

Shila Bagley

From: Shila Bagley
Sent: Tuesday, February 20, 2024 9:27 AM
To: Sophia Wang
Cc: [REDACTED]
Subject: RE: Request to review project plan of 1585 Mallard Way

Hi Sophia,

Thank you for expressing your concerns regarding the potential impact of the new construction on the natural lighting of your house at 1579 Mallard Way. Upon thorough examination, we can assure you that the shadow study included in the plan provides sufficient information required by this type of application. Based on the provided data and our assessment, we can confirm that the proposed addition will not cast a shadow on your house beyond what is permitted by the code.

19.56.020 Solar energy systems—Impairment of solar access by structures.

***(b)** Applications for new construction above the first level of any structure shall include the following solar shading analysis by a qualified professional:*

(1)** The solar shading analysis shall show the extent to which the proposed construction will shade adjacent rooftops and solar collectors **at nine a.m. and three p.m. Pacific Time on December 21st.

***(2)** If the above solar shading analysis shows a conflict with solar access greater than **ten percent**, the applicant shall provide an additional analysis which calculates the extent to which the proposed construction will shade adjacent rooftops and solar collectors between nine a.m. to three p.m. Pacific Time throughout the entire three hundred sixty-five-day solar cycle. If the analysis shows a cumulative shadowing effect of less than ten percent total over the course of the three hundred sixty-five-day solar cycle, the application shall be deemed to be in compliance with this section.*

Here is the [Solar Access and Shadow Analysis](#) brochure. Should you have any additional questions or concerns, please do not hesitate to reach out.

Sincerely,



Shila Bagley, AICP
Senior Planner
Community Development Department
Phone: 408-730-7418
Email: sbagley@sunnyvale.ca.gov
Pronouns: she, her, hers
"من فارسی صحبت میکنم!"
Sunnyvale.ca.gov

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General zoning information is also available on the [Planning Division webpage](#). Due to high call/email volumes, a Planner will respond to you within 4 business days, please be patient with us during this time.

From: Sophia Wang <[REDACTED]>
Sent: Sunday, February 18, 2024 9:35 PM
To: Shila Bagley <SBagley@sunnyvale.ca.gov>
Cc: [REDACTED]
Subject: Re: Request to review project plan of 1585 Mallard Way

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Dear Shila,

We are very concerned about the new construction's effect on our house's (1579 Mallard Way) natural lightning. The shadow study (Page 3 and Page 4) of the plan didn't clearly show the new shadow casted by the new construction. It showed the position of the sun on December 21st but not the height of the sun. It doesn't illustrate the shadow casted to our house either. Could you please share the full shadow study (not just 9am and 3pm, but also 10am, 11am, 12pm, 1pm, 2pm and 4pm) to confirm that the new construction does not cause any new shadow to our house's sun lighting during the full day of December 21st? Before we see the full study and the confirmation that the new construction has no effect on our natural lighting, we object to the proposal of the new construction.

Yours sincerely,
Zhongwan (Sophia) Wang and Haohan (Marvin) Li

On Tue, Feb 13, 2024 at 1:11 PM Shila Bagley <SBagley@sunnyvale.ca.gov> wrote:

Hi,

Thank you for emailing me. I attached the plans here. Please review and let me know if you have any questions.

Sincerely,



Shila Bagley, AICP
Associate Planner
Community Development Department

Phone: 408-730-7418

Follow us on:

Fax: 408-328-0710



Email: sbagley@sunnyvale.ca.gov

Sunnyvale.ca.gov

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From: Sophia Wang <[REDACTED]>
Sent: Tuesday, February 13, 2024 11:50 AM
To: Shila Bagley <SBagley@sunnyvale.ca.gov>
Cc: [REDACTED]
Subject: Re: Request to review project plan of 1585 Mallard Way

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Dear Shila,

Just sending out a bump on the previous email. Please let us know if you could share with us the design plan of 1585 Mallard Way. Thank you!

