

RE: Response to the applicant from 8/14/23 for 16220 Harwood Rd

1. The applicant is correct that he dropped off early plans for the house in October 2022. It was less than a one minute exchange where he said he was required to deliver these to us and had us sign something saying we received them. We do not dispute this. However, we also would not say this was any type of conversation about the proposed development but rather the minimum interaction and communication as required by the process. As a result, we did not know that our concerns needed to be raised to the applicant directly.

The community of neighbors had spoken during the course of the past 6-8 months on several occasions, as it was our understanding that the place to raise our concerns was at the DRC meeting. None of the neighboring lots understood that by the time it got to the DRC most of the work was already approved and that a decision was to be made that day. We all thought it was the beginning of what would be a few exchanges leading to a solution we were all comfortable with the final proposed development. While most of us would have preferred to see the lot remain a school (and we know there was an offer to lease or buy the land to keep it a school within the past year), we also do recognize the need for housing. But the neighbors did not feel like we were included in the process.

We have not had a house built next to us before and did not understand the onus was on us to reach out directly to the person developing the land. The last time we had development in the community beyond a proposed remodel to an existing house was the addition and construction of Almond Blossom Ct, Sebastian Ct and Gemini Ct in the late 1980s and early 1990s. During that process, the developers had many interactions and meetings with the neighbors. And when a second story was proposed and eventually added at 16226 Harwood Rd, again – many meetings and revision to plans were made with the neighbors inputs.
2. Regarding comments made on NextDoor, people are allowed to voice their opinions. Nothing stated is inaccurate and we still that the development a 2500-2700 sqft home would be welcome on Parcel B. There are not many other 3000 sqft homes – and NO 3600+ sqft structures in the immediate area. The comments are not in correct or misleading and quite frankly are irrelevant to this process. The applicant could have reached out to discuss concerns – but chose not to.

And when we talk about the Belwood/Belgatos neighborhood, we are not referring just to the homes immediately next to new homes but ones within a slightly larger zone (up to about 500 feet – and not going to into San Jose on the East side).

Homes in this range are noted below: , with most being in the 2500 – 2700 sqft range and many single story homes

Address	Year built	Square foot	Important note:	Comment
101 Almond Blossom Ct	1987	3358	borders Parcel B & C	

					notably left out of the applicants list provided to the town. We welcome a single story this size plus JADU.
103 Almond Blossom Ct	1979	single story	2544	borders Parcel B & C borders Parcel B	
105 Almond Blossom Ct	1979		2923	Attended DRC and voiced concerns	
100 Almond Blossom Ct	1987		2596	Views on hills to West effected by second story of house	
				They are bothered by this development since the town had previous denied their request to build a second story to their home – instead they expanded their ranch style home to fill the lot within the town guidelines	
102 Almond Blossom Ct	1979	single story	3227		we welcome a 3200 single story home on the lot
104 Almond Blossom Ct	1979		2932		
106 Almond Blossom Ct	1979		3100		
				Directly across the street from Parcel A	
103 Almond Blossom Ln	1987		2756	Attended DRC and voiced concerns	
105 Almond Blossom Ln	1987		2756	Directly across the street from Parcel B	
					Recently sold – no one to make comment as new owners have not moved in
189 Belwood Gateway	1967		2448	Across from parcel A	
188 Belwood Gateway	1967		2448	Across from parcel A	
187 Belwood Gateway	1965	single	2850		
186 Belwood Gateway	1967		2448		
185 Belwood Gateway	1967		2448		
184 Belwood Gateway	1967	single	2468		
					Most recent major remodel in the Belwood/Belgatos neighborhood
183 Belwood Gateway	2008		2754		

102 Belvale	1967	single	2224	Attended DRC – has concerns
103 Belvale	1967		2448	
106 Belvale	1967	single	2144	
107 Belvale	1967		2448	
110 Belvale	1967	single	1916	
100 Belvue Dr	1965	single	2104	
101 Belvue Dr	1965	single	1430	
104 Belvue Dr	1965	single	2120	
105 Belvue Dr	1965	single	1744	
100 Bacigalupi Dr	1968	single	1400	~300 ft from Parcel A
101 Bacigalupi Dr	1968	single	2248	

To our knowledge, none of these homes include additional JADU in their square footage and all but three remain smaller than 3100. Homes adding JADUs in the neighborhood –as is their right – are mostly adding second freestanding single story structures.

3. We have a better understanding on the California Law now regarding ADUs than we did a few weeks ago. We are not asking the applicant to not have an ADU at all. However, it is deceiving to continue to say a structure is 3100 sqft when in fact it will be over 3600 sqft once the JADU is permitted. And as the JADU is supporting the second story, the proposed house cannot be built without it without a complete home redesign.
When directly asked why the applicants house feels so much bigger than our home and the surrounding homes, the applicant claimed he did not know. But the applicant did – because the story poles included the JADUs which add 500 sqft that is supporting the second story and pushing more of the structure upwards. It was not a very open, honest conversation with the community. Again, we recognize a JADU is the applicants right, but it impacts the overall size of the second story and raises the most concerns.
4. Regarding setbacks, we do not feel that the setbacks and balcony on your flag lot are in line with the towns Residential Guidelines as they pertain to the Belwood Belgatos neighborhood.
5. When the houses were built at 16224, 16226 and 16228 Harwood Rd, it was 40 years ago and Almond Blossom Ct and Sebastian Ct did not even exist. And when those Courts were added and built at the edge of the Belwood/Belgatos neighborhood, the design was approved based on the fact that there was NOT another house directly behind it which made its size and design possible. When those houses were to be added, there were several community meetings and neighbors felt included in the conversations about design, windows and trees to be planted to maximize privacy for all involved.
6. The applicants house on Parcel B is the only flag lot in the Belwood/Belgatos neighborhood that we can find. 16226 is not a flag lot. The driveway is a shared easement, with space taken out of

