

TOWN COUNCIL

ORDINANCE NO. 19-2019

**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**

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. PUD-19-110, (Town of Plainfield) the real estate described in Exhibit "A" of about 3.28 acres attached hereto and incorporated herein by this reference is hereby rezoned from the "GC General Commercial" district to the "PUD Planned Unit Development" district classification of the Plainfield Zoning Ordinance (Ordinance Text in Exhibit "B").

Section 2. Severability

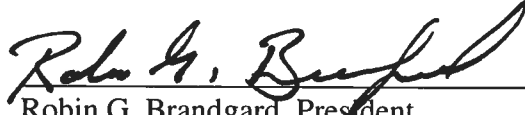
If any section of this Ordinance shall be held invalid by a court of competent jurisdiction, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose, the provisions of this Ordinance are hereby declared to be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

Section 3. Effective Date

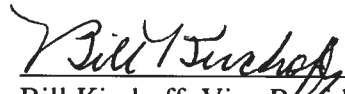
This Ordinance shall be effective within the incorporated areas of the Town of Plainfield, Hendricks County, Indiana upon its adoption by the Town Council of the Town of Plainfield, as provided in I.C. 36-7-4.

Passed and adopted by the Town Council of the Town of Plainfield, Indiana, on this 9th day of September, 2019.

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



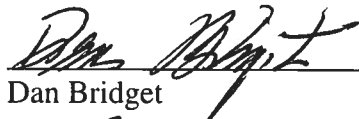
Robin G. Brandgard, President



Bill Kirchoff, Vice President



Kent McPhail

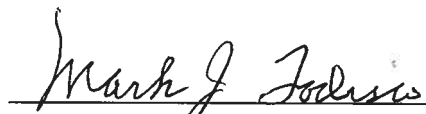


Dan Bridget



Lance Angle

ATTESTED BY:



Mark J. Todisco, Clerk Treasurer
Town of Plainfield, Indiana

Exhibit A

LEGAL DESCRIPTION

A part of Replat of Lot 4 in Hendricks County Plaza, II, as per plat thereof recorded in Plat Cabinet 3, Slide 29, Page 1&2, in the Office of the Recorder of Hendricks County, Indiana, being more particularly described as follows:

Commencing at a 5/8 Inch rebar in concrete at the southeast corner of said Section 25 (being also the southwest corner of said Section 30); thence south 88 degrees 24 minutes 57 seconds West (the basis for bearings is per the Indiana State Plane Coordinate System – West Zone) along the south line of said Section 25 a distance of 1349.97 feet to the southwest corner of the East Half of the Southeast Quarter of said section; thence North 00 Degree 43 minutes 04 seconds West along the West line of said Half Quarter a distance of 1245.67 feet to the south right-of-way line of Gladden Road as recorded in Easement Record 3, Page 342 and amended in Miscellaneous Record 158, pages 472-474 in the Office of the Recorder of Hendrick County, Indiana; (the following 3 courses are along the south and east lines of said right-of-way), (1) North 87 degrees 40 minutes 25 seconds East a distance of 121.85 feet; (2) North 88 degrees 30 minutes 43 seconds East a distance of 483.13 feet; (3) North 00 degrees 43 minutes 26 seconds West a distance of 60.11 feet to the southwest corner of Gladden Farms Apartments, Phase 11, recorded in Plat Cabinet 4, Slide 39, page 2 in said Recorder's Office; thence North 88 Degrees 25 minutes 26 seconds East along the south line of said plat a distance of 237.24 to the southeast corner thereof; thence North 00 degrees 43 minutes 26 seconds West along the east line of said plat and the northerly prolongation thereof a distance 1505.55 feet to a point on the southwesterly prolongation of the south line of the aforesaid Replat of Lot 4 in Hendricks County Plaza II; thence North 81 degrees 09 minutes 08 seconds East along said prolongation a distance of 8.10 feet to the southwest corner of said Replat, being the Point of Beginning; thence North 00 degrees 51 minutes 26 seconds West along the west line of said Replat a distance of 337.21 feet; thence North 88 degrees 52 minutes 56 seconds East a distance of 146.67 feet; thence North 04 degrees 06 minutes 49 seconds West a distance of 18.95 feet; thence North 89 degrees 56 minutes 28 seconds East distance of 242.82 feet; thence South 27 degrees 30 minutes 42 seconds East a distance of 268.21 feet; thence South 62 degrees 29 minutes 18 seconds West a distance of 130.88 feet to a point on the south line of said Replat; thence South 81 degrees 09 minutes 08 seconds West along said south line a distance of 395.57 feet to the Point of Beginning, containing 3.28 acres, more or less.

