

## LRB-FISCAL REVIEW SECTION ANALYSIS

JULY 2, 2003 AGENDA  
PUBLIC IMPROVEMENTS COMMITTEE

ITEM 34, FILE 021506  
EMMA J STAMPS

File #021506 is a resolution authorizing a 50% reduction in permit fees relating to temporary occupancy of the public right-of-way during construction at 136 North Milwaukee Street, 141 North Jefferson Street and 425 East Menomonee Street. (DCD)

### Background

1. Section 81-102-2 of the Milwaukee Code of Ordinances provides for the calculation of fees for permits for the temporary occupancy of public ways for private construction projects.
2. This ordinance reduces the temporary occupancy of a public way permit fee by 50% if the Commissioner of Public Works determines that the criteria listed below have been met and the Common Council approves a resolution authorizing the reduction.
  - Occupancy of the public way will not significantly impact traffic or parking
  - Soil conditions do not allow for on-site staging based on supporting information supplied by the developer
  - Maintaining setbacks site coverage for the proposed development that is consistent with the surrounding neighborhood precludes on-site staging.

### Discussion

1. File #021506 reduces permit fees by 50% relating to temporary occupancy of a public way right-of-way during construction of the Gaslight Lofts luxury apartments if the Commissioner of Public Works determines that the criteria listed in Sec 81-102-2-b of the Milwaukee Code of Ordinances have been met and the Common Council approves a resolution authorizing the reduction.
2. The Gaslight Squares Apartment LLC (Mandel Group) is constructing a luxury apartment development at 136 N Milwaukee Street, 141 N Jefferson Street and 425 E Menomonee Street.
3. DCD Permit Center reports show that the Mandel Group paid \$24,633 (permit and inspection fee combination) since January 2003, prior to the Common Council adopting a fee resolution.
4. More fees will become due as construction continues throughout the year.
5. Per DCD, the developer seeks credit from any overpayment and anticipates receiving the 50% reduction retroactive to the permit fee payment dates, if approved by the Common Council.
6. Section 81-102-2 does not address applying "retroactive" credit for fees paid prior to the time an applicant applies for reduction of permit fees by 50 percent.

### Fiscal Impact

The total fiscal impact is uncertain. Because an occupancy plan was not part of this file, the Department of City Development Permit Center is attempting to contact the developer to obtain estimates of annual temporary occupancy revenue reduction.

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