

E-mail thread between applicant and Carleton neighbours



Ashley Hsu <ashley@newavenuehomes.com>

1515 Derby | ZAB Packet

25 messages

Ashley Hsu <ashley@newavenuehomes.com>

Tue, Aug 8, 2023 at 8:45 PM

To: Karen Lee <leeykaren@gmail.com>, audreynelson2013@gmail.com, Kate Margolis <katemargolis@gmail.com>, Ian Cummings <iancmmngs@gmail.com>, Jackie Schmidt-Posner <jackiesp@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, cary.tiernan@gmail.com, Barry Posner <bposner@scu.edu>

Hi everyone,

Please find attached the full packet for the ZAB hearing, with the original use permit application in the front and the supplemental diagrams in the back.

Thanks,

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Ashley Hsu (she/her)
Project Manager
New Avenue, Inc.
Phone Number 917.536.0327
www.newavenuehomes.com

1515 Derby - ZAB Hearing.pdf
19340K

Karen Lee <leeykaren@gmail.com>

Thu, Aug 10, 2023 at 2:21 PM

To: Ashley Hsu <ashley@newavenuehomes.com>

Cc: audreynelson2013@gmail.com, Kate Margolis <katemargolis@gmail.com>, Ian Cummings <iancmmngs@gmail.com>, Jackie Schmidt-Posner <jackiesp@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, cary.tiernan@gmail.com, Barry Posner <bposner@scu.edu>

Hi Ashley,

Thanks for taking the time to speak with us on Tuesday about the 1515 Derby plans. Given the hearing is tonight, we wanted to send a quick follow-up to reiterate what we plan on raising at the meeting, so that you have this for reference. These are the same items we mentioned during Tuesday's call.

- Key concerns: we are concerned about the substantial height of the building at three stories tall and the close proximity of it to the property lines (currently a four foot setback). These would impact shades in the yard and the privacy of adjacent homes.
- Key ask: As discussed, we are asking for the location of the 3-story structure to be swapped with the ADU. We were glad to hear that you're open to this solution.
- As a matter of process, we also want to make sure we're properly informed moving forward, since we are adjacent neighbors. 1510 and 1512, as adjacent neighbors, were not on the mailing list to be informed of plans for the property or of this hearing. Ideally, we'd also like more time to discuss this further.
 - Related, there are some errors in the staff report regarding neighbor complaints since 1512 also wrote a letter to Planning, which is not included in the report.

Thanks again for your time,
Neighbors of Carleton Street (1518, 1512, 1510)

Jackie Schmidt-Posner <jackiesp@gmail.com>

Fri, Aug 11, 2023 at 8:48 AM

To: Ashley Hsu <ashley@newavenuehomes.com>

Cc: Karen Lee <Leeykaren@gmail.com>, Barry Posner <bposner@scu.edu>, Ian Cummings <iancmmngs@gmail.com>, Kate Margolis <katemargolis@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tiernan@gmail.com

Good morning Asheyy,

It was good to meet you in person last night--and thanks to you and Kevin and your other co-worker (whose name I have forgotten) for your cooperative attitude about listening to, and working with us to make this project the best it can be for all of us. As we have said, we are all supportive of Berkeley's goal of providing more housing. But the backyards of 1510 and 1512 are essentially our front yards and our main area of sunlight and airspace, so we want to do the best we can to make them pleasant and livable.

I wanted to let you know that Barry and I will be out of town from Labor Day weekend through September 13th, so would be unavailable during that time to meet. Before then, however, we have flexibility and will do all that we can to accommodate your schedule so that we are not the cause of delay.

Also, I was struck last night by Chairman Duffy's question about whether you had ever seen the project from the vantage point of the backyard of 1510 or 1512. I imagine that if you contacted Audrey and Lawrence (our tenants in 1512) they would be willing to let you come in and see what it looks like from our property, which might be helpful.

We look forward to seeing what kind of alternatives you and the team come up with and are ready to be part of a constructive conversation about the plans.

Have a good weekend!
Jackie

Ashley Hsu <ashley@newavenuehomes.com>

Thu, Aug 17, 2023 at 1:36 PM

To: Jackie Schmidt-Posner <jackiesp@gmail.com>

Cc: Karen Lee <Leeykaren@gmail.com>, Barry Posner <bposner@scu.edu>, Ian Cummings <iancmmngs@gmail.com>, Kate Margolis <katemargolis@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tiernan@gmail.com

Hi everyone!

