

September 23, 2015

Via Electronic Delivery and Registered Mail

Anh-Thu and Bao-Long Nguyen-Trong
617 Haight Ave
Alameda, CA 94501

Dear Anh and Bao-Long,

After receiving the Planning Board's directive to negotiate a solution with you, we have spent a lot of time reviewing our current proposal and considering our options. We have undertaken this consideration with the intent to find a solution which will work for both our families. We also understand from Allen that you would prefer to talk directly to us rather than involve the city in a meeting. We completely understand and would love to have the opportunity to talk to you, neighbor to neighbor.

Our current proposal--which is a foot less than the City was ready to approve in March before receiving your objections--calls for raising the house three feet. We discussed your objections with our architect to determine if we could change our plans in some manner to address your concerns. He advised us that, in order to address your issues but still have a workable project, we could raise the house 2'6" feet rather than the 3' as set forth in our current proposal. Our architect informs us that this 6" reduction in height is the maximum amount of reduction which we can undertake and still have a viable project. We are, therefore, willing to reduce the proposed height of our home by six inches to accommodate your family's concerns.

The multiple concessions in height that we have been willing to make over the past 6 months have a financial impact on us--every foot more that we have to excavate is that many more cubic yards of dirt that must be hauled away, that much more dirt that must be shored up in the excavated site, and that much more concrete that must be poured. We have continually demonstrated our willingness to compromise and incur those additional costs as a show of good faith and in an effort to ameliorate your concerns.

We understand that you maintain that even if we reduce the height of our home by 6", you will still be impacted by the loss of direct sunlight. The Municipal Code, however, does not require that a project have no impact on your residence. Rather, the code discusses "adverse" impact. "Adverse" means harmful or unfavorable. We do not believe that our proposed changes, especially after our agreement to lower the overall height of our home by six more inches- will result in a harmful impact to your home. In fact, the City Planning Department has reached this same conclusion when it approved our project (and that was before we offered to reduce the height of our home.) Therefore, we believe that the Planning Board will find that our plans will not have an adverse impact on your family.

Nonetheless, to address your concerns, we are willing to offer to pay for a skylight installed in your home to ameliorate the very slight impact our proposal will have on your residence. Or we would pay you the cash equivalent up to \$5,000 (which is the approximate cost for the installation of a skylight) to address the slight impact the remodeling project will have on your residence.

We have considered other options. First, we have explored moving our house 1'9" to the west in order to have a 5' setback on the east side. However, city code requires an 8'6" driveway width to access the official parking spaces in the rear. Our current driveway is 8'7". In order to move the house over to the west our neighbor at 613 Haight would have to grant us an easement to use his property to access the official parking in the rear. We have approached him and he will not grant an easement. Even if he did grant the easement, and we moved the whole house over, the impact to you would be exactly the same as the project that the city was originally ready to approve in March at a 4 foot increase. Furthermore, as the city staff knows, and as the planning board knows, we cannot fully excavate without also raising the house. We are confined by the existing layout of the house, design considerations, and safety codes that dictate window egress requirements. Finally, we have considered placing a 2 story addition in the back of our house. However, there are many reasons why this is not as desirable and might not even be a feasible option for us, and we think the impact on your home of such an addition could be greater than the minimal impact of the current proposal. Therefore, these alternative options are not feasible.

We hope that you will carefully consider our reasonable offer to reduce the height another 6" and to install a skylight. We have attached our plans for this offer for you to review and consider. We would love to have the opportunity to meet with you to discuss our offer and any questions you might have. We would be happy to meet at your home, our home, or another neutral location of your choosing.

Regardless of the outcome of this matter, please know that our family harbors no ill will toward your family. We respect the process and your right to avail yourself of the process. We hope that once the process is completed, we can continue to have good neighborly relationships as we have had in the past.

We look forward to your earliest response, and are available to meet with you at your convenience.

Best Regards,

Melanie and Joseph Snell

WINDOW SCHEDULE

NO.	WINDOW SIZE (W x H)	TYPE	WINDOW MFR. & NO	MATERIAL / FINISH	REMARKS
1	(E) 2'-0" x 3'-0"	(E) DBL. HUNG		(E) PAINTED WOOD	RELOCATED (E)
2	2'-8" x 4'-6"	DBL. HUNG	SIERRA PACIFIC OR EQUAL (*)	CLAD WOOD (*)	OFF WHITE COLOR TO MATCH EXIST.
3	2'-6" x 3'-6"	CASEMENT	"	"	EGRESS WINDOW - SEE NOTE #4
4	2'-6" x 3'-6"	DBL. HUNG	"	"	
5	2'-6" x 1'-6"	AWNING	"	"	PRIVACY, TEMP. GLASS
6	2'-6" x 1'-6"	"	"	"	
7	2'-6" x 1'-6"	"	"	"	PRIVACY GLASS
8	2'-0" x 3'-0"	"	"	"	
9	OMIT				
10	3'-0" x 3'-6"	DBL. HUNG	"	"	
11	3'-0" x 3'-6"	CASEMENT	"	"	EGRESS WINDOW - SEE NOTE #4
12	2'-6" x 3'-6"	DBL. HUNG	"	"	
13	2'-6" x 3'-6"	CASEMENT	"	"	EGRESS WINDOW - SEE NOTE #4
14	2'-6" x 3'-6"	DBL. HUNG	"	"	
15	3'-6" x 3'-6"	DBL. HUNG OR FIXED	"	"	FIXED WINDOW TO HAVE CENTER MULLION TO MATCH DOUBLE HUNG
16	2'-6" x 3'-6"	DBL. HUNG	"	"	
17	2'-0" x 3'-0"	"	"	"	

