



Board of Public Works and Safety

Agenda Item

Cover Sheet

MEETING DATE: August 27, 2024

- Consent Agenda Item
- New Item for Discussion
- Previously Discussed Item
- Miscellaneous

ITEM #: 15

INITIATED BY: Justin Hubbard

- Information Attached
- Bring Paperwork from Previous Meeting
- Verbal
- No Paperwork at Time of Packets



TO: BOARD OF PUBLIC WORKS AND SAFETY
FROM: JUSTIN HUBBARD, PROJECT COORDINATOR, ENGINEERING
SUBJECT: PLEASANT STREET COMMERCIAL PARK ROAD IMPACT FEE CREDIT
DATE: AUGUST 27, 2024

At the April 24, 2007 Board of Public Works meeting, a road impact fee agreement was approved with the developer of the Pleasant Street Commercial Park (Larry Cronkleton). Instead of paying road impact fees to the City and the City completing improvements identified in the Road Impact Fee Zone Improvement Plan Study, the developer completed improvements in kind on Pleasant Street, and thus is credited with 2,908 trips of road impact fees.

This Board item is formally granting 97.8 trips to BK Property Group in connection with building permits issued for the development of the project. A balance of 2,129.76 trips in road impact credits remain.

I recommend the Board of Public Works approve the Allocation of Reimbursement Credit.

In advance, I greatly appreciate your consideration of this request.

Attachments:

1. Allocation of Reimbursement Credit
2. Improvement Area



AGREEMENT GRANTING ROAD IMPACT FEE CREDITS
(PLEASANT STREET PHASE II)

WITNESS THAT:

WHEREAS, pursuant to Resolution RC-22-06, the Common Council of the City of Noblesville approved a project to extend approximately one thousand two hundred fifty (1,250') feet of Pleasant Street including two (2) six hundred (600') foot cul de sacs and to extend sanitary sewers along the aforementioned roads ("the Project"), which Project is also known as Pleasant Street Phase II: and,

WHEREAS, part of the cost of the Project were to be paid from the Area 2 Road Impact Fee Fund ("the Fund"), and the Fund was to be reimbursed from tax increment collected from the Stony Creek East Economic Development Area; and,

WHEREAS, in order to assist in the payment of the costs of the Project, C.L.D. Development & Construction, Inc. ("the Developer"), the Developer of the land contiguous to the Project, agreed to convey all right of way necessary for the Project without cost, and paid Three Hundred Seventy-eight Thousand Dollars (\$378,000) toward the cost of the construction of the roads included within the Project; and,

WHEREAS, pursuant to Ordinance 77-10-03, the City established a Road Impact Fee for Area 2 of One Hundred Thirty Dollars (\$130) per trip; and,

WHEREAS, Section 5 of Ordinance 77-10-03 and Indiana Code 36-7-4-13-35, provide that a person who pays the cost of infrastructure may be entitled to received credits toward impact fees.

IT IS THEREBY AGREED by and between the Developer and the City of Noblesville as follows:

1. The City hereby grants unto the Developer road impact fee credits in the total amount of two thousand nine hundred eight (2,908) trips, as the term "trips" is defined in the Ordinances of the City of Noblesville.
2. The Developer may transfer all or part of the credits to any successor in title to the Developer's real estate located contiguous to the Project.
3. The impact fee credits are granted pursuant to the Grant of Road Impact Fee Credits, which is attached hereto.
4. The Engineering Department of the City of Noblesville shall maintain a record of all impact fees used pursuant to the Grant as set out in the Assignment forms which is attached hereto.
5. The Developer accepts this grant of credits in full accord and satisfaction for the Three Hundred Seventy-eight Thousand Dollars (\$378,000) paid by the Developer toward the cost of the Project.

ALL OF WHICH IS AGREED by and between the parties this 24th day of April, 2007.

C.L.D. DEVELOPMENT & CONSTRUCTION,
INC.

Larry Cronkleton, President

BOARD OF PUBLIC WORKS AND SAFETY
OF THE CITY OF NOBLESVILLE

John Ditslear

Lawrence Stork

Jack Martin

ATTEST:

Janet Jaros, Clerk Treasurer
City of Noblesville

CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA
GRANT OF ROAD IMPACT FEE CREDITS AREA 2

TO: C.L.D. Development & Construction, Inc.
c/o Larry Cronkleton
136 South 9th Street
Suite 206
Noblesville, Indiana 46060

In consideration for your payment of Three Hundred Seventy-eight Thousand Dollars (\$378,000), toward the cost of the Pleasant Street Phase II Project, the City hereby grants to you two thousand nine hundred eight (2,908) trip credits toward Area 2 road impact fees which are imposed by the City of Noblesville. Said credits shall be usable by you, or your successors in title to all real estate served and benefitted by the Project as said Project is defined in Resolution RC-22-06. The credits represent the amount contributed by you to the Project, namely Three Hundred Seventy-eight Thousand Dollars (\$378,000) per trip, divided by One Hundred Thirty Dollars (\$130) per trip as imposed by Ordinance 77-10-03. The number of credits granted by this Grant be defined in terms of "trips" even though the road impact fee for Area 2 may increase or decrease in the future.