Thanks for the follow up. I'm in catch-up mode after a week of site visits in Berkeley, so apologies for the delay in responding. It was great to meet some of you in person!

Kevin (our decision maker) is on vacation this week and next, so hopefully we can have something to present to you all in early September. I'll reach out again at the end of the month to schedule this.

Jackie and Barry, you mentioned you'll be out from Labor Day weekend to the 13th, but this would be a gmeet - will you be available for that?

Thanks,

[Quoted text hidden]

Barry Posner <bposner@scu.edu>

Thu, Aug 17, 2023 at 2:50 PM

To: Ashley Hsu <ashley@newavenuehomes.com>

Cc: Jackie Schmidt-Posner <jackiesp@gmail.com>, Karen Lee <leeykaren@gmail.com>, Ian Cummings <iancmmngs@gmail.com>, Kate Margolis <katemargolis@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tiernan@gmail.com

Unlikely to be available as we will be in Portugal and uncertain about both the time difference and internet connectivity.

Sent from Barry Posner's iPhone.

Jackie Schmidt-Posner <jackiesp@gmail.com>

Thu, Aug 17, 2023 at 4:01 PM

To: Ashley Hsu <ashley@newavenuehomes.com>

Cc: Karen Lee <Leeykaren@gmail.com>, Barry Posner <bposner@scu.edu>, Ian Cummings <iancmmngs@gmail.com>, Kate Margolis <katemargolis@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tiernan@gmail.com

Ashley,

Thanks for the update. As Barry said, we will be in Portugal September 5-13 and not sure about internet where we are staying, and time difference would make it challenging. Let us know the timeline for re-submitting to ZAB and then we can figure out how to look at the revisions so we do not hold the process up.

Jackie

[Quoted text hidden]

Ashley Hsu <ashley@newavenuehomes.com>

Wed, Aug 23, 2023 at 9:45 AM

To: Jackie Schmidt-Posner <jackiesp@gmail.com>

Cc: Karen Lee <Leeykaren@gmail.com>, Barry Posner <bposner@scu.edu>, Ian Cummings <iancmmngs@gmail.com>, Kate Margolis <katemargolis@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tiernan@gmail.com

Hi everyone,

Brian is asking for the new packet as early as September 5. Kevin is back from vacation this coming Monday 08/28, so hopefully I can get the revisions in front of him ASAP and have it out to you all by EOD Friday 09/01.

The hearing is October 26th, and I recall the planners asking for 5 weeks of time before then to prepare the report. If we have some back and forth, we *may* be able to squeeze in smaller changes after Sept. 5th (I hope!).

Thanks,

Ashley

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Karen Lee <leeykaren@gmail.com>

Wed, Aug 23, 2023 at 10:16 AM

To: Ashley Hsu <ashley@newavenuehomes.com>

Cc: Jackie Schmidt-Posner <jackiesp@gmail.com>, Barry Posner <bposner@scu.edu>, Ian Cummings <iancmmngs@gmail.com>, Kate Margolis <katemargolis@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tiernan@gmail.com

Thanks, Ashley. Given the tight timing, I wonder if it would make sense to let us know what changes you are looking to make, even before the revisions come our way? So that there may be more time for back/forth if need be.

[Quoted text hidden]

Barry Posner <bposner@scu.edu>

Wed, Aug 23, 2023 at 2:48 PM

To: Karen Lee <leeykaren@gmail.com>

Cc: Ashley Hsu <ashley@newavenuehomes.com>, Jackie Schmidt-Posner <jackiesp@gmail.com>, Ian Cummings <iancmmngs@gmail.com>, Kate Margolis <katemargolis@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tiernan@gmail.com

We want to second Karen's suggestion.

What are the possible alternative building placements/designs being considered broadly against the current option?

Thanks.