WINDOW NOTES

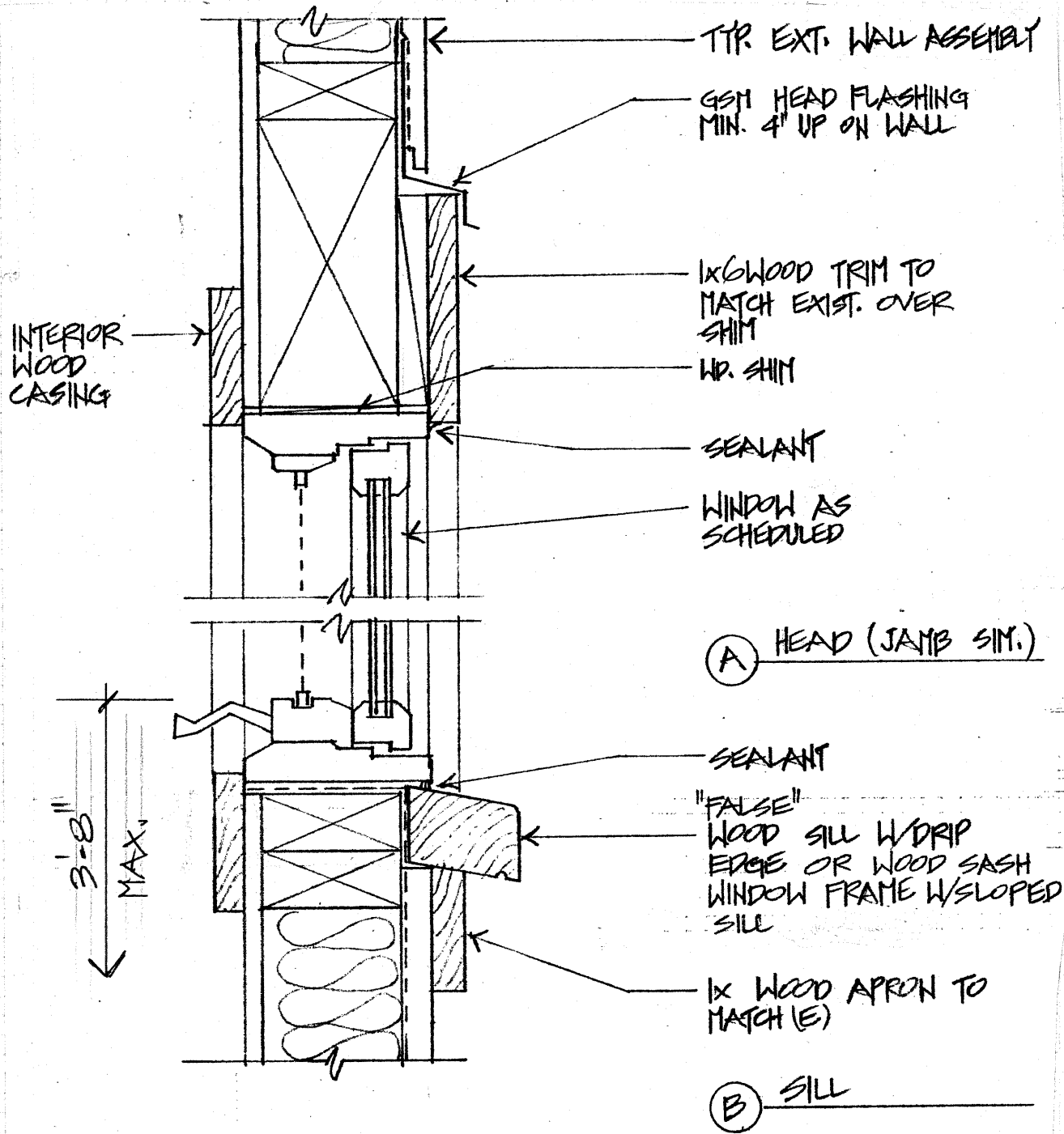
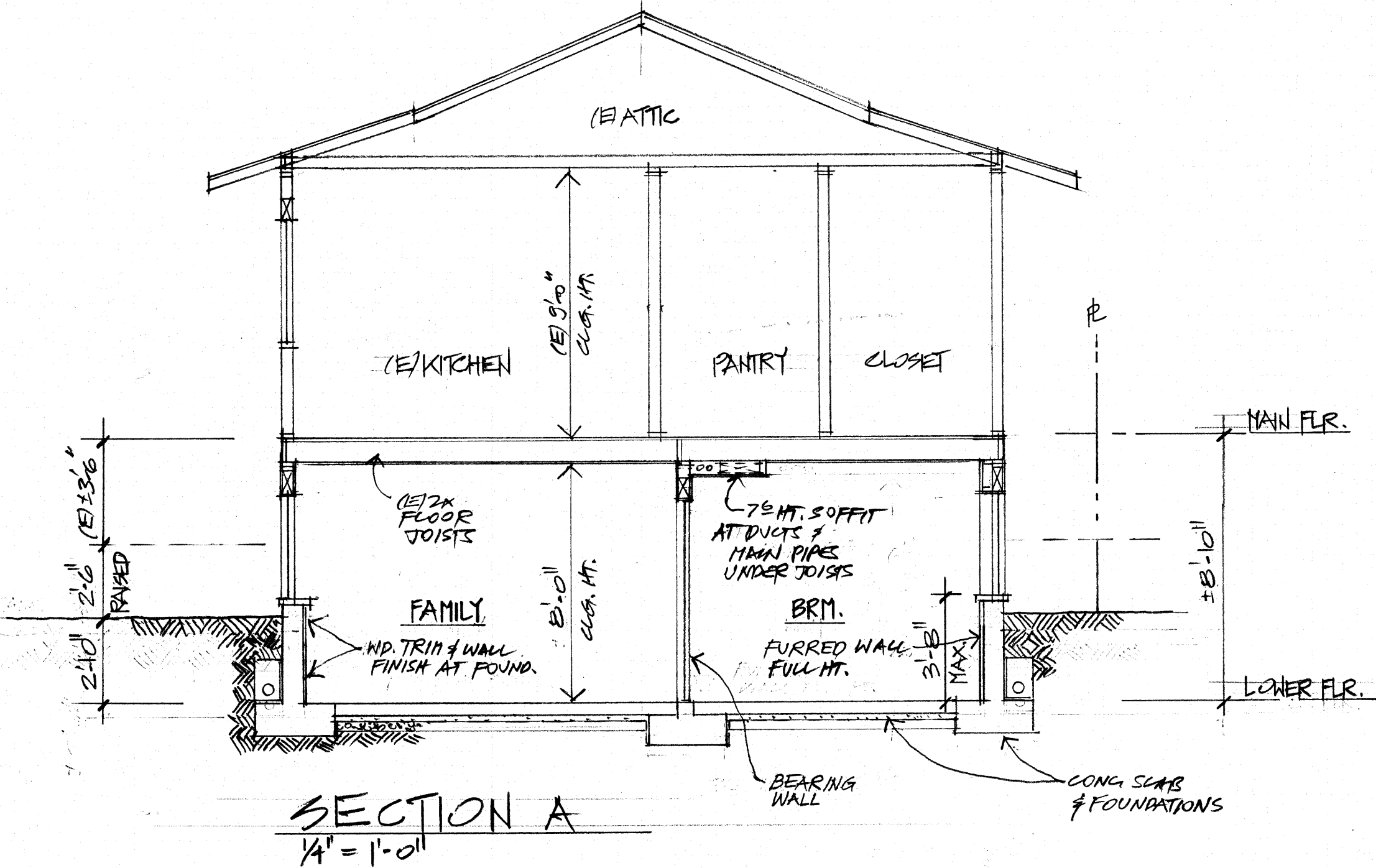
- ALL WINDOWS TO BE CLEAR, DBL. GLASS, U.O.N.
 - VERIFY ROUGH OPENING SIZES W/ MFR.
 - PROVIDE SCREENS AT ALL OPERABLE WINDOWS.
 - ESCAPE WINDOWS TO HAVE CLEAR MIN. NET. OPENING OF 5.0 SF (AT GROUND FLOOR), MIN. NET 24" HEIGHT x 20" WIDTH, AND SILL HEIGHT LESS THAN 44" ABOVE FLOOR PER CRC R310. CASEMENT WINDOW TO HAVE HORIZ. MULLION IN CENTER TO MATCH APPEARANCE OF DOUBLE HUNG WINDOWS.
- (*) NOTE: ALTERNATE WINDOW MANUFACTURER FOR CUSTOM WOOD WINDOWS IS FORTH STREET WOODWORKING, EMERYVILLE OR FRAMEWORKS, OAKLAND.

