

**TOWN COUNCIL**

**ORDINANCE NO. 20-2020**

**AN ORDINANCE TO AMEND**  
**THE PLAINFIELD ZONING ORDINANCE AND ZONE MAP**  
**OF THE TOWN OF PLAINFIELD, INDIANA,**  
**AND FIXING A TIME WHEN**  
**THE SAME SHALL TAKE EFFECT**  
**(Rock Creek Partners)**

**WHEREAS**, I.C. 36-7-4, et seq., empowers the Town of Plainfield Plan Commission to hold public hearings and make recommendations to the Town Council of the Town of Plainfield concerning ordinances for the zoning or districting of all lands within the incorporated areas of the Town of Plainfield; and,

**WHEREAS**, the Town of Plainfield Plan Commission has conducted a public hearing in accordance with I.C. 36-7-4, et seq., with respect to a proposal to amend the Plainfield Zoning Ordinance and Zone Map of the Town of Plainfield, Indiana, and has certified such proposal to the Town Council of the Town of Plainfield with a favorable recommendation:

**NOW, THEREFORE, BE IT ORDAINED BY THE  
TOWN COUNCIL OF THE TOWN OF PLAINFIELD,  
HENDRICKS COUNTY, INDIANA AS FOLLOWS:**

**Section 1. Amendment**

Pursuant to Docket No. RZ-20-076, (Rock Creek Partners ) the real estate described in Exhibit "A" of about 4.76 acres attached hereto and incorporated herein by this reference is hereby rezoned from the "GC General Commercial" district to the "I-2 Office/Warehouse Distribution" district classification of the Plainfield Zoning Ordinance, as well as the rescinding of the commitments approved with Ordinances 8-2011 and 23-2017 to be replaced with the attached commitment(s) for the full site.

**Section 2. Severability**

If any section of this Ordinance shall be held invalid by a court of competent jurisdiction, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose, the provisions of this Ordinance are hereby declared to be severable.

**Section 3. Effective Date**

This Ordinance shall be effective within the incorporated areas of the Town of Plainfield, Hendricks County, Indiana upon its adoption by the Town Council of the Town of Plainfield, as provided in I.C. 36-7-4.

Passed and adopted by the Town Council of the Town of Plainfield, Indiana, on this 14<sup>th</sup> day of September, 2020.

**TOWN COUNCIL, TOWN OF  
PLAINFIELD  
HENDRICKS COUNTY, INDIANA**

DocuSigned by:  
*Robin G. Brandgard*  
0995BF6F9B57437...  
Robin G. Brandgard, President

DocuSigned by:  
*Bill Kirchoff*  
78C808CAFF9B48C...  
Bill Kirchoff, Vice President

DocuSigned by:  
*Kent McPhail*  
6ABFDF470D254D9...  
Kent McPhail

DocuSigned by:  
*Dan Bridget*  
B9738EE181004F8...  
Dan Bridget

DocuSigned by:  
*Lance Angle*  
32E36D005E374BD...  
Lance Angle

ATTESTED BY:

DocuSigned by:  
*Mark J. Todisco*  
5C89C0DDFB63426...  
Mark J. Todisco, Clerk Treasurer, of the  
Town of Plainfield, Indiana

## Exhibit A

### Legal Description of 4.76 acres to be Rezoned to I-2

Part of the East half of the Southwest quarter of Section 12, Township 14 North, Range 1 East of the Second Principal Meridian in Guilford Township, Hendricks County, Indiana and being more particularly described as follows, to wit:

Commencing at the Southwest corner of the East half of the Southwest quarter of Section 12, Township 14 North, Range 1 East, thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) on and along the South Line of said half quarter section, a distance of 855.10 feet to the point of beginning of this description; thence North 01 degrees 58 minutes 00 seconds East 547.27 feet; thence South 88 degrees 17 minutes 44 seconds East 470.48 feet to a point on the East line of said half quarter section; thence South 02 degrees 24 minutes 58 seconds West on and along said East line 283.48 feet; thence South 90 degrees 00 minutes 00 seconds West 250.00 feet; thence South 02 degrees 24 minutes 58 seconds West 250.00 feet to a point on the South line of said half quarter section; thence South 90 degrees 00 minutes 00 seconds West on and along said South line 216.88 feet to a Point of Beginning of this description.

