

ORDINANCE NO. 101023

ORDINANCE AMENDING ORDINANCE NO. 121410, THE ZONING ORDINANCE FOR THE TOWN OF MCCORDSVILLE, INDIANA

WHEREAS, the Town Council of the Town of McCordsville, Indiana, has heretofore adopted Ordinance No. 121410 as the Zoning Ordinance; and

WHEREAS, the Town Council of McCordsville, Indiana has, after a public hearing was held on September 19, 2023, received a favorable recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance in order to adopt and replace the Tatom PUD with the Rockport Planned-Unit Development (PUD) Ordinance.

THEREFORE, BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana that Ordinance No. 121410 is hereby amended as follows:

Section 1. The real estate more particularly described in the attached “Exhibit A” (the “Real Estate”) is hereby zoned to the PUD designation. The Development and Architectural standards set forth in this Ordinance shall govern the development of the Real Estate, and these standards shall replace like standards set forth in the Town of McCordsville Zoning and Subdivision Control Ordinances, as amended. Where this Ordinance is silent regarding standards, the standards from the McCordsville Zoning and Subdivision Control Ordinances, dated January 2011, as amended, shall apply.

Section 2. Definitions. Capitalized terms not defined in this PUD Ordinance shall have the meaning ascribed to them in the Town of McCordsville Zoning Ordinance.

1. Minimum Home Size: total square feet of a unit, excluding garages, rear porches, front porches, and any decks, patios, or balconies.
2. Stone: shall not be interpreted to include concrete masonry units (CMU).
3. Decorative Garage Door: garage doors with windows shall be considered decorative garage doors. Two illustrative examples are included in Exhibit D. Exhibit D shall not be interpreted to represent the actual decorative garage doors that will be used in this project.

Section 3. Permitted Uses. The permitted uses, as defined by the McCordsville Zoning and Subdivision Control Ordinances, for the Real Estate are described below, all uses not listed below, shall be considered prohibited.

Permitted Primary Uses:
Single-family residential dwellings

Permitted Accessory Uses, Incidental Uses, and Structures: Those permitted pursuant to the Town Zoning Ordinance

Permitted Temporary Uses:
Those permitted pursuant to the Town's Zoning Ordinance

Section 4. Development Standards. The development shall comply with the Preliminary Planned Unit Development Plan/Concept Plan attached hereto as "Exhibit B". All development shall comply with the following standards:

A. The Development Standards –

- | | |
|-----------------------------------------------|-------------------|
| 1. Maximum Number of Lots | 129 |
| 2. Minimum Lot Area | 9,500 square feet |
| 3. Minimum Lot Width at Building Line | 75 feet |
| 4. Minimum Setbacks: | |
| a. Front-yard Setback | 30 feet |
| b. Side-yard Setback | 8 feet |
| c. Rear-yard Setback | 20 feet |
| 5. Minimum Livable Floor Area (Dwelling Unit) | |
| a. One-story | 2,100 Square Feet |
| b. Two-story | 2,400 Square Feet |
| 6. Maximum Height-Principal | 35 feet |
| 7. Maximum Dwelling Units per Lot | 1 |
| 8. Maximum Lot Coverage | 60% |

The Rockport PUD will provide a minimum of 30% open space as generally shown in the Concept Plan. Drainage facilities shall be permitted as part of the open space calculation. The gross density of the Rockport PUD will not exceed 1.63 units per acre (129 Dwellings).

B. Architectural Standards:

1. The Architectural Standards for the Real Estate are attached as “Exhibit C”. Furthermore, the ARC has approved the front elevations as presented to the ARC Meeting of August 19, 2023 and are attached as “Exhibit E”. The approval of the elevations does not preclude the homes from meeting the standards in Exhibit C.
2. Anti-Monotony Standards: See Monotony Standard in Exhibit F. No more than 10% of the same house floorplan can be utilized with the same elevation within the community.
3. Model Home: The first model home built must be chosen from the 4 largest floor plans offered in the community at the time the model home permit is issued. If the builder constructs more than one (1) model, there is no restriction on the size of the second model. The first model shall include a full basement.