Best Regards,

Zhongwan

On Sat, Feb 10, 2024 at 8:06 PM Sophia Wang <[REDACTED]> wrote:

Dear Shila,

This is Zhongwan Wang and Haohan Li, owner and resident of 1579 Mallard Way, Sunnyvale. We saw the public notice of design review for our nextdoor neighbor, 1585 Mallard Way. We are writing to request the project plan so we will be able to evaluate whether we have any comments/concerns to provide.

Thank you very much for your work.

Yours sincerely,

Zhongwan (Sophia) Wang and Haohan (Marvin) Li

Guia Sharma

From: Shila Bagley <SBagley@sunnyvale.ca.gov>
Sent: Monday, March 4, 2024 10:30 AM
To: Sona and Advait
Cc: OCM AP; 'Murali Srinivasan'
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

Yes. Any time before 5 pm on March 6th would be okay.

Sincerely,



Shila Bagley, AICP
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Phone: 408-730-7418
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From: Sona and Advait <[REDACTED]>
Sent: Monday, March 4, 2024 10:09 AM
To: Shila Bagley <SBagley@sunnyvale.ca.gov>
Cc: OCM AP <citymgr@sunnyvale.ca.gov>; 'Murali Srinivasan' <[REDACTED]>
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

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Hello Shila,

Thank you for your response. If the email of appeal letter reaches to you before 5 pm on March 6th, will it be accepted?

Thanks,
Sona and Advait

From: Shila Bagley <SBagley@sunnyvale.ca.gov>
Sent: Monday, March 4, 2024 9:24 AM
To: Sona and Advait <[REDACTED]>
Cc: OCM AP <citymgr@sunnyvale.ca.gov>; Murali Srinivasan <[REDACTED]>
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

Hi All,

You must submit your appeal by March 6th. Send it either to me or to Planning@sunnyvale.ca.gov. The appeal period cannot be extended. If you wish to appeal, ensure your request reaches us by March 6th. Staff will then arrange a hearing approximately 4 weeks after receiving your appeal request. Although we can adjust the hearing date to accommodate your need for additional supporting documents, the appeal request deadline remains March 6th.

Sincerely,



Shila Bagley, AICP
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From: Sona and Advait <[REDACTED]>
Sent: Friday, March 1, 2024 5:06 PM
To: Shila Bagley <SBagley@sunnyvale.ca.gov>
Cc: OCM AP <citymgr@sunnyvale.ca.gov>; Murali Srinivasan <[REDACTED]>
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

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Hello Shila,

We are resending the previous email because due to our oversight we missed Cc-ing Murali Srinivasan in the earlier email.

Thanks,
Sona Varty and Advait Mogre

From: Sona and Advait <[REDACTED]>
Sent: Friday, March 1, 2024 4:05 PM
To: 'Shila Bagley' <SBagley@sunnyvale.ca.gov>
Cc: 'OCM AP' <citymgr@sunnyvale.ca.gov>
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

Hello Shila,

Thank you for your response. We have a few queries: Is there any limit on the length of the Appeal letter? Is March 6th included in the time frame for the appeal?

We are hoping to ensure that no hearing date is scheduled until our meeting with Mr. Kent Steffens takes place. Once again please do note that we have no issue with the final dwelling on 1585 Mallard Way; our concern is only on the adverse health impact due to dust during the construction process since this is a large scale construction that involves significant demolition.

We are also expecting more supporting material to arrive after the appeal time frame is over. We request the Planning Commission to consider all the supporting material that is submitted with the appeal letter and soon after the appeal deadline of March 6th. The 14 day time frame for appeal was not enough in this inclement weather for collecting all the supporting material, compounded by our illness in this time frame during the Pandemic era. After receiving the appeal, please do let us know if you seek more information on our part.

As stated in our previous email, you came up with a creative idea of resolving this issue by requesting the applicant from 1585 Mallard way to voluntarily retract from this project for seeking other options. It seems they have incurred the permit fees and design fees of \$10,000 until now. We certainly do not want them to bear any loss in that process. Therefore, we have expressed our willingness to reimburse that amount to avoid an adverse health impact on our family.