There is hereby reserved for the benefit of property lying North of and adjacent to the real estate above described, a perpetual easement for ingress and egress in, over, and upon the following portion of said real estate:

A strip of ground 50.0 feet wide located in a part of the East half of the Southwest quarter of Section 12, Township 14 North, Range 1 East of the Second Principal Meridian in Guilford Township, Hendricks County, Indiana, and being more particularly described as follows to-wit:

Commencing at the Southwest corner of the East half of the Southwest quarter of Section 12, Township 14 North, Range 1 East, thence North 90 degrees 00 minutes 00 seconds East (Assumed Bearing) on and along the South line of said half quarter section a distance of 1031.94 feet to the point of beginning of this description: thence North 02 degrees 24 minutes 58 seconds East 300.00 feet; thence North 90 degrees 00 minutes 00 seconds East 250.00 feet; thence North 02 degrees 24 minutes 58 seconds East 233.48 feet; thence South 89 degrees 29 minutes 57 seconds East 50.02 feet to a point on the East line of said half quarter section; thence South 02 degrees 24 minutes 58 seconds West, on and along said East line 283.48 feet; thence South 90 degrees 00 minutes 00 seconds West 250.00 feet; thence South 02 degrees 24 minutes 58 seconds West 250.00 feet to a point on the south line of said half quarter section; thence South 90 degrees 00 minutes 00 seconds West on and along said South line 50.04 feet to the point of beginning of this description.

AND

#### **AREA B:**

A PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 14 NORTH, RANGE 1 EAST, OF THE SECOND PRINCIPAL MERIDIAN, IN HENDRICKS COUNTY, INDIANA, PREPARED BY TERRY D. WRIGHT, PS #970013 OF HAMILTON DESIGNS FOR PROJECT #2019-0012 ON JUNE 17, 2020 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 12 BEING MARKED BY A FOUND ALUMINUM DISC; THENCE NORTH 01 DEGREES 14 MINUTES 24 SECONDS WEST (STATE PLANE BEARING INDIANA ZONE WEST) ALONG THE EAST LINE OF SAID QUARTER SECTION 250.00 FEET TO THE PERIMETER OF THE TRACT DESCRIBED IN

INSTRUMENT NUMBER 1999-30185 IN THE OFFICE OF RECORDER OF HENDRICKS COUNTY,  
SAID POINT BEING THE **POINT OF BEGINNING**;  
THENCE CONTINUING ALONG SAID EAST LINE NORTH 01 DEGREES 14 MINUTES 24 SECONDS  
WEST 283.36 FEET; THENCE NORTH 88 DEGREES 07 MINUTES 44 SECONDS EAST 54.18 FEET F  
TO THE RIGHT-OF-WAY LINE OF THE LIMITED ACCESS RIGHT-OF-WAY FOR INTERSTATE 70 PER  
PROJECT NO. NHI-70-3(186)66, DATED JULY 29, 1994; THENCE ALONG SAID RIGHT OF WAY LINE  
SOUTH 03 DEGREES 21 MINUTES 33 SECONDS EAST 281.51 FEET; THENCE SOUTH 86  
DEGREES 25 MINUTES 10 SECONDS WEST 64.64 FEET TO THE POINT OF BEGINNING;  
CONTAINING 0.39 ACRES MORE OR LESS.