Exhibit B

**Harper's Crossing
Planned Unit Development District**

Ordinance

Plainfield, Indiana

August 2019

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SCHEDULE OF EXHIBITS

- Exhibit 1. Legal Description
- Exhibit 2. Final Detail Plan
- Exhibit 3. Architectural Character Imagery
- Exhibit 4. Landscape Plan
- Exhibit 5. Photometric Plan and Lighting Cut Sheets
- Exhibit 6. Signage Cut Sheet
- Exhibit 7. Conceptual Temporary Construction Signage
- Exhibit 8. Conceptual Waste Refuse Enclosure
- Exhibit 9. Conceptual Floor Plans and Unit Plans

Note: All of the above Exhibits (1-9) are attached to this Harper's Crossing Ordinance, are incorporated by reference into and hereby made a part of this Harper's Crossing Ordinance.

Section 1. Applicability of Ordinance.

Section 1.1 The *Zone Map* is hereby changed to designate the *Real Estate* as a Planned Unit Development District to be known as Harper’s Crossing District.

Section 1.2 Development in Harper’s Crossing District shall be governed entirely by (i) the provisions of this Harper’s Crossing Ordinance and its exhibits.

Section 2. Rules of Construction.

Section 2.1 General Rules of Construction. The following general rules of construction and definitions shall apply to Harper’s Crossing Ordinance:

- A. The singular number includes the plural and the plural includes the singular, unless the context clearly indicates the contrary.
- B. Words used in the present tense include the past and future tenses, and the future the present.
- C. The word “shall” indicates a mandatory requirement. The word “may” indicates a permissive requirement.

Section 3. Permitted Uses.

Section 3.1 Primary Uses.

- A. Multi-family Work-Force Housing Dwellings.

Section 3.2 Accessory Uses and Buildings.

- A. Garden plots, playground, bike racks, fence, and picnic areas are allowed.
- B. Additional Use Limitations are included under Section 11 of Harper’s Crossing Ordinance.

Section 4. Development Standards. The intent of these standards is to enable the construction of a high-quality *Multi-family Dwelling* development.

Section 4.1 Development Standards and Bulk Requirements.

- A. Maximum number of dwelling units: 60.
(Maximum of 15 three-bedroom units)
- B. Minimum Front *Building* Setback: 20 feet.

- C. Minimum Side *Building* Setback: 20 feet.
- D. Minimum Side Parking Setback: 5 feet.
- E. Maximum *Building* Height: 40 feet.
- F. Minimum Floor Area: 675 net square feet (1-bedroom units).
- G. Applicable landscaping requirements are contained in Section 5 of Harper's Crossing Ordinance.
- H. Applicable lighting requirements are contained in Section 6 of Harper's Crossing Ordinance.
- I. Applicable signage requirements are contained in Section 7 of Harper's Crossing Ordinance.
- J. Applicable site access and parking requirements are contained in Section 8 of Harper's Crossing Ordinance.
- K. Applicable pedestrian circulation requirements are contained in Section 9 of Harper's Crossing Ordinance.
- L. Applicable internal driveway standards are contained in Section 10 of Harper's Crossing Ordinance.
- M. Applicable additional requirements are contained in Section 11 of Harper's Crossing Ordinance.

Section 4.2 The character imagery of the *Building* is contained within Exhibit 3 (*Architectural Character Imagery*). *Exterior Siding Materials* shall consist of brick and/or fiber cement (Primary Siding Materials), and may include PVC Cornice and vinyl window elements (Secondary Siding Materials).