Barry

Kate Margolis <katemargolis@gmail.com>
To: Barry Posner <bposner@scu.edu>

Wed, Aug 23, 2023 at 3:41 PM

Cc: Karen Lee <leeykaren@gmail.com>, Ashley Hsu <ashley@newavenuehomes.com>, Jackie Schmidt-Posner <jackiesp@gmail.com>, Ian Cummings <iancmmngs@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, Audreynelson2013@gmail.com, cary.tiernan@gmail.com

Hi Ashley,

I echo other ideas to understand changes as early as possible. I will also note that 9/1-9/4 is Labor Day weekend. Many families are busy and go out of town so this is leah not be a reasonable time to review the design with the larger group. It seems like we may need to be discussing feedback after 9/5 of that is the timeline of when you'll have drafts ready.

Thank you,
Kate

Sent from my iPhone

On Aug 23, 2023, at 2:49 PM, Barry Posner <bposner@scu.edu> wrote:

[Quoted text hidden]

Barry Posner <bposner@scu.edu>

Wed, Aug 23, 2023 at 3:49 PM

To: Kate Margolis <katemargolis@gmail.com>
Cc: Karen Lee <leeykaren@gmail.com>, Ashley Hsu <ashley@newavenuehomes.com>, Jackie Schmidt-Posner <jackiesp@gmail.com>, Ian Cummings <iancmmngs@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tiernan@gmail.com

And again, kindly note that Jackie and I will be overseas from noon September 5-13.

Sent from Barry Posner's iPhone.

On Aug 23, 2023, at 3:41 PM, Kate Margolis <katemargolis@gmail.com> wrote:

Hi Ashley,
[Quoted text hidden]

Ashley Hsu <ashley@newavenuehomes.com>

Tue, Aug 29, 2023 at 4:32 PM

To: Barry Posner <bposner@scu.edu>
Cc: Kate Margolis <katemargolis@gmail.com>, Karen Lee <leeykaren@gmail.com>, Jackie Schmidt-Posner <jackiesp@gmail.com>, Ian Cummings <iancmmngs@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tiernan@gmail.com

Hi everyone,

Kevin returned from PTO yesterday and we were able to discuss these possible design changes just now:

- Increasing setback: Flipping the single family house (SFH) and ADU so that the SFH is now 26' away from the property line, instead of 4'
- Decreasing height: Max. roof height decreased from 34' to 30'

Does that sound like something you would all be supportive of?

Thanks,
Ashley

Karen Lee <leeykaren@gmail.com>

Tue, Aug 29, 2023 at 7:12 PM

To: Ashley Hsu <ashley@newavenuehomes.com>

Cc: Barry Posner <bposner@scu.edu>, Ian Cummings <iancmmngs@gmail.com>, Jackie Schmidt-Posner <jackiesp@gmail.com>, Kate Margolis <katemargolis@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tierman@gmail.com

Thanks, Ashley, appreciate the follow-up. We (1510 Carleton) are in favor of the solution to swap the SFH and ADU so that the SFH is not 4' from the property line and to also decrease the height of the roof. However, I don't think the latter (i.e. just decreasing the height) would feel sufficient enough as a standalone solution. I got the sense that ZAB also believes more substantial design changes can be explored (such as swapping SFH/ADU). Regardless, we'd love to see the plans before committing, but appreciate the preview you sent.

I'll let others chime in with their thoughts as well.

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Barry Posner <bposner@scu.edu>

Wed, Aug 30, 2023 at 8:08 AM

To: Ashley Hsu <ashley@newavenuehomes.com>

Cc: Kate Margolis <katemargolis@gmail.com>, Karen Lee <leeykaren@gmail.com>, Jackie Schmidt-Posner <jackiesp@gmail.com>, Ian Cummings <iancmmngs@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tierman@gmail.com

Ashley,

Thanks for moving forward on this discussion, and requesting some feedback.

This initial proposal of swapping the location of the SFH and ADU, and lowering the roof height is exactly what we all originally discussed in advance of the ZAB meeting.

Has your thinking advanced, as the gist of the ZAB discussion was that you would generate design alternatives beyond this fundamental option?

One concern with this initial proposal is that it leaves entirely open the design of the ADU, which would remain a two-story edifice backing up to our "front" yard.

When do you expect you will have something more concrete to review?

