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A Professional Corporation

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August 5, 2026

VIA EMAIL

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Heather Hutt, Vice Chair
Adrin Nazarian, Member
John Lee, Member
Nithya Raman, Member
Los Angeles Planning and Land Use Management (PLUM) Committee
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Re: 1400 Vista Moraga
AA-2023-8121-PMLA; ENV-2023-8122-CE

Dear Honorable Councilmembers:

Our law firm represents Michael Talla and the Talla Family Trust, the Appellant in the subject CEQA Appeal.

For the reasons set forth hereinbelow, as a matter of California law, the approval of a Class 32 Exemption under the California Environmental Quality Act (CEQA) was and is in error due to the **unique circumstances** and adverse biological impacts including wildlife issues which require an Initial Study and appropriate environmental review as requested by the Santa Monica Mountains Conservancy (See their letter attached hereto).

The PLUM Councilmembers should be aware that the underlying proposed subdivision (lot split) as well as the CEQA Exemption is also opposed by the Bel Air - Beverly Crest Neighborhood Council.

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The Categorical Exemption is not supported by substantial evidence.

CEQA prohibits use of a categorical exemption when **“there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.”** CEQA Guidelines § 15300.2(c). The “unusual circumstances” exception is established without evidence of an environmental effect upon a showing that the project has some feature that distinguishes it from others in the exempt class, such as its size or location. In such a case, to render the exception applicable, the party need only show a reasonable possibility of a significant effect due to that unusual circumstance. Alternatively, the “unusual circumstances” exception is established with evidence that the project will have a significant environmental effect. *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086.

Here, **the Santa Monica Mountains Conservancy has submitted evidence that the proposed map is surrounded by habitat blocks subject to the Eastern Santa Monica Mountains Habitat Linkage Planning Map.** The proposed subdivision would obstruct wildlife movement, resulting in significant adverse biological impacts. Therefore, a Categorical Exemption is legally deficient and further environmental review is required.

Attached are photos taken last September showing examples of wildlife (deer) on Vista Moraga – the area of the proposed project – which is further supporting evidence of unique circumstances and the need for environmental review.

Even if there were not “unusual circumstances”, under CEQA, a Class 32 categorical exemption applies only if a proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. Notably, under *United Neighborhoods for Los Angeles v. City of Los Angeles* (2023) 93 Cal.App.5th 1074, a Court ruled (against the City of Los Angeles) that for purposes of a Class 32 Categorical Exemption, a project cannot just be in “substantial conformance” with the General Plan and applicable general plan/zoning regulations and policies. For purposes of CEQA, the map must be consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

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As set forth above, this is not the case. The proposed map and the design and improvement of the proposed subdivision are not consistent with the City's General Plan, Bel Air-Beverly Crest Community Plan.

The Bel Air-Beverly Crest Community Plan (the "Community Plan") provides several express, significant issues in the Community Plan area [p. I-2]:

- a. The "[n]eed to minimize grading, limit land use intensity, and preserve natural topography in hillside areas;"
- b. The "[n]eed to protect environmentally sensitive areas and scenic views;"
- c. The "[n]eed to preserve open space and the natural character of mountainous areas;" and
- d. The "[n]eed to improve the visual environment through the development of appropriate design criteria and controls."

It provides that its purpose is to preserve and enhance "the positive characteristics of existing residential neighborhoods while providing a variety of housing opportunities with compatible new housing." [p. II-2]. To that end, in its land use policies for residential development, it provides for an enhanced requirement that:

"The open and natural character of single-family development of the Bel Air-Beverly Crest Community is desirable and deserving of public protection. Changes in this area should be **fully justified** as being in the public interest before the City grants a different or more intensive land use which would alter this character. [p. III-1]."

It further, and similarly, requires that the intensity of land use in the mountain and hillside areas and the density of the population which can be accommodated thereon, should be limited in accordance with the compatibility of proposed developments with existing adjacent development. [p. III-1].

In this case, the lot proposed for subdivision is just one of six lots in Tract No. 37150, the map's "existing adjacent development." The property fronts on Vista Moraga, a cul de sac development with a private street. Neither it, nor any other lot in the Tract, have vehicular access to Linda Flora Road. Each of these

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lots is of significant size, with the smallest, Lot 4, being 68,639 square feet, and the largest at 205,527.7.

