

Brian Walters - please add to COMMUNICATION FROM PUBLIC for Council Files 10-0017 and 10-0017S1, re: DIR-2008-1178-DB-SPP, ENV-2008-1179-MND

From: "Jennifer Reed" <jenhar@earthlink.net>
To: <Brian.walters@lacity.org>
Date: 2/1/2010 3:18 PM
Subject: please add to COMMUNICATION FROM PUBLIC for Council Files 10-0017 and 10-0017S1, re: DIR-2008-1178-DB-SPP, ENV-2008-1179-MND

To:
Brian Walters
Legislative Assistant
Office of the City Clerk
Brian.walters@lacity.org

Dear Mr. Walters,
Please add the following to the Council Files 10-0017 and 10-0017-S1, re: DIR-2008-1178-DB-SPP, ENV-2008-1179-MND.

Thank you for your assistance,
Jennifer Reed

FDIC sold First Regional Bank by midnight of 1-29-10. It was handed over by the FDIC to First-Citizens Bank & Trust Co. of Raleigh, NC. They'll re-open the branches located here in California on Monday under the name of First Citizens Bank, a unit of publicly traded First Citizens Bancshares Inc. Los Angeles Times article follows:

A further confirmation of this was from John Goetz, the only tenant left as a quasi guard/groundkeeper at 11933 Magnolia said the FIRST REGIONAL BANK's security company's contract that has had a team on night patrols at 11933 and 11945 Magnolia for the last few months was abruptly cancelled last night 1-29-10 at 8:30pm. 11pm was the last hour the security guys worked.

Los Angeles Times

BUSINESS

First Regional Bank of Century City closed by regulators

Branches will reopen on Monday after First-Citizens Bank & Trust Co. of Raleigh, N.C., agrees to assume all the deposits of the failed institution.

By E. Scott Reckard

January 30, 2010

First Regional Bank of Century City on Friday became the first California bank this year to be shut down by regulators, a victim of real estate loans that went bad.

The Federal Deposit Insurance Corp. immediately sold First Regional's eight branches and nearly all of its \$2.2 billion in assets to First-Citizens Bank & Trust Co. of Raleigh, N.C., which agreed to assume the failed

institution's deposits.

The FDIC agreed to shoulder most of the losses on First Regional's loans, and estimated the failure would cost the bank deposit insurance fund \$825.5 million.

First Regional's branches are to reopen Monday as part of First-Citizens, which operates under the name First Citizens Bank and is a unit of publicly traded First Citizens Bancshares Inc.

Customers of First Regional can continue to write checks as usual and withdraw cash using their ATM cards, and their deposits will remain insured by the FDIC, the agency said.

The deal marks the second acquisition of a failed California bank by First Citizens, which had \$18.5 billion in assets at the end of 2009. In July it bought 11-branch Temecula Valley Bank in the Inland Empire and San Diego County. In September it acquired a failed bank in Washington state.

Friday's deal gives First Citizens a total of 380 branches in seven states, including Virginia, West Virginia, Tennessee and Maryland as well as North Carolina.

FDIC Like other institutions that have failed in the wake of the housing market's collapse, First Regional overextended itself on construction lending during the boom years. It had seven full-service branches in Los Angeles County and one in Irvine, with nearly \$1.9 billion in deposits.

It was the 14th FDIC-insured bank to fail in the country this year. Earlier Friday saw the failures of two banks in Georgia, one in North Dakota and one in Florida. Later in the day regulators took over a bank in Washington state.

In 2009, 140 U.S. banks failed -- 17 of them in California -- the most since 1992 at the end of the savings and loan crisis.

Founded in 1979 as Great American Bank, the Century City bank became First Regional in 1987. Of its \$2 billion in loans as of Sept. 30, more than a third were for construction and land development. It also has major portfolios of commercial mortgages and apartment loans.

