department for review and approval prior to construction.

- (5) Prior to issuance of a Building Permit, the applicant must submit a tree protection plan from a certified arborist regarding the existing protected Oak tree on the shared property line between the subject property and 317 Spruce Street. The tree protection plan shall identify the critical root zone and construction practices to avoid excavation, staging, and washouts in this area to the satisfaction of the Planning Director. Compliance with the approved arborist protection plan is required during all stages of construction, failure to comply may result in additional penalties.
- (6) Prior to issuance of a Building Permit, the applicant must submit documents that demonstrate compliance with all provisions of the City's adopted Water Efficient Landscaping Ordinance (WELo), Article IV of the Municipal Code.
- (7) The final plans submitted for Building Permit approval shall incorporate the approved window schedule.
- (8) The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
- (9) A site inspection to determine compliance with this Design Review Approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify the Planning Building and Transportation Department at least four days prior to the requested Planning Inspection dates.
- (10) Indemnification. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

Environmental Determination:

This project qualifies for a Class 1 Categorical Exemption, and no additional environmental review is necessary pursuant to CEQA Guidelines Section 15301 - Existing Facilities – operation, permitting or leasing of existing private structures involving negligible or no expansion of use beyond that which exists.

As a separate and independent basis, because the Project only requires Design Review approval, it is not subject to further CEQA review pursuant to *McCorkle Eastside Neighborhood Group v.*

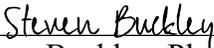
City of St. Helena (2018) 31 Cal.App.5th 80. Under *McCorkle*, local design review does not require environmental review when it is the only discretionary aspect of a project, and the agency lacks authority to disprove the project or otherwise mitigate non design related environmental impacts. *McCorkle* applies when an agency's discretion over a project is limited to aesthetic and design issues such as orientation, bulk, materials, and colors. Here, the Project is located in the City's R-4 Residential District, and within the district, the proposed alterations are permitted by right and is not subject to discretionary review, except for Design Review, pursuant to AMC Sec. 30-4.23(c)(1). Accordingly, no CEQA review is required because the City's review of the Project is limited to design issues.

Findings:

- (1) **The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual, because the proposed new construction is compatible in design and use of materials with the existing building and surrounding neighborhood.** The proposed project will result in the construction of a new two-story, 1,540 square foot single-family dwelling and a new driveway on an existing 5,000 square foot vacant lot. The proposed building will have a maximum height of 30 feet, conforming to the 35-foot maximum height regulation. The proposed building will maintain a 20-foot front yard setback, an approximately 46-foot rear yard setback, a 5-foot interior side yard setback on the east, and a 20-foot interior side yard setback to the west, all of which comply with the setback regulations for the R-4 district. The proposed building will have a total lot coverage of 15%, compliant with the district's maximum coverage of 53%. The proposed single-family dwelling is consistent with all other development standards of the R-4 Residential District. The proposed street facing façade is intended to be architecturally compatible with the surrounding area and incorporates techniques such as the inclusion of a modest front porch which leads to a well-defined street-facing main entry with sidelights. All alterations will be architecturally consistent with the building materials and style of surrounding homes, and will be compatible with the surrounding neighborhood, pursuant to the City's Guide to Residential Design.
- (2) **The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.** The proposed project has been designed to minimize impacts to neighboring buildings and surroundings. The proposed building is compatible with the adjacent existing buildings and will be compatible in scale and character with the rest of the neighborhood. The neighborhood is characterized by an eclectic mix of architectural styles, ranging from the immediately neighboring Queen Anne cottage to simple Stick style buildings, to modern single-story apartments. The design of the front porch and entry was intended to emulate features present in other similar style homes in the vicinity by limiting the finished floor height of the porch and locating the main entrance on the street facing façade. The building will have comparable height and massing to the other two-story residential buildings both next door and across the street. The proposed design of the new single-family home represents an addition to the neighborhood of suitable scale with the overall surroundings and will not change the relationship between adjacent or neighboring buildings. The proposed design is appropriate in the context of its surroundings and will facilitate a harmonious transition between neighboring buildings.

- (3) **The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.** The proposed building is designed to be visually compatible with the surroundings and has incorporated exterior details to ensure compatibility with the surrounding development, including the entablature above the porch columns and the street facing gable roof. The proposed building has been designed to ensure that the new home will be visually compatible with the character and uses of adjacent development by limiting the overall height to ensure the new building won't exceed the height of other neighboring two story buildings. The project has incorporated these and other design elements to reflect features in the surrounding development to ensure compatibility between the subject building and the character and uses of neighboring development.

Approved:

Signed by:


Steven Buckley, Planning Services Manager

Per: Tristan Suire
Tristan Suire, Project Planner

Date: March 5th, 2026