The lot size of the proposed smaller parcel, under 30,000, is in direct conflict with the Community Plan requirement for new development to be compatible with existing adjacent development and fully justified as being in the public interest. Indeed, a parcel that is 30,000 square feet, essentially half the size of even the smallest lot in this tract and 1/7 of the size of the largest lot is not close to “compatible.” Again, this Community Plan calls for limitation on land use intensity and requires that new housing and density be compatible with existing adjacent residential neighborhoods. The design of this subdivision, as defined in the Subdivision Map Act, specifically its lot size, is out of alignment with the specific physical configuration of this subdivision. To allow a subdivision of this size would be contradictory to the Community Plan stated needs to minimize grading, limit land use intensity, and preserve natural topography in hillside areas; protect environmentally sensitive areas; preserve open space and the natural character of mountainous areas; and improve the visual environment.

For all of the reasons set forth herein, the within CEQA Appeal should be granted to require further environmental review as required by law.

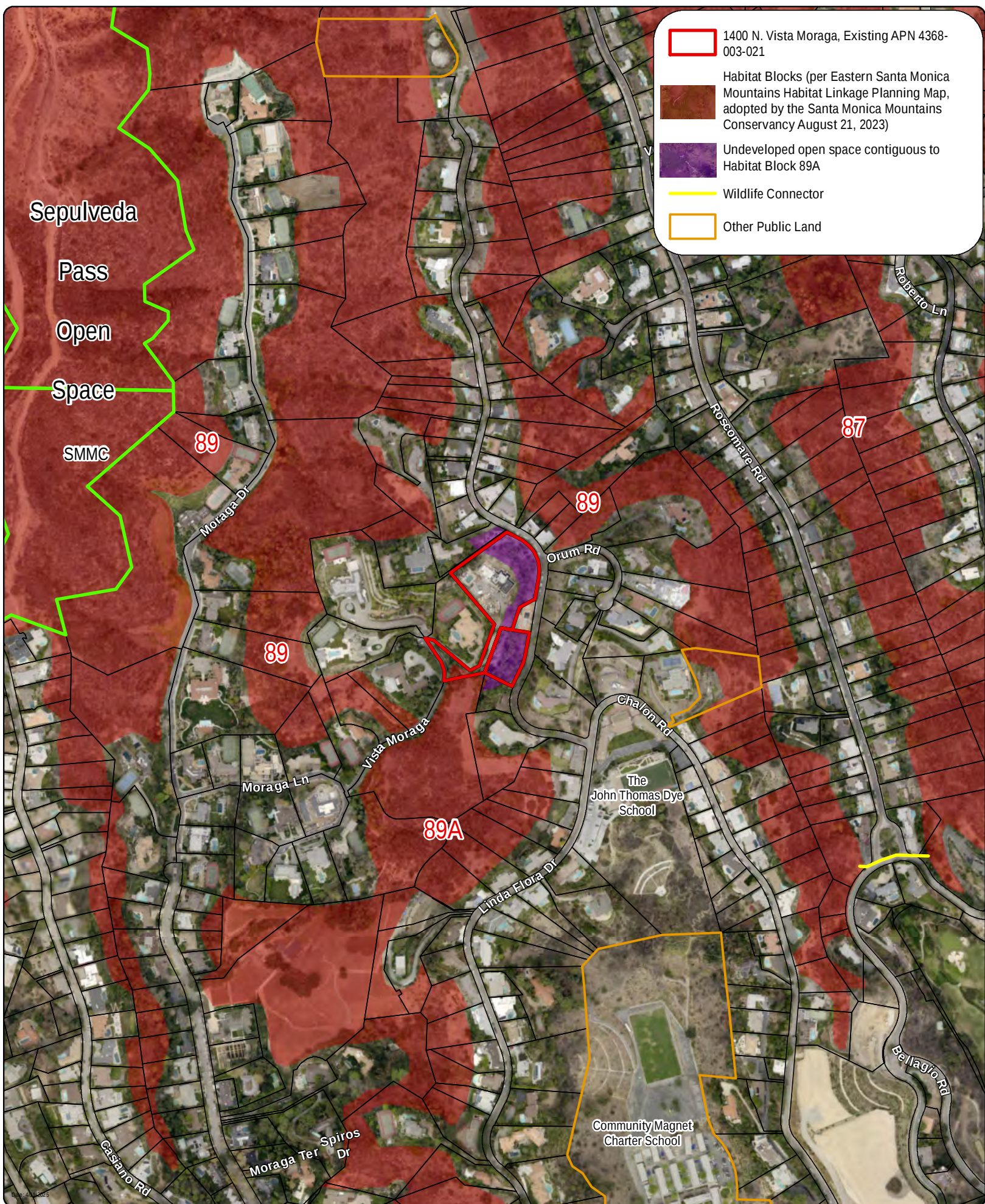
Very truly yours,

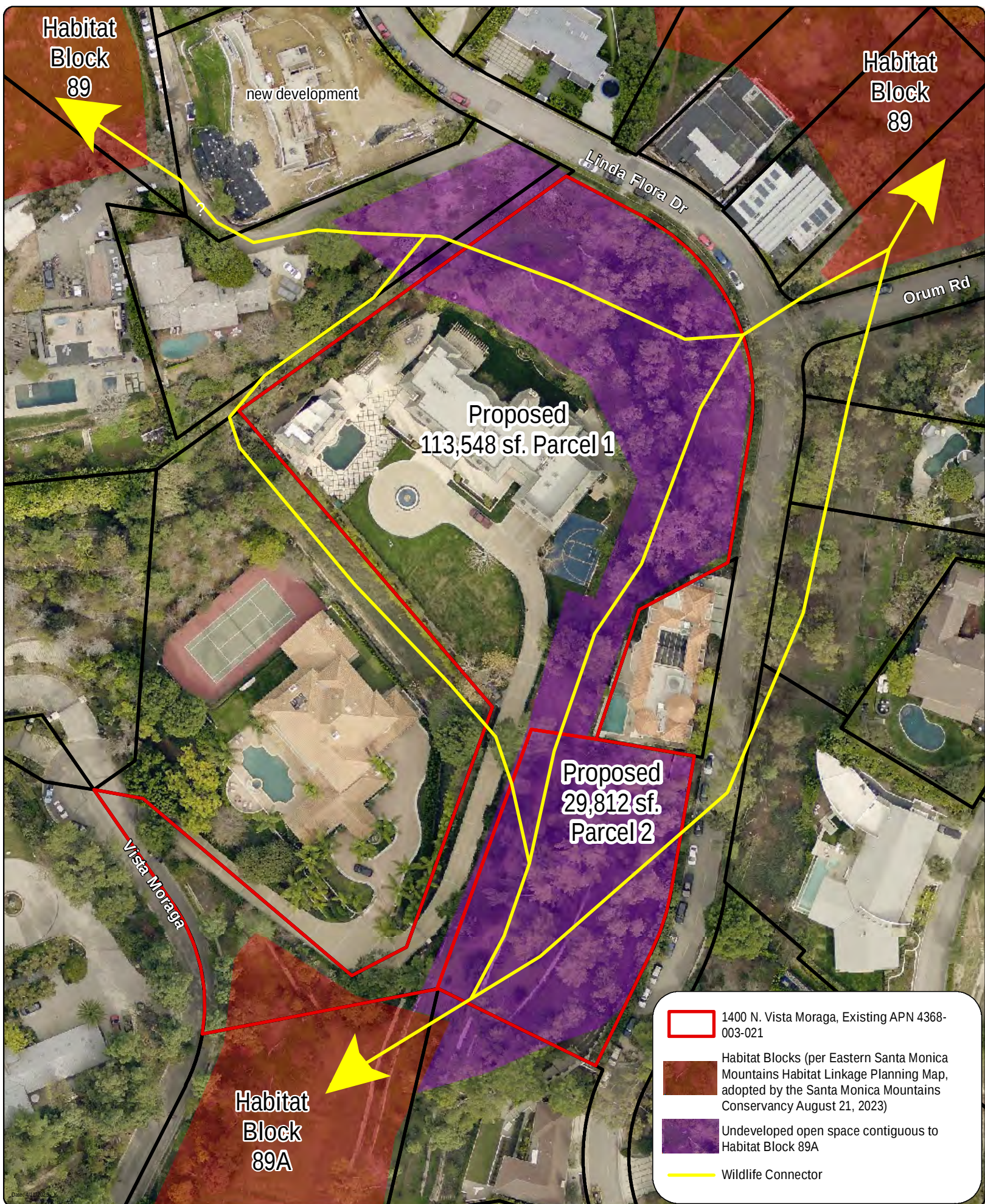
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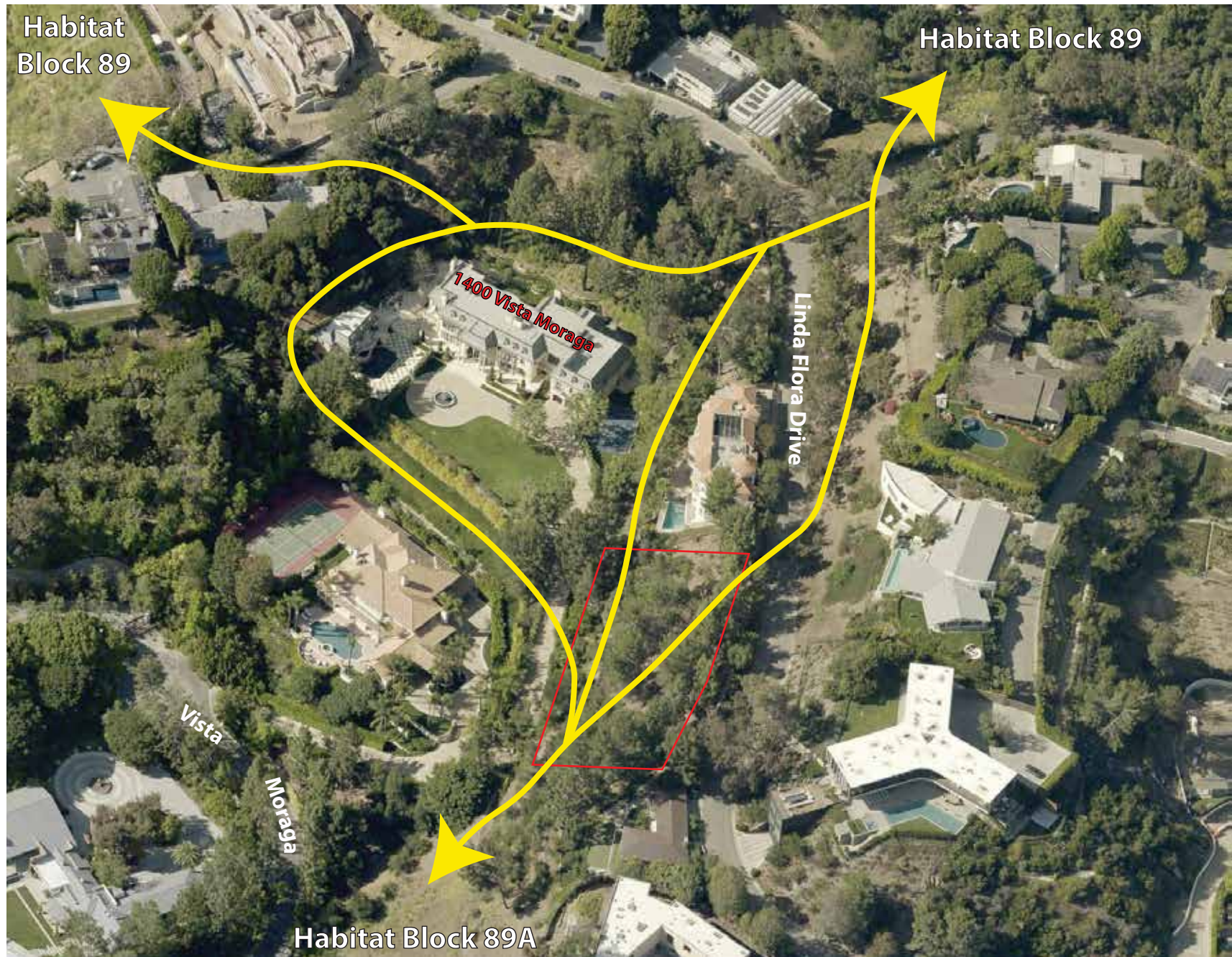
A handwritten signature in black ink, appearing to read 'Rob Glushon', written in a cursive style.

ROBERT L. GLUSHON

cc: Charles Turner and Jennifer Torres, Deputies to Councilmember Katy Yaroslavsky







 Proposed new 29,812 sq ft parcel (approx)

 Wildlife connector