Thank you for your understanding.

Sincerely,

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

[REDACTED]

From: Shila Bagley <SBagley@sunnyvale.ca.gov>
Sent: Tuesday, February 27, 2024 11:13 AM
To: Sona and Advait <[REDACTED]>
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

Hi Sona,

I acknowledge your concerns, and so does the upper management. The next step in the process involves submitting an appeal, which will bring the project before the Planning Commission for their final decision. From your email, it is not clear if you are appealing the project or you are still hesitant to do so. If you wish to proceed with the appeal, please draft a letter similar to the emails you've previously sent, addressing the Planning Commission. It would be beneficial to include any supporting materials such as additional letters, pictures, or documents that can aid in presenting your case. Once I receive your letter within the specified appeal window (by March 6th), I will handle the appeal intake process and notify you regarding payment. Subsequently, I will schedule a hearing with the Planning Commission.

Sincerely,



Shila Bagley, AICP
Senior Planner
Community Development Department
Phone: 408-730-7418
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From: Sona and Advait <[REDACTED]>
Sent: Monday, February 26, 2024 6:29 PM
To: Shila Bagley <SBagley@sunnyvale.ca.gov>
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

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Hello Shila,

Thank you for your thoughtful response; we truly appreciate it! Sorry for the delay in our reply, but unfortunately it is due to our current illness. Thank you also for reaching out to the applicant to explore any voluntary action they might consider. That was extremely thoughtful and creative of you under the given circumstances.

We also tried to reach out to them to inform of the details of our health issues and possible consequences of the construction process. It seems until now they have spent \$10,000 on the permit process and design fees. We have expressed our willingness to reimburse that amount so that they do not have to bear any loss in case they decide to retract from this project. Is it possible to get other City Officials involved in this matter to persuade the applicant to find a common ground? Because after all, we are talking about very serious health conditions which can significantly affect my son's and my health and could be life threatening. As mentioned earlier, my son badly needs my care to address his ongoing medical needs. It is our understanding that the seriousness of health issues in this regard may be hard to comprehend at this stage, but going forward they might understand when more people try to explain. After all, we all are humans and do have a heart.

We definitely want to appeal to avoid adverse impact on our life and minimize our health problems. Our doctors from Stanford have given letters in this regard. (Please see the attachments). It is very hard for my body to sustain repeated onset of pneumonias, and bronchitis as my pulmonologist's letter suggests that as a consequence to my exposure to dust. Moreover, I may not be able to carry out my recommended workout routine when I am sick, which further can affect my lung health. My son's breathing issues due to his nose and sinus problems can also aggravate as per his ENT surgeon's letter, leading to more serious situations.

However, we are concerned that this appeal might go to the Planning Department and the impact on health from this construction may not be fully understood or appreciated, (the way you finally did). Would you happen to know who handles the health related matter at the City level? Secondly, a 14 day time period is also tight for the appeal to attach all the supporting material, especially considering our current illness. We are still in a process of gathering more supporting material. Can additional supporting material be considered if they keep coming after the appeal is made before the deadline?

From what we have seen thus far, we believe this whole Permit Process appears to be rather questionable, in the sense the neighbors' input is taken after the project has basically been approved as per Zoning rules. Moreover, the Permit cannot be changed once it is approved after the 14 day of input process, even if it is possible that severe health impacts are discovered later. One would imagine that the impact on health needs be considered before the Zoning approval of the Permit Process, because surely, health issues are also a priority.

Is it right on the part of City to not consider health impact from proposed construction and only focus on Zoning rules? Is it right for the residents to make their neighbors go through severe inconvenience and health impact from dust and noise, just so that they can expand their current dwelling? Are there not other options? We believe the City and residents cannot visualize the health consequences, maybe because people who have health issues are often in a vulnerable state to raise health concerns, thinking they have no say in the matter anyway.

