ORDINANCE NO.

ORDINANCE AMENDING 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 ______, 2025, receive a ______ recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance in order to adopt the <u>Creekside</u> 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:

<u>Section 1.</u> 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 all other standards set forth in the Town of McCordsville Zoning and Subdivision Control Ordinances, as amended. Where this Ordinance is silent regarding standards other than Development and Architectural standards, the standards from the McCordsville Zoning and Subdivision Control Ordinances, dated January 2011, as amended, applicable to R3 Zoning, shall apply.

Section 2. Definitions

- A. <u>Minimum Home Size</u>. The total square feet of a home, excluding garages, rear porches, front porches, basements, and any decks or patios.
- B. Stone. Shall not be interpreted to include concrete masonry units (CMU).
- C. <u>Decorative Garage Door.</u> Garage doors with windows shall be considered decorative garage doors. Two (2) illustrative examples are included in **Exhibit C-1**. **Exhibit C-1** 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.

A. Permitted Primary Uses:

Area	Land Use	Number of Dwelling Units
А	Single-Family residential dwellings	77
В	Single-Family residential dwelling	87

- B. Permitted Accessory Uses, Incidental Uses, and Structures: Those permitted pursuant to the McCordsville, Indiana Zoning Ordinance.
- C. Permitted Temporary Uses: Those permitted pursuant to the McCordsville, Indiana Zoning Ordinance.

<u>Section 4. Development Standards.</u> The Creekside development shall have two (2) defined Areas as shown on the Preliminary Planned Unit Development Plan/Concept Plan attached hereto as "Exhibit B" with the following standards:

A. <u>The Development Standards for Area A shall be as follows:</u>

1.	Maximum Number of Lots	77 Lots	
2.	Minimum Lot Area	11,050 Square Feet	
3.	Minimum Lot Width at Building Line	85 Feet	
4.	Minimum Front Yard Setback	30 Feet	
5.	Corner Lot Min. Front Yard Setback	25 Feet	
	a. Applicable to secondary frontage of corner lots.		
6.	Minimum Side Yard Setback	6 Feet	
7.	Minimum Rear Yard Setback	15 Feet	
8.	Minimum Livable Floor Area	2,000 Square Feet (single-story)	
		2,600 Square Feet (multi-story)	
9.	Maximum Lot Coverage	55%	
10.	Maximum Height-Principal	35 Feet	

B. <u>The Development Standards for Area B shall be as follows:</u>

1.	Maximum Number of Lots	87 Lots
2.	Minimum Lot Area	8,700 Square Feet
3.	Minimum Lot Width at Building Line	60 Feet
4.	Minimum Front Yard Setback	25 Feet
5.	Corner Lot Min. Front Yard Setback	25 Feet
	a. Applicable to secondary frontage of corner lots.	

6. Minimum Side Yard Setback	6 Feet
7. Minimum Rear Yard Setback	15 Feet
8. Minimum Livable Floor Area	1,800 Square Feet (single-story)
	2,400 Square Feet (multi-story)
9. Maximum Lot Coverage	55%
10. Maximum Height-Principal	35 Feet

The Creekside PUD will provide a minimum 25% open space as defined on the PUD development plan and shall contain the required drainage facilities as part of the open space calculation. The gross density for the Creekside PUD will not exceed 2.05 units per acre.

B. Architectural Standards:

The Architectural Standards for the Real Estate are attached as **Exhibit C**. The Architectural Review Committee may approve elevations that do not meet the architectural requirements outlined in **Exhibit C** if the Architectural Review Committee concludes the standards conflict with a historical architectural style.

