



# City of Sunnyvale

## Memo

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TO: Planning Commission  
FROM: Shila Bagley, Project Planner  
RE: 1585 Mallard Way, DR (PLNG-2023-0668) Changes to Staff Report and Attachment 5

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On April 3, 2024, the city received the finalized Appeal Letter 1, from 1579 Mallard Way, which highlighted an error concerning the depiction of the appellant's roof. This discrepancy means that there is a miscalculation in the percentage of roof area that would be shaded by the proposed second-floor addition.

The staff report was updated to acknowledge the error and included an estimated shade percentage. The applicant was also notified to revise the solar analysis and recalculate the percentage of shading.

On April 8, 2024, the city received the updated solar analysis from AMS Design with additional information provided through a before and after analysis. According to the updated solar analysis, the proposed second story would not cast shade on the adjacent roof (1579 Mallard Way). Therefore, the project is compliant with the shadow access requirement outlined in SMC 19.56.020.

The purpose of this memorandum is to correct information in the staff report and project plans. Below is the correction to page 5 of the staff report. Additionally, the updated Shadow Study has been added in the corrected Site and Architectural Drawings (24-0468 Corrected Attachment 5 (posted 20240408)).

Furthermore, Attachment 11 (Appeal Letter 3 with Supporting documents) was corrected to include an email from the appellant on March 11, 2024. See 24-0468 Corrected Attachment 11 (posted 20240405).

### **Staff Response to the Appeals**

#### **Appeal 1**

1. Solar Study/Obstruction of Natural Light:

*The April 8 updated Solar Study shows the before and after shadow impacts on the adjacent property. The analysis shows the proposed second story would not cast a shadow on 1579 Mallard Way. There is a two (2) percent shadow from the one-story portion of the existing building. Therefore, the proposed project complies with the ten percent maximum shading that is allowed by the Sunnyvale Municipal Code (SMC) 19.56.020. Additionally, adequate solar, light, and air access will be provided through the increased second-floor setbacks and distance between the proposed second-floor addition and the neighboring home.*

### **ATTACHMENTS**

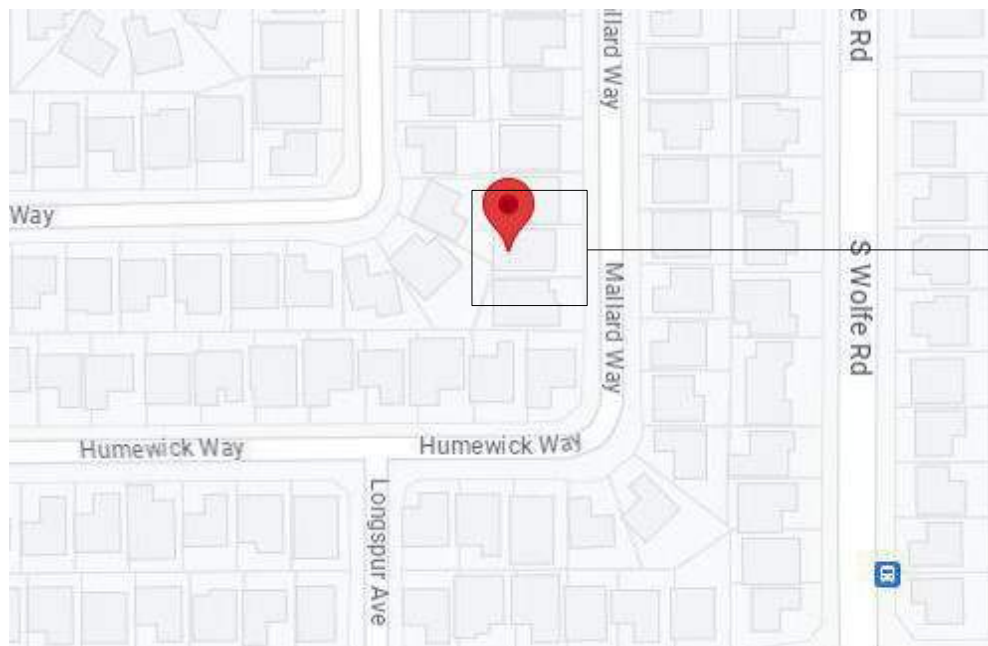
24-0468 Corrected Attachment 11 (posted 20240405)

24-0468 Corrected Attachment 5 (posted 20240408)

# 1585 MALLARD WAY.

## SUNNYVALE, CA 94087

### VICINITY MAP:



PROPERTY LOCATION / NTS

### PROJECT DATA:

ASSESSOR'S PARCEL NUMBER: 309-31-071  
PROJECT TYPE: ADDITION & REMODELING  
PROJECT LOCATION: 1585 MALLARD WAY.,  
SUNNYVALE, CA 94087

ZONING: R0  
OCCUPANCY GROUP: R - 3 / U  
CONSTRUCTION TYPE: V - B  
NUMBER OF FLOORS: TWO (2) STORY  
FIRE PROTECTION: AFES REQUIRED

### PROJECT CONTACT:

OWNER: SUYASH JAIN & RAMYA SARANGARAJAN  
1585 MALLARD WAY, SUNNYVALE 94087  
SUYASHBARJATIYA@GMAIL.COM  
RAMYASRAJAN@GMAIL.COM

DESIGNER: AMS DESIGN  
(415) 254-1606  
4010 MOORPARK AVE#101, SAN JOSE, CA 95117  
AZADEH@AMSDESIGNLLP.COM

STRUCTURAL: AMS DESIGN  
(415) 254-2634  
4010 MOORPARK AVE#101, SAN JOSE, CA 95117  
ARMIN@AMSDESIGNLLP.COM

### AREA CALCULATION:

"E" LIVING AREA:	1462	SQF
"EX" GARAGE:	437	SQF
"E" TOTAL BUILDING:	1899	SQF
"N" 1ST FLOOR LIVING AREA:	1930	SQF
"N" 2ND FLOOR LIVING AREA:	522	SQF
"N" TOTAL LIVING:	2452	SQF
"N" GARAGE:	414	SQF
"N" TOTAL BUILDING:	2866	SQF
"N" FRONT COVERED PORCH:	41	SQF
LOT AREA:	5974	SQF

2ND FLOOR TO 1ST FLOOR RATIO:  $522/(1930+414)=22.2\%$

FLOOR AREA RATIO (FAR):  $(2866/5974) \times 100 = 47.9\%$

LOT COVERAGE:  $(1930+414+41)/5974 \times 100=39.9\%$

### DRAWING INDEX:

A-00.01:	COVER SHEET / PROPOSED SITE PLAN
DE.01:	DEMO PLAN
A-00.02:	SHADOW STUDY
A-00.03:	SHADOW STUDY
RA-01.01:	EXISTING FLOOR PLAN / EXISTING ELEVATIONS
A-01.01:	PROPOSED FLOOR PLANS
A-02.01:	PROPOSED ROOF PLAN / STREETSCAPE ELEVATION / EXTERIOR MATERIAL SCHEDULE
A-03.01:	PROPOSED ELEVATIONS
A-03.02:	PROPOSED ELEVATIONS
A-04.01:	PROPOSED SECTIONS
A-05.01:	FLOOR AREA DIAGRAM

### CODE EDITIONS:

A. CALIFORNIA RESIDENTIAL:	2022 EDITION
B. CALIFORNIA BUILDING:	2022 EDITION
C. CALIFORNIA MECHANICAL:	2022 EDITION
D. CALIFORNIA PLUMBING:	2022 EDITION
E. CALIFORNIA ELECTRICAL:	2022 EDITION
F. CALIFORNIA ENERGY:	2022 EDITION
G. CALIFORNIA FIRE:	2022 EDITION
H. CALIFORNIA GREEN BUILDING:	2022 EDITION
I. ANY OTHER APPLICABLE LOCAL AND STATE LAWS AND REGULATIONS.	

### SCOPE OF WORK:

-ADDITION AND REMODELING AT FRONT SIDE OF THE HOUSE TO HAVE A NEW BEDROOM INCLUDING CLOSET AND ENLARGE THE LIVING ROOM.

-ADDITION AND REMODELING AT REAR SIDE OF THE HOUSE TO HAVE A NEW KITCHEN FAMILY.

-ADD 522 SQF. NEW 2ND FLOOR.

-BUILDING WILL BE EQUIPPED WITH ALL ELECTRICAL APPLIANCES, AND THE GAS LINE WILL BE ELIMINATED IN ACCORDANCE WITH THE GREEN BUILDING INCENTIVES REQUIREMENTS.

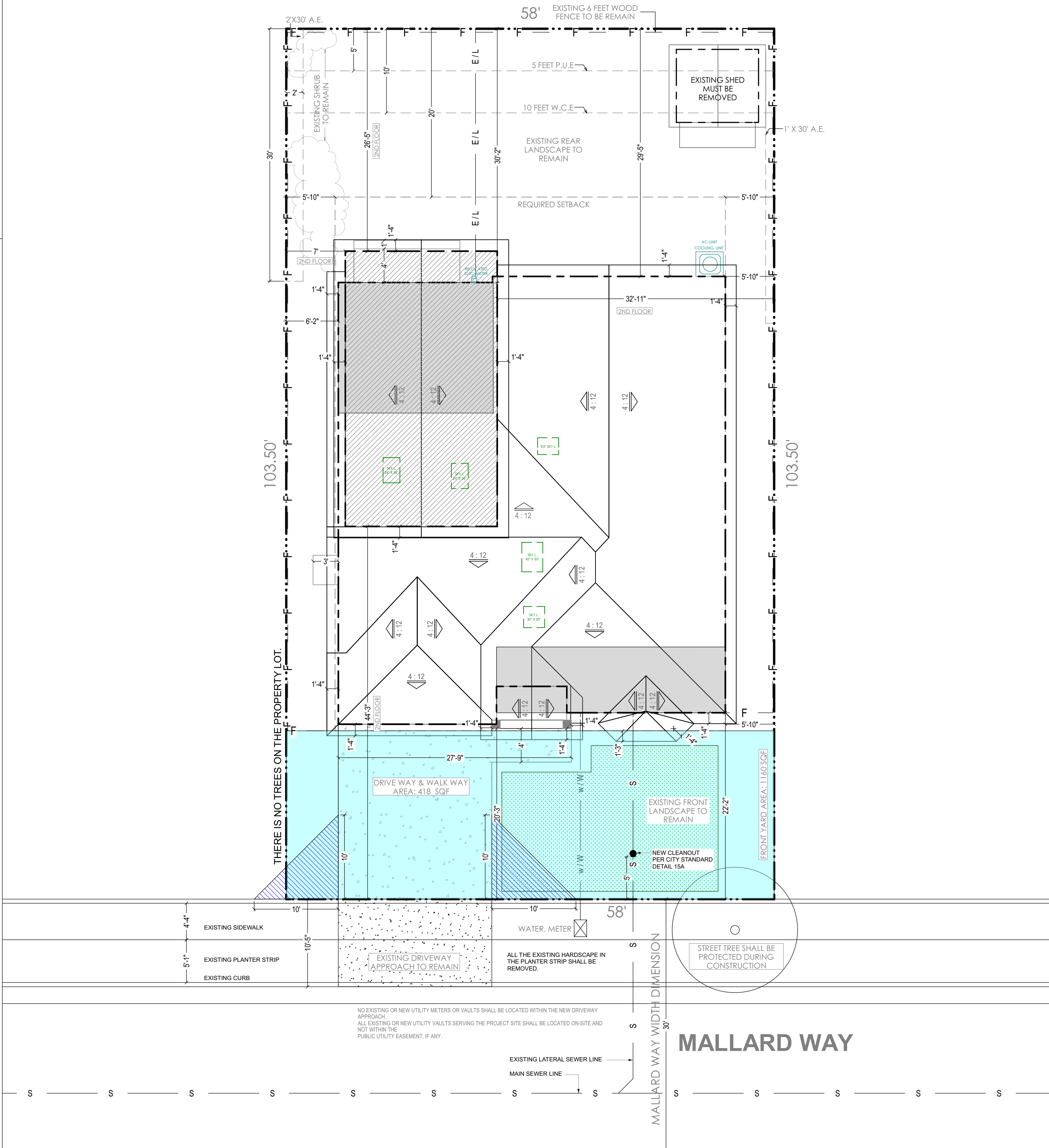
### GENERAL NOTES:

ALL WORK DESCRIBED IN THE DRAWINGS SHALL BE VERIFIED FOR DIMENSION, GRADE, EXTENT AND COMPATIBILITY TO THE EXISTING SITE. ANY DISCREPANCIES AND UNEXPECTED CONDITIONS THAT AFFECT OR CHANGE THE WORK DESCRIBED IN THE CONTRACT DOCUMENTS SHALL BE BROUGHT TO THE AMS DESIGN'S ATTENTION IMMEDIATELY. DO NOT PROCEED WITH THE WORK IN THE AREA OF DISCREPANCIES UNTIL ALL SUCH DISCREPANCIES ARE RESOLVED. IF THE CONTRACTOR CHOOSES TO DO SO HE SHALL BE PRECEDING AT HIS OWN RISK.

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CONSTRUCTION RELATED MATERIALS, EQUIPMENT, ETC. MUST BE STORED ON SITE UNLESS PERMITTED IN ADVANCE BY THE PUBLIC WORKS DEPARTMENT. THIS IS TO AVOID CAUSING SAFETY AND/OR OPERATIONAL ISSUES FOR THE MOVEMENTS OF PEDESTRIANS, CYCLISTS AND VEHICULAR TRAFFIC.



### 1 PROPOSED SITE PLAN

SC: 1/8" = 1'-0"

### FRONT YARD CALCULATION:

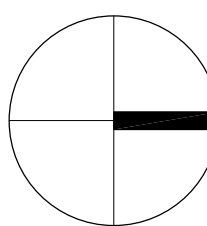
FRONT YARD AREA 1160 SQF  
DRIVEWAY & WALKWAY AREA: 576 SQF  
418/1160=36.03%

### LEGEND:

	FRONT YARD
	NEW ADDITION
	NEW 2ND FLOOR
	DRIVEWAY TRIANGLE VISION
	EXISTING STORAGE TO BE REMOVED
	PROPERTY LINE
	BLDG 1ST FLOOR FOOTPRINT LINE
	BLDG 2ND FLOOR FOOTPRINT LINE
	EXISTING 6 FEET WOOD FENCE

GRAPHIC SCALE: 1/8" = 1' FEET  
0 2 4 6 8 10 20 30

NORTH



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SHEET TITLE:

### COVER SHEET/ PROPOSED SITE PLAN

PROJECT ID: 2303-30

DATE: APRIL.2023

SCALE: 1/8" = 1'

DRAWN BY: S.A.

SHEET NUMBER:

## A-00.01

AMS  
DESIGN

AMSDESIGN

4010 MOORPARK AVE#101,  
SAN JOSE, CA 95117  
TELL: (415)254.1606  
E-MAIL: OFFICE@AMSDSIGNLLP.COM

Azadeh Masrour

THESE PLANS ARE INTENDED ONLY FOR THE ORIGINAL SITE FOR WHICH THEY WERE DESIGNED AND ARE THE PROPERTY OF AMS DESIGN. THESE PLANS ARE PROTECTED UNDER COPYRIGHT LAWS AND MAY NOT BE REVISED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESSED WRITTEN CONSENT OF AMS DESIGN. ANY USE OF THESE PLANS ON OTHER SITES IS PROHIBITED WITHOUT THE CONSENT OF AMS DESIGN. ANY DISCREPANCY DISCOVERED ON THESE PLANS SHALL PRIOR TO COMMENCEMENT OF THE WORK IN QUESTION, ALL WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.

PROJECT NAME:

### MALLARD WAY RESIDENCE

1585 MALLARD WAY,  
SUNNYVALE, CA 94087

REVISION TABLE:

△	REVISION DATE	BY	DEP
01	10/25/23	S.B.	PLN
02	12/14/23	S.B.	PLN
03	01/09/24	S.A.	PLN





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SHEET TITLE:

**DEMO PLAN**

PROJECT ID: 2303-30

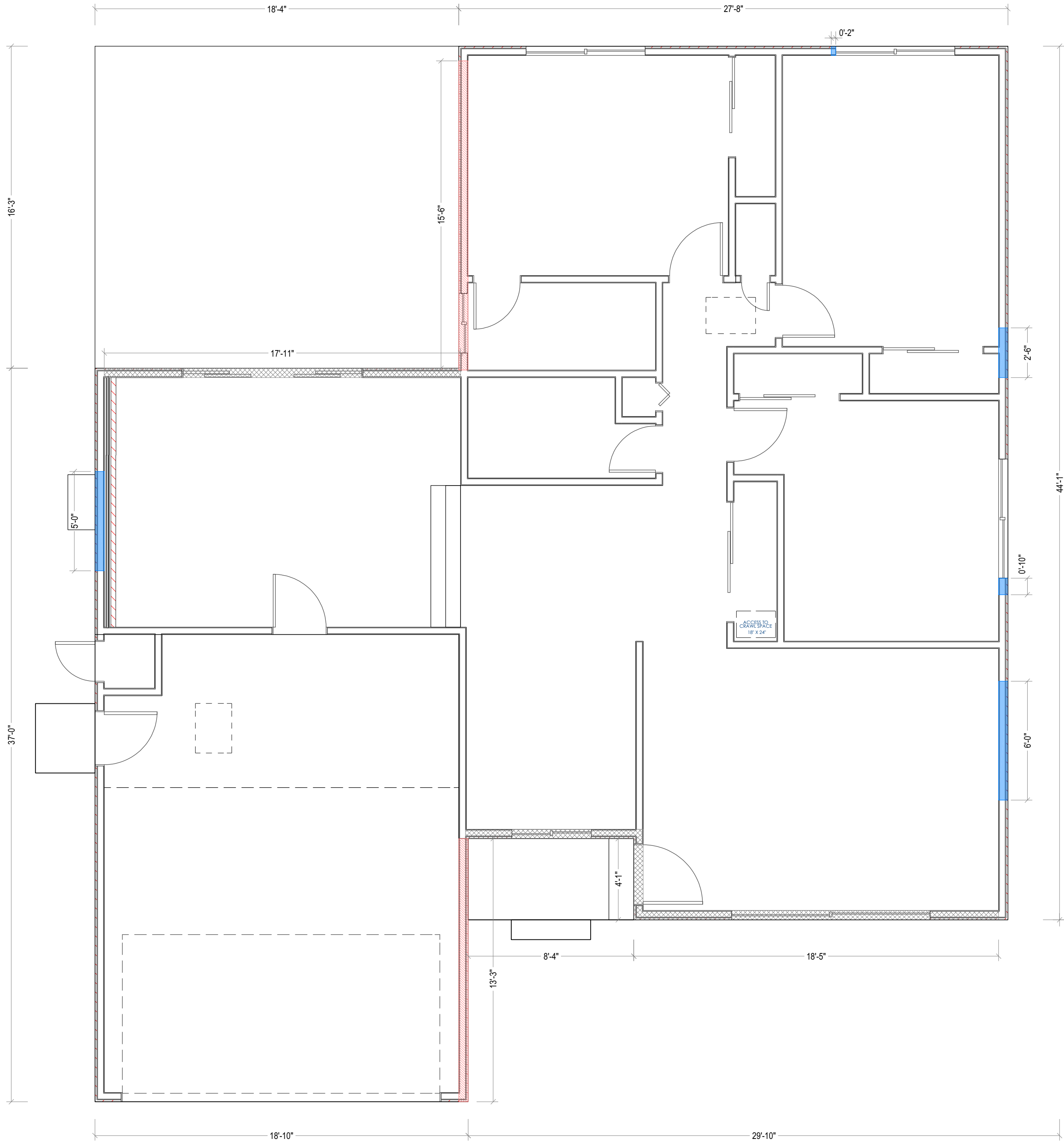
DATE: APRIL 2023

SCALE:

DRAWN BY: S.A.