DOOR SCHEDULE

NO.	SIZE (W x H)	TYPE/MFR	MATERIAL	FINISH	HARDWARE	REMARKS
A	OMIT					
B	2'-6" x 6'-8"	SINGLE PANEL	1 3/8" SC. WD.	PAINTED	PRIVACY	SALVAGE (E) IF POSSIBLE
C	2'-6" x 6'-8"	"	"	"	PASSAGE	SALVAGE (E) IF POSSIBLE
D	PR. 3'-0" x 6'-8"	FRENCH IN-SWING SIERRA PACIFIC	CLAD WOOD	MFR'S PAINT	ENTRANCE LOCK	TEMP. GLASS
E	2'-6" x 6'-8"	SINGLE PANEL	1 3/8" SC. WD.	PAINTED	PRIVACY	
F	2'-6" x 6'-8"	"	"	"	PRIVACY	
G	2'-6" x 6'-8"	"	"	"	PASSAGE	
H	2'-6" x 6'-8"	POCKET	"	"	PRIVACY	
J	2'-4" x 6'-8"	SINGLE PANEL LOUVERED	"	"	PASSAGE	IF NOT LOUVERED, 1" UNDERCUT AT FURNACE CLOSET
K	2'-6" x 6'-8"	POCKET	"	"	PRIVACY	
L	2'-6" x 6'-8"	SINGLE PANEL	"	"	PRIVACY	
M	2'-6" x 6'-8"	"	"	"	PRIVACY	
N	2'-6" x 6'-8"	"	"	"	PASSAGE	
P	2'-6" x 6'-8"	"	"	"	PRIVACY	
Q	PR. 2'-6" x 6'-8"	SLIDING	1 3/8" HC. WD.	"	"	
R	2'-6" x 6'-8"	SINGLE PANEL	1 3/8" SC. WD.	"	PRIVACY	
S	2'-6" x 6'-8"	"	"	"	PRIVACY	1" UNDERCUT AT TOILET

