



Draft Minutes

Bel Air-Beverly Crest Neighborhood Council Planning & Land Use Committee *Virtual Meeting* Tuesday March 11, 2025 7:00 P.M.

Name	P	A	Name	P	A
Robert Schlesinger, Chair	X		Jamie Hall, Vice Chair	X	
Robin Greenberg	X		Stephanie Savage		X
Nickie Miner	X		Leslie Weisberg	X	
Patricia Templeton	X		Ellen Evans	X	
Maureen Levinson		X	Stella Grey	X	
Jason Spradlin		X	Travis Longcore <i>ex officio</i>	X	

Vice Chair Hall called the meeting to order at 7:01 P.M., led the flag salute, and called the roll. Member Grey arrived at 7:05 pm for a total of 9 present and 3 absent.

- Motion** to approve the March 11, 2025 Agenda **passed** as moved by Greenberg.
- Motion** to approve the February 11, 2025 Minutes (**Attachment A**) **passed** as moved by Schlesinger, with one abstention from Member Templeton.
- General Public Comment:** There was no comment from the public on topics within the Committee's jurisdiction but not on the adopted agenda.
- Chair Reports:** Robert Schlesinger, Chair / Jamie Hall, Vice Chair: No reports. *[Member Grey arrived at 7:05 pm.]*

Projects & Items Scheduled for Presentation, Discussion & Possible Action:

- 1400 North Vista Moraga 90049 AA-2023-8121-PMLA ENV 2023 8122 CE**

Applicant: Tony Natsis

Representatives: Benjamin Eshaghian and Tony Russo [Crest Real Estate]

Assigned Staff: Jackson Olson, Planning Assistant jackson.olson@lacity.org (213) 978-1381

Proposed Project: A Preliminary Parcel Map for the Subdivision of one 143,359 square foot lot into two new lots of 113,546 square feet and 29,812 square feet in the RE20-1-H-HCR Zone.

<https://planning.lacity.gov/pdiscaseinfo/search/casenummer/AA-2023-8121-PMLA>

<https://planning.lacity.gov/pdiscaseinfo/search/casenummer/ENV-2023-8122-CE>

[The hearing is scheduled for Wednesday 03/12/2025 at 9:30 A.M.]

Prior to the start of the presentation, Tony Russo introduced the owner's representative, Amarveer Brar, who was available to answer questions.

Ben Eshaghian of Crest Real Estate opened the presentation with plans for the parcel map request to include the map designating the two new lots to be created, images of the original representation of the site, the proposed parcel will be accessed by Linda Flora; showing topography and terrain with mostly pine trees currently; the Hillside referral form, including requirements for continuous paved roadway; the project will meet frontage as well as CPR to the bottom of the hillside; additionally at the bottom, it will utilize existing sewer connections along Linda Flora. Per Tony, no ZAD

required; not substandard street width. He provided an overview, to subdivide a 143,359 square foot lot into two parcels, one of which is 113,546 square feet and 29,812 square feet. The project fully complies with zoning regulations and street width standards. He reviewed the seven findings (*attachment*) and mentioned one SFD on one of the subdivided lots, no protected trees and no impacts to wildlife.

Tony Russo continued the presentation as to their coordination with the Bel Air Association, having met with Jonathan Brand, who conditions for the parcel map approval included 1) two proposed street lights on Linda Flora, a specific type, CD AOA, and to address some serious security concerns that BAA brought up. He noted that they wanted to see what they could do to benefit the community and the client agreed to install a camera that BAA would operate along Linda Flora, to ensure public safety to the area. Member Weisberg noted that BAA also has a concern about fire hydrants, which Jonathan Brand reported to her that he had not yet notified Tony of. Tony will call Jonathan tomorrow before the hearing. He noted that there are two fire hydrants across the street, on Orem Road at intersection (pointing) and another immediately across the street from 1170 Linda Flora. They're happy to cooperate with the BAA and LAFD. He noted that LAFD did not include a fire hydrant in the request for approval for the parcel map. She thanked him. Tony noted that the existing home, the 5 or 6 lots were annexed as part of Bel Air HOA. He acknowledged civil concerns about the CC&Rs about the subdivision. He noted that the City and Crest Real Estate will not opine on that, but acknowledged there is a disagreement. The proposed parcel will only be accessed by Linda Flora; driveway access can be appropriately obtained through Linda Flora. The intention is that this is Bel Air property, which is why they're working with BAA. It can be developed into a home that comes off of Linda Flora. He noted that the disagreement is not germane to the City's decision.