SHEET NUMBER:

**DE.01**



1 DEMO PLAN  
SC : 1/4" = 1'-0"

TOTAL LENGTH OF EXISTING EXTERIOR WALLS TO BE DEMOLISHED:  
 $17'-11" + 8'-4" + 4'-1" + 18'-5" = 48'-9"$

TOTAL LENGTH OF EXISTING EXTERIOR WALL CONVERTED TO INTERIOR WALL:  
 $15'-6" + 13'-3" = 28'-9"$

TOTAL LENGTH OF OPENING IN EXISTING EXTERIOR WALLS:  
 $6'-0" + 0'-10" + 2'-6" + 0'-2" + 5'-0" = 14'-6"$

THERE IS NO EXISTING WALL TO BE RAISED.

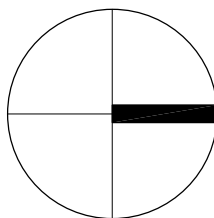
TOTAL LENGTH OF EXISTING EXTERIOR WALLS:  
 $18'-10" + 29'-10" + 13'-3" + 4'-1" + 44'-1" + 27'-8" + 18'-4" + 16'-3" + 37'-0" = 209'-4"$

TOTAL LENGTH OF WALLS THAT ARE DEMOLISHED OR MODIFIED:  
 $48'-9" + 28'-9" + 14'-6" = 92'$

$92' < (209'-4" / 2 = 104'-8")$

TOTAL LENGTH OF WALLS THAT ARE DEMOLISHED OR MODIFIED ARE LESS THAN 50% OF TOTALL EXISTING EXTERIOR WALLS, SO THE PROJECT IS AN ADDITION/REMODELING PROJECT NOT NEW CONSTRUCTION.

NORTH



## LEGEND:

- EXISTING EXTERIOR WALL CONVERTED TO INTERIOR WALL
- NEW OPENING IN EXISTING EXTERIOR WALL
- EXISTING WALL TO STAY
- EXISTING EXTERIOR WALL TO BE REMOVED

GRAPHIC SCALE : 1/4" INCH = 1 FEET  
0 1 2 3 4 5 10 15



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Azadeh Masrour

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PROJECT NAME:  
**MALLARD WAY RESIDENCE**  
1585 MALLARD WAY,  
SUNNYVALE, CA 94087

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SHEET TITLE:

**EXISTING FLOOR PLAN /  
EXISTING ELEVATIONS**

PROJECT ID: 2303-30

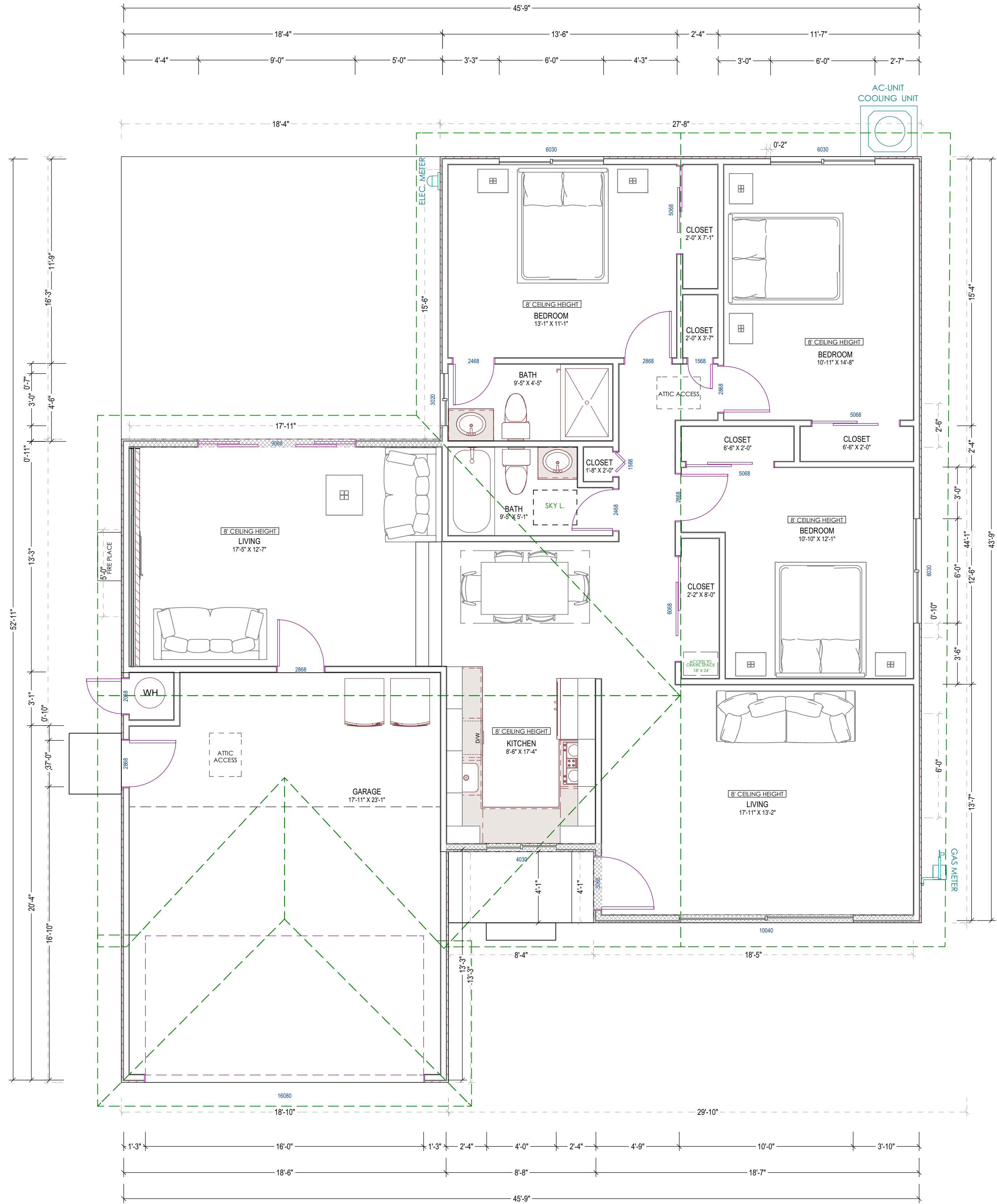
DATE: APRIL 2023

SCALE: 1/4" = 1'

DRAWN BY: S.A.

SHEET NUMBER:

**RA-01.01**



1 EXISTING FLOOR PLAN

SC : 1/4" = 1'-0"

NORTH

LEGEND:

EXISTING WALL TO STAY  
EXISTING WALL TO BE REMOVED

GRAPHIC SCALE : 1/4" = 1' FEET  
0 1 2 3 4 5 10 15

2 EXISTING FRONT (EAST) ELEVATION

SC : 1/4" = 1'-0"

3 EXISTING REAR (WEST) ELEVATION

SC : 1/4" = 1'-0"

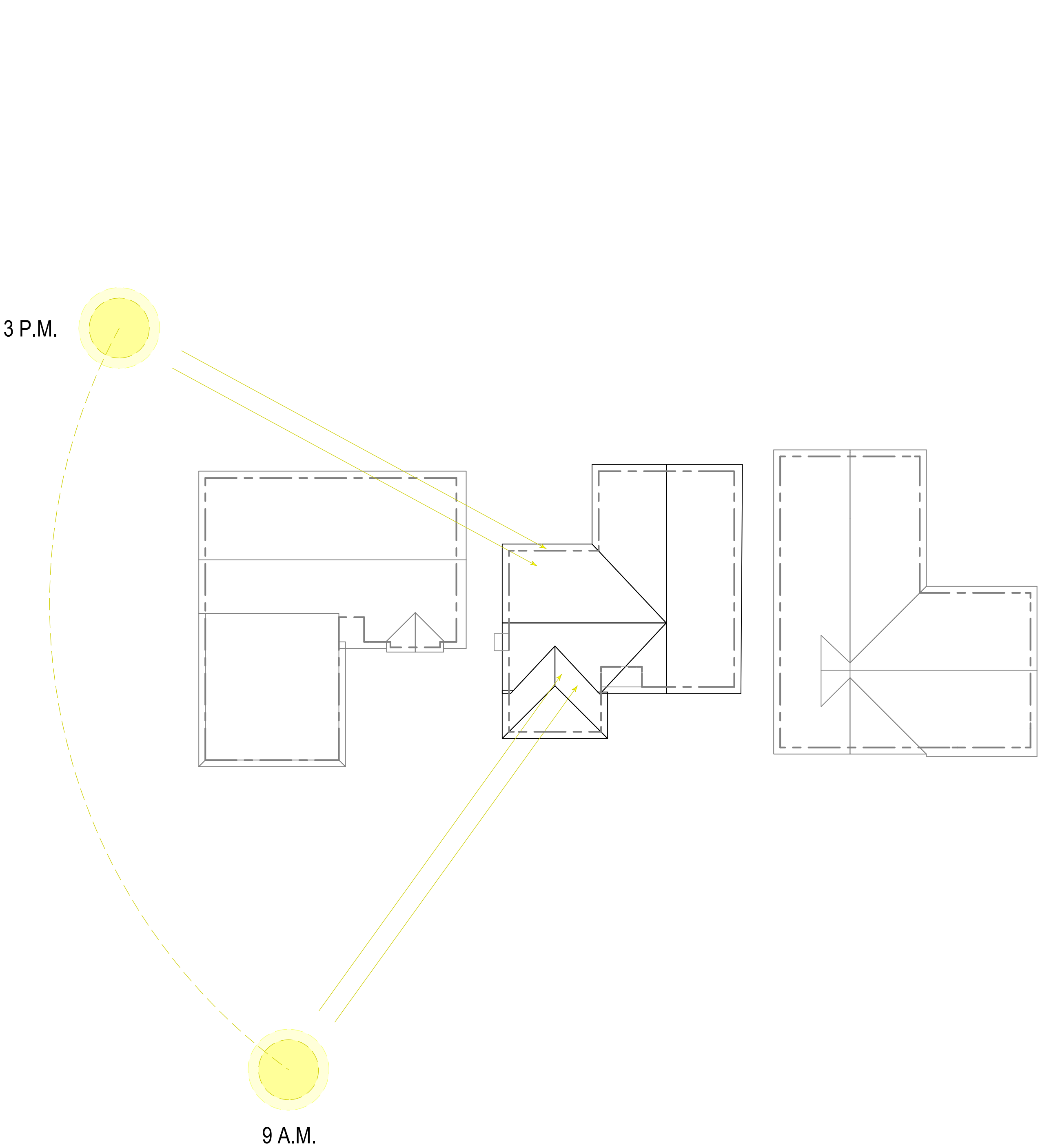
4 EXISTING RIGHT (NORTH) ELEVATION

SC : 1/4" = 1'-0"

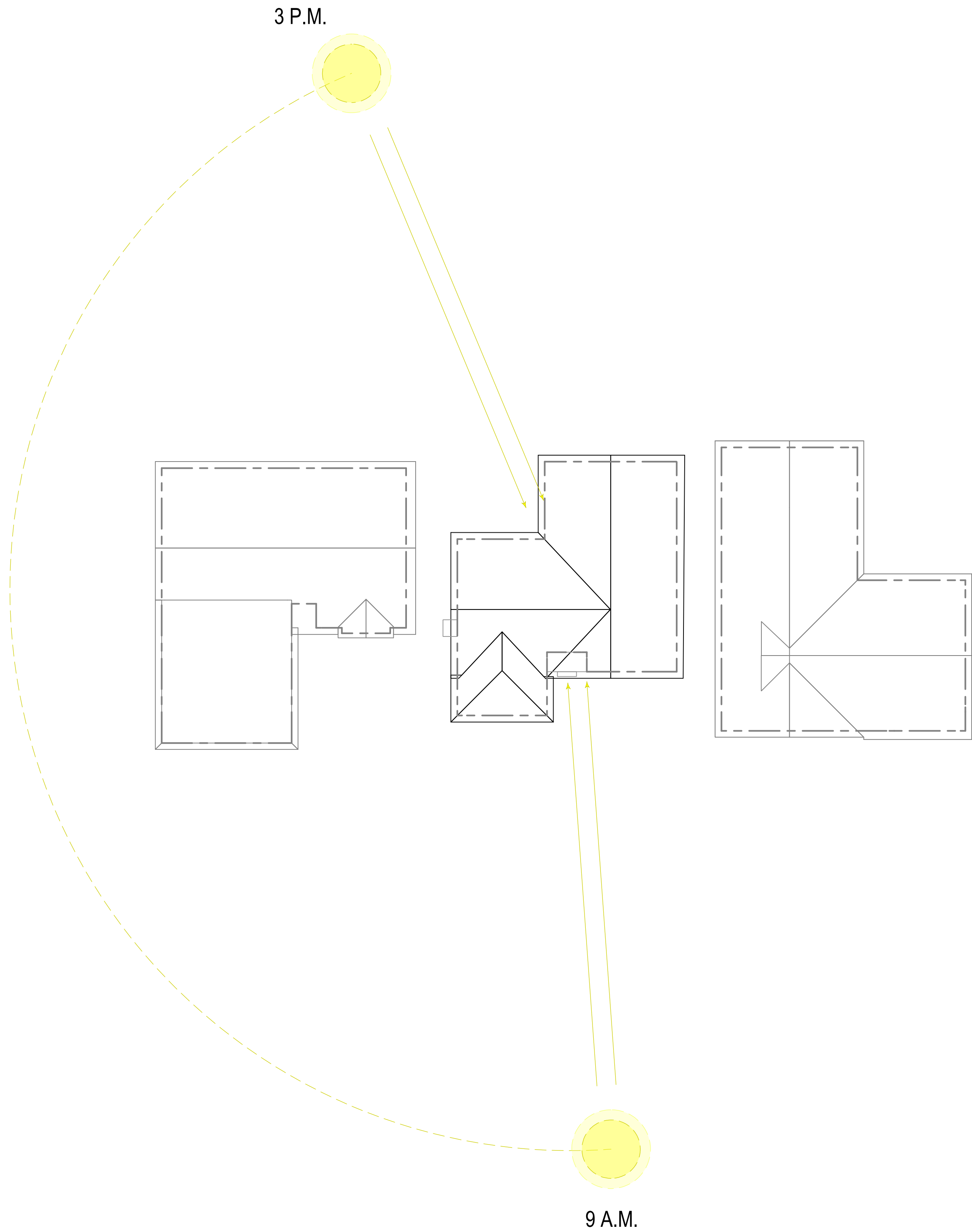
5 EXISTING LEFT (SOUTH) ELEVATION

SC : 1/4" = 1'-0"





21-DECEMBER 9 AM - 3 PM



21-JUNE 9 AM - 3 PM

AMS

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SHEET TITLE:

EXISTING  
SHADOW STUDY

PROJECT ID: 2303-30

DATE: APRIL, 2024

SCALE: N.T.S

DRAWN BY: P.J.