C. Landscaping Standards:

Standards of the Town’s Zoning and Subdivision Control Ordinance regarding Landscaping shall be applicable to the Real Estate with the following exceptions:

1. Buffer-yards: Section 6.11(A)(2) shall not apply, and instead the requirements for perimeter landscape areas, as noted below shall apply but shall be consistent with the landscape plan on Exhibit E.
 - a. 7 trees per 100 linear feet along CR 900N shall be planted.
 - b. 10 shrubs shall be planted for each 100 linear feet of frontage along CR 900N.
 - c. A 3-rail wood fence shall be placed along CR 900.The required landscaping can be eliminated in areas where tree preservation prevents the placement of the trees, shrubs and/or fencing. Alternative/additional landscaping to be determined with Staff if the existing vegetation along the ditch is required to be eliminated by the others.
2. The grass strip between the sidewalk/path and roadway back-of-curb, along the entrance drive, shall be a minimum of ten (10) feet in width, and feature street tree plantings spaced forty (40) feet on-center, from CR 900N to the first internal intersection.
3. A median, with a planting bed of at least twelve (12) feet in width, shall be provided on the entrance drive from CR 900N to the legal drain. This median shall be landscaped with a mixture of plantings in mulch beds, and turf grass.
4. Tree Conservation shall be required along property lines as generally shown on Exhibit E.

D. Multi-Use Paths:

Standards of the Town's Zoning and Subdivision Control Ordinance regarding Pedestrian Accessibility shall be applicable to the Real Estate with the following exceptions:

1. A ten (10) foot wide multi-use asphalt path shall be installed as shown on the conceptual development plan, and as further described below:
 - a. Along the northside of CR 900N west of the ditch and east of the entrance road.
 - b. Along the northside of the Bee Camp Creek and shall be placed in a public access easement or right of way for the path to be dedicated to the Town of McCordsville.
 - c. Along the eastside of the entrance drive, connecting the perimeter path to the path along the legal drain.
 - d. There shall be a public access easement provided to allow for a public path to be installed from the east property line to the entrance drive.
2. Notwithstanding the requirements above, any path which is located back-of-curb, without a grass strip between the pedestrian facility and the curb, shall be concrete.
3. All truncated domes shall be black in color.
4. An internal trail system shall be provided as generally shown on the Concept Plan. Such internal trails may be eight (8) feet in width.

E. Community Amenities

In addition to the open space and trail network, Rockport shall include the following amenity features:

1. Walking Trails
2. Pavilion/picnic shelter, which shall be consistent with the character and quality of Exhibit E
3. Park area bounded by the legal drain, 900N, and the entrance drive. This area shall feature walking trails and seating areas in the area west of the entrance drive and between the legal drain and county Road 900.
4. An illuminated fountain shall be provided in the southern pond in Common Area which is visible from the entrance drive at the first intersection.

F. Lighting, Parking, and Signage:

Standards of the Town's Zoning and Subdivision Control Ordinance regarding Lighting, Parking, Pedestrian Accessibility, and Signage applicable to R3 Zoning shall be applicable to the Real Estate with the following exceptions/additions:

1. Any Subdivision monument signs shall include the language "of McCordsville".
2. Entry Features: All development shall be required to install prominent entry features at the entrance. All such entrances shall feature no less than entry walls or columns

- and fencing on both sides of the entrance roadway and/or within the center median. The primary material of the entry wall shall be masonry (CMU prohibited). The height of the entry sign shall not exceed 8 feet in height. Columns, posts, or other vertical features or accents of the entry sign may exceed the 8-foot maximum height.
3. A perimeter fence shall be required along CR 900N, as depicted in Exhibit G to compliment the entry feature of the subdivision.
 4. Secondary Monumentation: Secondary monument column(s) shall be installed at the stub street connections to adjacent property. These columns shall be a maximum of 4' x 4' in width and 6' in height, may be illuminated, and may include signage.
 5. A maximum of three (3) temporary ground signs shall be permitted within the development for marketing and model signage. This signage shall be in addition to any permitted signage on the perimeter of the development.