Mr. Amarveer Brar introduced himself as Land Use Counsel from Allen Matkins, representing the applicant.

Vice Chair Hall related procedures. Prior to public comment, further questions were asked and answered by the committee including, as to the lot in question, Tony related pointed out on both ZIMAS and Google, Parcel A which has the home to the north, and Parcel B is to the south, with a down-sloping lot. Hall asked what their immediate plans are for this after it is subdivided, to which Tony responded that the immediate plans are to subdivide it, and there are no plans afterwards. As of now, they are confirming that it is feasible to subdivide, want the map approved and then will determine what they will do with the site. He expects that there is a potential for it to be developed as a lot for a SFD; there is no Plan Check submission, no design, it is strictly a subdivision. Asked, Tony noted that there are quite a few trees, no protected trees on that site. Member Templeton asked and Tony explained the history of the lot.

Asked, Ben noted that there are 38 trees on site, a little less than 30 of which are pines, which Tony noted are fire fuel. Hall asked if they considered that any development of the lot will necessitate removal of the trees, as there are no protections for the non-protected trees. Hall noted that this is our moment to foresee what could happen, and to think about the environmental consequences. He wondered if the client will agree to replace non-protected trees in kind, as it is up to the client if they want to do so or not. Tony noted that if the Board wants to consider that for Parcel B, he would broach it with his client as a condition with the parcel map that they be replaced 1:1 if 8 inches or greater.

Miner asked, and Tony pointed to a picture of the existing house built in 1988, which is little over 13,000 square feet. Miner asked if there will be a limit on the size of the homes that will be built on the subdivided lot, to which Tony replied that there would be a slope-band analysis and they will be limited to the zoning maximums for that lot area, which he expects may be roughly 7,000 square feet on that proposed lot.

Further Q&A was held, concluding with Member Weisberg asking for the locations of hydrants. Discussion was held on the distances between the hydrants as they have to have one fire hydrant within 300 of their property. They have not yet required a new one, because there is one. One is less than 70 feet from the proposed parcel. Tony pointed out that looking at the parcel as a whole, the entire lot, they are surrounded by three hydrants in relative proximity to the site.

Public comment on this began with **Kristina Kropp** with Luna and Glushon. Some comment include that Ms. Kropp represents the Michael Talla and the Talla Family Trust at the address immediately next door. Her clients are opposed as is the community around this tract. She wanted to make sure we understand this is only one lot of six, as we don't get the characteristics of the other lots in this tract. She noted that we may be led to believe that the lot fronts on Linda Flora, which she stated is not the case. This property fronts on Vista Moraga, and is only one of the six single family home lots. Each of the lots on this tract are of significant size... the smallest lot 4 being over 68,000 square feet and the largest at

