

**TO:** Noblesville Board of Public Works and Safety  
**FROM:** René Gulley, Operations Manager Street Department  
**SUBJECT:** Board to consider outside dining at 110 N. 9<sup>th</sup> Street utilizing the sidewalk and parking spaces  
**DATE:** March 25, 2025

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Darren Ratcliffe of Noblesville Premium Properties is requesting to use four (4) parking spaces on N. 9<sup>th</sup> Street and part of the sidewalk in front of the Courthouse Club for outside dining. A removable temporary platform will be built in the four (4) furthest north parking spaces even with the sidewalk, appropriate space will remain open for pedestrian traffic to walk outside of the dining area next to the building. Traffic barriers will be installed at each end of the platform while allowing stormwater to flow along the curblin. Outside dining will be offered May 1, 2025 through October 31, 2025.

**The Traffic Committee and Executive Team recommends the Board of Public Works approve this request.**



Fees: \_\_\_\_\_

ENCR-0209-2025 Paid: \_\_\_\_\_

**Stefanie Lascoux**

**From:** Sent on Behalf of Street Department <no-reply@egovnotices.com>  
**Sent:** Thursday, March 13, 2025 2:27 PM  
**To:** Street Department  
**Subject:** Encroachment Permit Submitted - Receipt #2025-UEVTX9

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.



RECEIVED  
MAR 13 2025  
BY SL

A citizen submitted the following information for one or more item(s) for which you are on the notification list. The information sent to the citizen is as follows.

**Confirmation**

Thank you for submitting an online Encroachment Permit. You will be contacted by the Noblesville Street Department after a review of this application.

*\*This is required as part of the permit application.\* Please email [nsd@noblesville.in.gov](mailto:nsd@noblesville.in.gov) with a map detailing the location (site map) and construction plans.*

**TERMS AND CONDITIONS FOR ENCROACHMENT PERMIT**

**Confirmation:** I agree to the terms and conditions listed above.

**ENCROACHMENT PERMIT APPLICATION**

**Application Date:** 03/13/2025  
**Work Address:** 110 N 9TH ST, NOBLESVILLE, IN 46060  
**Subdivision (if applicable):** NONE

**NAME OF PERMITTEE / CONTRACTOR**

**Name of Permittee / Contractor:** NOBLESVILLE PREMIUM PROPERTIES  
**Contact Name:** DARREN RATCLIFFE  
**Address:** 20236 HAGUE RD, NOBLESVILLE, IN 46062  
**Phone Number:** 317-508-7593  
**Email:** DARREN.RATCLIFFE@COMCAST.NET

**NAME OF SUB-CONTRACTOR (IF APPLICABLE)**

**Sub-Contractor Name:**  
**Contact Name:**

**Address:** , ,  
**Phone:** --  
**Email:**

## Construction Details

**Location (Check all that apply):** Street; Sidewalk

**Type:** Other

**Construction:** Existing Construction

**Type of Construction:** Other

**If other, please specify:** THIS APPLICATION IS FOR APPROVAL TO USE 4 PARALLEL PARKING SPOTS ON 9TH STREET IN FRONT OF THIS BUILDING, AND PART OF THE OUTSIDE OF THE SIDEWALK, WHILE LEAVING THE REQUIRED RIGHT-A-WAY FOR SIDEWALK TRAFFIC (SEE ATTACHED OPTIONS A AND B.

**Describe Proposed Work:** THIS HAS BEEN DISCUSSED EXTENSIVELY WITH THE CITY, AND THE TRAFFIC COMMITTEE. IT IS A SEASONAL REQUEST TO BE ABLE TO UTILIZE 4 PARALLEL PARKING SPACES ON 9TH STREET FOR OUTDOOR DINING BY BUILDING REMOVABLE TEMPORARY PLATFORMS IN FOUR SPACES FROM 5/1/25 TO 10/31/25. THE CITY AND TRAFFIC COMMITTEE IS IN SUPPORT OF THIS PLAN (SEE ATTACHMENTS OUTDOOR SPACE A AND OUTDOOR SPACE B). THE CITY IS IN SUPPORT OF OUTDOOR SPACE B PLAN, BUT WOULD LIKE TO SEE THE OUTDOOR SPACE A LAYOUT IN PLACE AND OBSERVED A MONTH BEFORE DETERMINING THAT DROPPING THE SPACE FURTHEST NORTH AND ADDING THE SPACE FARTHEST SOUTH (CLOER TO CORNER OF 9TH AND LOGAN). TREATED WOOD PLATFORMS EVEN WITH THE SIDEWALK THAT ALLOW FOR STORMWATER TO STILL GET TO THE CURB, WITH TRAFFIC BARRIERS ON BOTH ENDS, AS DEPICTED, WITH THE APPROPRIATE SPACE FOR SIDEWALK WALKING TRAFFIC, A PORTION OF THE OUTSIDE OF THE SIDEWALK WILL ALSO BE UTILIZED FOR SEATING. IN ADDITION, SPACE UP AGAINST THE BUILDING ON THE LOGAN STREET WILL BE UTILIZED, WHILE MAINTAINING THE 48" REQUIRED SPACE BETWEEN THE RIBBON OF BRICKS IN THE SIDEWALK, AND THE OUTSIDE OF THE FENCE THAT CONTAINS THE DINING SPACE ALONG THAT SIDE OF THE BUILDING.