G. Roadway:

Standards of the Town's Zoning and Subdivision Control Ordinance regarding Streets, Roadways, and Right-of-way shall be applicable to the Real Estate with the following exceptions:

1. Minimum half-width ROW of forty (40) feet on CR 900N shall be dedicated to the Town.
2. The Town shall not be responsible for any maintenance or repairs on any alley, nor any roadway which is not built to town standards and/or not dedicated and accepted as public right-of-way.
3. The Town shall not be responsible for any maintenance on any landscaping, fencing, or signage located in public right-of-way.
4. The Street Lights shall be consistent with the Street Light Detail on Exhibit I.
5. Snow Removal: The Homeowner's Association for Rockport shall be responsible for snow removal of all internal streets.
6. Block Standards: The maximum block length shall be 1,900 feet with a signed pedestrian crossing dividing the block length to a maximum 1,200 feet.
7. All truncated domes shall be black in color.
8. Tangent between reverse curves can be zero (0) feet.
11. Street name signage and traffic control signage shall be installed consistent with the quality and character shown on Exhibit "D".
12. The following traffic improvements shall be constructed:
 - a. Acceleration and deceleration lanes, in conformance with town standards, at all access points into the development from any collector.
 - b. Passing blisters or left-turn lanes, in conformance with town standards, at all access points as required by the Town Engineer.

J. Miscellaneous

1. Section 4.17 shall not apply to the Real Estate.
2. Developer commits to creating a professional owner's association that will manage and maintain the common spaces.
3. All driveways shall be concrete.
4. *MI Homes to work on suggested rental language.*
5. Fences shall be limited to black, wrought iron, aluminum, or an equivalent like material. Fences shall be placed no closer to the street than the rear corner of the home.

6. An eight (8) inch yellow thermoplastic/paint stripe shall be placed on the top of the curb adjacent to any fire hydrant within the subdivision. This stripe shall extend ten (10) feet out from the hydrant in both directions.
7. The following traffic improvements shall be constructed:
 - a. Acceleration and deceleration lanes, in conformance with town standards, at all access points into the development from any local-collector, collector, and/or arterial roadway.
 - b. Passing blisters or left-turn lanes, in conformance with town standards, at all access points as required by the Town Engineer.
8. Street name signage and traffic control signage shall be installed consistent with the quality and character shown on Exhibit "D".
9. Anticipated phasing plan can be found in Exhibit H.
10. Road Impact Fees: The developer agrees to pay any Road Impact Fees adopted by the Town. Such fees shall become payable on any building permit after the effective date of the RIF Ordinance, regardless of when a Primary Plat, Detailed Development Plan, or Development Plan were filed. Any future increases in the fee, by the Town, shall be in accordance with state law.

Section 6. This Ordinance shall remain in full force and effect from and after its passage and posting as required by the law within the Town of McCordsville, Indiana.

Section 7. Introduced and filed on the 10th day of October, 2023. A motion to consider on the first reading on the day of introduction was offered and sustained by a vote of _____ in favor and _____ opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this _____ day of _____, 2023 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL:

Voting Affirmative:

Greg J. Brewer

Scott Jones

Larry J. Longman

Dr. Bryan Burney

Branden D. Williams

Voting Opposed:

Greg J. Brewer

Scott Jones

Larry J. Longman

Dr. Bryan Burney

Branden D. Williams

ATTEST:

Stephanie Crider, Clerk-Treasurer

This instrument was prepared by Jonathan Isaacs.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. – Jonathan Isaacs

“Exhibit A” LEGAL DESCRIPTION

Overall Description

The West Half of the Southeast Quarter of Section Fourteen (14), Township Seventeen (17) North, Range Five (5) East, Hancock County, Indiana, containing Eighty (80) acres, more or less.

Property Address Reference: 6260 West 900 North, McCordsville, IN 46055

The Property address and/or tax parcel identification number(s) listed are provided solely for informational purposes, without warranty as to accuracy or completeness and are not hereby insured.

“Exhibit B” Concept Plan



“Exhibit C”

Architectural Standards

All primary structures constructed on the Real Estate shall have the following minimum standards:

1. The permitted roofing materials are dimensional shingles, copper, slate, and stone. High quality standing seam metal may be used as an accent roofing material as determined by the ARC. A variety of shingle colors will be offered to Buyers.
2. Main Roof pitch of 6:12 or greater shall be required, ancillary roofs may be less than 6:12. The Architectural Review Committee may approve a home with a lesser main roof pitch if warranted by the home design/styling.
3. Exhaust vents shall not be visible from the front elevation of the home. Additionally, no wall-mounted vent or louver shall be located on the first-floor exterior of a front elevation (excluding gable areas).
4. Exterior siding materials are limited to brick, stone, glass, wood, and fiber cement. Vinyl siding is prohibited.
5. Minimum brick/stone requirements shall be as follows:
 - i. A minimum of 50% of homes shall have 50% brick or stone on the front elevation. Any front elevation which features less than 50% masonry shall have a minimum of two (2) additional siding material patterns (horizontal siding, shake, board and batten, etc.) or two (2) siding colors on the front elevation, not counting brick or stone color.
 - ii. All homes shall have a masonry wainscot on all four (4) sides of the home, a minimum of twenty-four (24) inches in height or placed to the bottom of the first-floor windows, reviewed by the Zoning Administrator at the time of building permit.
 - iii. Any side or rear elevation that faces a perimeter street, perimeter property, internal street, open space, trail, or other common area which features less than 50% brick or stone shall have at least two (2) other siding materials on said elevation, provided said elevation has a gable which makes architectural sense to add a 2nd material.
 - iv. When a masonry material terminates at the corner of a building there shall be a minimum of 24-inch return around the corner of the building.
6. Return walls along the front elevation shall include brick or stone consistent with the brick on the front elevation. For example, a recessed front door creates return walls that should carry around the materials on the front elevation.
7. Satellite dishes shall not be visible from the front elevation of the home and must conform to the HOA covenants and restrictions.
8. Window A/C units and the like are prohibited.
9. The heavier material shall always be used below a lighter material.
10. Exterior chimneys for fireplaces shall be made entirely of brick or stone.

11. Masonry wainscot on the side and rear elevations shall complement the masonry material on the front elevation. If both brick and stone are used on the front elevation, then the side and rear masonry wainscot may be brick or stone, provided the color is similar and complimentary to the color of the masonry material on the front elevation.
12. Overhangs are required along all facades. No overhang shall extend less than eleven (11) inches from the exterior façade where the façade consists of siding at the eaves, and a minimum of eight (8) inches from the exterior façade where the façade consists of brick or stone at the eaves. This measurement does not include the gutter system.
- 13.
14. Unless adjacent to brick/stone wrap, all windows, doors and corners shall have a minimum nominal one inch by six-inch wood or fiber-cement surround or shutters, decorative trim or headers.
15. Except for large picture windows, casement windows and small accent windows, which do not open, all windows on a façade facing a public street shall have shutters, mullions, or window grids.
16. Minimum window quantities shall be required as noted below
 - a. All one-story homes shall contain a minimum of the following:
 - i. Three (3) windows on the front façade
 - ii. One (1) window on all side facades with the exception of a side façade facing a public street which shall contain a minimum of two (2) windows
 - iii. Three (3) windows on the rear facade with the exception of a Rear façade facing a public street or common area which shall contain a minimum of five (5) windows
 - b. All two-story homes shall contain a minimum the following:
 - i. Five (5) windows on the front façade. Double windows count as two windows.
 - ii. A minimum of two (2) windows on the side facades with the exception of a side façade facing a public street which shall contain a minimum of three (3) windows.
 - iii. A minimum of three (3) windows on the rear façade, with the exception of a rear façade facing a public street which shall contain a minimum of five (5) windows.
 - c. All homes shall have a front door containing a window, a transom window above the door, or a sidelight.
17. The front elevation of all homes must have at least one point of wall plane articulation of at least two (2) feet in depth and a gable/front facing hip roof.
18. The front-facing façade of a side-load or courtyard garage shall feature a minimum of two (2) windows. These windows shall not count towards other window requirements.
19. The minimum garage size shall be four hundred (440) square feet or twenty-two (22) feet in length or depth.
20. No garage shall protrude more than twelve (12) feet in front of the front elevation, except in the instance of a 3rd car side load garage. Garage protrusion shall be measured by determining the distance from the farthest protruding front façade of the garage and the widest portion of the front façade of the front elevation. Any garage which protrudes eight (8) feet or more in front of the widest portion of the front elevation shall be required to install eight (8) additional shrubs, as well as a window on one side elevation.
21. Front-loading garages shall contain a decorative garage door(s) similar to those depicted on Exhibit C-2.