SHEET NUMBER:

A-00.03





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*Azadeh Masrour*

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SHADOW STUDY**

PROJECT ID: 2303-30

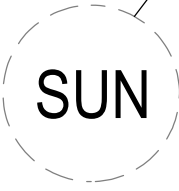
DATE: APRIL, 2024

SCALE: N.T.S

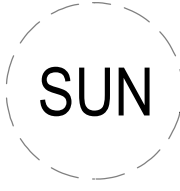
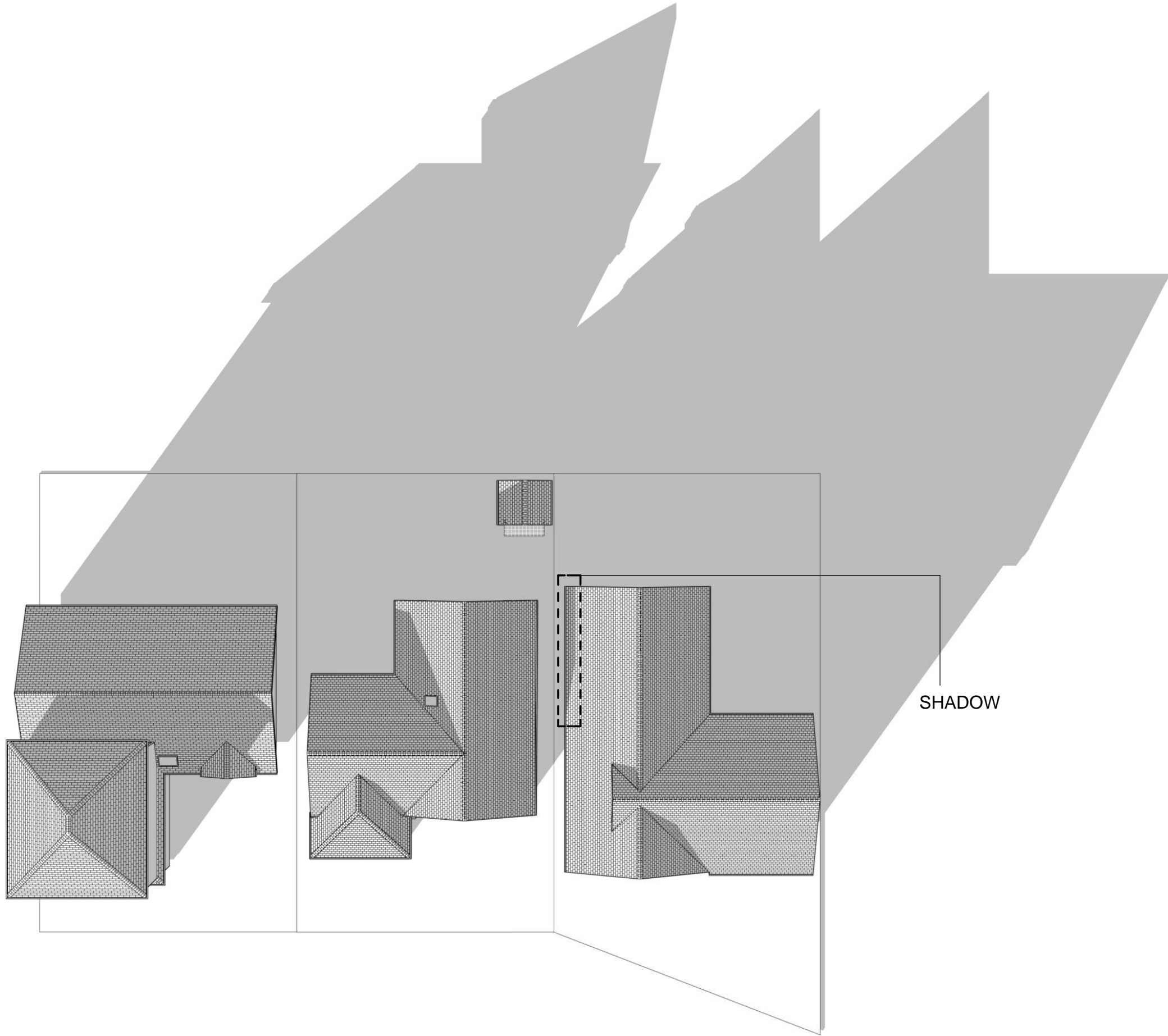
DRAWN BY: P.J.

SHEET NUMBER:

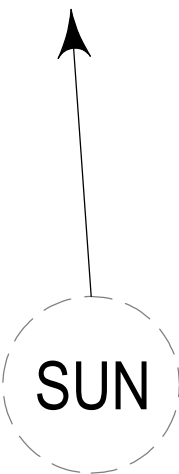
**A-00.02**



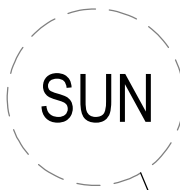
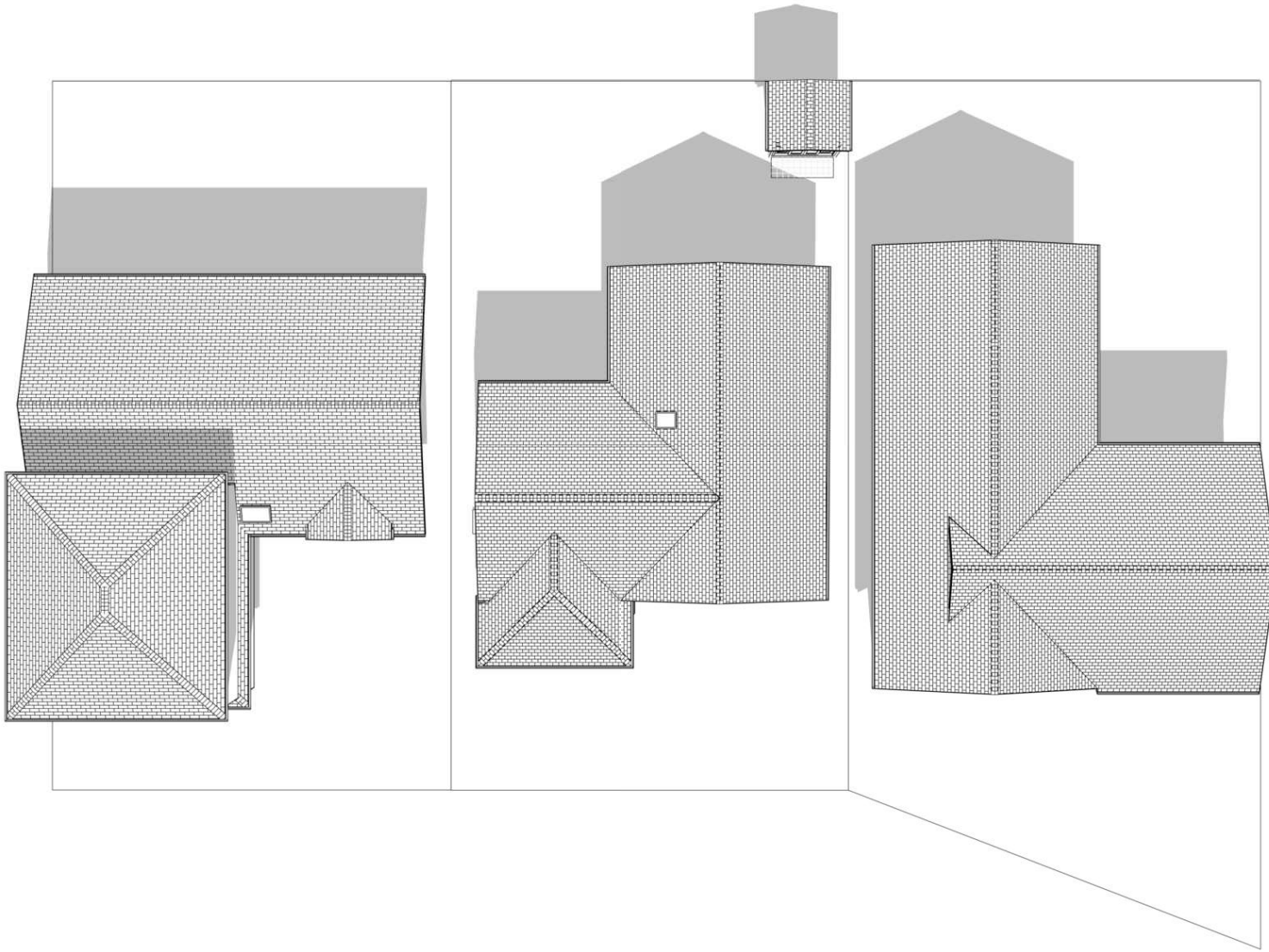
21 DECEMBER - 9:00 AM.



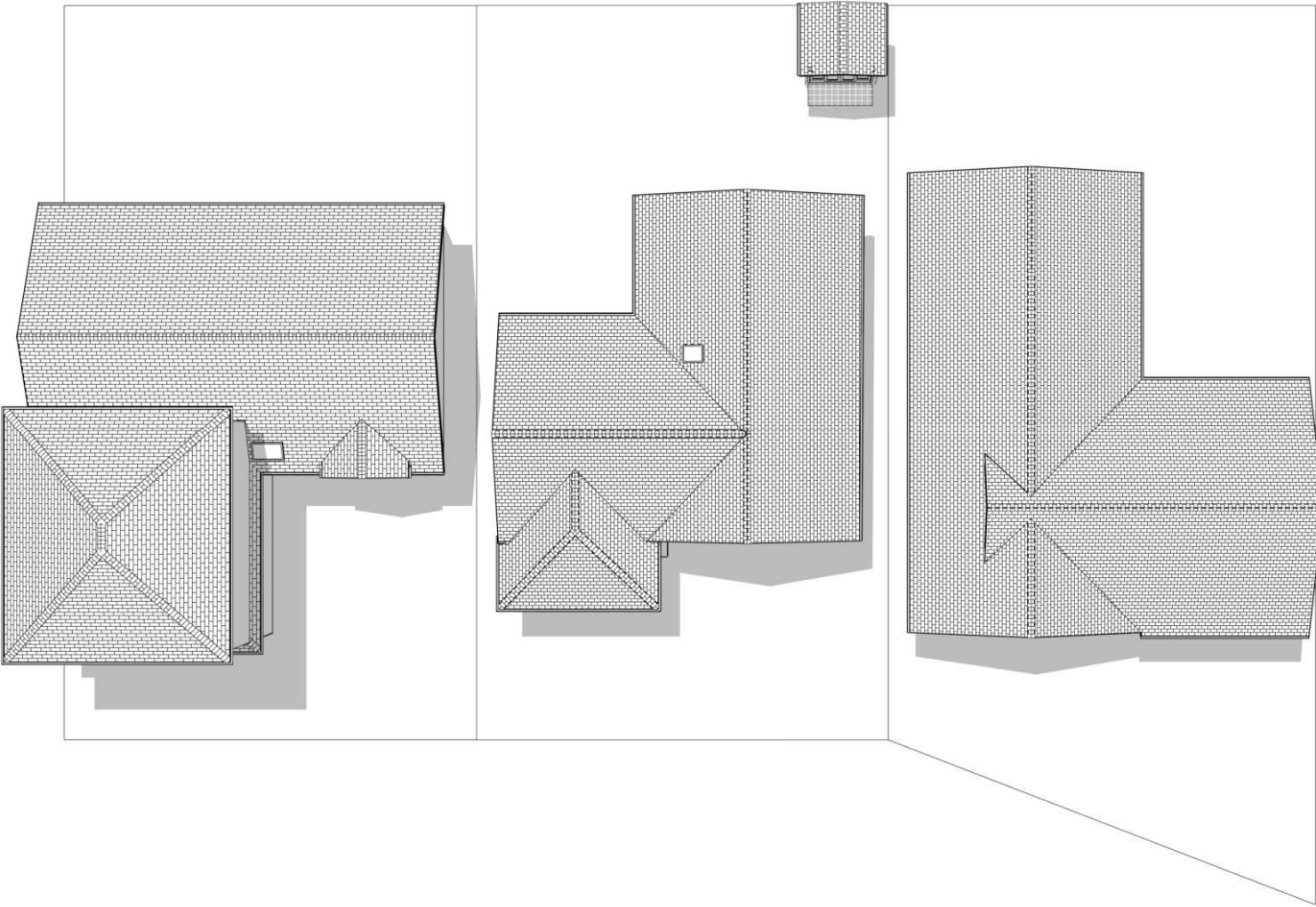
21-DECEMBER 3 PM



21-DECEMBER 9 AM

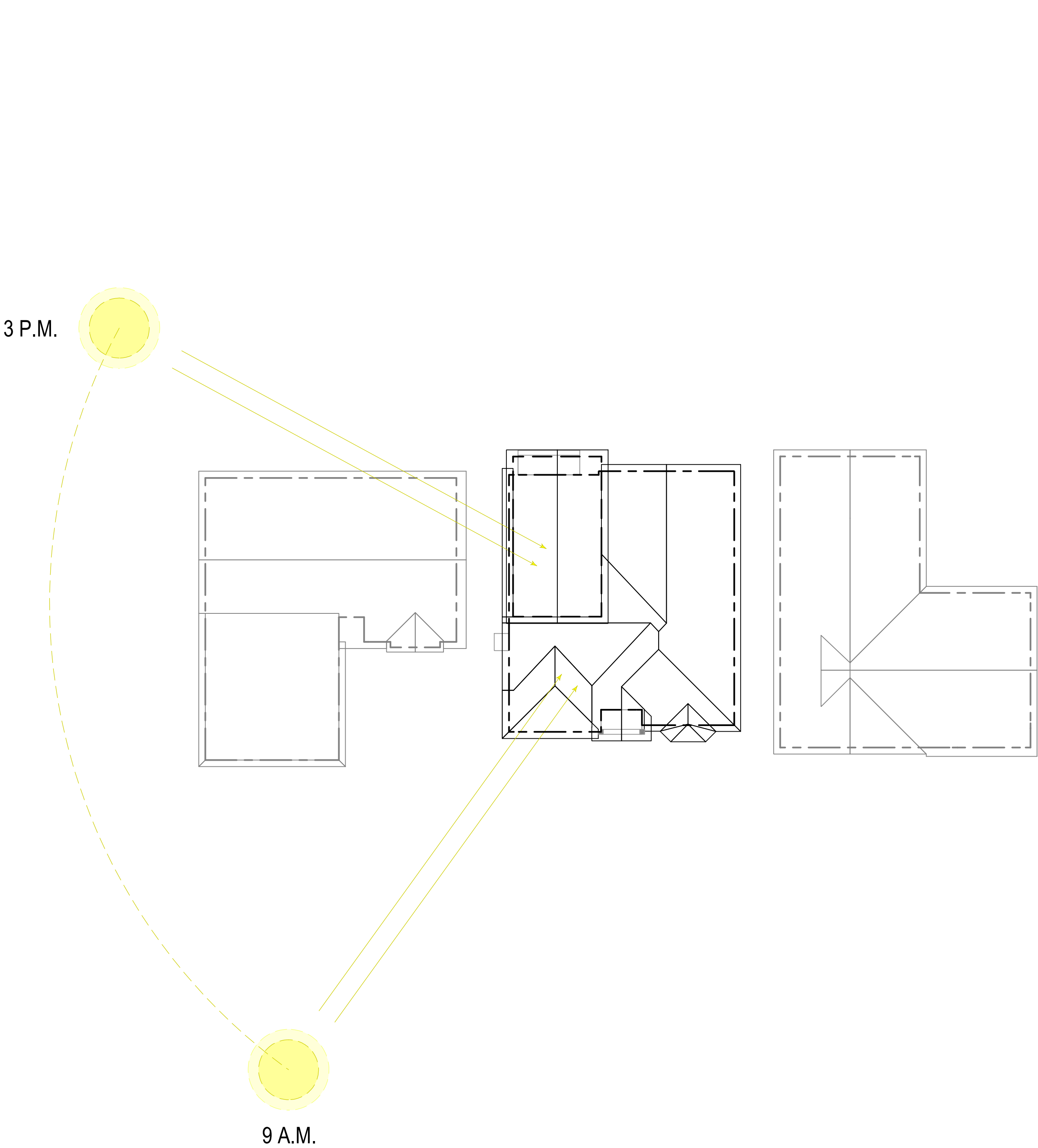


21-JUNE 3 PM

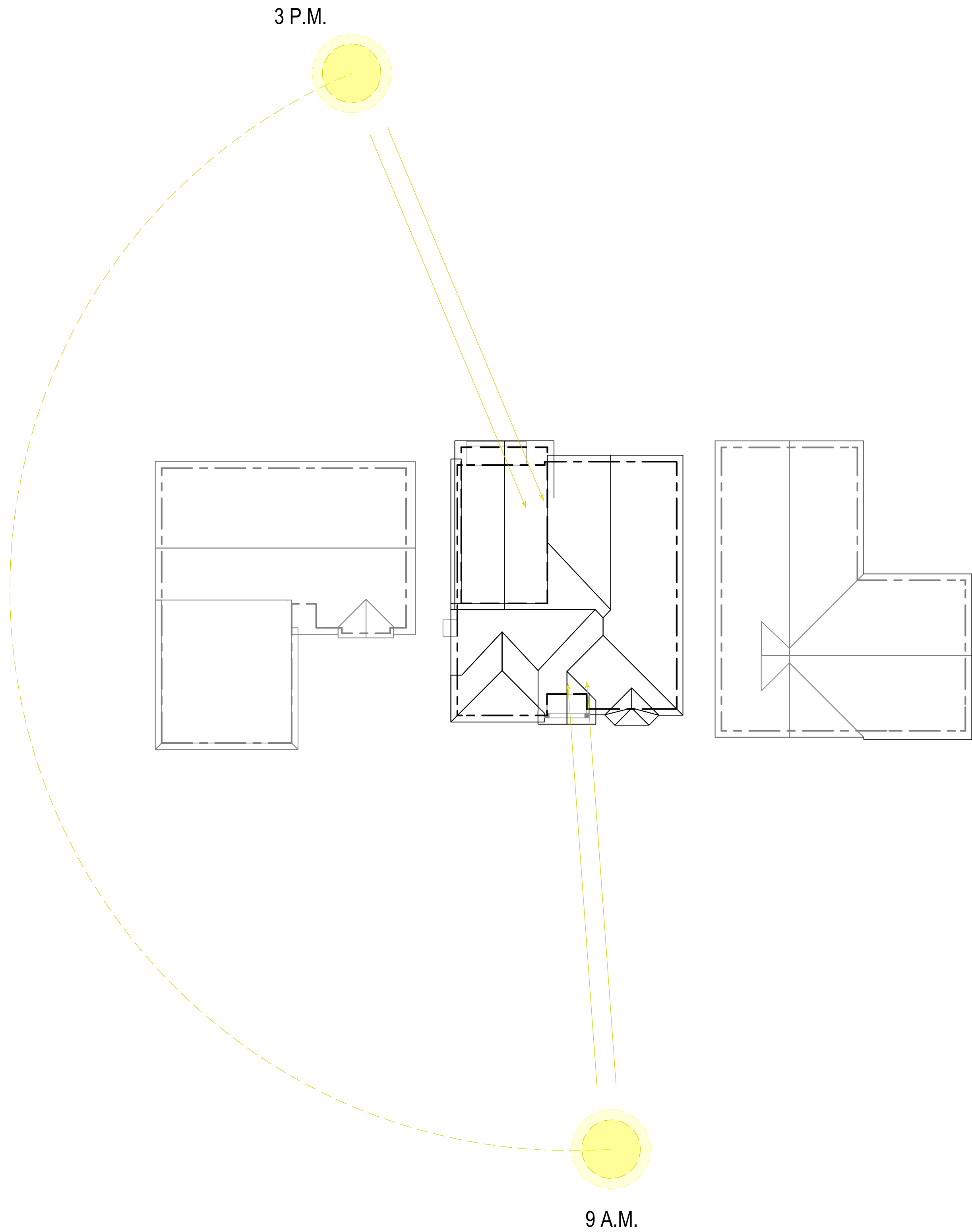


21-JUNE 9 AM





21-DECEMBER 9 AM - 3 PM



21-JUNE 9 AM - 3 PM



AMSDESIGN

4010 MOORPARK AVE#101,  
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*Azadeh Masrour*

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PROJECT NAME:  
**MALLARD WAY  
RESIDENCE**  
1585 MALLARD WAY,  
SUNNYVALE, CA 94087

REVISION TABLE:				
△	REVISION DATE	BY	DEP	
01	10/25/23	S.B.	PLN	
02	12/14/23	S.B.	PLN	
03	01/09/24	S.A.	PLN	

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SHEET TITLE:

**SHADOW STUDY**

PROJECT ID: 2303-30

DATE: APRIL, 2024

SCALE: N.T.S

DRAWN BY: P.J.