From the plans publicly made available, we note that this is not a construction that at the most involves just adding an extra room in front or a back yard. This construction involves significant demolition and reconstruction and that's likely the reason we received a notice regarding it to voice our concern or to raise an objection. Being a California licensed architect, it is possible for me to comprehend the scale of demolition and reconstruction in this project, and therefore, how much dust it can possibly create. Could you please let us know what kind of mitigation measures might be taken during the construction to minimize dust, because it seems as per the current rules, that is the only thing we can request at this stage?

Anyway, we would appreciate if you could guide us through the Appeal Process and get the right authority involved in the Appeal Process who can make decisions regarding the impact on health due to the proposed construction. Please feel free to call us any time if you need more information and want to save time, since now the time is tight for the final deadline for the appeal, especially considering our current illness due to which we have limited energy.

Thank you once again for your time, empathy, and understanding! Attached please find our doctors' letters.

Sincerely,
Sona Varty and Advait Mogre
1572 Mallard Way
[REDACTED]

From: Shila Bagley <SBagley@sunnyvale.ca.gov>
Sent: Friday, February 16, 2024 2:37 PM
To: Sona and Advait <[REDACTED]>
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

Hi Sona,

Thank you for taking the time to express your concerns regarding the upcoming construction project at 1585 Mallard Avenue. I fully grasp the seriousness of your situation, and I want to emphasize that I do not intend to minimize or overlook it in any way. I want to assure you that your well-being and the well-being of your family are of utmost importance to us.

For a project of this scale, the city cannot deny approval unless the proposal violates any development standard or any adopted city policy. The proposed project has undergone review by all relevant departments (including Public Works, and Building), confirming compliance with all policies, and is expected to proceed for approval.

Once the 14-day comment period ends on 2/19, Staff will make a decision. You will indeed have the right to appeal the decision to the Planning Commission within 15 calendar days. If you wish to appeal the staff decision, please email me directly and provide your reasons for appealing the project with supported documents (if any). The appeal fee is \$249.90.

Per federal laws, I am obligated to protect sensitive patient health information from being disclosed without the patient's consent or knowledge. However, I can share any documentation or letters from your medical professionals that may further support your case if you decide to appeal the project.

Additionally, I will reach out to the applicant to explore any further voluntary actions they may undertake to address concerns.

Sincerely,



Shila Bagley, AICP
Associate Planner
Community Development Department
Phone: 408-730-7418
Fax: 408-328-0710
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From: Sona and Advait <[REDACTED]>
Sent: Friday, February 16, 2024 8:02 AM
To: Shila Bagley <SBagley@sunnyvale.ca.gov>
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

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

Hi Shila,

In continuation to our previous email sent on 2/15/24, we want to bring to your attention that our [REDACTED] son has documented disabilities in multiple areas, and my husband Advait and I are his primary caregivers. For this reason, when the Covid-19 vaccines came out for the first time [REDACTED], Advait and I were listed

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.

Therefore, it makes sense that in this case, City of Sunnyvale Planning Department works in collaboration with Health and Human Services or a similar department if any to make decisions in this regard. During the pandemic era, we all are working together to save as many lives as possible when the options are limited.

Thank you for your understanding.

Sincerely,
Sona Varty and Advait Mogre

From: Sona and Advait <[REDACTED]>
Sent: Thursday, February 15, 2024 10:00 PM
To: 'Shila Bagley' <SBagley@sunnyvale.ca.gov>
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

Hello Shila,

Thank you for your prompt response and empathy! Thanks also for acknowledging that “complete elimination of dust during such significant construction projects is challenging.” While this is the reality of the urban environment, we try to avoid this reality as much as we can because our son’s and my medical issues are also unfortunately a day-to-day reality for us.

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. 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, the way we have done several times. We would love to live even closer to Stanford, but this is what we could afford. That’s the reason we moved here from Fremont by giving up a much bigger home because saving our life is our highest priority. Moving is extremely difficult for us due to our daily medical routine for me and our son, which we can’t halt for a single day. Especially for me, my whole day is consumed in taking care of my medical needs, and my husband Advait is working more than fulltime.