Legal Description of 63.47 acres to be Subject to New Commitments

**AREA A:**

A PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 14 NORTH, RANGE 1 EAST, OF THE SECOND PRINCIPAL MERIDIAN, IN HENDRICKS COUNTY, INDIANA, PREPARED BY TERRY D. WRIGHT, PS #970013 OF HAMILTON DESIGNS FOR PROJECT #2019-0012 ON JUNE 17, 2020 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 12 BEING MARKED BY A FOUND ALUMINUM DISC; THENCE NORTH 01 DEGREES 14 MINUTES 24 SECONDS WEST (STATE PLANE BEARING INDIANA ZONE WEST) ALONG THE EAST LINE OF SAID QUARTER SECTION 250.00 FEET TO THE PERIMETER OF THE TRACT DESCRIBED IN INSTRUMENT NUMBER 1999-30185 IN THE OFFICE OF RECORDER OF HENDRICKS COUNTY, SAID POINT BEING THE **POINT OF BEGINNING**;  
THENCE ALONG SAID PERIMETER SOUTH 86 DEGREES 25 MINUTES 10 SECONDS WEST 250.00 FEET; THENCE CONTINUING ALONG SAID PERIMETER SOUTH 01 DEGREES 14 MINUTES 23 SECONDS EAST 214.97 FEET TO THE NORTHERLY RIGHT OF WAY OF COUNTRY ROAD 700 SOUTH; THENCE ALONG SAID RIGHT OF WAY SOUTH 86 DEGREES 25 MINUTES 10 SECONDS WEST 868.89 FEET; THENCE NORTH 47 DEGREES 10 MINUTES 49 SECONDS WEST 61.30 FEET; THENCE NORTH 00 DEGREES 46 MINUTES 48 SECONDS WEST 1021.95 FEET; THENCE 35.32 FEET ALONG A CURVE A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 35.46 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 27 DEGREES 45 MINUTES 24 SECONDS EAST AND A CHORD DISTANCE OF 33.88; THENCE 436.59 FEET ALONG A REVERSE TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 85.04 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 89 DEGREES 13 MINUTES 12 SECONDS WEST AND A CHORD DISTANCE OF 92.45; THENCE 35.32 FEET ALONG A REVERSE TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 35.46 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 29 DEGREES 19 MINUTES 00 SECONDS EAST AND A CHORD DISTANCE OF 33.88;  
THENCE SOUTH 00 DEGREES 46 MINUTES 48 SECONDS EAST 1069.33 FEET TO SAID NORTHERLY RIGHT OF WAY OF COUNTRY ROAD 700 SOUTH; THENCE ALONG SAID RIGH OF WAY SOUTH 86 DEGREES 25 MINUTES 10 SECONDS WEST 109.92 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE ALONG SAID EAST LINE NORTH 00 DEGREES 48 MINUTES 13 SECONDS WEST 1299.73 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER-QUARTER; THENCE ALONG THE NORTH LINE OF SAID QUARTER-QUARTER SOUTH 86 DEGREES 14 MINUTES 51 SECONDS WEST 1217.84 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 9800018340 IN SAID RECORDERS OFFICE, THE FOLLOWING TWO (2) COURSES BEING ALONG THE EASTERLY LINES OF SAID TRACT; (1) THENCE NORTH 33 DEGREES 20 MINUTES 20 SECONDS EAST 88.89 FEET; (2) THENCE NORTH 03 DEGREES 15 MINUTES 00 SECONDS EAST 102.73 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE LIMITED ACCESS RIGHT-OF-WAY FOR INTERSTATE 70 PER PROJECT NO. NHI-70-3(186)66, DATED JULY 29, 1994, THE FOLLOWING FOURTEEN (14) COURSES BEING ALONG SAID RIGHT-OF-WAY:  
(1) TENCE NORTH 62 DEGREES 44 MINUTES 35 SECONDS EAST 135.19 FEET; (2) THENCE NORTH 75 DEGREES 25 MINUTES 25 SECONDS EAST 205.00 FEET; (3) THENCE NORTH 62 DEGREES 20 MINUTES 02 SECONDS EAST 700.02 FEET; (4) THENCE NORTH 68 DEGREES 27 MINUTES 13 SECONDS EAST 502.49 FEET ; (5) NORTH 88 DEGREES 09 MINUTES 38 SECONDS EAST 267.93 FEET ; (6) THENCE SOUTH 72 DEGREES 24 MINUTES 26 SECONDS EAST 269.41 FEET; (7) ; THENCE SOUTH 51 DEGREES 20 MINUTES 11 SECONDS EAST 75.92 FEET ; (8) THENCE SOUTH 44 DEGREES 24 MINUTES 21 SECONDS EAST 399.74 FEET ;(9) THENCE SOUTH 31 DEGREES 45 MINUTES 35 SECONDS EAST 278.06 FEET ; THENCE SOUTH 15 DEGREES 12 MINUTES 05 SECONDS EAST 377.93 FEET ; (10) THENCE SOUTH 06 DEGREES 16 MINUTES 34 SECONDS EAST 250.00 FEET ; (11) THENCE SOUTH 03 DEGREES 21 MINUTES 33 SECONDS EAST 462.90 FEET; THENCE SOUTH 86 DEGREES 25 MINUTES 10 SECONDS WEST 64.64 FEET TO THE POINT OF BEGINNING; CONTAINING 63.08 ACRES MORE OR LESS.