over 205,000 square feet. She noted that the subdivision before us today fails to comply with characteristics and development patterns of the subdivision and fails to comply with the BA-BC Community Plan. This subdivision attempts to introduce a parcel just under 30,000 square feet, essentially half the size of the smallest lot on this tract and one-seventh of the size of the largest lot. She noted what's more, the new map would like to introduce a not-before existed access onto Linda Flora. The Community Plan raises an existing pressing issue to limit land use intensity and preserve natural topography in hillside areas, it requires that new housing and density be compatible with the existing adjacent residential neighborhood; requires that any changes to the open and natural character of SF Development be "fully justified as being in the public interest before the city grants a more intensive land use, which would alter its character." She noted that the size of this proposed parcel of Parcel B would *not* be compatible with the existing adjacent residential neighborhood. This tract, this 6-block subdivision, all the lots in which are significantly larger than the ones proposed. She noted that in order to approve a parcel map, the city has to find that the design of the subdivision is consistent with the applicable Community Plan, and what was missing from the presentation that we saw was that for purposes of this finding, Subdivisions Map Act Section 66418 defines "design" to include lot size and configuration, traffic access, fire roads, fire breaks, and any other specific physical requirements in the configuration of the entire subdivision that are necessary to ensure consistent C-width or implementation of the General Plan.

She noted that this Community Plan calls for limitation of land use density and requires that new housing and density be compatible with existing residential neighborhoods and the introduction of this tiny lot into this particular subdivision with a completely different land use density pattern, is not compatible. She noted that this also precludes Categorical Exemption (CE), lack of consistency with a Community Plan disqualifies this map from a Class 32 CE. She concluded that it's all about the size of the tiny lot, it doesn't fit here, it is against the Community Plan requirements and the findings of the Subdivision Map Act, and requested that the committee reject its approval based thereon.

Mike Talla noted that he doesn't want to repeat what has already been said but is available if points are missed.

Schuyler Moore, President of the Bel Air Place Homeowner's Association, noted that this is in flagrant disregard of their recorded CC&Rs. He said that they told him that we can stick it and go to court. He noted on behalf of the entire board with 37 homeowners that they find it offensive. They can't believe he is attempting it, and described it as a middle finger on our face. 2) It is on a very steep hill that overlooks one of their neighbor's property, Mike Talla; there have been mud slides, and there is a risk of the entire property falling down on the neighbor's property. He hopes for a loud "no" on this ridiculous proposal.

Mike Talla, the neighbor, pointed out his house in relationship to the proposed lot, noting that the lot is directly above his house, and that the subdivision lot that is a noted to be slope is *not* a slope but is a cliff. He reported having lived there for 36 years, and having had three trees from the owner's property fall down from mudslides on his house, confirming what was said about mudslides. He finds it interesting that the homeowner has decided to build a home there... thinks it is for the money and as there is a loophole of access off Linda Flora, which doesn't hold water... As to the fire danger, the slope and the mudslides, everyone on the Board understands what the dangers are in that area. As far as the wildlife is concerned, to the representative of the owner of this potential subdivision, there is a lot of wildlife in this area, especially along the route; there is a five-six-acre parcel that has not been developed. He noted that that parcel is owned by "the five of us, and we've chosen to not develop it." It's a hangout for wildlife in that area, directly below where this lot split would be where his house is. He has seen everything from mountain lions, raccoons; he sees deer there at least once or twice a month and coyotes practically every day. There is a migratory path along this road that goes up towards this lot in between his house where he sees deer. He continued that the trees there are a constant source of danger to his own property if they come down; noting that they have come down.

He explained that the other problem is, if this is allowed, the rest of the homeowners in this group of 38 people in Bel Air Place, 10-15 other people, homeowners, may want to subdivide their lots, from three acres to seven lots and the 5-acre parcel that is now vacant can be divided to 11 lots. He related the potential for himself filing a division and dividing it up, and if he wanted 11 lots himself, he could sell his lot and leave, however, noted that he doesn't want to and has no intention of doing that. He noted that the potential is there to develop more than 100 houses there if everyone is able to split their lots and if this lot split is allowed by precedent... everyone could start splitting their lots and selling them off. This is one of the reasons he moved up there is because he couldn't do this. He is representing the other owners on the cul-de-sac, who are opposed to this. He noted that it is a dangerous lot from fire, slope, landslides, wildlife, and is just not necessary. As far as adding to housing stock, which the representative said, this house will have to sell for \$8-10