Approved this ____ day of April, 2007.

BOARD OF PUBLIC WORKS AND
SAFETY OF THE CITY OF NOBLESVILLE

John Ditslear

Lawrence Stork

Jack Martin

ATTEST:

Janet Jaros, Clerk-Treasurer

ASSIGNMENT NO. 1

The Grantee, C.L.D. Development & Construction, Inc., assigns part of the road impact fees of the Grantee of ___ trips to _____, as developer of a parcel of property located contiguous to and or served by the Pleasant Street Phase II Project.

C.L.D. DEVELOPMENT & CONSTRUCTION,
INC.

Larry Cronkleton, President

The undersigned, on behalf of the Engineering Department of the City of Noblesville, acknowledges the receipt of this Assignment. The undersigned, further acknowledges that of the two thousand nine hundred eight (2,908) credits granted to C.L.D. Development & Construction, Inc., this Assignment, along with other credits used to date totals _____ credits, leaving _____ credits remaining.

THE CITY OF NOBLESVILLE, INDIANA,
BY ITS ENGINEERING DEPARTMENT

Date: _____

By: _____

Printed: _____

Title: _____

ASSIGNMENT NO. 2

The Grantee, C.L.D. Development & Construction, Inc., assigns part of the road impact fees of the Grantee of ____ trips to _____, as developer of a parcel of property located contiguous to and or served by the Pleasant Street Phase II Project.

C.L.D. DEVELOPMENT & CONSTRUCTION,
INC.

Larry Cronkleton, President

The undersigned, on behalf of the Engineering Department of the City of Noblesville, acknowledges the receipt of this Assignment. The undersigned, further acknowledges that of the two thousand nine hundred eight (2,908) credits granted to C.L.D. Development & Construction, Inc., this Assignment, along with other credits used to date totals _____ credits, leaving _____ credits remaining.

THE CITY OF NOBLESVILLE, INDIANA,
BY ITS ENGINEERING DEPARTMENT

Date: _____

By: _____

Printed: _____

Title: _____

ASSIGNMENT NO. 3

The Grantee, C.L.D. Development & Construction, Inc., assigns part of the road impact fees of the Grantee of ____ trips to _____, as developer of a parcel of property located contiguous to and or served by the Pleasant Street Phase II Project.

C.L.D. DEVELOPMENT & CONSTRUCTION,
INC.

Larry Cronkleton, President

The undersigned, on behalf of the Engineering Department of the City of Noblesville, acknowledges the receipt of this Assignment. The undersigned, further acknowledges that of the two thousand nine hundred eight (2,908) credits granted to C.L.D. Development & Construction, Inc., this Assignment, along with other credits used to date totals _____ credits, leaving _____ credits remaining.

THE CITY OF NOBLESVILLE, INDIANA,
BY ITS ENGINEERING DEPARTMENT

Date: _____

By: _____

Printed: _____

Title: _____

ASSIGNMENT NO. 4

The Grantee, C.L.D. Development & Construction, Inc., assigns part of the road impact fees of the Grantee of ____ trips to _____, as developer of a parcel of property located contiguous to and or served by the Pleasant Street Phase II Project.

C.L.D. DEVELOPMENT & CONSTRUCTION,
INC.

Larry Cronkleton, President

The undersigned, on behalf of the Engineering Department of the City of Noblesville, acknowledges the receipt of this Assignment. The undersigned, further acknowledges that of the two thousand nine hundred eight (2,908) credits granted to C.L.D. Development & Construction, Inc., this Assignment, along with other credits used to date totals _____ credits, leaving _____ credits remaining.

THE CITY OF NOBLESVILLE, INDIANA,
BY ITS ENGINEERING DEPARTMENT

Date: _____

By: _____

Printed: _____

Title: _____

ASSIGNMENT NO. 5

The Grantee, C.L.D. Development & Construction, Inc., assigns part of the road impact fees of the Grantee of ____ trips to _____, as developer of a parcel of property located contiguous to and or served by the Pleasant Street Phase II Project.

C.L.D. DEVELOPMENT & CONSTRUCTION,
INC.

Larry Cronkleton, President

The undersigned, on behalf of the Engineering Department of the City of Noblesville, acknowledges the receipt of this Assignment. The undersigned, further acknowledges that of the two thousand nine hundred eight (2,908) credits granted to C.L.D. Development & Construction, Inc., this Assignment, along with other credits used to date totals _____ credits, leaving _____ credits remaining.

THE CITY OF NOBLESVILLE, INDIANA,
BY ITS ENGINEERING DEPARTMENT

Date: _____

By: _____

Printed: _____

Title: _____

ASSIGNMENT NO. 6

The Grantee, C.L.D. Development & Construction, Inc., assigns part of the road impact fees of the Grantee of ___ trips to _____, as developer of a parcel of property located contiguous to and or served by the Pleasant Street Phase II Project.