DOOR NOTES

- WEATHERSTRIP ALL EXTERIOR DOORS.
- ABBREVIATIONS: SC. WD. = SOLID CORE WOOD
HC. WD. = HOLLOW CORE WOOD
S.P. = SINGLE PANEL INTERIOR DOOR BY SIMPSON OR EQ. (AVAIL. AT TRUITT & WHITE LUMBER,



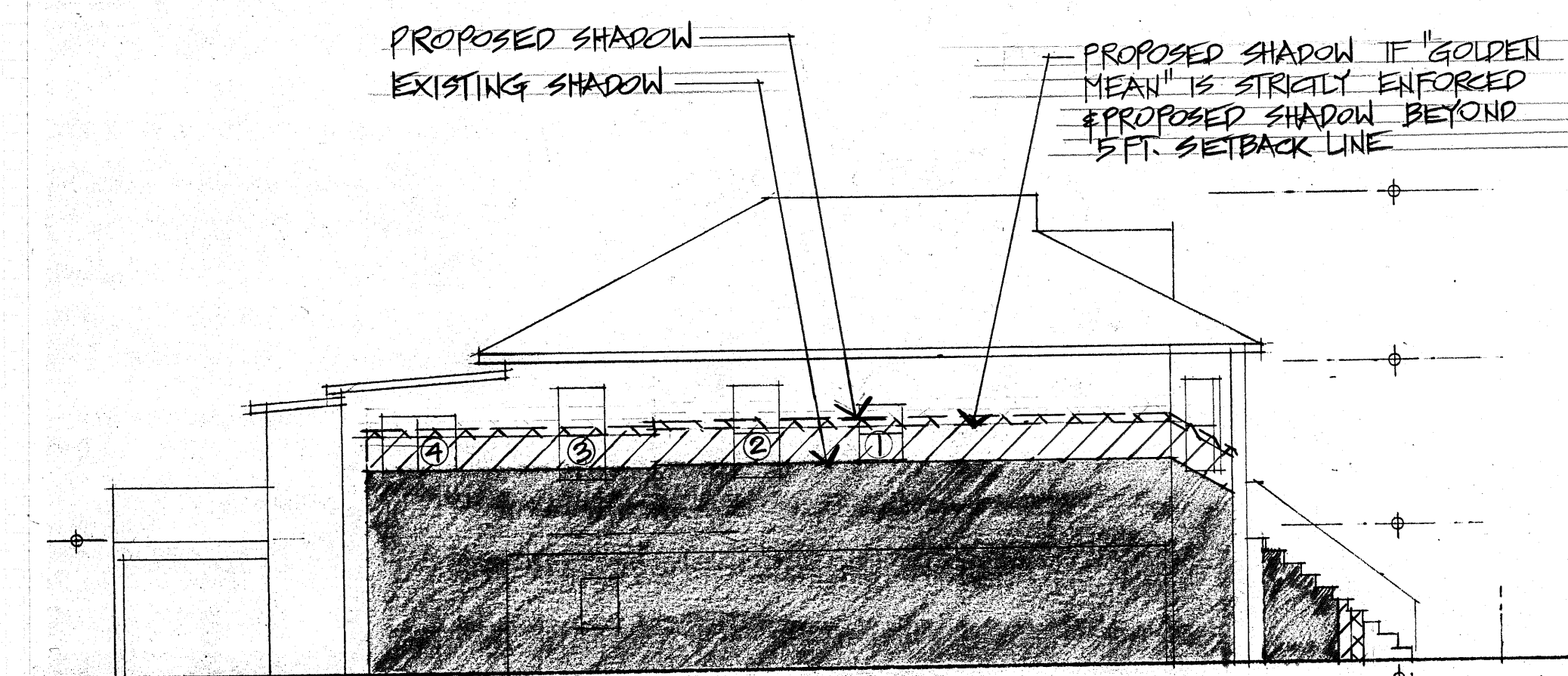
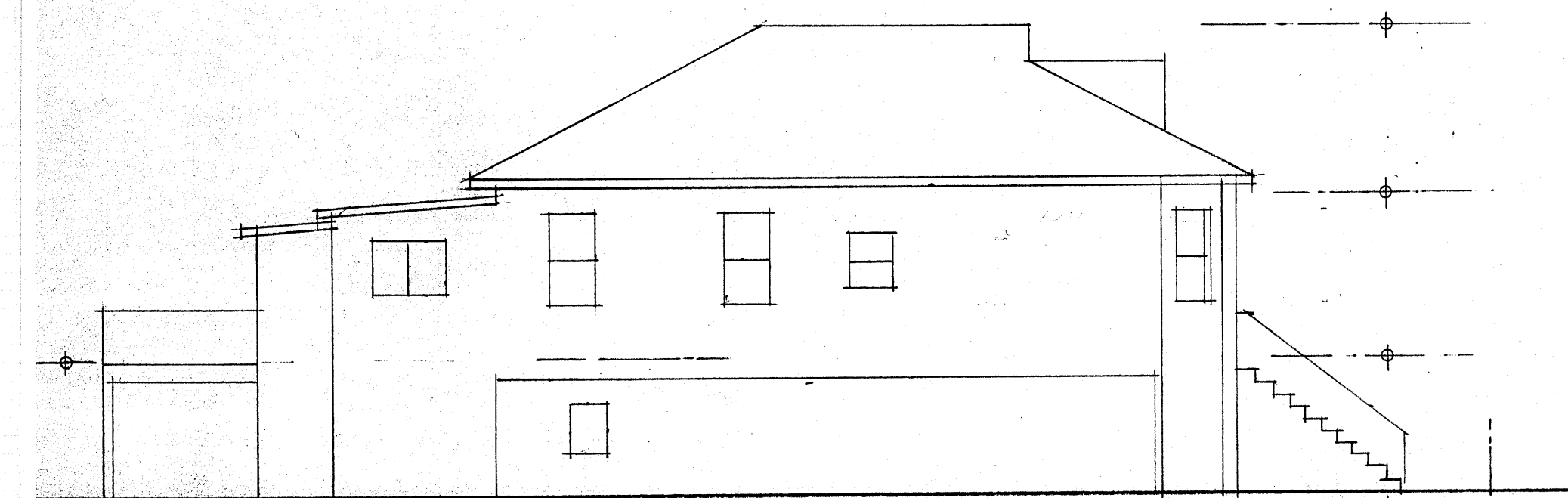
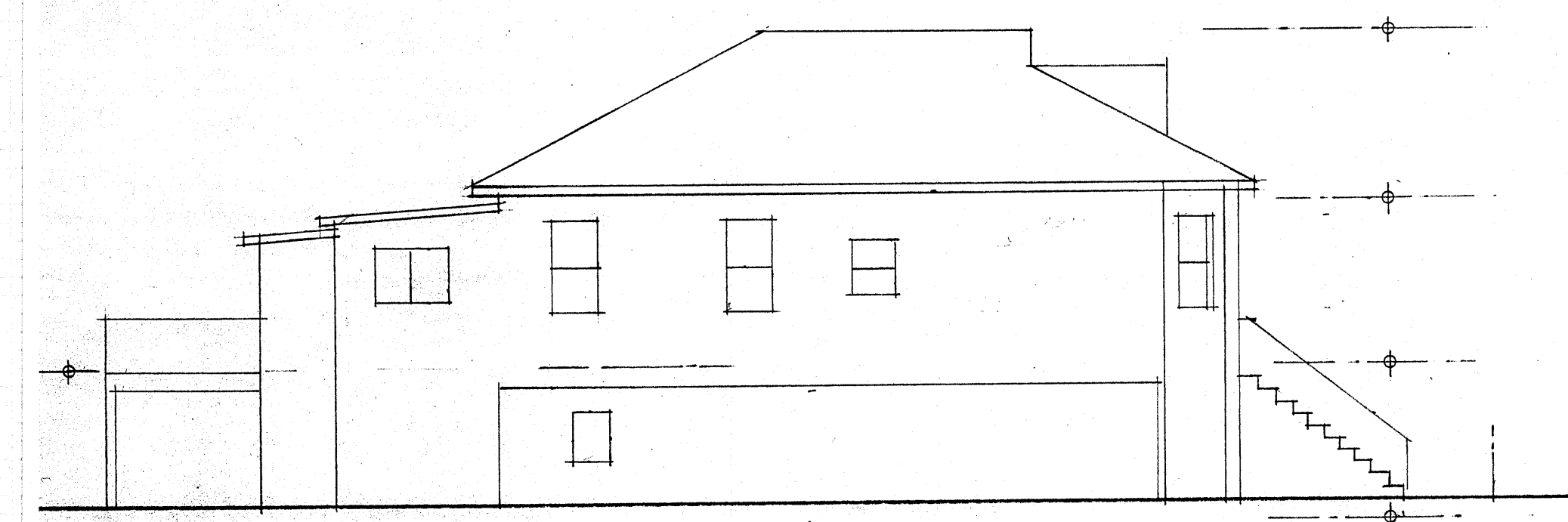
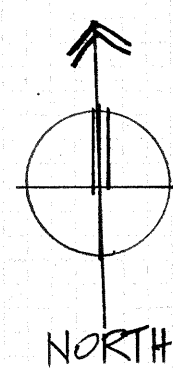
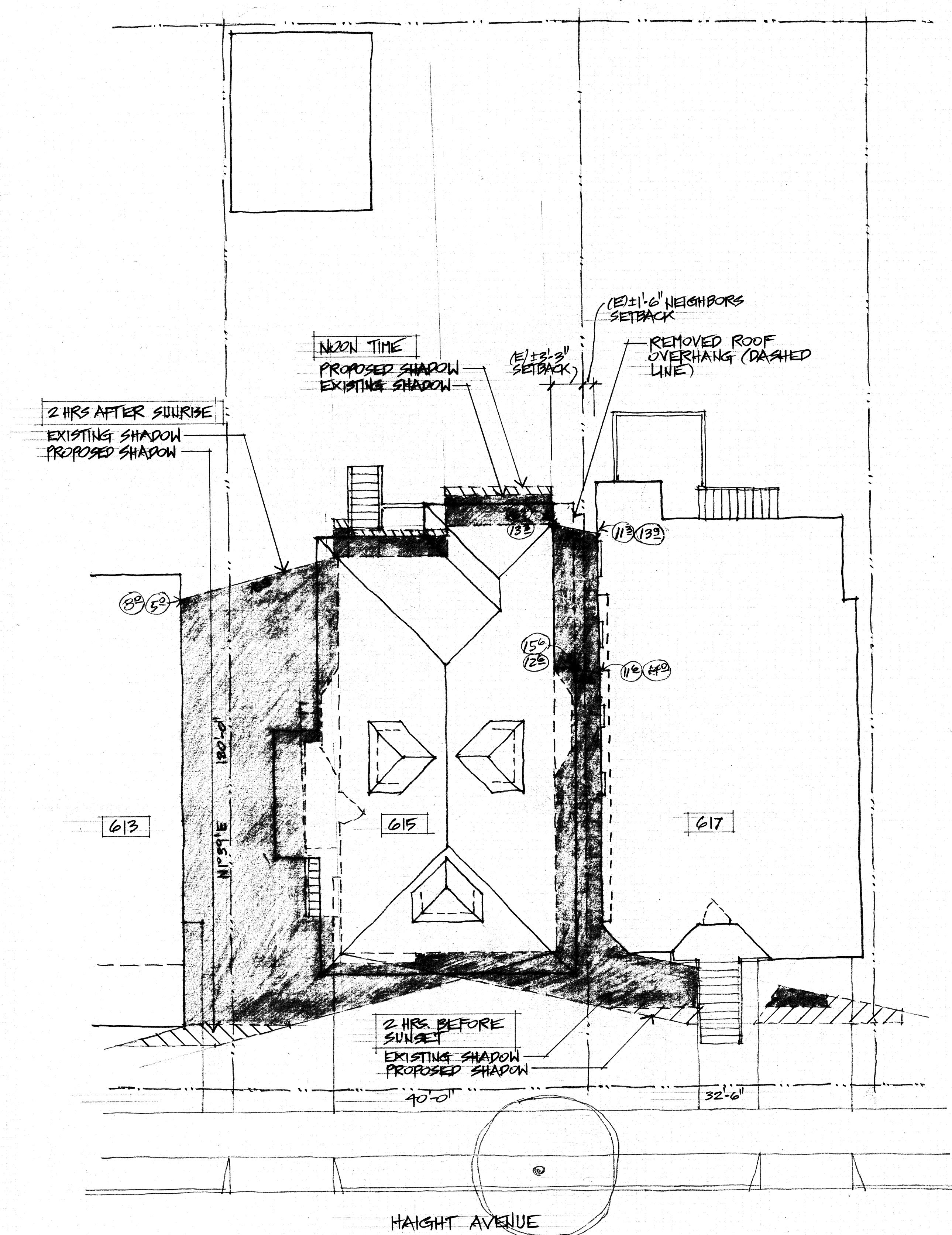
REVISIONS	BY

