



## Legislation Text

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**File #:** 13-0799, **Version:** 1

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Recommendation to authorize Department of Development Services to process a refund in the amount of \$28,128 to Walgreen Company for the property located at 4525 East Pacific Coast Highway. (District 4)

Walgreen Company (Applicant) paid fees totaling \$43,233 for Site Plan Review and Conditional Use Permit requests related to planning entitlements for proposed restaurant and retail uses at 4525 East Pacific Coast Highway. The applicant withdrew their application due to factors outside the City's control. Because the withdrawal request came after the entitlement review process began and staff costs were incurred, in accordance with Long Beach Municipal Code (LBMC) Section 3.48.030, the applicant is eligible for a refund of approximately 65 percent, or \$28,128.

In accordance with LBMC, Section 3.48.040, which requires that refunds exceeding \$10,000 be approved by the City Attorney and City Council, an approval to process the refund is requested on behalf of the Applicant.

This matter was reviewed by Assistant City Attorney Michael Mais on August 8, 2013 and by Budget Management Officer Victoria Bell on August 21, 2013.

City Council action is requested on September 17, 2013, to expedite processing of the refund.

The amount of \$28,128 will be refunded from the Development Services Fund (SR 137). There will be no local job impact as a result of the recommended action.

Approve recommendation.

AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

PATRICK H. WEST  
CITY MANAGER