C.L.D. DEVELOPMENT & CONSTRUCTION,
INC.

Larry Cronkleton, President

The undersigned, on behalf of the Engineering Department of the City of Noblesville, acknowledges the receipt of this Assignment. The undersigned, further acknowledges that of the two thousand nine hundred eight (2,908) credits granted to C.L.D. Development & Construction, Inc., this Assignment, along with other credits used to date totals _____ credits, leaving _____ credits remaining.

THE CITY OF NOBLESVILLE, INDIANA,
BY ITS ENGINEERING DEPARTMENT

Date: _____

By: _____

Printed: _____

Title: _____

ASSIGNMENT NUMBER 9

The Grantee, C.L.D. Development & Construction, Inc., assigns part of the road impact fees of the Grantee of 97.8 trips to BK Property Group LLC as developer of Lot Number 1 in the Pleasant Street Commercial Park such Lot being a parcel of property located contiguous to and or served by the Pleasant Street Phase II project.

C.L.D. DEVELOPMENT & CONSTRUCTION, INC.

LARRY CRONKLETON, PRESIDENT

JUNE, 11, 2024

The undersigned, on behalf of the Engineering Department of the City of Noblesville, acknowledges the receipt of this Assignment. The undersigned, further acknowledges that of the Two thousand nine hundred (2,908) credits granted to C.L.D. Development & Construction, Inc. this assignment , along with prior Assignments Numbers 1 through 8 used to date totals 778.24 credits, leaving two thousand one hundred twenty nine and 76/100 (2 ,129.76) credits remaining after this assignment number 9.

THE CITY OF NOBLESVILLE, INDIANA

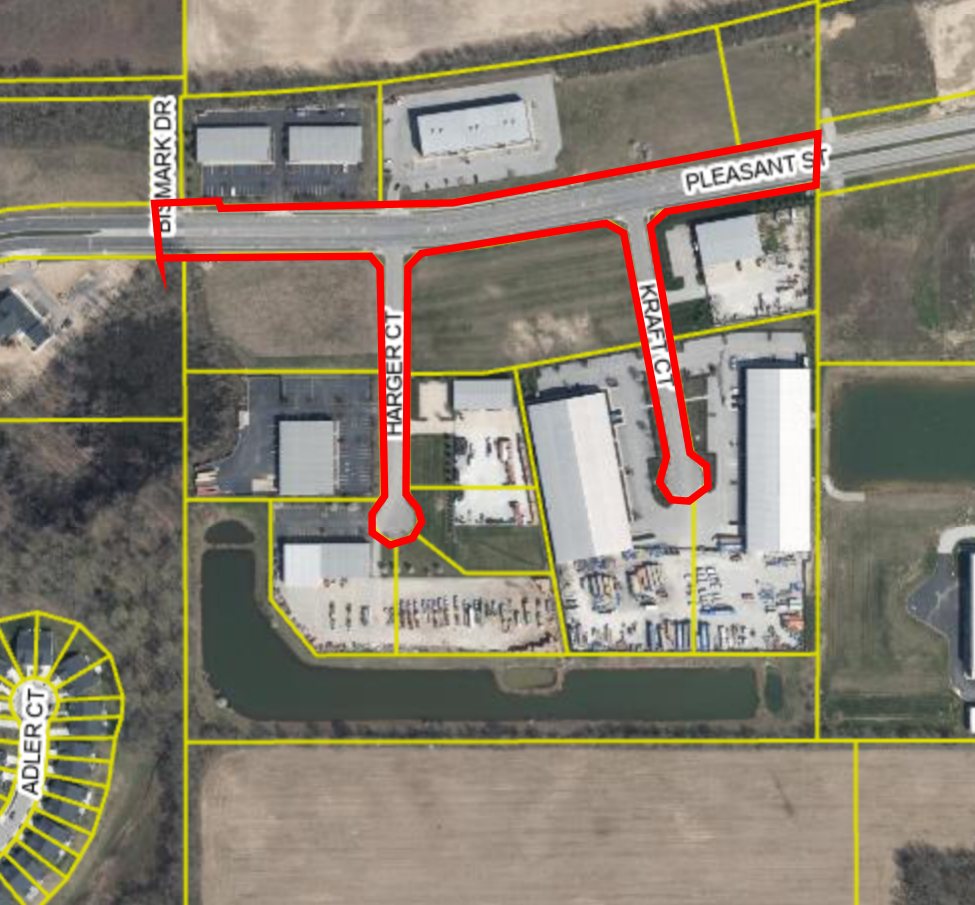
BY ITS ENGINEERING DEPARTMENT

By: _____

Printed: _____

Title: _____

Date: _____



DISMARK DR

PLEASANT ST

HARGER CT

KRAFT CT

ADLER CT