C. Perimeter Landscaping, Buffering and Screening Standards:

- 1. The developer shall establish an aesthetic 50' wide landscape buffer along the north frontage of CR 750 N and CR 700 N. Said buffer shall consist of the following per 100 feet of frontage:
 - a. Three (3) every even trees averaging 5-6 feet in height.
 - b. Three (3) ornamental trees with a minimum 2" caliper.
 - c. One (1) deciduous shade tree with a minimum 2" caliper.
 - d. Ten (10) shrubs
 - e. 3'- 6' high undulating mound shall be installed.
- 2. The developer shall make its best effort to increase the height of the undulating mound from Lots 7-9. If the height is unable to be increased due to engineering constraints, then additional landscaping will be provided.
- 3. Landscaping nodes consisting of 3 evergreen trees will be installed along the trail behind lots 20/21 and 95/96, as numbered on the concept plan in Exhibit A. This landscaping may be replaced with a trail upon the development of parcel # 30-01-26-200-002.001-018.

D. Tree Conservation Area:

A 20' tree conservation area shall be established along the north boundary of the Real Estate, and the centrally located north/south tree line that delineates Area A and Area B. Within the tree conservation area, no trees with a diameter at breast height ("DBH") in excess of six inches (6") or more (the "Protected Trees") shall be removed unless the tree is damaged, diseased, dead, or is to be removed in order to: (1) comply with the safety requirements of any governmental agency:

or (2) to accommodate the installation of drainage utilities, street connections, walking path or other infrastructure. If a Protected Tree is damaged or otherwise removed by the developer or builder, except as permitted to be removed as listed above, then the developer or building shall reestablish the Protected Tree with a tree or trees of combined equal or greater DBH subject to the availability of space for their healthy growth in the tree conservation area.

E. <u>Amenities:</u>

In addition to the open space features and trail network, Creekside shall also include the following amenities:

- 1. A pool with pool house, OR;
- 2. A minimum of 3 of the following:
 - a. Half basketball courts
 - b. Tennis court
 - c. 2 pickleball courts
 - d. Bocce ball court
 - e. Frisbee/Disc golf course (min. three (3) targets/goals)
 - f. Pond-overlooking picnic areas with seating (benches, tables, etc.)
 - g. Pavilion with seating
 - h. Passive gathering area containing seating and a firepit

F. Multi-Use Paths:

1. The Developer will install an 8' wide asphalt path along the project frontage of CR 750 N and CR 700 W. The location of the path will be designed to conserve existing trees along the frontages and may be placed in a path easement in adjacent Common Area. A 10' wide multi-use path will be installed along the north boundary of the project, and 8' wide asphalt paths will be installed internally to the development, as shown on **Exhibit B** and as required per the Town's standards.

G. Road Improvements

- 1. 750 N & Carroll Rd Roundabout: Developer shall dedicate the necessary ROW for a future roundabout.
- 2. The Town shall not be responsible for any maintenance on any landscaping, fencing, or signage located in public right-of-way.
- 3. 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.

- 4. The maximum block length shall be 1,200 feet. Any block length equal to or greater than 800 feet in length shall feature traffic calming measures, including but not limited to:
 - a. Street trees
 - b. Traffic circles
 - c. Neck-downs for pedestrian crossings
 - d. Chicanes
 - e. 90 degree turns with eyebrows
 - f. Other features as approved by the Town Engineer
- 5. The developer agrees to pay any future Road Impact Fees adopted and effective at the time of any building permit(s) are issued.
- 6. An eight (8) inch yellow thermoplastic 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. ROW shall be dedicated in accordance with the applicable Thoroughfare Plan.
- 8. CR 750 N will be widened 4' along the north side, along Creekside's frontage.
- 9. CR 750 will be realigned to be perpendicular with the CSX crossing, as generally depicted on **Exhibit D**. Final design will be reviewed and approved by the Town at the time of primary plat. The realignment will be completed prior to the recording of Creekside Section 2, subject to extensions needed due to INDOT's and / or CSX review process.
- 10. The developer may choose to make a financial contribution to the Town for the estimated construction cost of the improvements, listed in Section 8 and 9 above, in lieu of installing the improvements. In the event the developer elects to make said payment, the developer shall record and dedicate the necessary right-of-way and prepare road widening and realignment plans for the Town's benefit and use. Payment must be completed prior to the recording of Creekside Section 2.

H. Lighting, Parking, Pedestrian Accessibility 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:

1. Primary Monuments: The Developer shall install entry monumentation including, but not limited to the entry monument signs as generally depicted in **Exhibit E**.