each of the property lots of 16224 and 16228 overall buildable/usable total. The three houses also need to work together to maintain the shared driveway.

This is VERY different from a private driveway to a single home. We would have liked to have seen the property at 16220 divided into a similar shared easement with the exit to the shared driveway onto Almond Blossom Lane. We would welcome this change to the lot.

7. The issue is not only related to visibility to adjacent property windows. Our family has lived here for 40 years with a certain level of privacy in both the home and the back yard. The close proximity of the front of the Lot B house to our properties will drastically change the privacy we expect.
8. X 102 Almond Blossom Ct is a 3200 sq foot single story home – we welcome a 3200 sq foot single story home on Parcel B. The owner of 105 Almond Blossom Ct ([REDACTED]) is not at all happy with this development and attended the DRC to voice her concerns. (She cannot attend the planning commission meeting due to a previously planned vacation)
9. This is inaccurate. Only part of the proposed house is to the left – and this is because they needed to move it to the left due to the required setbacks from the neighbor at 16226 Harwood Rd. The window at the stairs is directly behind our property and is 25' from the fence line, not 60' as the applicant claims. The location of windows was not done as a design with our house specifically in mind. That said, based on the story poles Parcel B is directly behind all but the far two upper windows of 16224 Harwood Rd. And the upper portion of Parcel B not only impedes privacy (not just of our house but of the 6 neighboring houses) but also blocks all of the mountain views to the East for 16224, 16226 and 16228 Harwood Rd.
10. This is inaccurate. The applicant knows several members of the community attended the DRC meeting (which is very hard to do on a weekday at 10am). We have had conversations with the neighbors for months. As we shared the most property line with Parcel B, we agreed to be the person to represent their comments and concerns. We did not realize that the QUANTITY of voices was relevant. Upon learning this, we encouraged them to send in any comments via email to the planning commission so they understood that it was not just one concerned household but many. Again, the community thought the place to bring our concerns was to the DRC meeting to start a conversation – not that everything was already done and approved with a final decision to be taken at that meeting.
And this does not even count the numerous walkers (Harwood is a very popular hill) who see us out front working in the yard and stop to ask us questions about the proposed development on the lot. Most people were shocked to see three homes being built there and commented on the large footprint they appeared to have – many sharing stories about how they will miss the school and the service it provided to the community, their kids and their grandkids. Others are concerned that this sets a precedent for the overdevelopment of other lots in the neighborhood in the future.

11. The residents at 16226 Harwood Rd are EXTREMELY concerned about privacy as the Parcel B balcony and master bedroom are aligned with their master bedroom and existing balcony, albeit slightly lower. (They are unable to attend the meeting due to work travel overseas)
12. Every plan we see has a different landscape and tree plan. Trees are being added and removed without any notification or revisions on the plan and are inconsistent from page to page. It is hard to tell what is actually proposed to be planted, and we welcome updates on this matter.
13. On this point, we simply noted to the DRC and planning council that people do not stop at this stop sign. Without Parcel A, people can see down Almond Blossom Dr better and proceed safer. In addition, the driveway into the school from Harwood Rd was always a one-way entrance, with traffic exiting on to Almond Blossom Ln.
Now Parcel B is adding an active private driveway with limited visibility. (Remember what we said about the quantity of walkers on Harwood Rd). We simply wanted to point out this possible concerns to the planning committee who does not live here and see the activity on a daily basis.
14. We do not believe that we are asking the town to ignore their residential guidelines at all – we feel a few are specifically not being followed. For example, the 2nd story balcony could be ruled as not consistent with the Town's Residential Design Guideline 3.11.2: Minimize privacy intrusion on adjacent residences. Second floor balconies and decks should be used only when they do not intrude on the privacy of adjacent neighbors. In addition, part of guidelines are the letter of the 'guidelines' vs. the spirit of the 'guidelines'. Had the applicant had open exchanges/conversations with the adjacent neighbors as was recommended by the city planners, some of this could have been identified and mitigated at an early time. But not attempts were made, nor has any outreach occurred since the DRC.
15. While the architect reviews for design comments, we are unclear if the flag lot location of Parcel B was taken into consideration or Town's Residential Design Guideline 3.11.2: Minimize privacy intrusion on adjacent residences would have been taken into account.
Had the applicant included any of the neighbors in the lengthy planning process with architects and the city, we could have identified the areas that raised the most concerns and tried to work together to find compromises or solutions the immediate neighbors all agreed to. The applicant chose not to.

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