Section 5. Landscaping Requirements. The landscaping in Harper's Crossing District shall be a combination of native and ornamental plants combined in design to compliment the architectural character of the Building. Landscape treatment for perimeter yards, road frontages, service areas, and parking areas shall be designed as an integral and coordinated part of the landscape plan for Harper's Crossing District. If permissible, landscape buffer may be provided in or near the easement areas if acceptable by the utility companies.

Section 5.1 General Landscaping Standards. Landscaping shall be integrated with, and compliment other functional and ornamental site design elements, where appropriate such as hardscape materials, paths, sidewalks, fencing, or any water features, generally in compliance with the landscaping plan depicted within Exhibit 4

(Landscape Plan). Landscape plants may be substituted for equivalent plant unit value with consent of the *Director*.

Section 6. Lighting Requirements.

Section 6.1 Site Lighting.

- A. All site lighting shall be coordinated throughout the *Real Estate* and be of uniform design and materials, in accordance with the Photometric Plan and Lighting Cut Sheets included in Exhibit 5.
- B. Street lighting on Retention Lane is existing, and shall remain as-is.
- C. Exterior lighting of the site shall be designed so that (i) light is not directed off the site and (ii) the light source is shielded from direct offsite viewing.
- D. All exterior ground-mounted architectural, display and decorative lighting shall be generated from concealed, low level fixtures.
- E. Light fixtures in parking areas shall not exceed fifteen (15) feet in height.
- F. All building and pole mounted lighting fixtures shall have a 90-degree cut off and/or flat lenses.

Section 7. Signage Requirements. One entry sign shall be permissible along the Retention Lane frontage. Temporary signs and banners shall be permissible during the construction and leasing periods.

Section 7.1 The entry signs shall be a monument sign not exceed 8 feet in overall height from grade. The sign panel shall be a maximum of 30 square feet (which does not include structural elements or the mounting base). The entry sign shall be in accordance with the Signage Cut Sheet in Exhibit 6.

Section 7.2 Temporary signage shall be permitted during the construction phase of the development. The temporary sign panel shall be a maximum of 32 square feet (which does not include structural elements) and not exceed 8 feet in overall height. Up to five temporary signs shall be permitted during the construction phase. Within one (1) month of full final certificate of occupancy, the sign shall be removed. The temporary sign is generally depicted in Exhibit 7 (Conceptual Temporary Construction Signage).

Section 7.3 Upon full and final certificate of occupancy, temporary signs shall be permitted and conform to the sign code of the *Town*. Up to two temporary signs shall be permitted. The temporary sign panel shall be a maximum of 32 square feet (which does not include structural elements) and not exceed 6 feet in overall height.

Section 8. Site Access and Parking Requirements.

Section 8.1 Parcel access shall be via Retention Lane and access to the apartments and parking areas shall be provided via driveways along the Retention Lane frontage.

Section 8.2 Parking spaces shall be provided at a minimum of one per unit.

Section 9. Pedestrian Circulation.

Section 9.1 Sidewalks, paths or walkways shall be provided along the interior of the project, generally between the building(s) and the parking areas, and to provide pedestrian access to the dumpster area, garden plots, and to the playground. The Town of Plainfield has discussed a desire to improve walkability near Harper's Crossing District. The *Controlling Developer* is willing to work with the *Town* and the adjacent property owners to achieve the goals of creating a walkable area within the Harper's Crossing District.

Section 10. Streets and Streetscape.

Section 10.1 The internal driveway layout (including pavement widths, and design) within the Harper's Crossing District shall be as conceptually indicated on the *Final Detail Plan*.

Section 10.2 Internal driveways from Retention Lane to the parking areas will be private and shall be constructed to the standards of the Town of Plainfield, except that curbs may be omitted in order to provide for Low Impact Development (LID) techniques.

Section 11. Additional Requirements and Standards.