SHEET NUMBER:

**A-00.04**





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**MALLARD WAY  
RESIDENCE**  
1585 MALLARD WAY,  
SUNNYVALE, CA 94087

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SHEET TITLE:

**SHADOW STUDY**

PROJECT ID: 2303-30

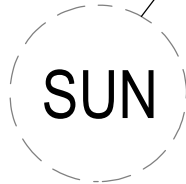
DATE: APRIL,2024

SCALE: N.T.S

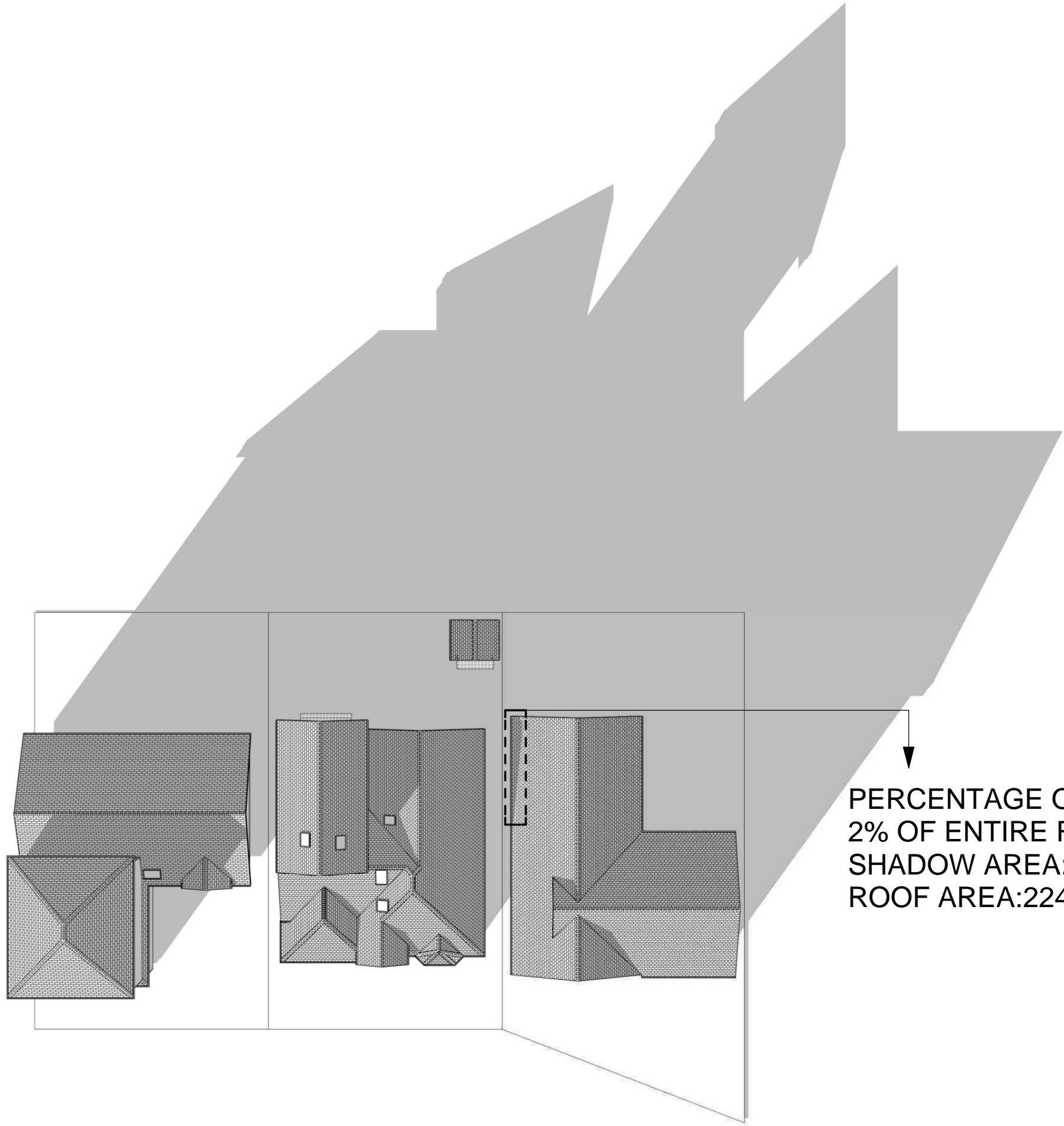
DRAWN BY: P.J.

SHEET NUMBER:

**A-00.02**

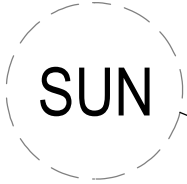


21 DECEMBER - 9:00 AM.

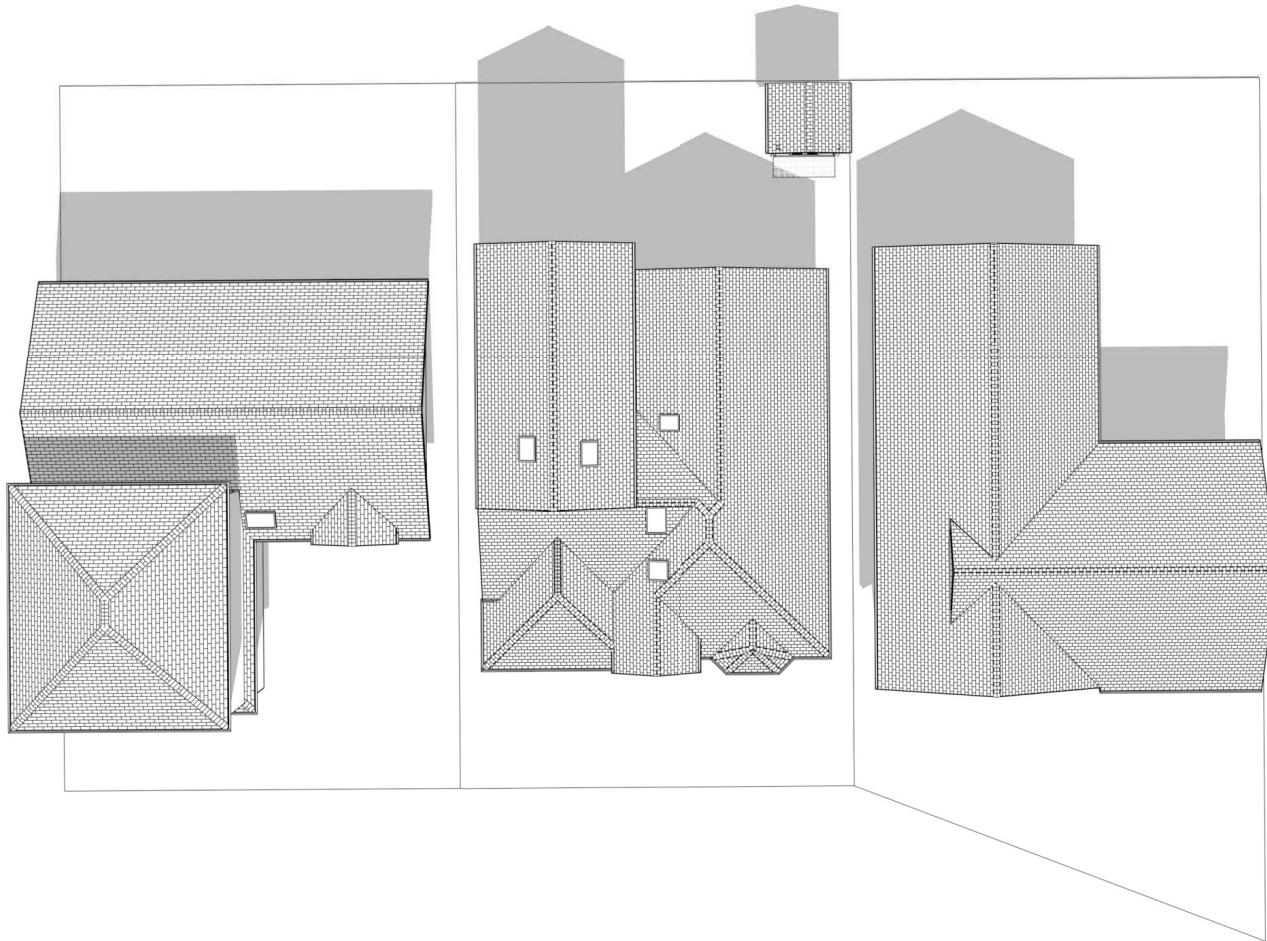
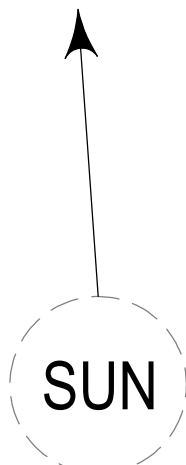


PERCENTAGE OF SHADOW  
2% OF ENTIRE ROOF  
SHADOW AREA: 64 SQF.  
ROOF AREA:2247 SQF.

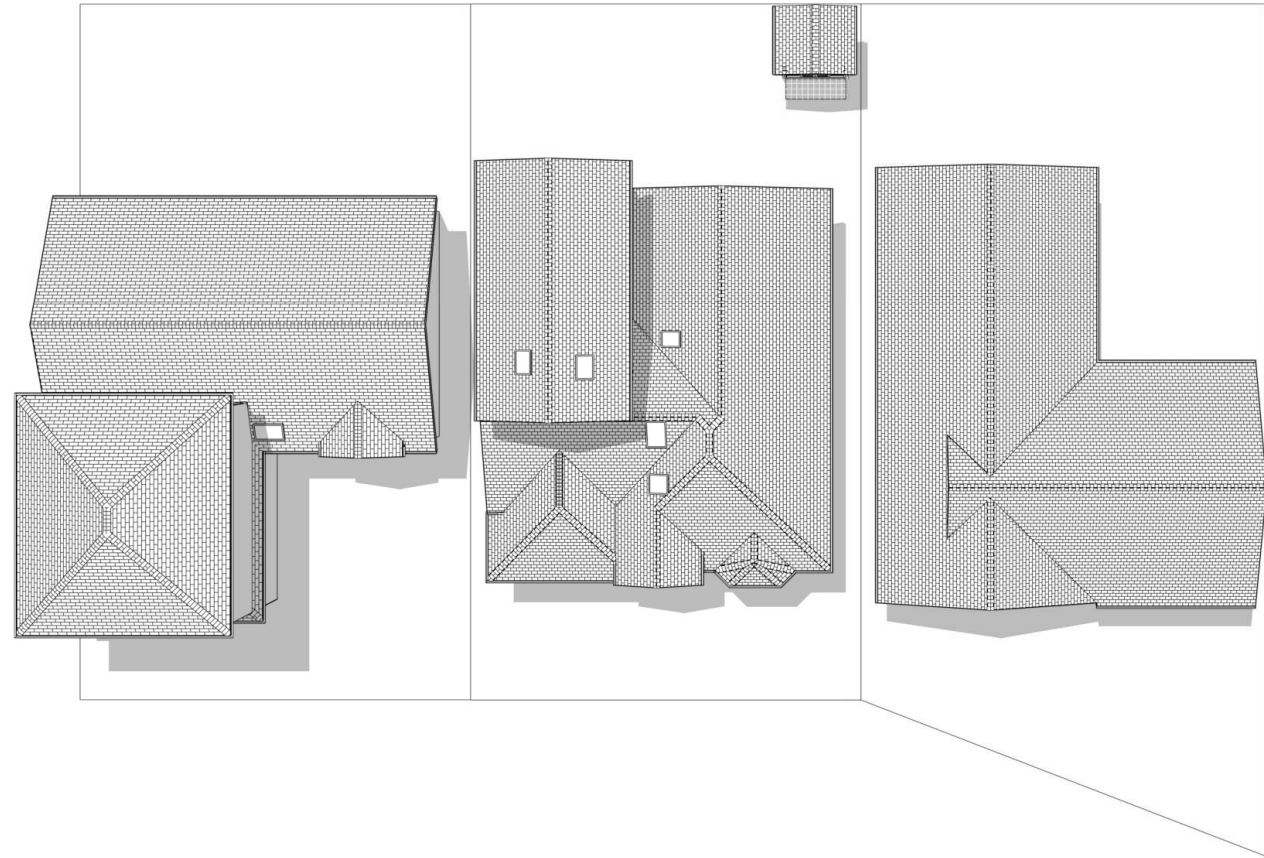
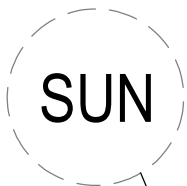
21-DECEMBER 9 AM



21-DECEMBER 3 PM

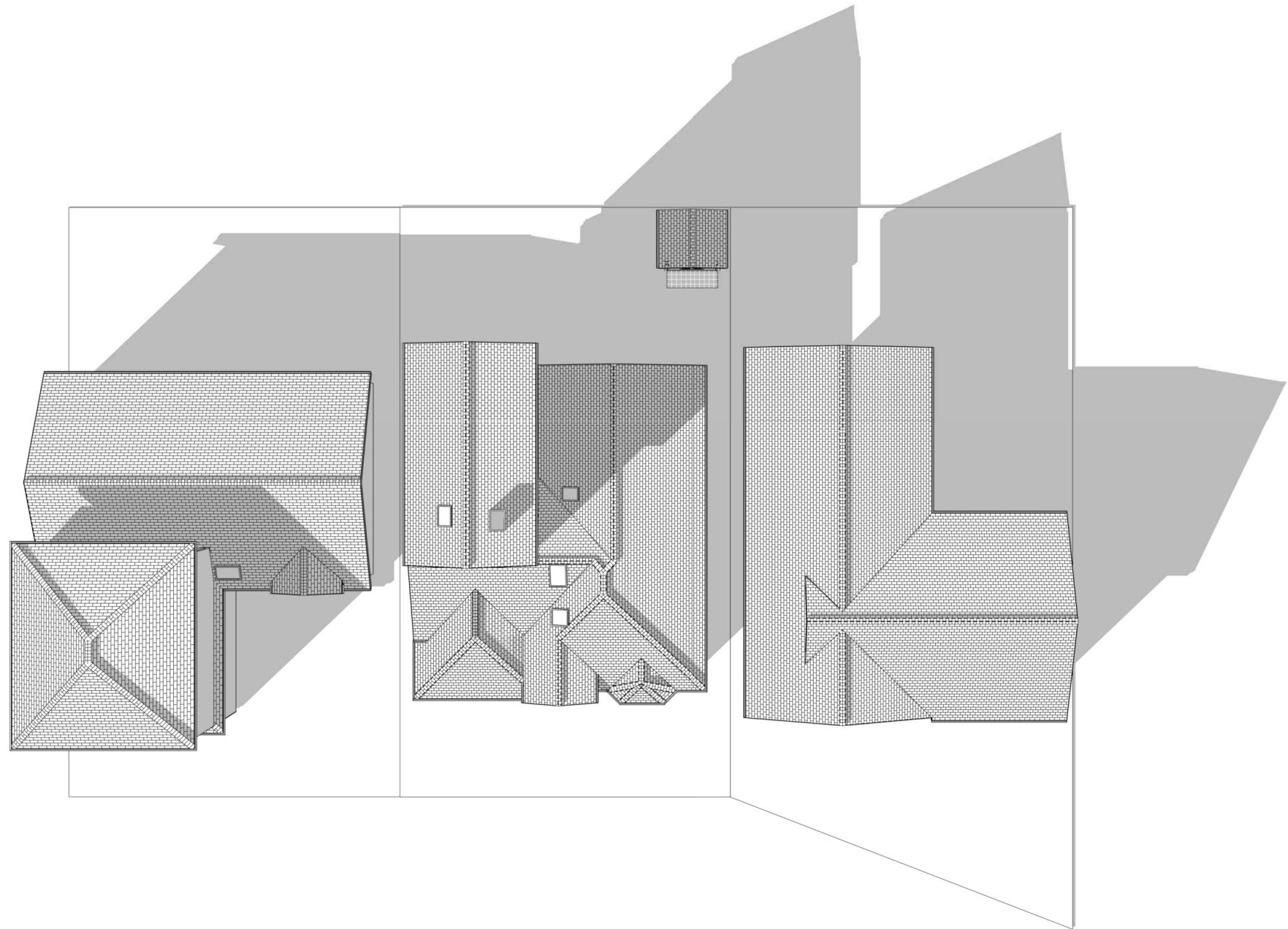
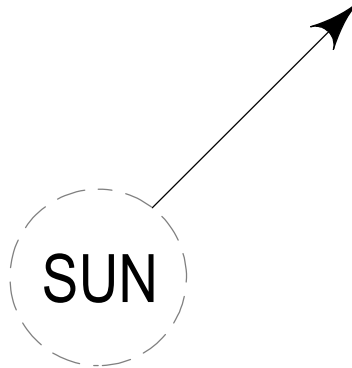