Barry and Jackie
1512 Carleton

[Quoted text hidden]

Ashley Hsu <ashley@newavenuehomes.com>

Tue, Sep 5, 2023 at 3:41 PM

To: Barry Posner <bposner@scu.edu>

Cc: Kate Margolis <katemargolis@gmail.com>, Karen Lee <leeykaren@gmail.com>, Jackie Schmidt-Posner <jackiesp@gmail.com>, Ian Cummings <iancmmngs@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tierman@gmail.com

Hi all,

Hope you all had a great labor day weekend. Apologies for not getting this in before everyone left on their vacations - I was only able to get this finalized with Kevin earlier this morning. Please find attached the complete application packet. The changes are:

- Increased setback: Flipping the single family house (SFH) and ADU so that the SFH is now 26' away from the property line, instead of 4'
- Decreased height: Max. roof height decreased from 34' to 30'-6"

Thanks,
Ashley

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Derby - ZAB II - Revised.pdf
16850K

Jackie Schmidt-Posner <jackiesp@gmail.com>

Fri, Sep 8, 2023 at 2:01 PM

To: Ashley Hsu <ashley@newavenuehomes.com>

Cc: Barry Posner <bposner@scu.edu>, Ian Cummings <iancmmngs@gmail.com>, Karen Lee <leeykaren@gmail.com>, Kate Margolis <katemargolis@gmail.com>, Lawrence Smith <Lasmith07@gmail.com>, audreynelson2013@gmail.com, cary.tiernan@gmail.com

Hello Ashley,

Thank you for sending all of this information. We appreciate that you and Kevin listened to our concerns and have made some changes to accommodate them. We strongly support the changes you've proposed—flipping the positions of the 3-story house and the 2-story ADU. And lowering the height of the roof will also help a bit.

From the ZAB meeting it sounds like plans for the ADU will not need to be reviewed by anyone and hope that you will continue to consider our concerns so that window placement on the side facing our house—if any—will take privacy for both the resident of the ADU and us into account. If it's possible for the setback to be more than 4 feet, obviously that would also be great.

Regarding the ADU, a question: it is our understanding that California state law requires some kind of review for ADU's over 800 square feet. Since the one you are planning for is approximately 1000 square feet does this mean that Berkeley has a higher threshold for what size unit needs review? Can you clarify whether there be any opportunity for conversation about plans for the ADU?

Again, we appreciate your willingness to revise your plans for this development based on input from the neighbors. We recognize the need in Berkeley for more housing and hope that these changes will allow us to have more light and airspace in our outdoor area so we can also enjoy living in this neighborhood.

Have a good weekend.

Jackie Schmidt-Posner and Barry Z. Poster
[1512 Carleton St., Berkeley](#)

[Quoted text hidden]

Kate Margolis <katemargolis@gmail.com>

Thu, Sep 14, 2023 at 5:19 PM

To: Jackie Schmidt-Posner <jackiesp@gmail.com>

Cc: Ashley Hsu <ashley@newavenuehomes.com>, Barry Posner <bposner@scu.edu>, Ian Cummings <iancmmngs@gmail.com>, Karen Lee <leeykaren@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, Audreynelson2013@gmail.com, cary.tiernan@gmail.com

Hi Ashley,

I would echo Jackie and Barry's message. We at 1518 are pleased to see the decision to move the larger unit away from the fence and to consider overall height.

We received a notice for the ADU application this week. Do you have a new design to share?

I would also echo their comments about considering window placement for privacy concerns and overall air space that is critical for our backyard. We were also hoping you would consider altering the design of both the main house and the ADU to consider removing the third floor of the primary residence and increasing the set back from the back fence of any structure, whether that is the primary residence or the ADU.

Thank you,
Kate Margolis

Sent from my iPhone

Ashley Hsu <ashley@newavenuehomes.com>

Fri, Sep 15, 2023 at 10:58 AM

To: Kate Margolis <katemargolis@gmail.com>

Cc: Jackie Schmidt-Posner <jackiesp@gmail.com>, Barry Posner <bposner@scu.edu>, Ian Cummings <iancmmngs@gmail.com>, Karen Lee <leeykaren@gmail.com>, Lawrence Smith <lasmith07@gmail.com>, Audrey Nelson <audreynelson2013@gmail.com>, Cary Tiernan <cary.tiernan@gmail.com>

Hi everyone,

Jackie, you are correct that ADUs (even at 1000sf) are not up for public comment & review. We will certainly take privacy into account when we finalize our window locations, though we have not yet reached that stage of design development yet.

Kate, I believe the notice you received must have been for the existing front house. Not a part of our backyard Use Permit proposal!

Thank you,
Ashley