**AREA B:**

A PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 14 NORTH, RANGE 1 EAST, OF THE SECOND PRINCIPAL MERIDIAN, IN HENDRICKS COUNTY, INDIANA, PREPARED BY TERRY D. WRIGHT, PS #970013 OF HAMILTON DESIGNS FOR PROJECT #2019-0012 ON JUNE 17, 2020 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 12 BEING MARKED BY A FOUND ALUMINUM DISC; THENCE NORTH 01 DEGREES 14 MINUTES 24 SECONDS WEST (STATE PLANE BEARING INDIANA ZONE WEST) ALONG THE EAST LINE OF SAID QUARTER SECTION 250.00 FEET TO THE PERIMETER OF THE TRACT DESCRIBED IN INSTRUMENT NUMBER 1999-30185 IN THE OFFICE OF RECORDER OF HENDRICKS COUNTY, SAID POINT BEING THE **POINT OF BEGINNING**;  
THENCE CONTINUING ALONG SAID EAST LINE NORTH 01 DEGREES 14 MINUTES 24 SECONDS WEST 283.36 FEET; THENCE NORTH 88 DEGREES 07 MINUTES 44 SECONDS EAST 54.18 FEET F TO THE RIGHT-OF-WAY LINE OF THE LIMITED ACCESS RIGHT-OF-WAY FOR INTERSTATE 70 PER PROJECT NO. NHI-70-3(186)66, DATED JULY 29, 1994; THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 03 DEGREES 21 MINUTES 33 SECONDS EAST 281.51 FEET; THENCE SOUTH 86 DEGREES 25 MINUTES 10 SECONDS WEST 64.64 FEET TO THE POINT OF BEGINNING;  
CONTAINING 0.39 ACRES MORE OR LESS.

**Proposed Commitments**  
**for Site to be Zoned I-2**

1. No loading dock doors for buildings along Kemper Drive shall face the residential neighborhood to the west.
2. The centerline of Kemper Drive shall be at least one hundred forty feet (140') east of the western boundary of the subject property.
3. Developer shall not restrict pedestrian access for neighboring property owners to the west to the common area in the northwest corner of site.
4. A minimum fifty foot (50') wide buffer of existing trees/vegetation ("Existing Tree Buffer") along the entire portion of western boundary of the subject property that is adjacent to the residential neighborhood to the west (the "Western Residential Boundary") shall be preserved, except where a utility or stormwater improvement must cross such area. Reasonable effort shall be made to avoid such utility/stormwater crossings, but where necessary, the crossing shall be minimized as much as possible. The planned sanitary sewer extension shall be kept outside of the Existing Tree Buffer, unless the Town of Plainfield requires otherwise. Additionally, a minimum sixty foot (60') wide landscape buffer ("New Landscape Buffer") shall be installed along the Western Residential Boundary which shall be located east of the Existing Tree Buffer. Within the New Landscape Buffer, an earthen berm shall be installed to the maximum height reasonably constructible per the sloping and shaping standards required by the Town and final design of Kemper Drive.
5. The maximum square footage of any single building on the subject property shall not exceed five hundred thousand (500,000) square feet. The maximum square footage of total building space on the subject property, as fully developed, shall not exceed eight hundred fifty thousand (850,000) square feet.
6. No truck stop shall be allowed or developed on the subject property. Also, no distribution center may be developed for or occupied by a user whose primary product of distribution is beer or other alcoholic beverages. Primary means fifty-one percent (51%) or more of the storage capacity of the distribution center.
7. Any parcel(s) zoned GC that are adjacent to the approximately 63.47 acres zoned I2 will have the ability to establish egress from the GC parcel(s) to Camby Road through the I2 zoning in a manner approved by the Town of Plainfield.