21-JUNE 9 AM

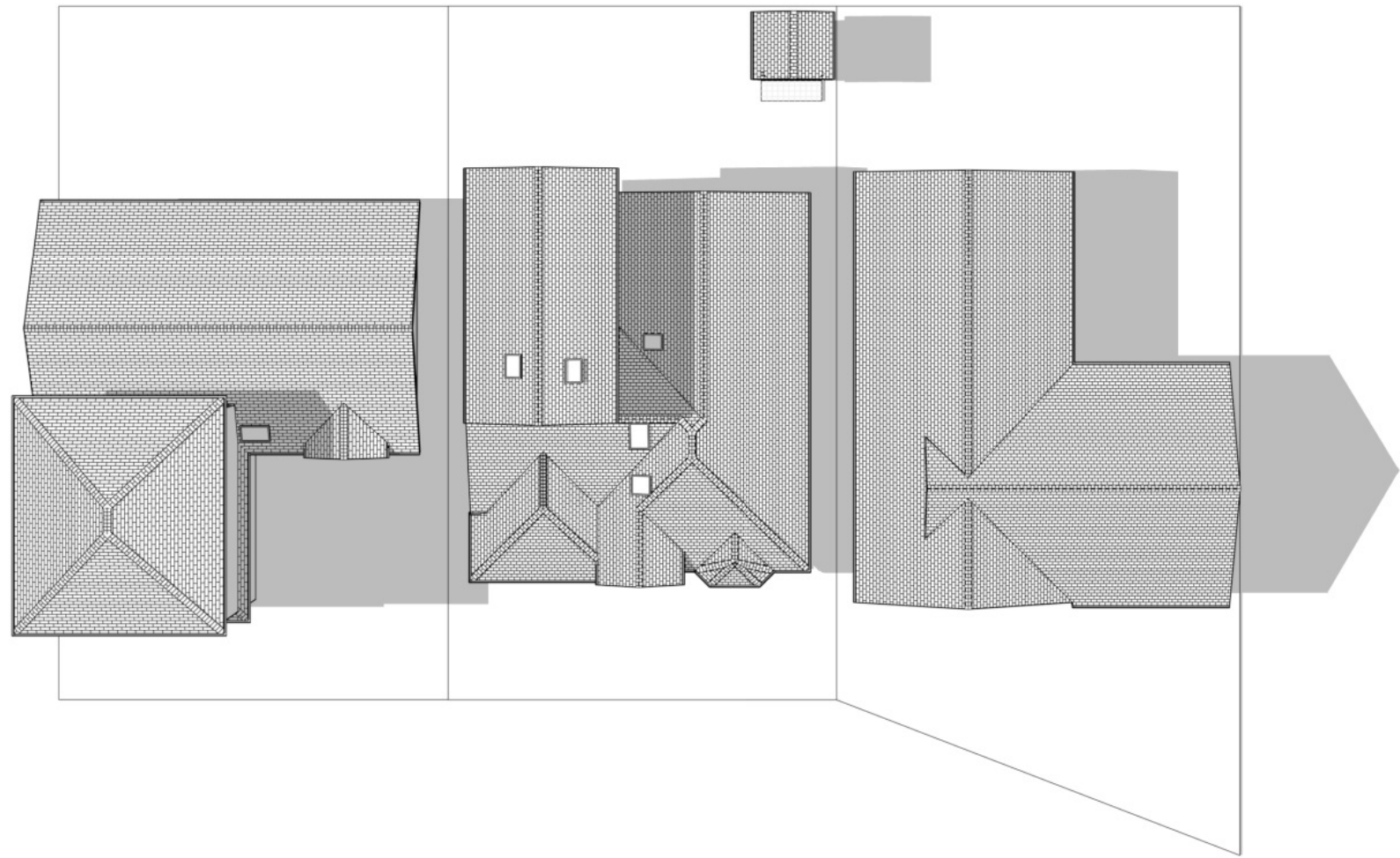
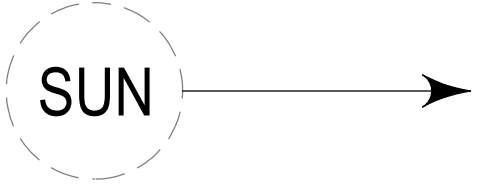


21-JUNE 3 PM

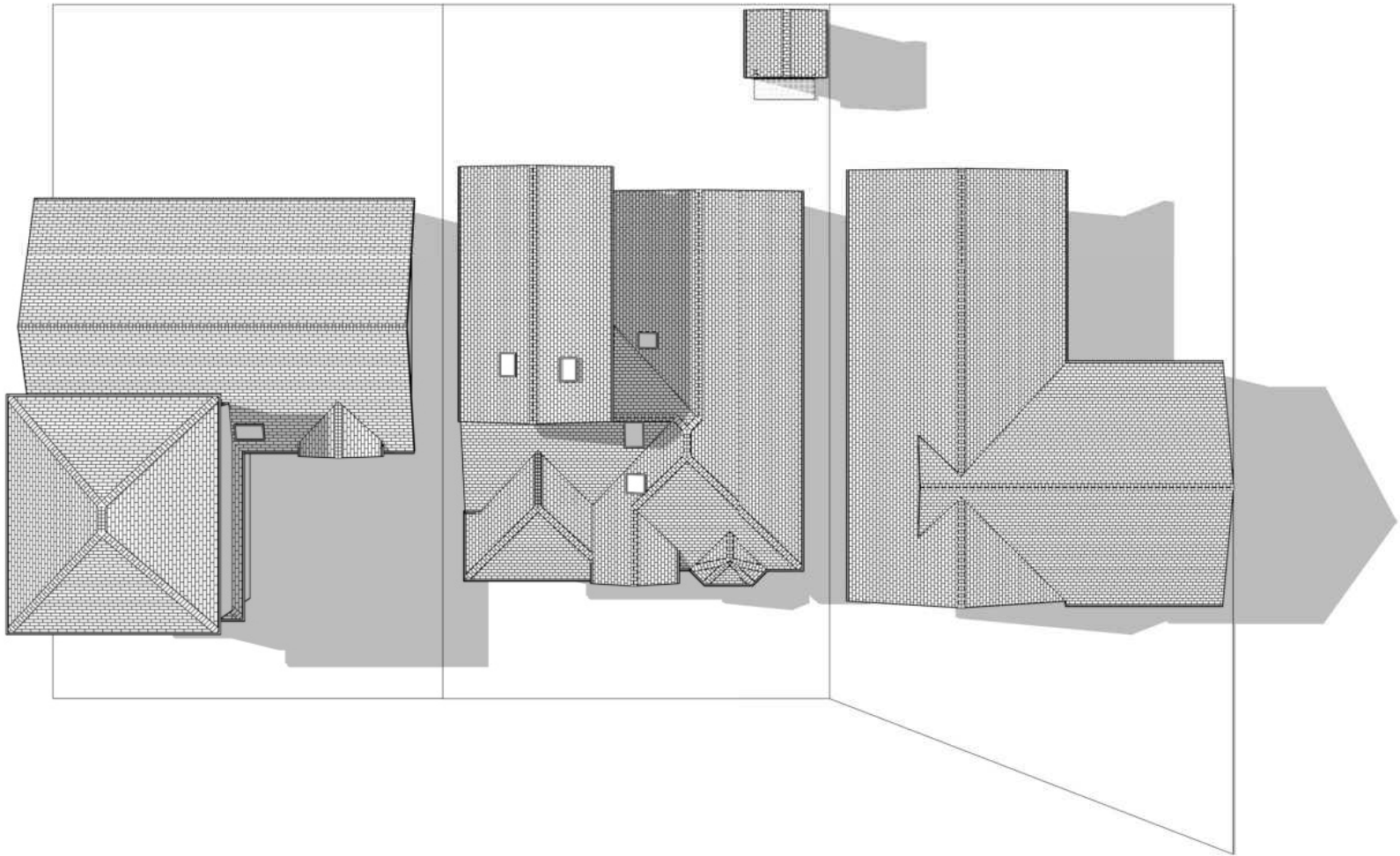
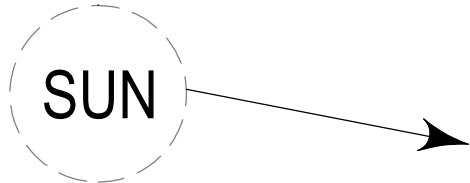




21-DECEMBER 10 AM



21-DECEMBER 1 PM



21-DECEMBER 2 PM



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PROJECT NAME:

**MALLARD WAY  
RESIDENCE**

1585 MALLARD WAY,  
SUNNYVALE, CA 94087

REVISION TABLE:

△	REVISION DATE	BY	DEP
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SHEET TITLE:

**SHADOW STUDY**

PROJECT ID: 2303-30

DATE: APRIL 2024

SCALE: N.T.S

DRAWN BY: P.J.

SHEET NUMBER:

**A-00.03**





## AMSDESIGN

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PROJECT NAME:

## MALLARD WAY RESIDENCE

1585 MALLARD WAY,  
SUNNYVALE, CA 94087

REVISION TABLE:

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01	10/25/23	S.B.	PLN
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SHEET TITLE:

## PROPOSED FLOOR PLANS

PROJECT ID: 2303-30

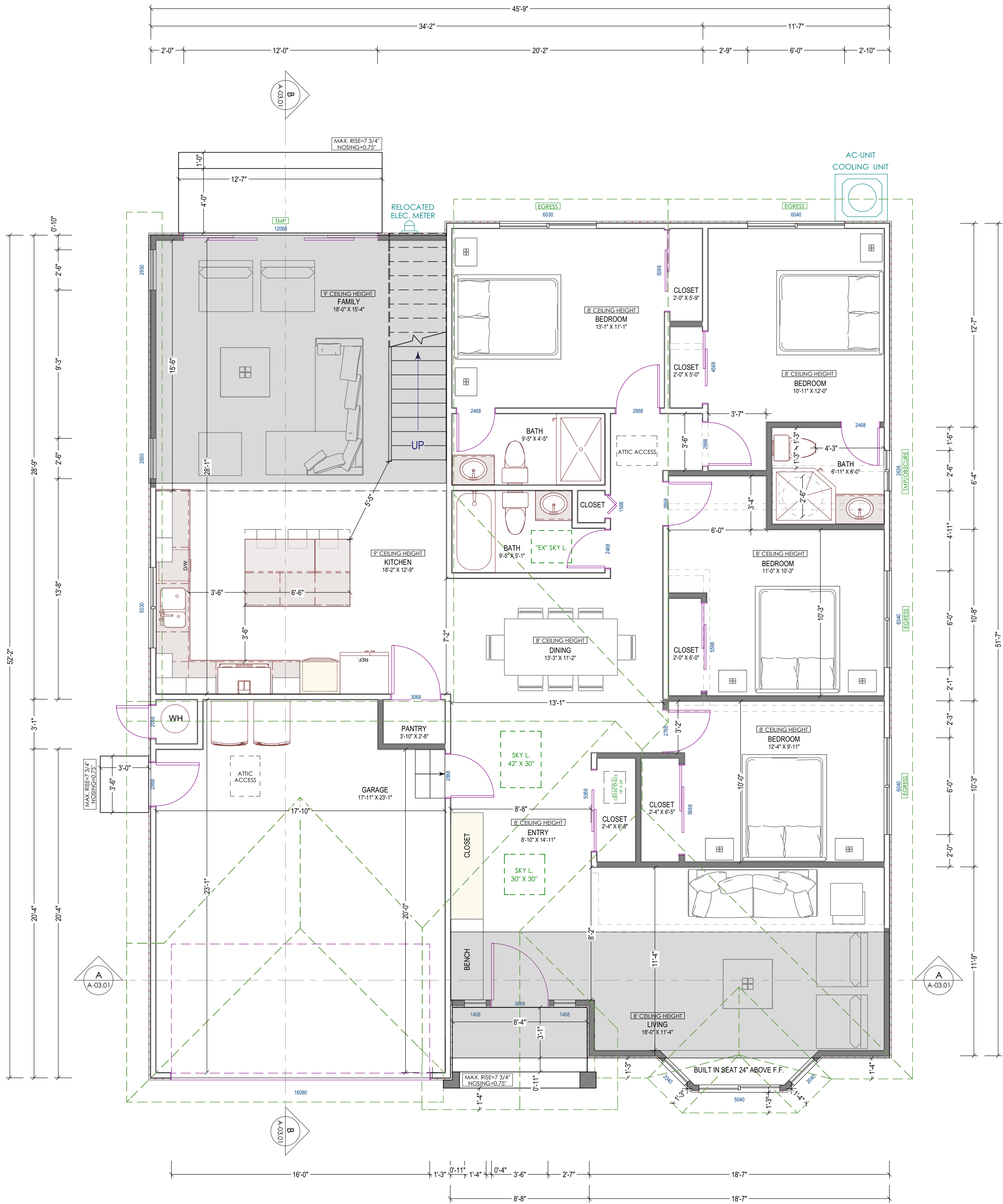
DATE: APRIL 2023

SCALE: 1/4" = 1'

DRAWN BY: S.A.

SHEET NUMBER:

# A-01.01



1 PROPOSED 1ST FLOOR PLAN

SC : 1/4" = 1'-0"



2 PROPOSED 2ND FLOOR PLAN

SC : 1/4" = 1'-0"

### LEGEND:

- NEW ADDITION
- NEW CONSTRUCTION WALL
- EXISTING WALL TO STAY
- EXISTING WALL TO BE REMOVED

GRAPHIC SCALE : 1/4" INCH = 1 FEET  
0 1 2 3 4 5 10 15





**AMS**DESIGN

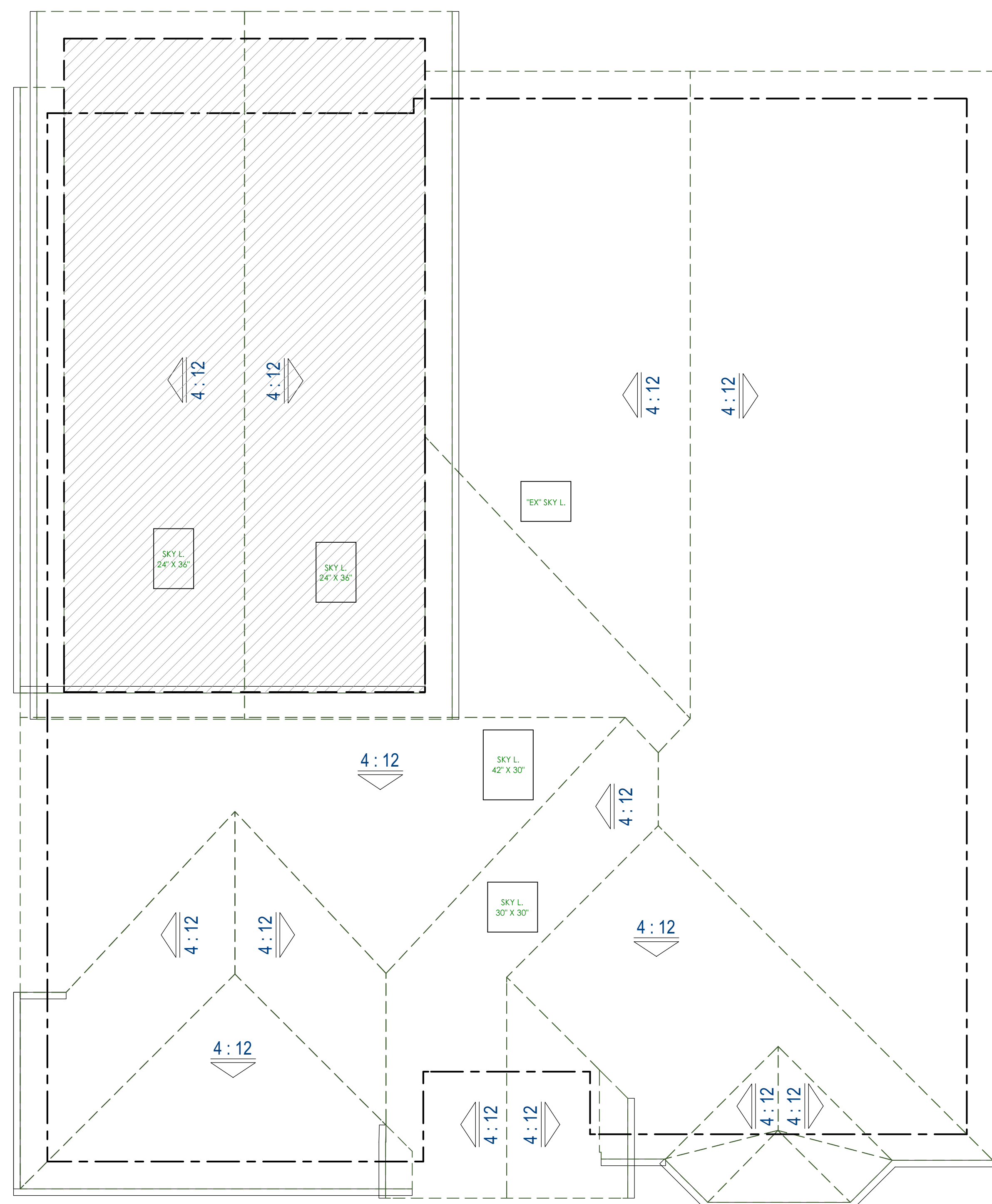
4010 MOORPARK AVE#101,  
SAN JOSE, CA 95117  
TELL: (415)254.1606  
E-MAIL: OFFICE@AMSDSIGNLLP.COM

Azadeh Masrour

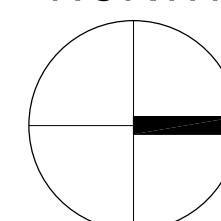
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## EXTERIOR MATERIAL SCHEDULE

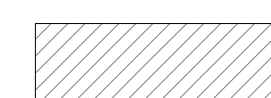
TITLE	TYPE	INFO
ROOF	SHINGLE ROOFING	DARK CHARCOAL
SIDING	STUCCO	SMOOTH/ WHITE
GARAGE DOOR	CLOPAY	DARK GREY / GLASS
DOOR	BIGHORN STEEL FRENCH SINGEL DOOR	DARK GRAY/ GLASS
WINDOWS	MARVIN	TUSCANY / DARK GREY



NORTH

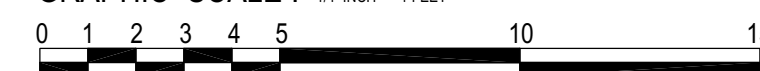


LEGEND:



NEW 2ND FLOOR

GRAPHIC SCALE : 1/4 INCH = 1 FEET



### PROPOSED ROOF PLAN

SC :  $1/4" = 1'-0"$



1587 MALLARD WAY

1585 MALLARD WAY

1579 MALLARD WAY

## STREETSCAPE ELEVATION

SC :  $1/8" = 1'-0"$

SHEET TITLE:

**PROPOSED ROOF PLAN/  
STREETSCAPE ELEVATION /  
EXTERIOR MATERIAL  
SCHEDULE**

PROJECT ID:	2303-30
-------------	---------

DATE: APRIL.2023

SCALE:  $1/4" = 1'$  ,  $1/8" = 1'$

DRAWN BY: S.A.

