Council Meeting of
April 21, 2009

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Community Development – Approve a refund in the amount of $69,674.88 to Yellow Snow Enterprises, L.L.C. for overpayment of building permit fees.

Expenditure: $69,674.88

RECOMMENDATION

Recommendation of the Community Development Director that the City Council approve a refund in the amount of $69,674.88 to Yellow Snow Enterprises, L.L.C. for overpayment of building permit fees for their mixed-use project at 131 Palos Verdes Boulevard.

Funding

Funding is available in the Community Development Department operating budget through a reduction in current year revenues.

BACKGROUND/ANALYSIS

Construction is underway and nearing completion for a mixed use project located at 131 Palos Verdes Blvd. The project consists of 23 residential condominium units along with 1600 square feet of commercial space, all of which are above a one story parking structure. Previously at this same site, the developer had obtained approvals from the City of Torrance and had paid all permit fees for a different project which was not constructed.

The first proposed project consisted of a two story office/commercial building and building permits were obtained in July, 2000. The total building permit fees paid for this project were $86,026.98, but construction never commenced. The fees paid by the developer, George Kriokorian, were under the company name Yellow Snow Enterprises, L.L.C.

In 2005, the developer submitted revised plans to the City of Torrance for the project now under construction. In February, 2007, building permits were issued for the new revised project. New permit fees were collected.

The developer has submitted a refund request for the original building permit fees collected for the project that was never built. City staff can issue refunds, if the refund request is submitted no later than one hundred (100) calendar days from the date the money is collected per Torrance Municipal Code Section 21.3.4.

Since the refund request was not received within the one hundred calendar days from the time the money was collected, it is before your Honorable Body for consideration.

The Community Development Department recommends only a portion of the original amount be refunded since the City provided plan review services for both projects. Of the total permit fees paid for the original project, it is recommended that $69,674.88 be approved for refund.

Respectfully submitted,

JEFFERY W. GIBSON
Community Development Director

By _____
Felipe Segovia
Building Regulations Administrator

CONCUR:

_____
Jeffery W. Gibson
Community Development Director

_____
LeRoy J. Jackson
City Manager

FS/spt2008