Thank you for understanding my need for a workout routine and good ventilation as well as understanding our “difficult situation” for our son’s and my respiratory issues especially considering his upcoming surgery. He and my husband Advait also workout in the garage, but avoiding dust is more critical for me and our son. However, we are confused when you mention in your 2/15/24 email that “halting the project solely due to dust control is not within our authority”. Considering your letter that we received on Saturday February 3, soliciting our concerns regarding the project, could you please guide us who can address our dust concerns?

We note the project has not yet begun and that is the reason neighbors' input is currently solicited. We do wish however that the neighbors' input was taken much beforehand to truly understand their issues and work accordingly to resolve them. Unfortunately, your kind words expressing empathy and understanding do not help us in terms of managing our health moving forward. We are looking for appropriate actions to save our lives. Our doctors from Stanford Hospital and Clinics will be sending letters by next week regarding our medical issues to help you understand the seriousness of the situation.

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 want to be there as long as possible to take care of our son during his medical need. Our son [REDACTED] [REDACTED] has undergone 16 major surgeries since his birth including Open Heart surgery. Dozens of doctors, surgeons, nurses and therapists from Stanford Children's Health and Stanford Hospital have worked hard with him and continue to work hard to save his life during each of his surgeries. We do not wish his upcoming 17th surgery to fail due to the dust from this construction project. Currently he has severe breathing issues due to his nasal and sinus problems and the dust from this project can severely impact his breathing. His ENT surgeon will also soon send a letter in this regard.

Regarding my medical issues, I am working out very hard to maintain my lung and heart health. My pulmonologist and cardiologists will send letters regarding my medical condition by next week. I climb 1500 feet daily on an inclined treadmill at 4mph for 50 minutes. It helps open my airways after 45 minutes of workout. This is in addition to my continuous daily brisk walks in my neighborhood and doing nebulizing treatment twice a day and taking many respiratory medicines. [REDACTED]

[REDACTED] It requires tremendous dedication to pursue a sincere goal: i.e. To be there as long as possible for our son to take care of his medical needs, since I am his primary caregiver when he has surgery, and otherwise. [REDACTED]

I humbly request you to not take away my opportunity to workout in my garage with proper ventilation by creating a dusty environment right in front of my home. As I explained in my earlier email, my options for workout are restricted due to my susceptibility of catching infections. The owners of 1585 Mallard have plenty of options to follow their goal of living in a bigger home.

You are describing the upcoming construction as a typical "development and renovation project of urban area." Whereas as I explained earlier this is a major demolition and reconstruction project. If we take the environment and public health seriously, dust creation

needs to be minimized whenever it is possible, especially to save human life (or lives).

many other neighbors came to live on Mallard and then left for bigger homes without creating dusty environment for other neighbors.

I also have other severe medical challenges

I am a brain tumor survivor from Acoustic Neuroma which has created tremendous sound sensitivity for me. Noise from this construction will definitely adversely impact me
my neuro-surgeon can send a letter for that as well.

There is simply too much on our plate, and we are dealing with it diligently by following our doctors' advice from Stanford.

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! You mention "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 for such special medical circumstances, the scope of your capabilities can certainly be expanded. After all, it is for saving human life!

We are looking forward to getting connected to the right authority in the City of Sunnyvale to resolve our genuine concerns. We would appreciate it if you can please direct us appropriately and forward our messages to the right authority.

Thank you for your time in reading this message and thank you in advance for guiding us to the right department.

Sincerely,
Sona Varty and Advait Mogre

From: Shila Bagley <SBagley@sunnyvale.ca.gov>
Sent: Thursday, February 15, 2024 10:08 AM
To: Sona and Advait <>
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

Hi Sona,

Thank you for reaching out and sharing your genuine concerns regarding the construction project at 1585 Mallard. I understand the gravity of the situation, particularly regarding your health condition and the challenges it presents during such activities.

First and foremost, I want to express empathy for the difficulties you are facing due to the potential impact of the construction on your health and well-being. It's clear that you've taken proactive measures to maintain your health, and I commend your diligence in following your doctor's advice.