Last February, the bank consented to an order from the FDIC requiring it to strengthen its lending policies and raise capital. The Federal Reserve slapped a similar order on the parent company, First Regional Bancorp, in April. But the bank's capital levels instead declined as its loan portfolio deteriorated.

scott.reckard@latimes.com

Brian Walters - PLEASE ADD TO THE ONLINE CITY CLERK Council Files 10-0017-S1 AND 10-0017

From: "Jennifer Reed" <jenhar@earthlink.net>
To: <Brian.walters@lacity.org>
Date: 2/1/2010 3:18 PM
Subject: PLEASE ADD TO THE ONLINE CITY CLERK Council Files 10-0017-S1 AND 10-0017

To:
Brian Walters
Legislative Assistant
Office of the City Clerk
Brian.walters@lacity.org

Dear Mr. Walters,
Please add the following to the Council Files 10-0017 and 10-0017-S1, re: DIR-2008-1178-DB-SPP, ENV-2008-1179-MND.

Thank you for your assistance,
Jennifer Reed

Council Member Krekorian:

Today I received confirmation from an independent expert witness, former Los Angeles Planner Jon Perica, corroborating the fact that the 11933 Magnolia property in Valley Village should CURRENTLY be zoned as RD1.5, with Low Medium Residential II land use designation, and should be classified as an AB 283 miss.

Jon has gone through the City's files that we produced, traced the various hearings and results, determined that this was an AB 283 miss and that it should be rectified at this time.

Attached is a letter he has written to Gail Goldberg, detailing his findings.

He suggests that the next step is for your office to contact Dan Scott in Planning to commence with the downzoning. Note in his letter that he details "missed downzoning" cases occur on a continuing basis, and are not subject to a time limitation.

Please let me know when this request can be facilitated; if you would prefer to have this request come in from the Neighborhood Council Valley Village, please advise. If you have any other questions, please call me at 323/965-3785 (daytime) or 818/631-4471 anytime.

Best regards,
Sandy Hubbard
sandy_hubbard@sbcglobal.net
11911 Magnolia Blvd., Unit 10, Valley Village, CA 91607

January 29, 2010

Gail Goldberg, Planning Director
City Planning Department
Room 525, City Hall
200 N. Spring Street.
Los Angeles, 90012

EXPERT WITNESS EVALUATION OF "283" PROGRAM ZONING CONSISTENCY ERROR FOR 11933 AND 11945
MAGNOLIA BLVD, VALLEY VILLAGE

I have been asked by Valley Village residents to review the history of the City Planning zoning consistency history of work on two sites at the above locations. The concerned residents had prepared a 27 page detailed paper history of how the historical RD 1.5 zoning was changed to R3/R4 (Medium High Density) under the 283 zoning consistency program. The research background report was stunning in its completeness and I doubt that current planning staff today could do as complete a job due to lack of first hand familiarity with the period of history from the 1970's to the present. I have reviewed all the City documents that relate to this zoning consistency density on the subject site and I find that the City made a clear and obvious error in the 283 determination of zoning allowing R3/R4, when there was never any R4 use in the subarea covering these two sites. The correct zoning should be [Q] RD1.5 to match existing use.

This conclusion of incorrect zoning is based on the fact that the City Planning Department standards that directed how zoning consistency changes should have been made ignored two of their important standards for the subarea covering these two properties: 1) The subarea for the two subject sites adopted by the 283 program includes mixed zones in violation of the single zone requirement, and 2) There was no R-4 development in the subarea that included the two sites that would justify increasing the zoning from the existing prevailing RD1.5 zoning. Fortunately, the Planning Department has been making correction to incorrect zoning consistency errors for many years by itself. A corrective change back to the surrounding [Q] RD1.5 (Low Medium II) zoning can be made based on the excellent research provided by the community members.

This zoning consistency issue is very important because new development exceeding the correct number of dwelling units allowed is pending based on the incorrect permitted 283 density (see case DIR – 2008-DB-SPP-1A). Based on my time spent supervising work on the 283 program, I believe that the Planning Department will lose a legal challenge on the current zoning and the initial 1988 adoption error is so obvious (when the department doesn't follow its own standards) that the correction work should start now by Dan Scott, Principal Planner, who supervises the South Valley planning area. Documentation can be provided to support my summary comments.

Jon Perica
Land Use Consultant
(818)-360-8444