SHEET NUMBER:

**A-02.01**





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PROJECT NAME:

MALLARD WAY  
RESIDENCE

1585 MALLARD WAY,  
SUNNYVALE, CA 94087

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SHEET TITLE:

PROPOSED  
ELEVATIONS

PROJECT ID: 2303-30

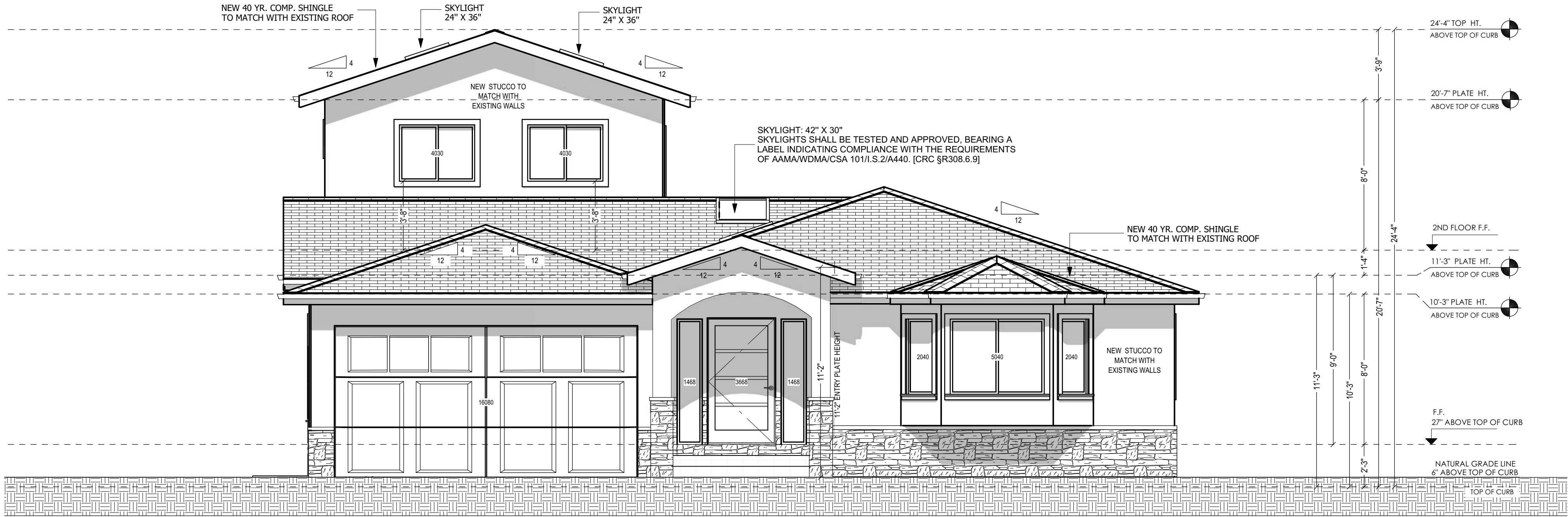
DATE: APRIL 2023

SCALE: 1/4" = 1'

DRAWN BY: S.A.

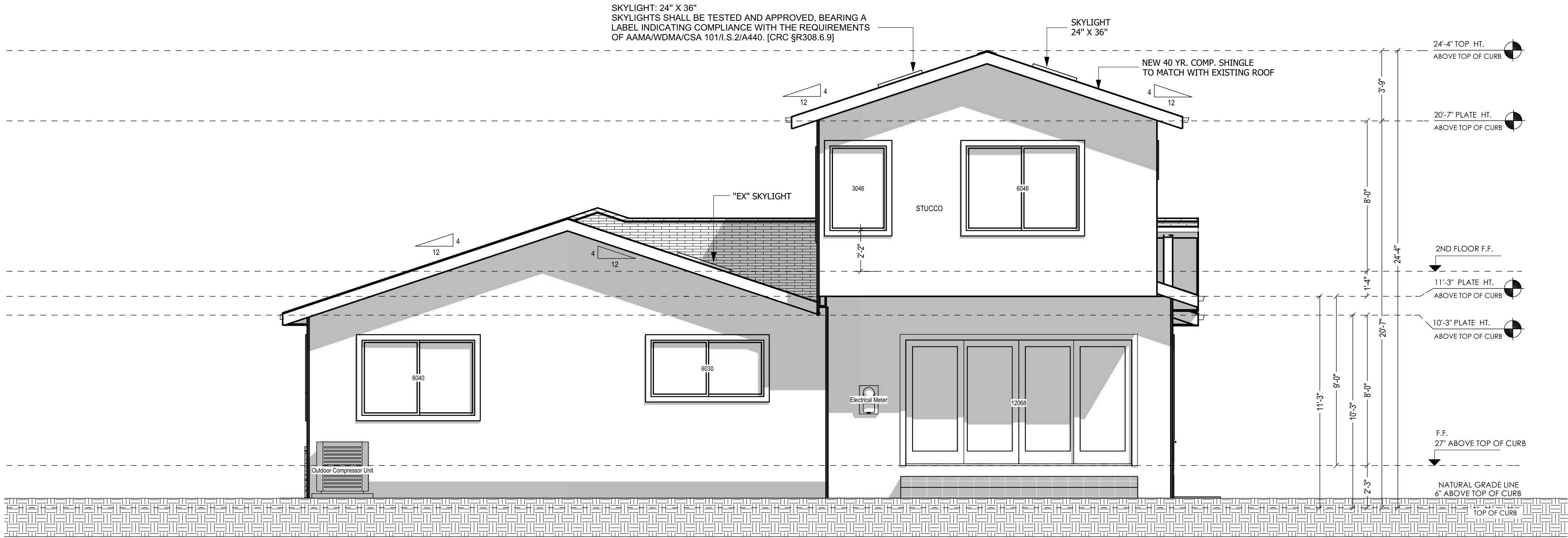
SHEET NUMBER:

A-03.01



1 PROPOSED FRONT (EAST) ELEVATION

SC : 1/4" = 1'-0"



2 PROPOSED REAR (WEST) ELEVATION

SC : 1/4" = 1'-0"





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02	12/14/23	S.B.	PLN
03	01/09/24	S.A.	PLN

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SHEET TITLE:

PROPOSED  
ELEVATIONS

PROJECT ID: 2303-30

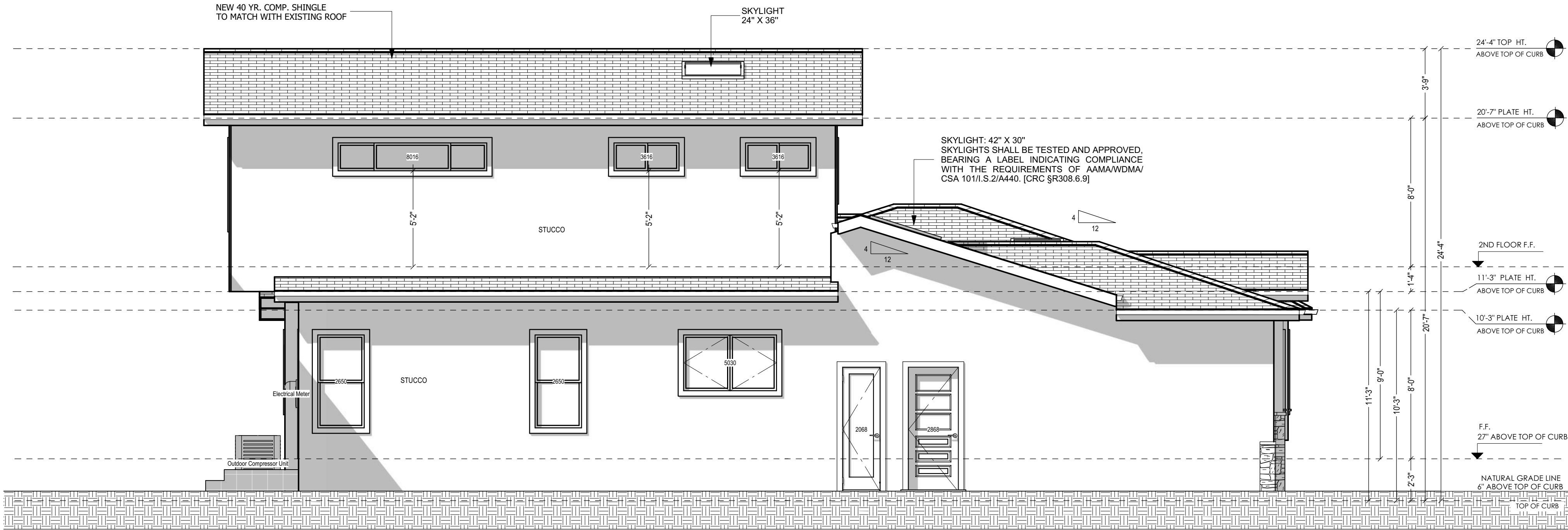
DATE: APRIL 2023

SCALE: 1/4" = 1'

DRAWN BY: S.A.

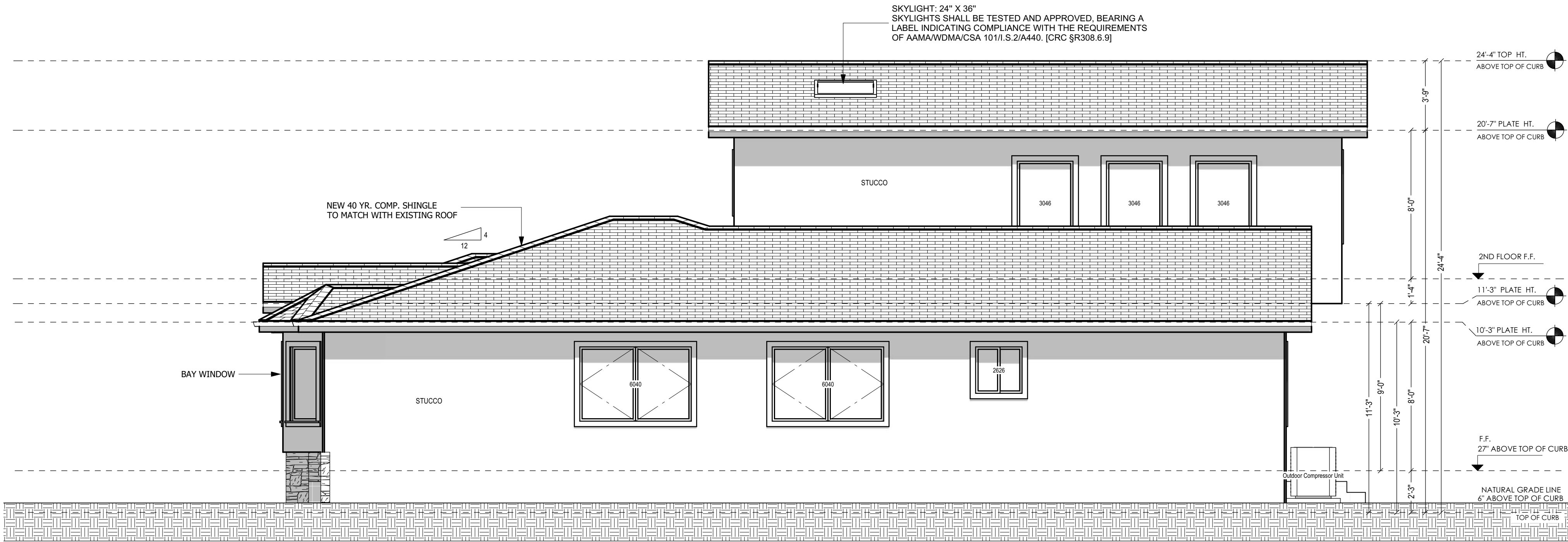
SHEET NUMBER:

A-03.02



1 PROPOSED LEFT (SOUTH) ELEVATION

SC : 1/4" = 1'-0"



2 PROPOSED RIGHT (NORTH) ELEVATION

SC : 1/4" = 1'-0"





AMSDSIGN

4010 MOORPARK AVE#101,  
SAN JOSE, CA 95117  
TELL: (415)254.1606  
E-MAIL: OFFICE@AMSDSIGNLLP.COM

Azadeh Masrour

THESE PLANS ARE INTENDED ONLY FOR THE ORIGINAL SITE FOR WHICH THEY WERE DESIGNED AND ARE THE PROPERTY OF AMS DESIGN. THESE PLANS ARE PROTECTED UNDER COPYRIGHT LAWS AND MAY NOT BE REVISED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESSED WRITTEN CONSENT OF AMS DESIGN. ANY USE OF THESE PLANS ON OTHER SITES IS PROHIBITED WITHOUT THE CONSENT OF AMS DESIGN. ANY DISCREPANCY DISCOVERED ON THESE PLANS SHALL PRIOR TO COMMENCEMENT OF THE WORK IN QUESTION, ALL WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.

PROJECT NAME:

## MALLARD WAY RESIDENCE

1585 MALLARD WAY,  
SUNNYVALE, CA 94087

REVISION TABLE:

△	REVISION DATE	BY	DEP
01	10/25/23	S.B.	PLN
02	12/14/23	S.B.	PLN
03	01/09/24	S.A.	PLN

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SHEET TITLE:

## PROPOSED SECTIONS

PROJECT ID: 2303-30

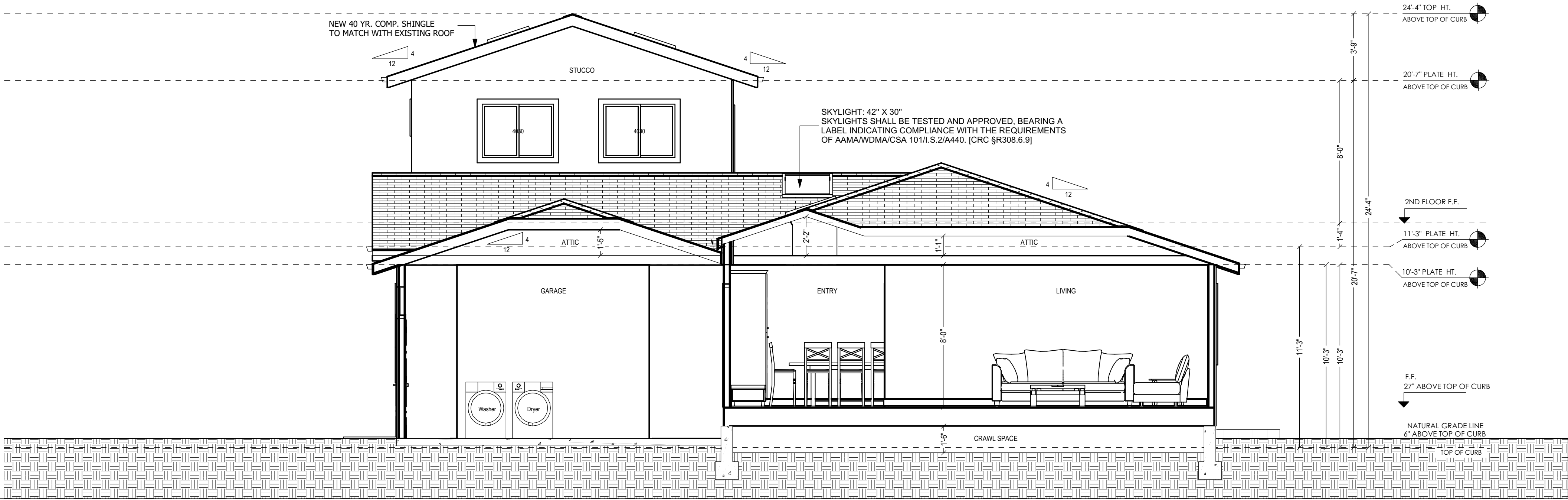
DATE: APRIL 2023

SCALE: 1/4" = 1'

DRAWN BY: S.A.