Regarding the construction phase and the potential volume of dust in the neighborhood, I want to assure you that best management practices for dust control will be implemented to mitigate any adverse effects as much as possible. However, it's important to acknowledge that while measures can be taken, complete elimination of dust during such significant construction projects is challenging. This is unfortunately a reality of the environment we live in, especially in urban areas where development and renovation are ongoing.

I understand your concerns about the limitations this project poses on your ability to follow your workout routine and maintain good ventilation in your home. It's indeed a difficult situation, especially considering your susceptibility to respiratory issues and the upcoming surgery for your son.

While the City can enforce best practices for dust control during construction, including measures to minimize its spread, I must convey that halting the project solely due to the potential dust impact is not within our authority. However, please rest assured that we will monitor the situation closely and work with the contractors to ensure compliance with regulations and standards.

I genuinely appreciate your understanding and patience in this matter. Should you have any further questions or require additional information, please don't hesitate to reach out. Your well-being and concerns are important to us, and we'll do our best to address them within the scope of our capabilities.

Thank you once again for bringing your concerns to our attention.

Sincerely,



Shila Bagley, AICP
Associate Planner
Community Development Department
Phone: 408-730-7418
Fax: 408-328-0710
Email: sbagley@sunnyvale.ca.gov
Sunnyvale.ca.gov

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From: Sona and Advait <[REDACTED]>
Sent: Wednesday, February 14, 2024 8:33 PM

To: Shila Bagley <SBagley@sunnyvale.ca.gov>

Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

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Hi Shila,

Thanks for your response and for considering our input. We also have other major concerns regarding the construction phase which we would like to share with you.

Construction at 1585 Mallard is not like other construction projects in the neighborhood where residents just add an extra room at the most. This is a major construction where only the garage, the existing master bedroom, and a bathroom will be preserved. All other bedrooms, bathrooms, living room, family room, kitchen, closets, entrance foyer, and a staircase will either be newly constructed, reconstructed, or extended. It involves a significant amount of demolition and construction. We are concerned about the potential volume of dust in the neighborhood due to this huge project. We (1572 Mallard), as well as 1576 and 1580 Mallard are at the receiving end of this dust due to the wind direction from the West.

Just want to let you know that I (Sona) have severe lung issues, and according to my pulmonologist (lung doctor) at Stanford, I am not supposed to be in the dusty environment. Therefore, I am particularly advised to avoid being near any construction site. I am also advised to workout as much as possible to help my lungs, which I am diligently doing daily and my neighbors are fully aware of it. Every day I workout for a long time on an inclined treadmill in my garage by keeping the garage door open for fresh air (as advised by the doctors). This workout routine tremendously helps me maintain my lung health and heart health. I am afraid I will be breathing all the dust during this huge demolition/ construction phase, which can adversely impact my health. I am also advised to keep our home ventilated on a regular basis for good lung health, which is now not advisable during this dusty construction phase.

I am unable to go to the gym for workout because I am supposed to strictly socially distance myself from others to avoid getting Covid and other respiratory illnesses. As per my doctor's information, I am susceptible to catching infections easily. The proposed construction project at 1585 Mallard severely limits my options to follow my doctors' instructions for working out and staying healthy. Moreover, our only son who has severe congenital medical conditions, also has respiratory issues. His major surgery for nose and sinuses is coming up this year, and we are very concerned the dust from this construction may cause hindrance to his recovery.

The current owners of 1585 Mallard are nice people, and we would certainly be happy to have them as our neighbors. However, I am concerned about the impact of this proposed construction on my fragile health, which I am currently maintaining with robust workout

routine and good ventilation. Please feel free to contact us if you have any questions or need more information.

Thank you for your kind attention to our genuine concern.

Sincerely,
Sona Varty and Advait Mogre

[REDACTED] (Cell)
[REDACTED] (Home)

From: Shila Bagley <SBagley@sunnyvale.ca.gov>
Sent: Tuesday, February 6, 2024 4:48 PM
To: Sona and Advait <[REDACTED]>
Subject: RE: Permit for 1585 Mallard Way (APN: 309-31-071)

Hi Sona and Advait,

Thank you for your feedback. I will save your email it to the project file. We'll consider your input when we make decisions or redesign the project.