22. For any front loading three-car garage, at least one of the bays must have a separate door and be recessed a minimum of two (2) feet from the other bays.
23. For front-loading garages, the garage doors shall not comprise greater than 50 percent of the width of the front elevation for a two (2) car garage. A 3rd car garage can be added if the home meets the 50% requirement prior to adding the 3rd bay garage.
24. All porch columns shall be a minimum of eight (8) inches by eight (8) inches (nominal), unless otherwise approved by the ARC.
25. All homes shall feature a covered entry. Front porches are required to be a minimum of four (4) feet in depth.
26. All homes shall feature dusk to dawn controlled light fixtures flanking the garage door(s). A front porch light may also be added as a coach light or can light in the ceiling.
27. All homes shall have sod installed for the Front Yard to the corner of the front Elevation. Homes built on corner lots shall have sod installed on sides having street frontage to the corner of the street side elevation.
28. Lots 76 and 77 as shown on the concept plan back up to CR 900N and shall add a minimum of one of the following:
 - i. A covered rear patio,
 - ii. A three-season room or morning room
 - iii. A breakfast nook consisting of no less than 2 feet in depth by 6 feet in width
29. A minimum of 50% of the homes in Rockport PUD shall have more than a 2-car garage.
30. Elevation Approval: The Town's Architectural Review Committee ("ARC") reviewed and approved a set of home plan elevations that are on file with the Town's Planning and Building Department (the "Approved Elevations"). A sampling of the Approved Elevations are hereby incorporated as Exhibit E, and while they must meet the standards of the PUD, are approved by the ARC. Homes in the "Approved Elevations" do not need further review by the ARC except for anti-monotony purposes.
 - a. All homes not included in the "Approved Elevations" shall comply with the standards set forth in Exhibit C of this Ordinance and shall be substantially similar in quality and character to the homes in the "Approved Elevations". The Director of Planning and Building ("Director"), including his or her designees, shall review home elevations at the time of filing for a building permit for compliance.
 - b. Any home elevation submitted which either is not on the Approved Elevations or does not comply with Exhibit C of this Ordinance may be submitted for review by the ARC. The ARC may approve an elevation if it is determined the elevation is similar in quality and character to the homes in the "Approved Elevations" and is consistent with the spirit and intent of the PUD, as determined by the ARC. The ARC may also deny elevations in which they feel are not substantially similar in quality and character.
 - c. All home elevations shall be submitted to the ARC with no less than a color front elevation, black-n-white side and rear elevations, material call-outs, dimensioned or scaled elevations and floorplans, and any other material determined necessary for review by the Administrative Officer.
31. Lot and foundation plantings: A minimum of 12 shrubs and 2 front yard trees shall be required for each home.

32. All homes shall include mailboxes of uniform design.

“Exhibit C-1” Decorative Garage Doors



“Exhibit C-2” Illustrative “Approved Architectural Renderings



Kentmore III A



Kentmore III B



Kentmore III C



Kentmore III D



Cheswicke II A



Cheswicke II B



Cheswicke II C



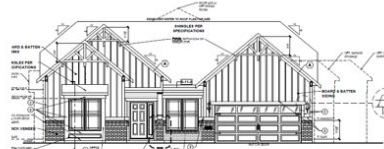
Cheswicke II D



Cheswicke II E



Cheswicke II F



Cheswicke II G

I

“Exhibit C-2” Illustrative “Approved” Architectural Renderings



Drake A



Drake B



Drake C



Drake D



Drake E



Drake F



Drake G



Ainsley II A



Ainsley II C



Ainsley II D



Ainsley II F

“Exhibit C-2” Illustrative “Approved” Architectural Renderings



Glendale A



Glendale B



Glendale C



Glendale D



Berkey A



Berkey B



Berkey C



Berkey D



Berkey E

“Exhibit C-2” Illustrative “Approved” Architectural Renderings



Kensington A



Kensington B



Kensington C



Kensington D



Kensington E

“Exhibit D”

Street Name & Traffic Control Signage Exhibit



“Exhibit E”