## SIZE OF STREET OR RIGHT-OF-WAY CUT

**Traffic Lanes - Length:** 0

**Traffic Lanes - Width:** 0

**Traffic Lanes - Depth within Lanes:** 4 IF PARALLEL PARKING LANES FALL UNDER TRAFFIC LANES...NOT SURE HOW TO COMMUNICATE THAT, SINCE PARKING SPACE IS NOT A SELECTABLE OPTION.

**Sidewalk - Length:** 4 SPACES, ROUGHLY 85-90 FEET

**Sidewalk - Width:** 0

**Sidewalk - Depth within Sidewalk:** OUTER 6 FEET OF SIDEWALK

**Type of Surface:** Other

## TRAFFIC PORTION AFFECTED BY PERMIT

**Width:** 0

**Length:** 0

**Number of Lanes:** 0

**Number of Lanes Closed:** 0

**Number of Hours Closed:** 0

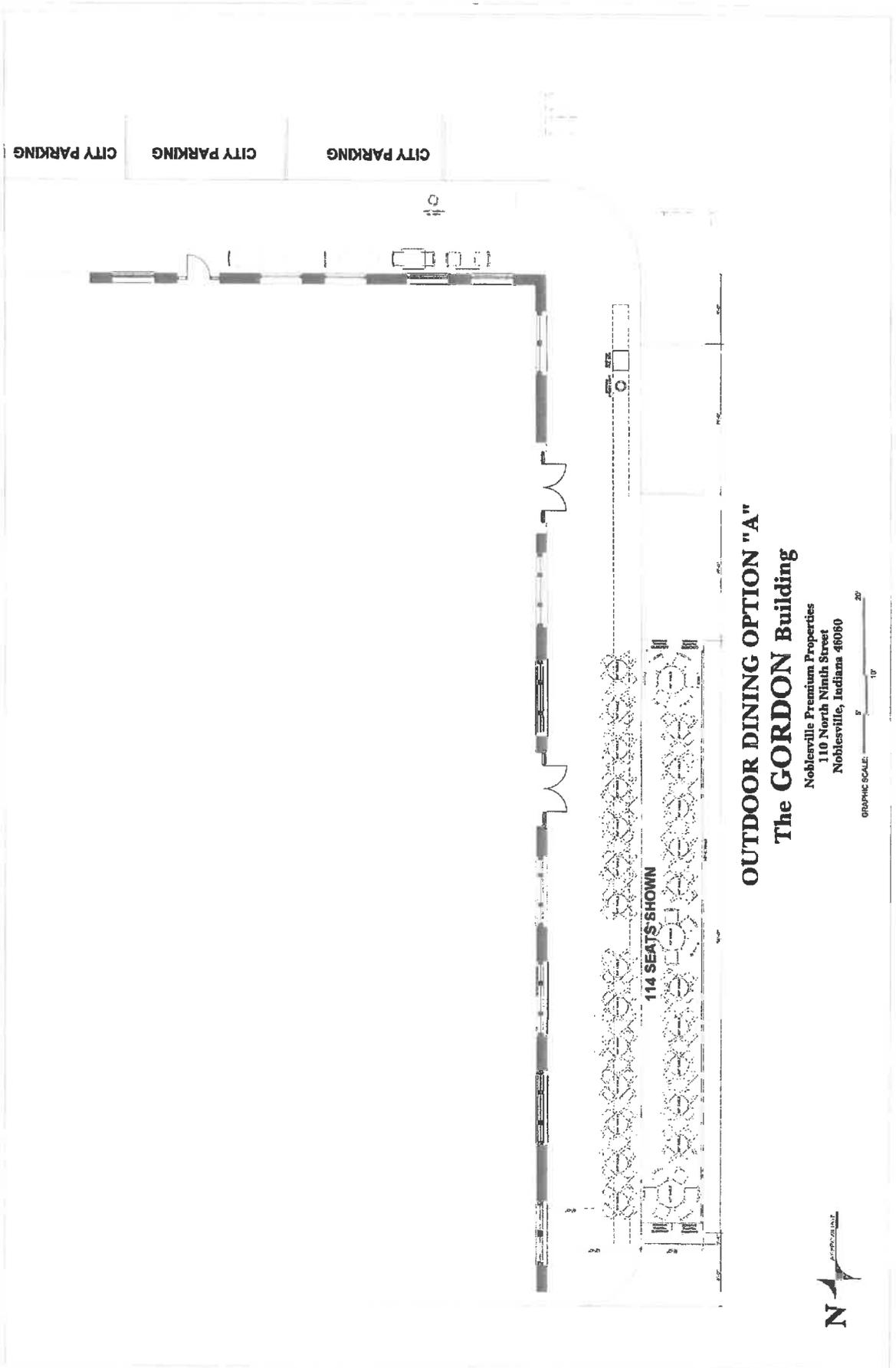
**Vehicles/Equipment Left on Site Unattended?:** No