Section 11.1 Refuse Storage. Any Accessory Building or enclosure located in accordance with the *Final Detail Plan* for storage or disposal of refuse shall meet the following requirements:

- A. Waste refuse containers shall be fully enclosed on all four sides except for doors or gates, which shall be kept closed unless loading or unloading.
- B. The minimum height of an enclosure shall be the greater of (i) six (6) feet or (ii) the height of the dumpster and/or container plus two (2) feet.
- C. The enclosure shall be architecturally compatible with the principal Building and integrated into the overall site layout. The waste refuse enclosure is generally depicted in Exhibit 8 (Conceptual Waste Refuse Enclosure).

Section 11.2 Outdoor Storage. *Outdoor Storage* shall not be permitted on the *Real Estate* except for refuse storage and during construction as authorized by the *Controlling Developer*.

Section 11.3 Temporary Uses. *Temporary Uses*, including construction trailers and/or leasing structures, shall be permitted. Within one (1) month of full final certificate of occupancy, the construction trailers and/or leasing structures, shall be removed.

Section 11.4 HVAC Unit Screening. The roof mounted HVAC units shall be screened by a parapet wall.

Section 12. Procedural Provisions.

Section 12.1 The subject property shall be considered as GC (General Commercial) for the purposes of redevelopment of the adjacent properties with respect to required setbacks and landscaping of the adjacent properties.

Section 13. Definitions. The definitions (i) of the italicized terms set forth below in this Section 13, as they appear throughout the Harper's Crossing Ordinance, shall have the meanings set forth below in this Section 13 and (ii) of all other italicized terms included in the Harper's Crossing Ordinance and not defined below in this Section 13, shall be the same as set forth in the *Zoning Ordinance*.

Architectural Character Imagery: These photographs, elevations and renderings are intended to generally and conceptually illustrate an application of the Development Requirements and elements of the anticipated character of the Harper's Crossing District. The *Architectural Character Imagery* establishes a benchmark for the architecture and design of the Building(s).

Final Detail Plan: The *Final Detail Plan* attached hereto and incorporated herein by reference as Exhibit 2 (Final Detail Plan). The *Final Detail Plan* illustrates one of the many possible layouts of the internal drives, *Building* areas, *Buildings*, and parking areas permitted by this Harper's Crossing Ordinance.

Controlling Developer: The *Controlling Developer* shall mean the entity so-named as the entity which takes ownership of the subject *Real Estate* prior to development of the Harper's Crossing District, until the earlier of (i) said ownership development entity no longer owns any portion of the *Real Estate*; or, (ii) said development entity transfers or assigns, in writing, its rights as *Controlling Developer*. Such rights may be transferred by the *Controlling Developer*, in its sole discretion, in whole or in part, but only by a written instrument, signed by the *Controlling Developer*.

Department: The *Town of Plainfield Department of Development Services*.

Development Requirements: Written development standards and any written requirements specified in the Harper's Crossing Ordinance, including any subsequent

commitments, which must be satisfied in connection with the approval of a building permit and Improvement Location Permit (ILP).

Director and/or Director, Plan: The Executive Director of Department of Development Services for the Town of Plainfield, and/or their assigns.

Plan Commission: The Plainfield Plan Commission.

Design Review Committee: The Plainfield Design Review Committee.

Town Council: The Plainfield Town Council.

Real Estate: The Real Estate legally described in Exhibit 1 (Legal Description).

Town: The Town of Plainfield, Indiana.

Zone Map: The Town's official Zone Map corresponding to the Zoning Ordinance.

Zoning Ordinance: The Town of Plainfield Zoning Ordinance, as amended.

EXHIBIT 2
FINAL DETAIL PLAN

EXHIBIT 3
ARCHITECTURAL CHARACTER IMAGERY

EXHIBIT 4
LANDSCAPE PLAN

EXHIBIT 5
PHOTOMETRIC PLAN AND LIGHTING CUT SHEETS

EXHIBIT 6
SIGNAGE CUT SHEET

EXHIBIT 7
CONCEPTUAL TEMPORARY CONSTRUCTION SIGNAGE

EXHIBIT 8
CONCEPTUAL WASTE REFUSE ENCLOSURE

EXHIBIT 9
CONCEPTUAL FLOOR PLANS AND UNIT PLANS