million at minimum, which would not add to the housing stock in So. California, which is low-income housing. A “one-percenter” would have to buy this house. He will save his other notes for tomorrow’s hearing. He thinks we have the idea that this is just not necessary and it is an intrusion to the homes below. The noise and debris from construction on this lot will last about two and a half years, as he was present when the other house got built down the slope, right above him as well, and the constant noise, the pounding and the drilling, can be heard all the way down to the bottom of Moraga. If this house is built, it will be the same for two and a half years. He noted that after it is built, there are no restrictions on this house if it gets approved, the noise that will emanate down the canyon from music and construction, Moraga essentially ends in a box canyon, so the noise that permeates the canyon from people playing music at all house of the night is deafening. He hopes that we consider everything when making our decision to approve or oppose this.

Questions from the committee were asked and answered, including but not limited to an interjection by Mr. Moore that Section 5.20 of their CC&Rs says “no further subdivision of any lot is permitted.” He just emailed the section to Dr. Longcore to share with the committee.

Mr. Amarveer disagreed with this, noting that this had to do with private streets and private street access and wasn’t a simple statement as stated. Tony provided a detailed rebuttal on this, noting that as to the General Plan and Community Plan, noting that it’s not just the tract you are in, it’s the entire Community Plan, BABC Community Plan. He disputed worries about future subdivisions. He thinks that future development of that lot will only increase the safety, and development would help the issue not hurt the issue. He noted that he can understand the concerns of the HOA. He noted that their client is cooperative. They are working with the BAA and are happy to consider fire hydrants if that is what the community wants, and they believe it could be done by the HOA but hasn’t.

Vice-Chair Hall read the document which stated that no further subdivision of any lot is permitted and no private street or other road shall be extended; two major things it does, captioned by the heading “**No further subdivision or streets.**” Hall noted that his question still is, what is the nexus? How does this factor into the findings that have to be made by the city? He asked the applicant’s teams if they dispute that the neighbor finds animals using the property by wildlife and asked if they have done a biological resource. Amarveer thinks the question about wildlife habitat is included in the documentation that addresses that there are not sensitive species.

Further board discussion was held including questions about the position of the two associations. Mr. Moore noted that the CC&Rs delineate this property. Dr. Longcore noted that if we are looking at this from the perspective of whether this has the support of the community and that a finding needs to be made whether or not there is a public benefit, we should be looking to the HOA that is now, as primary, and BAA second to that. Then ask what the nexus is; the nexus in the finding that this is a benefit to the community as a whole, and the one argument that has been presented that this provides housing. Tony was asked to explain how this is a benefit to the community. Amarveer responded that one of the findings will either add to or not, the community. Tony explained that there is a benefit here regardless of what the findings state. Two streetlights on Linda Flora, with specific design, roadway improvements, redo curb and gutter and resurface along Linda Flora frontage. They are agreeing with BAA for installation of a camera for security and public safety. If this doesn’t happen, those don’t happen. Hall screen shared and read the 7 primary findings that have to be made, and that the city has to improve an environmental document. (He noted that there is no specific plan in this area.) He noted that we need to take the information that we received and ask ourselves how it factors into the findings that have to be made; that has to be our guiding principle here. Travis wants to be sure that whatever opinion people come to that it is linked to the processes that the city based those on. He doesn’t believe we can base it on private CC&Rs. It can be a consideration as to compatibility with the neighborhood but whatever the committee comes to has to be based on those findings plus the environmental review, and is fair game.

Mr. Talla had his hand up and wanted to say Tony says there is no impact to the community, and that this is *not* a benefit to anybody anywhere in the US except for the money. The guy who owns this is a real estate attorney, whom he believes has found a loophole but it will have a very negative impact on him specifically and the homes in the cul de sac of five homeowners. He thinks that it is absurd and a lie that this will not have any impact on anybody.