**Unattended for how many weekdays and how many weekends?:** 0

**Estimated Start Date:** 05/01/2025

**Estimated Completion Date:** 10/31/2025

To stay up to date you can view the status of this item [here](#).



**OUTDOOR DINING OPTION "A"**

**The GORDON Building**

Noblesville Premium Properties  
110 North Ninth Street  
Noblesville, Indiana 46080

GRAPHIC SCALE: 0 5 10 20'





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/14/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Gordon Insurance Inc 20222 Hague Rd  Noblesville IN 46062		<b>CONTACT NAME:</b> Austin Boyer <b>PHONE (A/C, No, Ext):</b> (317) 776-6781 <b>FAX (A/C, No):</b> (317) 776-6783 <b>E-MAIL ADDRESS:</b> austin@gordoninsurancepartners.com	
<b>INSURED</b> Noblesville Premium Properties, LLC 20236 Hague Rd  Noblesville IN 46062-9540		<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A : TWIN CITY FIRE INS CO CO NAIC # 29459 INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :	

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	Y	36SBABC5833	07/01/2024	07/01/2025	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> EXCESS LIAB DED RETENTION \$		Y	36SBABC5833	07/01/2024	07/01/2025	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**

City of Noblesville 1575 Pleasant St  Noblesville IN 46060	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE <i>Austin Boyer</i>
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## Exhibit A

- 1) Waiver of liability – The city will require a waiver of liability to be on file. This waives liability to the city if an incident occurs. Landlord/Business takes on all responsibility.
- 2) Encroachment Fee (TBD) – Current Fee Schedule is not set up for this type of long-term use and based on the current ordinance, would require a fee of approx. \$14,400 for use of the spaces from May 1-October 31. (\$20 per space per day). The city is updating it's fee schedule and the fee has not been determined as of yet. I anticipate the fee to be somewhere around \$2500 for that timeframe but again, this has not been determined as of yet.
- 3) Timeframe is May 1 – October 31 with the season potentially extending based on weather conditions.
- 4) The remaining spaces need to remain open to public parking.
- 5) Valet Service will not be permitted while the outdoor seating area is operational.
- 6) Design
  - i. The city is supportive of Option A that was presented, leaving the two spaces closest to Logan Street open.
  - ii. Wood covering of the jersey barriers is good. Would be good to have some sort of reflective strip or other visual aid that make the area more visible at night.
  - iii. The rest of the fence needs to be consistent with the other metal outdoor dining fencing downtown.
  - iv. No signage permitted on the outdoor seating area.
  - v. All components of the outdoor seating area need to be contained within the parking spaces.
  - vi. The outside of outdoor seating area needs to be set back a minimum of 12” from the point where the parking space stripe meets the roadway.
  - vii. Drainage should not be impacted by the placement of the outdoor seating area and the design should allow flow of rainwater from the street to the curb and down to the storm sewer inlet.
- 7) If after 30 days, the city is comfortable with the safety and logistics of the outdoor dining, the city would be open to conversations on moving the seating area south one space, leaving the northern and southern most spaces open to the public.
- 8) The city has the ability to require the removal of the outdoor seating at any time in the case a safety issue is presented or other issue requires it necessary for the removal.
- 9) The approval is only for May 1 – October 31, 2025. The city will have a better idea of the construction limits for the downtown improvements at the end of 2025, at which time we can assess what is feasible in 2026.