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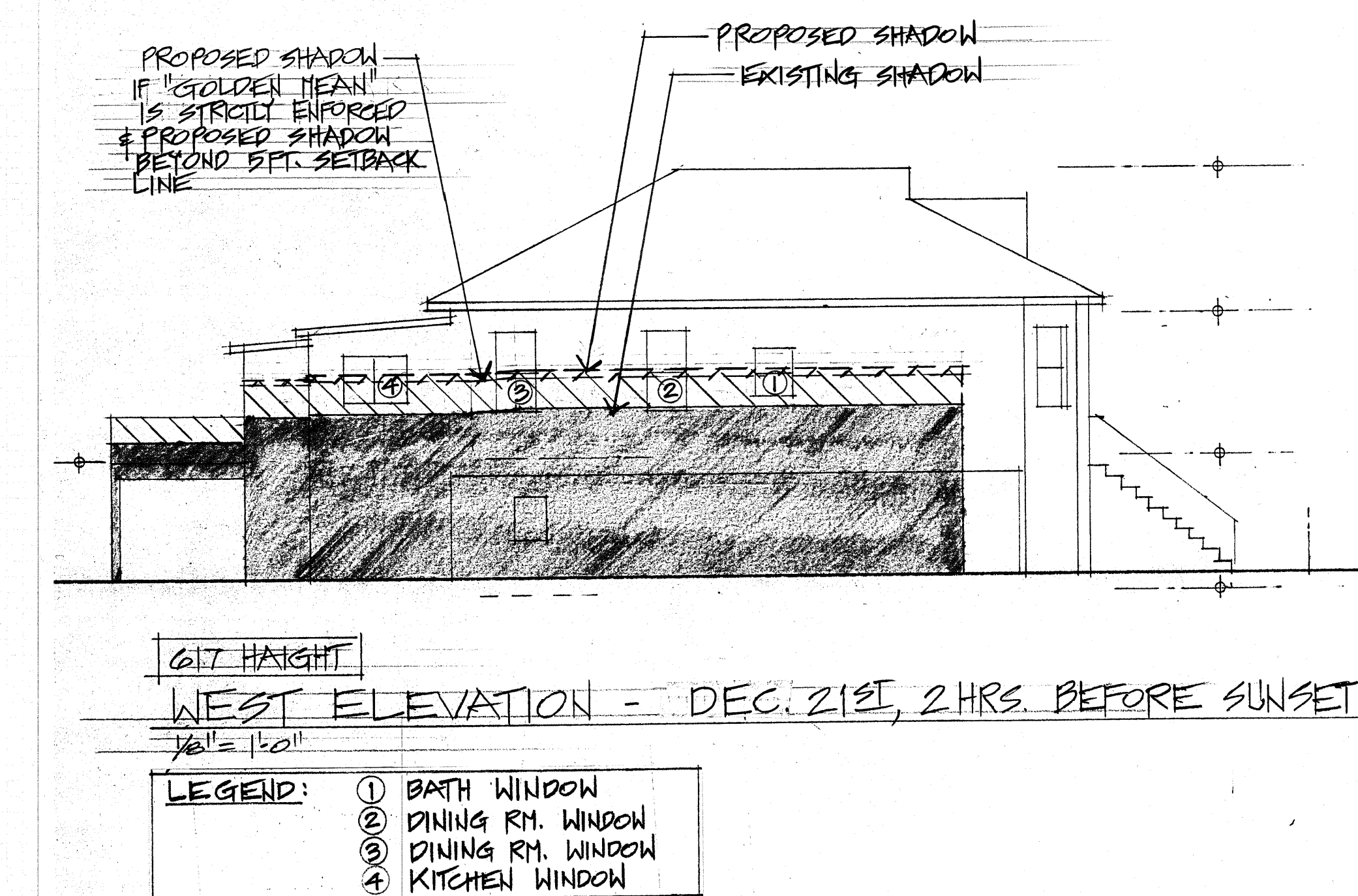
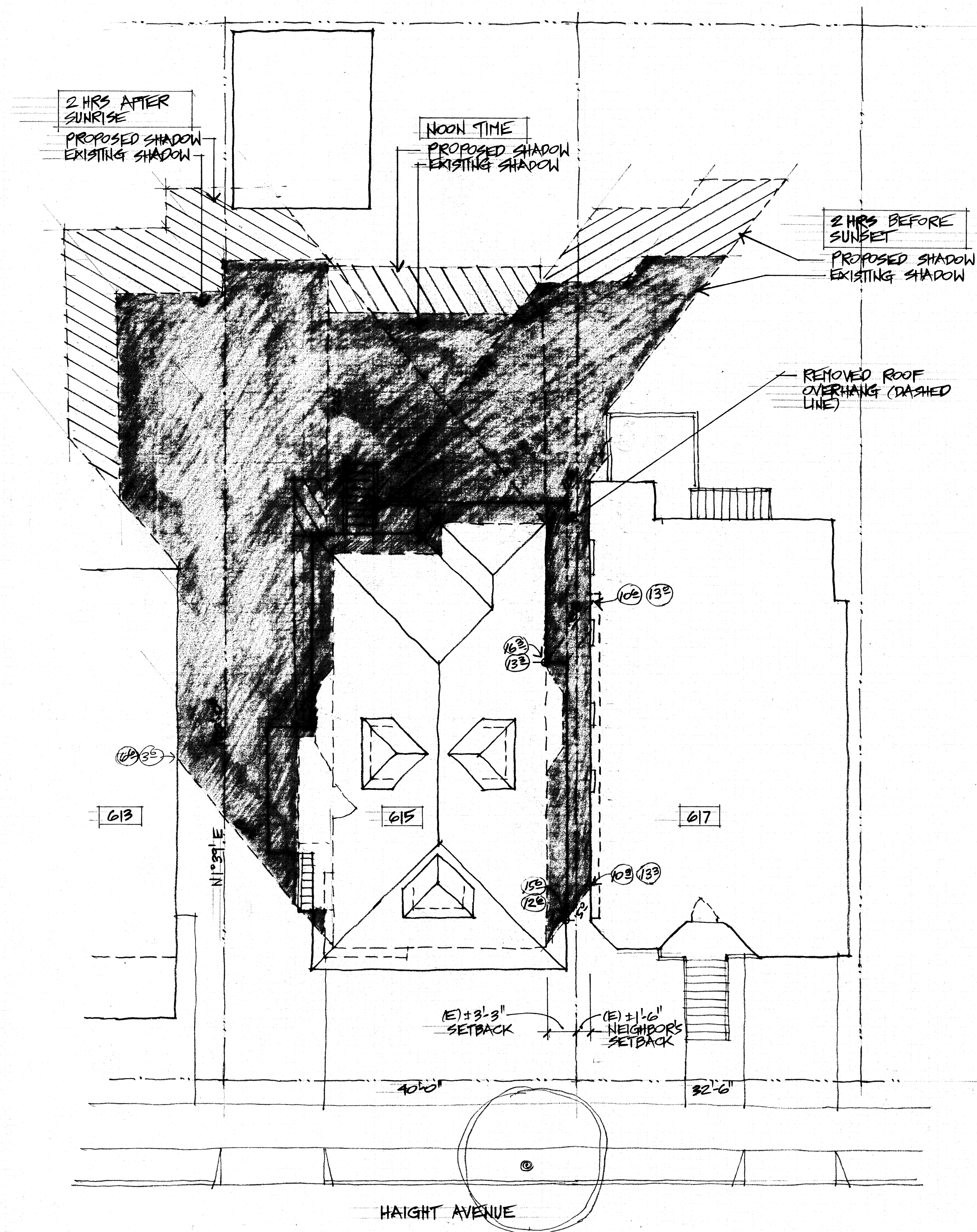
OWNER:
MELANIE & JOE SNELL
615 HAIGHT AVENUE ALAMEDA, CA 94501
(510) 599-3495
melaniesnell@gmail.com