Vice-Chair Hall closed public comment and invited committee members to committee deliberation. Robin wanted to personally say that she needs more time on this because there is a hearing. She hears conflict between two HOAs, neighbors, and is not able to say she is in favor of this project. Hall noted that we just became aware of this a few days ago and that is an accurate statement.

Member Miner noted that she doesn't see that the findings have been made and thinks the detriments to the land and list of benefits to the community are miniscule. She emphasized that this subdivision will only be a problem at the moment and in later years and should be denied. Templeton noted that she looks at this from a fire perspective, doesn't see increasing density is a public benefit - creating additional lots for additional homes for what should never have been built in the first place, she doesn't know if that's a public benefit... With respect to the CC&Rs, she knows that we can't take those into account directly but it seems the owner is trying to secede from CC&Rs and is attempting to buy it with improvements to the BAA that they want. She does not see that the benefit of camera and streetlights outweighs the increased density. She thinks it is a slippery slope; it is not just the one lot that would make a difference in the fire situation but if the all the other lots can be split, it would add to density and potentially the negative consequences of fire. It's not if but when. While she supports people's by-right right to build on existing lots, she doesn't know if it is to the public benefit to create additional lots for additional homes.

Evans noted that there is recourse for violating the CC&Rs that has nothing to do with us, of which all parties are well aware. She thinks Templeton on is on the right track on how we look at the public benefit. She noted that it is much more specific; that is another area is where there is only one point of ingress and egress. She thinks one thing that has been constantly neglected by the city is the ability of a community to evacuate. She noted that we saw with horror what happens when you don't consider the ability of the community to evacuate. She would need to feel this is a benefit, and she thinks it is possible to model how an evacuation would occur in this neighborhood; and if it could safely occur at the pace that it should, and additionally, she would want to understand better the environmental impacts of building on a lot that is clearly entirely habitat. Miner agreed that putting more strain on Linda Flora would be a detriment to the entire community. Chair Schlesinger related that he grew up on Bellagio Road, and has seen those properties being bought and sold by certain people and sees no benefit for that particular parcel being approved.

Motion: Member Miner moved that the committee *not* approve the subdivision to that land; seconded by Schlesinger. Following deliberation by the committee, the **motion to oppose** the project was **approved** unanimously. The PLU Committee opposes the proposed subdivision because it concludes that the required findings for the proposed subdivision cannot be made for the following reasons: (1) the subdivision will increase residential density in a fire prone area and thereby exacerbate community fire danger, (2) the new parcel would be accessed by Linda Flora which has inadequate fire evacuation routes, and (3) evidence was presented that the Project Site provides significant wildlife habitat which would be impacted by future development.

As the project was scheduled to have a City Planning hearing the morning after this evening's PLU meeting but before the full BABCNC Board has met, a letter would be sent by the PLU Committee, stating the Committee's position for consideration and requesting that the record for the decision in this matter be extended 30 days after the hearing so that the Board can consider the item and its position be registered. Dr. Longcore will set up the letter for Hall to write.

6. Council File 25-0173: Residential and Commercial Construction Projects / Building and Safety Permits / Extension / Natural Disasters / Los Angeles Municipal Code / Amendment -

Motion to support the motion in Council File 25-0173, which establishes extended permit validity following natural disasters, as presented by Councilwoman Traci Park, CD11, and Councilwoman Katy Yaroslavsky, CD5. It has been referred to the LA City PLUM Committee. To see the full council file, click on the link below: <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=25-0173> To see the full Council File Motion, click here: https://clkrep.lacity.org/online/docs/2025/25-0173_misc_2-14-25.pdf

Vice-Chair Hall recused himself, and asked Dr. Longcore to chair the rest of the meeting, with 8 members remaining. Travis introduced the item, noting that this extends permit validity to three years from two.

Motion to postpone this item to the next PLU meeting, **passed** unanimously with one recusal, as moved by Leslie, seconded by Bob.

The meeting adjourned at 8:57 PM to return on April 8, 2025 at 7:00 P.M.