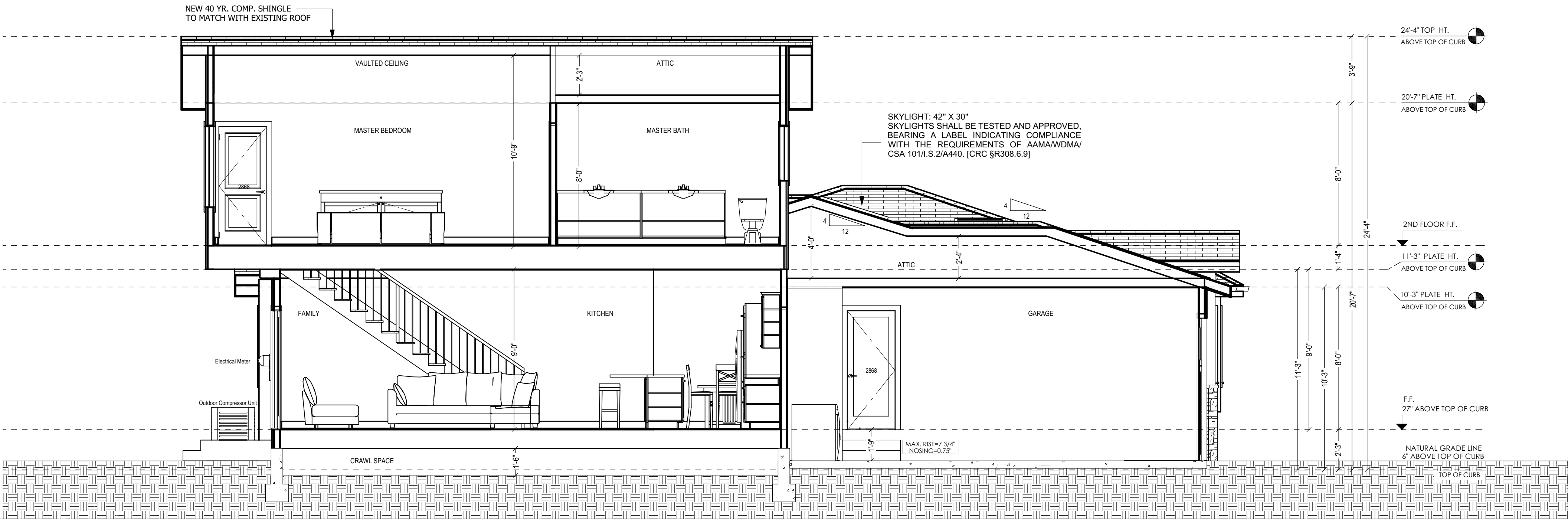
SHEET NUMBER:

A-04.01



### 1 A-A CROSS SECTION

SC : 1/4" = 1'-0"



### 2 B-B CROSS SECTION

SC : 1/4" = 1'-0"





AMSDESIGN

4010 MOORPARK AVE#101,  
SAN JOSE, CA 95117  
TELL: (415)254.1606  
E-MAIL: OFFICE@AMSDSIGNLLP.COM

Azadeh Masrour

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PROJECT NAME:  
**MALLARD WAY  
RESIDENCE**  
1585 MALLARD WAY,  
SUNNYVALE, CA 94087

REVISION TABLE:			
△	REVISION DATE	BY	DEP
01	10/25/23	S.B.	PLN
02	12/14/23	S.B.	PLN
03	01/09/24	S.A.	PLN

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SHEET TITLE:

FLOOR AREA  
DIAGRAM

PROJECT ID: 2303-30

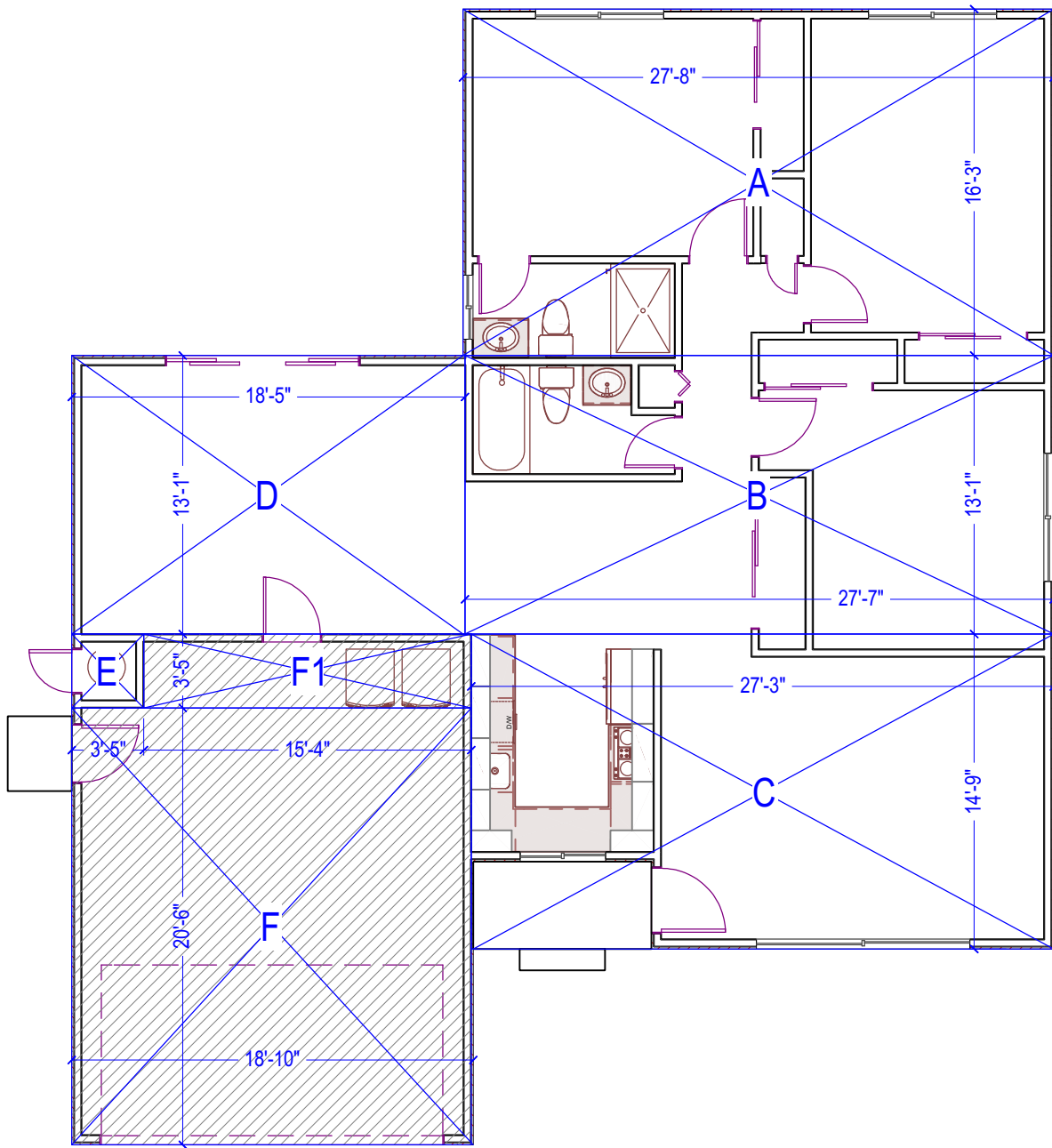
DATE: APRIL 2023

SCALE: 1/8" = 1'

DRAWN BY: S.A.

SHEET NUMBER:

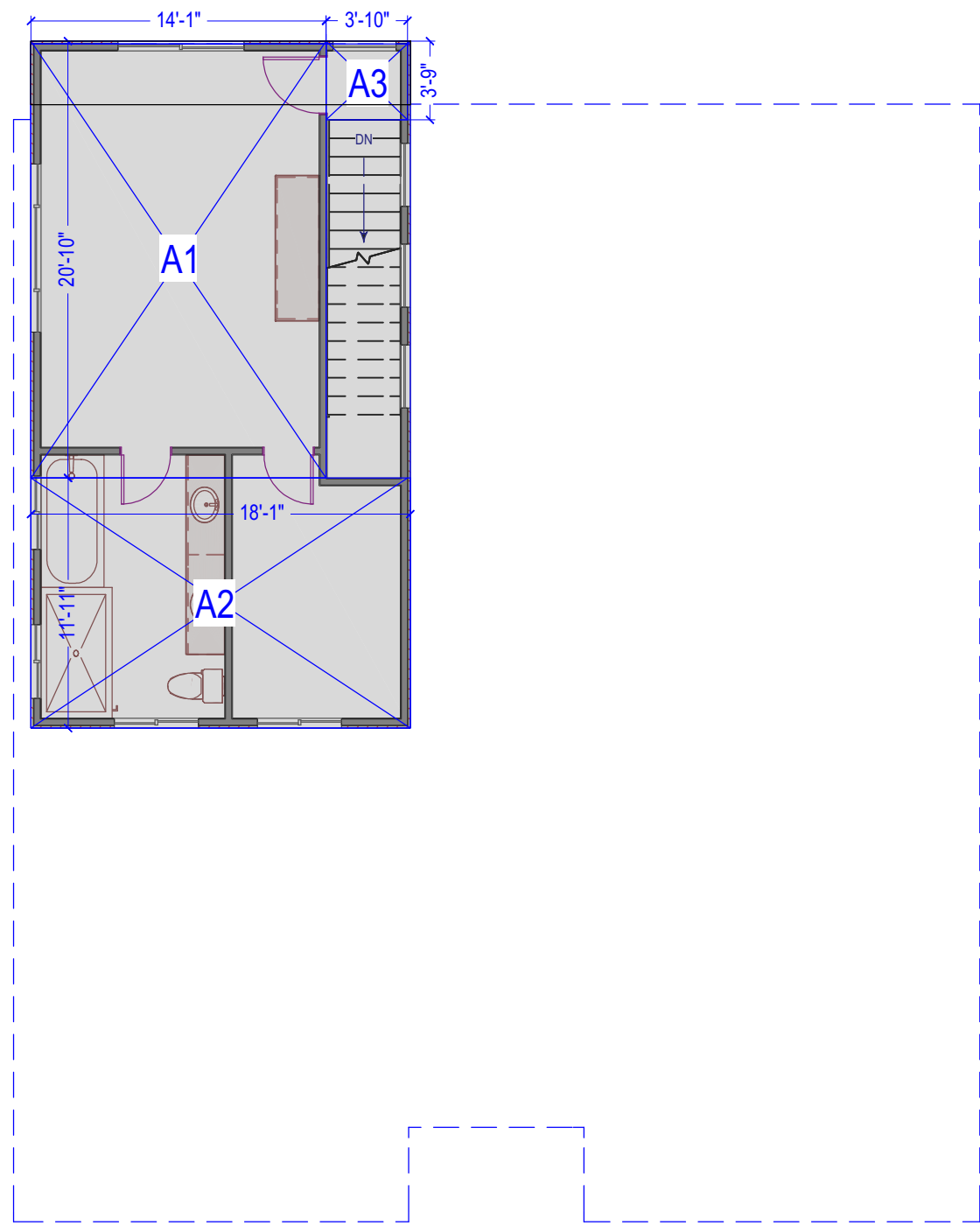
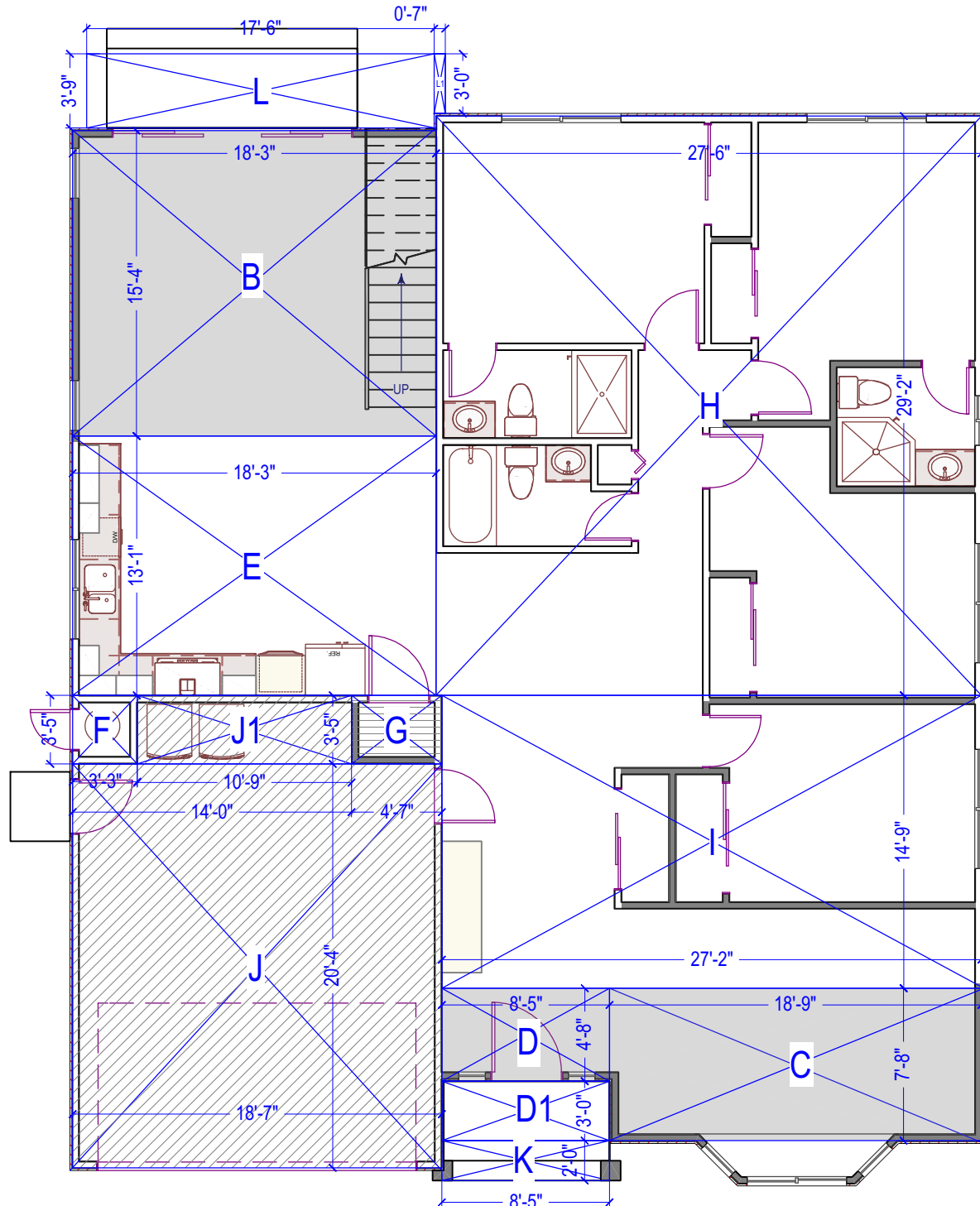
A-05.01



FLOOR AREA DIAGRAM (EXISTING PLAN):

SCALE: 1/8" : 1'

FLOORS	SPACES	SIZE	AREAS (SQF)	TOTAL
1ST FLOOR	A	27'-8" X 16'-3"	450	1462
	B	27'-7" X 13'-1"	360	
	C	27'-3" X 14'-9"	401	
	D	18'-5" X 13'-1"	240	
	E	3'-5" X 3'-5"	11	
GARAGE	F	20'-6" X 18'-10"	386	437
	F1	15'-4" X 3'-5"	51	
TOTAL BUILDING AREA				1899



FLOOR AREA DIAGRAM (PROPOSED PLAN):

SCALE: 1/8" : 1'

		FLOORS	SPACES	SIZE	AREAS (SQF)	TOTAL		
2ND FLOOR	NEW ADDITION	2ND FLOOR	A1	20'-10" X 14'-1"	293	522	984	2452
			A2	11'-11" X 18'-1"	215			
			A3	3'-10" X 3'-9"	14			
1ST FLOOR		B	18'-3" X 15'-4"	279	462			
		C	18'-9" X7'-8"	144				
		D	8'-5" X 4'-8"	39				
EXISTING			E	18'-3" X 13'-1"	239	1468		
			F	3'-5" X 3'-3"	11			
		CONVERTED EXISTING GARAGE TO NEW LIVING	G	4'-7" X 3'-5"	16			
			H	29'-2" X 27'-6"	802			
		I	27'-2" X14'-9"	400				
	GARAGE		J	20'-4" X 18'-7"	378			
		J1	10'-9" X 3'-5"	36				
TOTAL BUILDING AREA						2866		
COVERED PORCH			K	8'-5" X 2'-0"	16	41		
			D1	8'-5" X 3'-0"	25			

THE FRONT PORCH IS NOT INCLUDED IN THE FLOOR AREA, BUT IS INCLUDED IN THE LOT COVERAGE.



To:

The Planning Commission, City of Sunnyvale

Thank you for giving us this opportunity to express our genuine concerns regarding the proposed construction project at 1585 Mallard Way APN 309-31-071, the design review permit. To begin with, please note that we have no issue with the final dwelling, but our concerns are solely regarding the environmental issues arising out of the construction phase.

Due to severe medical conditions in our family, we are extremely concerned about the dust created by this huge demolition / construction project that can adversely impact our health. Our only son has been documented with multiple disabilities and is a client of San Andreas Regional Center. His chief disability is his severe congenital anatomical anomalies for which he had to undergo 16 major surgeries thus far, including open heart surgery. His 17<sup>th</sup> major surgery for nose and sinuses is coming up this year, and we are afraid the dust from the project can create hindrance in his recovery.

Moreover, I have severe lung issues, and as per my Stanford pulmonologist's advice ('Dr\_Kao\_letter.pdf' attached), I am supposed to have a daily robust workout routine with good ventilation and stay away from any construction site to avoid dust. I am diligently following this advice and working out in our garage by (effectively) climbing 1500 feet daily at 4 mph on my treadmill with the garage door open. Currently I am unable to go to the gym because I am very susceptible to catching respiratory infections.

We are very concerned that I will be inhaling dust during the construction phase, which can adversely impact my lungs. I wish to live as long and as healthy as I can to care for our son's ongoing medical needs and future surgeries. Our doctors at Stanford have provided (attached) letters explaining our medical needs. It is difficult for us to relocate because my son and I have significant and time consuming daily medical routines which cannot be halted even for a single day.

Could you please suggest any mitigation measures that might be appropriate in this kind of situation, (even if we are told complete elimination of dust is not possible)? We are told this is the only thing we can request at this stage after the permit is approved. We want to make it clear that we are willing to bear the cost for the best possible mitigation measures for dust control because after all, it could be life-threatening for us.

It is very hard for my body to sustain repeated onset of pneumonias and bronchitis. As per my pulmonologist's letter ('Dr\_Kao\_letter.pdf'), a consequence of repeated pneumonias and bronchitis from my exposure to dust could be a possibility that needs to be avoided. Moreover, I may not be able to carry out my recommended workout routine when I am sick, which further can affect my lung health. Our son's breathing issues due to his nose and sinus problems can also aggravate as per his ENT surgeon's letter ('Dr\_Hwang\_letter.pdf'), leading to more serious situations.

My husband Advait and I are his primary caregivers. For this reason, when the Covid-19 vaccines came out for the first time at the end of 2020, Advait and I were listed by Santa Clara County in the very first, highest priority category of "Healthcare Workers" for receiving the vaccine. It is because being primary caregiver for a disabled son is considered "Essential Work" equivalent to "Healthcare Workers", and therefore saving our lives was the highest priority even if we are not Healthcare Workers by profession. Our lives were considered valuable then.



Therefore, it makes sense that in this case, the City of Sunnyvale Planning Commission works in collaboration with Health and Human Services or a similar department if any to make decisions in this regard. In the absence of such a department at the city level, the City of Sunnyvale may take it to the County level to address our health concerns.

To us, this whole permit process seems to raise some questions and concerns. Is it right on the part of the City to not consider any health impact from the proposed construction and only focus on the Zoning rules? In our case it is a far more serious consequence of possible life-threatening medical conditions. Are there not any other viable options?