Below information is provided as FYI,

Any construction must follow the best management practices and apply dust control measures. The construction hours would also need to comply with the Sunnyvale municipal code. Title 16: Buildings and Construction § 16.08.030: Hours of construction—Time and noise limitations.
<https://ecode360.com/42720748>

It is the standard practice to position larger windows facing either the street or the rear due to the greater setbacks in those areas. In this instance, the second-floor front windows are situated more than 44 feet away from the front property line. Consequently, the staff cannot identify any privacy concerns regarding these windows. Moreover, the left-side windows, although having smaller setbacks (over 6 feet), are all equipped with high sills, further mitigating privacy issues. Similarly, the windows on the right-hand side, positioned 32 feet away from the property line and elevated above the staircase, also feature high sills, thus avoiding privacy impacts.

Sincerely,



Shila Bagley, AICP
Associate Planner
Community Development Department
Phone: 408-730-7418
Fax: 408-328-0710
Email: sbagley@sunnyvale.ca.gov
Sunnyvale.ca.gov

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* The Sunnyvale Planning Division continues to provide virtual services, such as [electronic permit submittals](#) and virtual meetings. In-person services are also available at the [One Stop Permit Center](#), located on the second floor of the new City Hall building at 456 W. Olive Avenue. Underground parking is available and can be accessed on W. Olive Avenue. Masks and appointments (pcappointment@sunnyvale.ca.gov) are strongly encouraged.

General zoning information is also available on the [Planning Division webpage](#). Due to high call/email volumes, a Planner will respond to you within 4 business days, please be patient with us during this time.

From: Sona and Advait <[REDACTED]>
Sent: Monday, February 5, 2024 3:25 PM
To: Shila Bagley <SBagley@sunnyvale.ca.gov>
Subject: Permit for 1585 Mallard Way (APN: 309-31-071)

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

Hello Ms. Bagley,

This is from 1572 Mallard Way, Sunnyvale, neighbor of the property holder at 1585 Mallard Way. We are right across the street from 1585 Mallard, for which we received the notice from you regarding proposed addition to the property (APN 309-31-071). The delay in sending these written comments is due to the fact that we received the notification regarding this proposed construction on Saturday February 3, 2024.

Our concerns are two-fold. Of course, just like other neighbors, we are concerned about the noise and the dust in the area due to the upcoming construction. Since I have severe respiratory issues and lung disease, I am naturally worried about my well-being during this construction phase.

In addition, our specific concern is about privacy. We have reviewed all the proposed plans, elevations, sections etc. There are two windows facing the street (Mallard), on East side from the proposed second story construction, which can affect our privacy as well as the privacy of 1576 and 1580 Mallard Way properties.

As per the proposed plan, these two windows are for the second story bathroom and walk-in closets. As shown in the Front (East) Elevation, both these windows are full-scale windows and not high-level windows, the way most bathrooms and walk-in closets usually have. High-level windows can maintain owner's privacy as well as the privacy of the neighbors across the street.

In our opinion, the privacy of 1585 Mallard Way owners can also get affected with the provision of such full-scale windows because a bathroom privacy can be better achieved with a provision of high-level window and not a full-scale window as proposed in the East Elevations.

Similarly, for the Walk-in closet, the owners of 1585 can use more wall area of the Walk-in closet if the windows are kept at high level.

Secondly, both these rooms (second story bathroom as well as walk-in closet) are already provided with skylights for each room as per the proposed plan. Moreover, there are two additional windows provided for the bathroom: one for the shower, and one for the tub area. In that case, there is more the reason such full scale windows seem to be unnecessary.

We kindly request to bring both these window to high level and NOT keep them to the full scale as currently shown in the proposed Front East Elevation.

If you have any questions, we can make ourselves available for further discussions in this matter.

Thank you.

Sona Vary and Advait Mogre

1572 Mallard Way