PROJECT:
**RESIDENTIAL LOWER FLOOR
CONVERSION & REMODEL**
615 HAIGHT AVENUE
ALAMEDA, CALIFORNIA

Date **9/22/15**
Scale **AS NOTED**
Drawn **S. MENZI**
Job **SNELL**
Sheet
A4
Of Sheets



<p>PROJECT: RESIDENTIAL LOWER FLOOR CONVERSION & REMODEL 615 HAIGHT AVENUE ALAMEDA, CALIFORNIA</p>	<p>OWNER: MELANIE & JOE SNELL 615 HAIGHT AVENUE ALAMEDA, CA 94501 (510) 595-3495 melaniesnell@gmail.com</p>	<p>ARCHITECT: STEFAN MENZI AIA 526 44TH STREET OAKLAND, CA 94609 ph. (510) 852-0252 fax (510) 465-2837 smenzi@pacbell.net</p>	<p>REVISIONS</p>	<p>BY</p>



REVIEWS		E	
<p>PROJECT: RESIDENTIAL LOWER FLOOR CONVERSION & REMODEL 615 HAIGHT AVENUE ALAMEDA, CALIFORNIA</p>		<p>OWNER: MELANIE & JOE SNELL 615 HAIGHT AVENUE ALAMEDA, CA 94601 (510) 599-3495 melaniesnell@gmail.com</p>	
<p>ARCHITECT: STEFAN MENZI AIA 528 44TH STREET OAKLAND, CA 94609 ph. (510) 852-0252 fax (510) 466-2637 smenzi@pacbell.net</p>			
<p>Date 3/22/15</p> <p>Scale AS NOTED</p> <p>Drawn S. MENZI</p> <p>Job SNELL</p> <p>Sheet</p>		<p>Of  Sheet</p>	

David Sablan

From: Melanie Snell <melaniesnell@gmail.com>
Sent: Tuesday, November 03, 2015 11:42 PM
To: Bao-Long Nguyen-Trong
Cc: Anh-Thu Nguyen; snelljoe1979@gmail.com
Subject: Re: Rear addition feedback

Hi Anh and Bao-Long,

Thank you for your thoughtful response and suggestions--we appreciate you being willing to share them with us even though we haven't been able to find a time that works for everyone to meet.

We have looked carefully at your suggestions, and our architect has explained to us what you are proposing and how it would affect our design. We have spent a lot of time looking at our design, looking at various options, and trying to accommodate your requests without jeopardizing what we are trying to achieve. We would love to be able to have your full support, in which case the City Staff say neither of us will have to speak or present at the next Planning Board meeting--our item will just be part of the consent calendar.

To this end, we are willing to agree to your request that we reduce the size of the window above the stairwell to match the other windows on the East side. Our architect explained that if we do this, the window will be a clerestory window above the stairwell and there will be no vantage point that would create any privacy concerns.

The second suggestion about moving the stairwell is more problematic, however. By agreeing to pursue a rear addition rather than increase the height of our home and build within the existing footprint, we are sacrificing a large portion of our yard. When discussing our proposal to build a rear addition with a couple of different local realtors, they both said that it will be important for us to maintain as much of our yard as possible. In order for us to accommodate your request, we would have to encroach even further into our backyard.

Furthermore, moving the stairwell back and then changing the orientation of the stairs which would be necessary has an impact on the rest of the floor plan both on the first and second floors. In addition to sacrificing our yard with this new proposal, we have also lost one additional bedroom and bathroom. Changing the orientation of the stairs jeopardizes the additional bedroom and bathroom that remain on the first floor.

We understand you to say that you are aware that your kitchen window will be impacted regardless of whether we move the stairway or not, and that you are trying to reduce the impact to the window immediately South of that. However, when we look carefully at our current proposal and how it aligns with your residence, it appears that our proposal as it stands does not directly affect that window to the South. Our architect originally designed a layout that had the stairs running from North to South along the Western wall. However, we realized that the roof necessary to cover this stairwell would have aligned with that dining room window, and he redesigned the layout to limit the impact to just one window. Unfortunately, we do not see a way to move the stairs again without sacrificing more of our yard or the additional bedrooms and bathrooms that remain.

We hope that you will understand our process as we have made these tough decisions, and that you will still support our new proposal to build the rear addition. We would be open to meeting to determine if we can come to a consensus while moving forward. We could be available Thursday between 10-2 or Friday morning this week.

Best,
Melanie and Joe

On Sat, Oct 31, 2015 at 12:17 PM, Bao-Long Nguyen-Trong <baolong@nguyentrong.com> wrote:
Dear Melanie & Joe,

As we were not able to setup some time that works with everyone's schedule, I am writing you this email with our feedback to the preliminary designs you sent us.

I wanted to start with again thanking you for sending your preliminary plans and for clarifying the reasoning of your design. We definitely appreciate this open dialog and have noted the choices you made to reduce the impact of your project to our property.

Upon reviewing the plans, one concern came up that I am hoping we can work out to everyone's satisfaction. In this new design, the stairwell stands on the existing structure and goes back 7'4". This results in the stairwell facing directly our last window on the West side and being close to the next window over to the South. With that configuration, the impacts would be about privacy, loss of view on the last window and shadow on both windows.

* Privacy

I am sure privacy is a concern for you as well and we would like to suggest installing obscure glass on the stairwell window. Moreover, we are a bit confused about its size. You mention in a previous email that the window would be a small one high above however the plans show a big window. In any case, we want to suggest a small window similar to the other ones on that side and level of the building on top of the obscure glass.

* View & Shadow

We understand your choice of the connection between the 1st level and 2nd level starting within existing structure. However, with this new design, the view from our last window would be completely obstructed. Moreover, there would be a shadow impact on both that last window and the one over to the South.

In order to minimize these impacts and maintain the spirit of your design, we would like to suggest aligning the South wall of the stairwell with the one of the master bedroom. This would reduce how much the stairwell goes back into the existing structure by 3'4". There would still be both a view and shadow impact on our last window but that would practically remove the impacts on the window South of it.

Our architect says that this can be done in various ways. The most obvious ones would be by shifting the East side of the expansion by that much and/or having the stairs turn left as you go up instead of turning right. In any case, we can have the architects discuss the technical details in a future meeting, maybe next week?

We are aware and sensitive of the timing in this process being an important factor. We are hoping we can work our suggestions into your designs and come to a consensus. Once reached, we would be happy to bring our support to your design and help expedite its approval. We would be happy to write a letter of support to the City and if the need arise, talk in front of the Planning Board in your favor.

Best,

Anh & Bao-Long