People who have health issues are often in a vulnerable state to raise health concerns, and senior citizens sometimes find back and forth email communication grueling. Please see the attached document of our email communication with Shila ('RE: Permit for 1585 Mallard Way (APN: 309-31-071) Outlook item') ever since we received the notification regarding this construction on February 3<sup>rd</sup>.

Please note that as per our understanding, none of the neighbors were informed regarding this proposed construction before the permit process began. We believe that at least 8 neighbors surrounding the proposed construction site (2 adjacent – left / right, 2 across (front / back) and 4 diagonally across), should be informed because they are potentially the ones that could be significantly affected by noise and dust. Moreover, these days several people work from home and also in many cases exercise in their garage in this pandemic / post-pandemic era. They too are vulnerable to the resulting dust and noise from the construction.

Also due to our severe medical issues, it is imperative that we live in an urban environment that is close to Stanford hospital, where our son was transferred upon birth and has since been treated there by dozens of doctors, surgeons from Stanford Children's Health, and now Stanford Hospital. It is easier for us to go to Stanford from where we live currently because of the easy freeway access. We face quite a few medical emergencies, and it is easier to save our lives from this location, and that's the reason 24 years ago we moved here from a much larger two-story home in Fremont to be closer to Stanford.

All that I am asking for is an opportunity to continue my workout so that I can continue maintaining proper lung and heart health to increase my life expectancy. I humbly request you to not take away my opportunity to work out in my garage with proper ventilation by creating a dusty environment right in the vicinity of my home where we are located at the receiving end of the wind direction from the proposed construction. My options for workout locations are restricted due to my susceptibility of catching infections if I go to the Gym. We are simply requesting from the City our basic "needs and rights" to breathe fresh air to remain healthy.

I am also a brain tumor survivor from Acoustic Neuroma, the side effect of which has created tremendous sound sensitivity for me. Noise from this construction will most certainly adversely impact the quality of my life as well. Attached please find the letter from my Neurosurgeon Dr. Chang at Stanford.

In addition, our son works from home, and due to his attention issues [REDACTED], it is extremely hard for him to focus when there is loud noise in the background as stated in the letter by his PCP.

We have been living in this home for almost 25 years and in the Bay Area for almost 40 years. Our experience here is that human life is valued, which we truly appreciate! Shila mentioned, "Your well-



being and concerns are important to us, and we'll do our best to address them within the scope of our capabilities." We believe in the case of such special medical circumstances, the scope of your capabilities can certainly be expanded.

Attached please find our communication with Ms. Shila Bagley ('email\_exchange.docx'), just for your reference. Also attached is a petition from us and our neighbors for using dust control measures ('1585\_Mallard\_Way\_Construction\_Dust\_Mitigation\_petition.pdf'), something that several of our neighbors are concerned about, in addition to loud noise from the construction. Our doctors' letters are attached with this appeal, and we will soon be sending our PCP's letters as well.

Thanking you for your kind attention.

Sincerely,

Sona Varty and Advait Mogre (parents of a son with multiple documented disabilities who is a client of San Andreas Regional Center)

1572 Mallard Way Sunnyvale

( [REDACTED] )

We support the above appeal.

- Bernita Lee and Stella Lee  
1576 Mallard Way Sunnyvale
- Zhongwan Wang and Haohan Li  
1579 Mallard Way Sunnyvale
- Linda Harvey  
886 Humewick Way Sunnyvale,
- Lorraine and Harlan Crowder  
897 Humewick Way Sunnyvale
- Rui Huang  
1568 Mallard Way Sunnyvale
- Robert Desmet  
1580 Mallard Way
- Wei Cao  
1588 Mallard Way
- Josehp Ehin  
862 Humwick Way



**From:** [Sona and Advait](#)  
**To:** [PlanningCommission AP; Shila Bagley](#)  
**Cc:** [OCM AP; Murali Srinivasan](#)  
**Subject:** Additional supporting information re appeal for 1585 Mallard Way (APN: 309-31-071)  
**Date:** Monday, March 11, 2024 9:21:36 PM  
**Attachments:** [Dr. Kao letter.PDF](#)  
[Dr. Hwang letter.pdf](#)  
[Dr. Guardino letter.PDF](#)  
[Notice to review project 1585 Mallard Way.pdf](#)  
[1585 Mallard Way Construction Dust Mitigation Petition.pdf](#)  
[RE Permit for 1585 Mallard Way \(APN 309-31-071\).msg](#)  
[Dr. Chang letter.pdf](#)  
[Dr. Wallace letter2.PDF](#)  
[Dr. Wallace letter.pdf](#)  
[Additional support from neighbors.docx](#)  
[Appeal letter with additional supporting information.docx](#)

---

**WARNING - This email came from an EXTERNAL source. Confirm the sender and its contents are safe before responding, opening attachment or links.**

To:

The Planning Commission, City of Sunnyvale

In addition to our appeal letter dated March 6<sup>th</sup>, attached please find letters from our son's and my PCP Dr. Kevin Wallace, as additional supporting documentation. We have also received support from three more neighbors for adding their names to our appeal (attached). We have added their names at the end of our attached appeal letter ('Appeal\_letter\_with\_additional\_supporting\_information.docx'). Thus as of now, 8 neighbors have supported our appeal, and 33 neighbors have supported our petition for using the dust control measures.

As per our latest information, It seems more neighbors wanted to raise their concerns regarding this construction due to potential noise, dust and losing privacy because of second floor. However, they were unable to do so because the notification regarding the review process that we received on February 3<sup>rd</sup> stated the deadline of February 1<sup>st</sup> for raising concerns. In our first email to Shila on February 5<sup>th</sup> we let her know "Sorry for the delay" to begin with; but in reality, it turns out we were not late.

Anyway, in our lengthy email trail with Shila that was attached with the appeal letter as an Outlook item, Shila appeared to understand our issues and gave a thoughtful response on February 16<sup>th</sup> saying she will explore any voluntary action on part of the owners of 1585. We then also talked to the owners giving more details of our health issues, the conversation that we began with them on February 5<sup>th</sup>. We were told on February 17<sup>th</sup> they had paid \$10,000 for design fees and permit fees until now. We did express our willingness to reimburse that amount to them to protect our health and well-being, and informed Shila accordingly.

We would greatly appreciate it if the Planning Commission could explore this avenue further. We assure you that we will stick by our word to reimburse them \$ 10,000 for the cost they incurred until now in case they are willing to retract voluntarily considering the adverse impact on our health from the construction. We will be truly grateful to them. We have discussed this proposal with our neighbors who supported our appeal.

Lastly, we also got to know one of the reasons for this reconstruction is that there is significant amount of mold at 1585 residence. I am allergic to mold (fungi) as per my pulmonologist Dr. Kao's letter. Could the City please make sure that the demolition process does not commence until remediation for mold has been completed? Otherwise, we are concerned the spores from the mold will spread in the environment affecting everyone's health (especially that of mine and of our son).

Secondly, different remediation companies use different measures for mold remediation. Some blow fans on mold to get rid of it, which can be very dangerous to the environment because that



also spreads mold spores in the environment. Others use more efficacious containment methods. We are trying our best to avoid adverse health impact on our family as well as on other neighbors. We would appreciate the City's monitoring for using proper remedial measures for the mold remediation at 1585 Mallard.

Truly appreciate your kind attention.

Sincerely,

Sona Varty and Advait Mogre (parents of a son with multiple documented disabilities who is a client of San Andreas Regional Center)

1572 Mallard Way Sunnyvale

( [REDACTED] )





Name: Sona A Varty | [REDACTED] | [REDACTED] PCP: Kevin Peter Scott Wallace, MD

## Letter Details



Department of Neurology and Neurological Sciences  
300 Pasteur Drive  
Stanford, CA 94305  
[Http://neurology.stanford.edu](http://neurology.stanford.edu)

### Neurological Subspecialties

3/5/2024

General Neurology  
Phone: (650) 723-5184  
Fax: (650) 725-7459

Epilepsy  
Phone: (650) 725-6648  
Fax: (650) 498-6326

Memory Disorders  
Phone: (650) 723-5184  
Fax: (650) 725-7459

Movement Disorders  
Phone: (650) 723-5184  
Fax: (650) 725-7459

Multiple Sclerosis  
Phone: (650) 723-6469  
Fax: (650) 725-0390

Neuromuscular Diseases  
Phone: (650) 723-5184  
Fax: (650) 725-7459

Neuro-Oncology  
Phone: (650) 725-8630  
Fax: (650) 498-4686

Stroke  
Phone: (650) 723-4448  
Fax: (650) 723-4451

### Patient Consultations

New Patients  
Phone: (650) 725-5792  
Fax: (650) 723-6002

Return Appointments  
Phone: (650) 498-7551  
Fax: (650) 725-0390

Prescription Refills  
Phone: (650) 723-4720  
Fax: (650) 725-0390

RE: Suvarna A Varty  
1572 Mallard Way  
Sunnyvale CA 94087-3541

To Whom It May Concern:

This is to verify that Suvarna A Varty (also known as "Sona") has been under my care from February 10, 2009 to present.

Mrs. Varty has a history of Right Vestibular Schwannoma/Acoustic Neuroma, which has resulted in the development of tremendous sound sensitivity.

Strong, loud noises such as active construction sounds close to her home may lead to severe symptoms, disrupting her quality of life and ability to do activities of daily living.

Your help in this matter will be very much appreciated.

Sincerely,

Steven D Chang, MD  
Department of Neurosurgery and Cyberknife Services  
Robert C. And Jeanette Powell Professor of Neurosurgery

[REDACTED] Suvarna A Varty  
300 Pasteur Drive Stanford, CA 94305  
(650) 723-4000  
[www.stanfordhospital.com](http://www.stanfordhospital.com)  
[Med.stanford.edu/](http://Med.stanford.edu/)



## Menlo Medical Clinic

Cardiology  
1300 Crane Street  
Menlo Park, CA 94025  
Phone: 650-498-6649  
www.menloclinic.com

2/21/2024

RE: Sona A Varty  
1572 Mallard Way  
Sunnyvale CA 94087-3541

To Whom It May Concern:

I am writing on behalf of my patient Suvarna A Varty, who is presently in my care.

Ms. Suvarna A Varty has chronic medical conditions to which I have recommended a regular rigorous workout routine.

Sincerely,

Jeffrey Mark Guardino MD





Name: Aseem V Mogre | [REDACTED] | [REDACTED] | PCP: Kevin Peter Scott Wallace, MD

## Letter Details (Aseem)



**Stanford**  
HEALTH CARE

STANFORD UNIVERSITY SCHOOL OF MEDICINE  
DEPARTMENT OF OTOLARYNGOLOGY - HEAD & NECK SURGERY

**KONSTANTINA M. STANKOVIC, MD, Ph.D.**  
CHAIR

801 Welch Road  
8502  
Stanford, CA 94305-5739  
6685

Academic Office (650) 725-6500 Fax (650) 725-

Adult Clinic (650) 723-5281 Fax (650) 725-

Children's Clinic (650) 497-8841 Fax (650) 497-

Cancer Center (650) 498-6000 Fax (650) 723-

### CLINICAL DIVISIONS

#### Facial Plastic Surgery

SAM P. MOST, MD  
JON-PAUL PEPPER, MD  
SETH J. DAVIS, MD

8839  
2452 Watson Court  
6956  
Palo Alto, CA 94303  
<http://med.stanford.edu/ohns/>

#### Head & Neck Surgery

JOHN B. SUNWOO, MD  
FRED M. BAIK, MD  
VASU DIVI, MD  
CHRIS HOLSINGER, MD  
JULIA E. NOEL, MD  
LISAA. ORLOFF, MD  
DAVUD B. SIRJANI, MD  
HEATHER M. STARMER, MA  
ANDREY FINEGERSH, MD, Ph.D  
DALJIT S. MANN, MD  
KATHERINE C. WAI, MD

900 Blake Wilbur Drive - 3rd floor  
Palo Alto, CA 94304

450 Broadway Avenue - Pavilion B, 2nd floor  
Redwood City, CA 94063

2585 Samaritan Drive  
San Jose, CA 95124

2/23/2024

#### Laryngology/Speech Pathology

EDWARD J. DAMROSE, MD  
ELIZABETH E. DIRENZO, Ph.D  
ANN KEARNEY, CScD, CCC-SLP, BCS-S  
C. KWANG SUNG, MD, MS  
ALDEN F. SMITH, MD

RE: Aseem V Mogre  
1572 Mallard Way  
Sunnyvale CA 94087-3541

#### Otology & Neurotology

NIKOLAS H. BLEVINS, MD  
JENNIFER C. ALYONO, MD, MS  
ROBERT K. JACKLER, MD  
LLOYD B. MINOR, MD  
PETER SANTA MARIA, MBBS, Ph.D  
GEORGE W. SHORAGO, MD  
KONSTANTINA M. STANKOVIC, MD, Ph.D  
KRISTEN K. STEENERSON, MD  
PETER J. KULLAR, MBBChir, MA, Ph.D  
LINDSAY S. MOORE, MD

To Whom It May Concern:

This is to verify that Aseem V Mogre has been under my care since 2/1/2023 for his chronic nasal and sinus issues. He underwent sinus surgery on 8/15/2023. Currently, patient still has significant nasal and sinus symptoms, particularly nasal obstruction. His next appointment in our clinic is on 2/26/2024, and another nasal surgery is planned for April 2024.

#### Pediatric Otolaryngology

ALAN G. CHENG, MD  
IRAM N. AHMAD, MD, MME  
KARTHIK BALAKRISHNAN, MD, MPH  
KAY W. CHANG, MD  
KARA D. MEISTER, MD  
DOUGLAS R. SIDELL, MD  
MAI THY TRUONG, MD  
TULIO A. VALDEZ, MD, MSc  
TASEER F. DIN, MBChB  
GRACE S. KIM, MD

We were informed by Aseem's family of a construction project in his neighborhood. Considering Aseem's upper respiratory health, any efforts to mitigate construction dust formation will be greatly appreciated.

#### Rhinology/Sinus Surgery

PETER H. HWANG, MD  
JAYAKAR V. NAYAK, MD, Ph.D  
ZARA M. PATEL, MD  
MICHAEL T. CHANG, MD  
MICHAEL J. YONG, MD, MPH, MBA

Please feel free to contact our clinic if you have questions regarding this letter.

24-0468 Corrected Attachment 11 (posted 20240405)

**Comprehensive Otolaryngology**  
UCHECHUKWU C. MEGWALU, MD, MPH  
JENNIFER Y. LEE, MD

Sincerely,

**Sleep Surgery**

ROBSON CAPASSO, MD  
STANLEY Y. LIU, MD, DD.S  
AHMED A. ALSAYED, MBBS  
VIKRAM PADHYE, MBBS, Ph.D  
THOMAZ FLEURY CURADO, MD, Ph.D

Peter Hwang, MD

**Audiology/Hearing Devices**

MATTHEW B. FITZGERALD, Ph.D

**RESEARCH DIVISION**

ANTHONY J. RICCI, Ph.D  
NICOLAS GRILLET, Ph.D  
STEFAN HELLER, Ph.D  
TERESA NICOLSON, Ph.D  
DAIBHID O MAOILEIDIGH, Ph.D, MS

**AFFILIATED INSTITUTIONS**

PALO ALTO VA HEALTH CARE SYSTEM  
SANTA CLARA VALLEY MEDICAL  
CENTER

Aseem V Mogre

Stanford Health Care

1

[REDACTED]





February 20, 2024

Re: Sona A. Varty

To Whom It May Concern:

Ms. Sona A. Varty has been under my medical care at Stanford Health Care Chest Clinic since 2013.

Ms. Varty has a genetic susceptibility to respiratory infections that causes her to easily develop bronchitis and pneumonias after inhaling air contaminated with dusts and germs including bacteria, viruses and fungi.

Ms. Varty is diligent in performing daily airway clearance therapies to clear the mucus with trapped germs from her lungs. To increase her respiratory capacity, she also engages in vigorous aerobic exercises using the treadmill located outdoors in her garage.

We are concerned about the increased exposure to airborne germs from dust that will certainly occur with digging and construction that is planned to occur across the street from Ms. Varty's home.

We request efforts to mitigate construction dust formation in order to protect Ms. Varty's respiratory health as well as the health of her adult son in the household, who is also vulnerable to respiratory infections.

Thank you for your consideration,

Peter N. Kao, MD, PhD  
Associate Professor of Medicine (Pulmonary)

Chest clinic

Tel (650) 725-7061

FAX (650) 498-6288



Stanford  
HEALTH CARE

## Menlo Medical Clinic

Internal Medicine  
1300 Crane Street  
Menlo Park, CA 94025  
Phone: 650-498-6649  
www.menloclinic.com

3/6/2024

RE: Suvarna A Varty  
1572 Mallard Way  
Sunnyvale CA 94087-3541

To Whom It May Concern:

I am writing on behalf of my patient Suvarna A Varty, who is under my care.

Ms. Suvarna A Varty has a chronic pulmonary condition. I am concerned she may inhale dust from the proposed construction project near her home, which may worsen her breathing issues further.

If you need any further information, please feel free to phone our office and speak with my nurses at (650) 498-6500.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Peter Scott Wallace".

Kevin Peter Scott Wallace, MD





Stanford  
HEALTH CARE

## Menlo Medical Clinic

Internal Medicine

1300 Crane st

Menlo Park CA 94025

Dept Phone: 650-498-6500

Dept Fax: 650-324-6279

[www.menloclinic.com](http://www.menloclinic.com)

03/02/2024

RE: Aseem V Mogre  
[REDACTED]

To Whom It May Concern:

I am writing on behalf of my patient Aseem V Mogre, who is under my care.

Mr. Aseem V Mogre has a chronic pulmonary condition. I am concerned he may inhale dust from the proposed construction project near his home, which may worsen his breathing issues further. In addition, Mr. Mogre has attention issues and has difficulties with maintaining focus with the loud noise in the background

If you need further information, please feel free to phone our office and speak with my nurses at (650) 498-6500.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Peter Scott Wallace, MD".

Kevin Peter Scott Wallace, MD

Aseem V Mogre, [REDACTED]  
Menlo Medical Clinic [REDACTED]