Tree Conservation and Landscape Exhibit



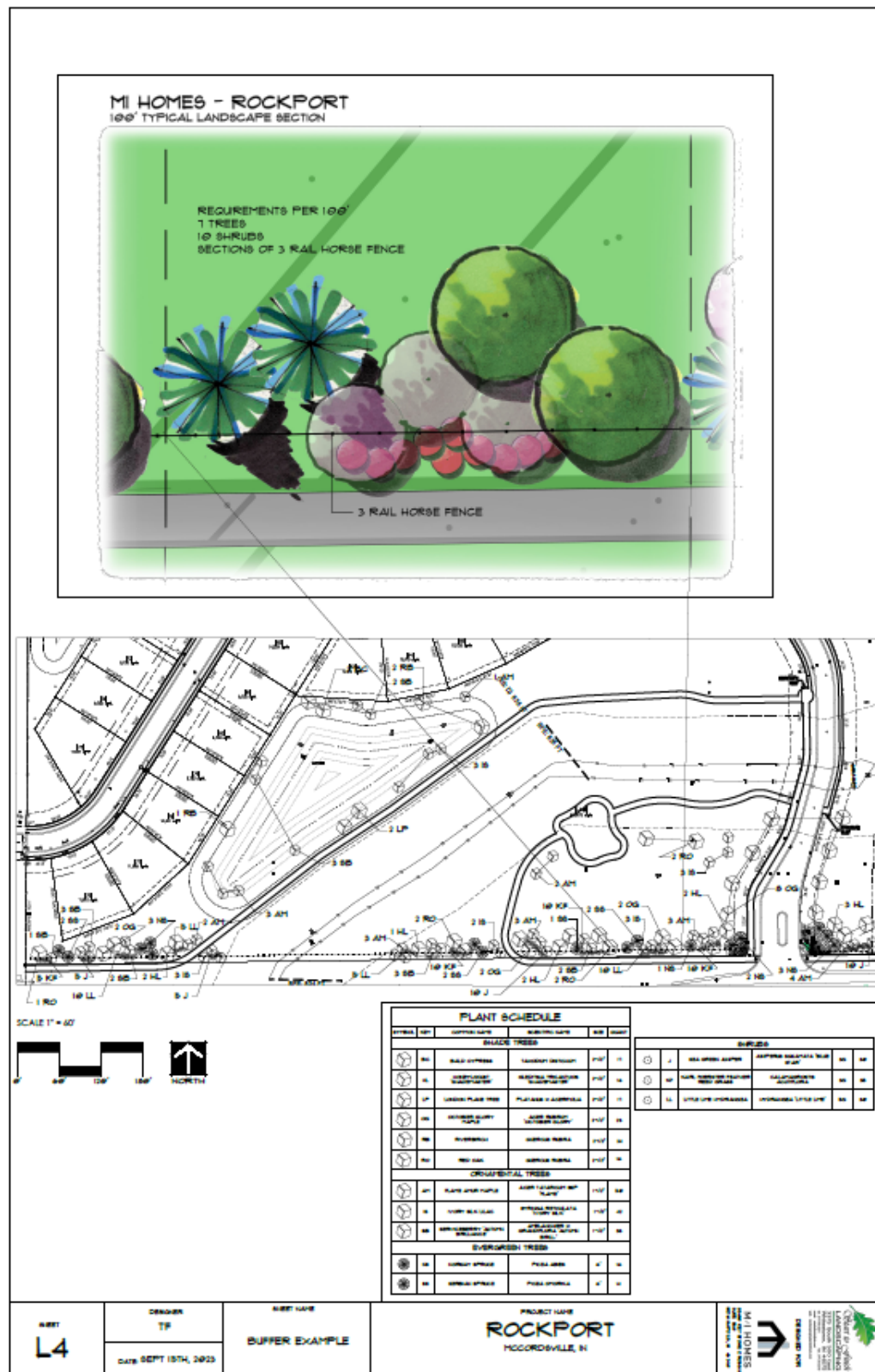
Exhibit F”
Monotony Standards

2 1 1 1 2

2 2 1 1 S 1 1 2 2

- ☐ 1 Homes shall be not be of the same elevation of the same plan as the Subject Home and Shall be a Different Color Package
- ☐ 2 Homes may be identical to Subject Hom

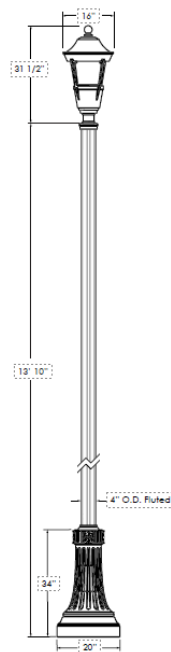
“Exhibit G” **Perimeter Fence Landscape Exhibit**



**“Exhibit H”
Anticipated Phasing Plan**



“Exhibit I”
Street Light Detail



Pole Details:

Cast Aluminum Base Extruded Aluminum Shaft
1/2" X 18" Double Nut Double Washer Anchor Bolts
65W LED bulb
Pole and base black matte finish