- 2. Carroll Rd & CR 750 N Monument: The Developer shall install a gateway monument as generally depicted in **Exhibit E**.
- 3. The Street Lights for Creekside will be as proposed in Exhibit F, or equivalent equal.
- 4. Street signage and traffic control signage shall be as generally depicted in **Exhibit G**.

I. <u>Anti-Monotony Standards:</u>

A single front elevation shall not be repeated unless it is separated by at least three different front elevations along either side of the same street frontage. There shall not be more than 10 percent of the houses in the subdivision with the same front elevation.

J. <u>Miscellaneous</u>:

- 1. The Homeowner's Association for Creekside shall be responsible for snow removal of all internal streets.
- 2. 4. No home shall be rented for a period of at least thirty-six (36) months from the last date of transfer or sale, except when renting to a family member or in a case of financial hardship that is approved by the HOA. This language shall also be added to the HOA Covenants and Declarations.
- 3. Any fencing installed on individual lots shall be wrought iron in style. Privacy fences are permitted around patios.
- 4. Ponds shall feature illuminated decorative fountains.

<u>Section 5.</u> 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 6. Introduced and filed on the _____ day of _____ 2025. 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 _____, 2025 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:	Voting Opposed:
Greg Brewer	Greg Brewer
Scott Jones	Scott Jones
Dr. John Price	Dr. John Price
Dr. Bryan Burney	Dr. Bryan Burney
Chad Gooding	Chad Gooding
ATTEST:	

Stephanie Crider, Clerk – Treasurer

"Exhibit A"

LEGAL DESCRIPTION

PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 5 EAST, OF THE SECOND PRINCIPAL MERIDIAN, VERNON TOWNSHIP, HANCOCK COUNTY, INDIANA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER; THENCE ALONG THE WEST LINE THEREOF NORTH 00 DEGREES 10 MINUTES 55 SECONDS EAST 1287.72 FEET TO THE SOUTHWEST CORNER OF THE PARCEL DESCRIBED IN INSTRUMENT NUMBER 9508534 (ALL REFERENCE DOCUMENTS ARE IN THE OFFICE OF THE RECORDER OF HANCOCK COUNTY, INDIANA); THENCE ALONG THE PERIMETER OF SAID PARCEL THE FOLLOWING EIGHT (8) COURSES: (1) SOUTH 68 DEGREES 51 MINUTES 30 SECONDS EAST 127.99 FEET; (2) SOUTH 79 DEGREES 07 MINUTES 44 SECONDS EAST 135.23 FEET; (3) NORTH 68 DEGREES 34 MINUTES 50 SECONDS EAST 108.27 FEET; (4) NORTH 53 DEGREES 30 MINUTES 55 SECONDS EAST 55.12 FEET; (5) NORTH 73 DEGREES 05 MINUTES 57 SECONDS EAST 61.13 FEET; (6) NORTH 28 DEGREES 20 MINUTES 25 SECONDS EAST 122.40 FEET; (7) NORTH 05 DEGREES 24 MINUTES 39 SECONDS WEST 77.22 FEET; (8) NORTH 00 DEGREES 56 MINUTES 02 SECONDS WEST 12.60 FEET TO THE APPROXIMATE CENTERLINE OF THE JAMES SCHULTZ DITCH; THENCE ALONG SAID CENTERLINE THE FOLLOWING TWELVE (12) COURSES: (1) NORTH 38 DEGREES 38 MINUTES 09 SECONDS EAST 111.27 FEET; (2) NORTH 52 DEGREES 22 MINUTES 09 SECONDS EAST 37.21 FEET; (3) NORTH 76 DEGREES 03 MINUTES 21 SECONDS EAST 217.05 FEET; (4) NORTH 73 DEGREES 08 MINUTES 16 SECONDS EAST 122.54 FEET; (5) NORTH 70 DEGREES 27 MINUTES 34 SECONDS EAST 205.71 FEET; (6) NORTH 74 DEGREES 28 MINUTES 47 SECONDS EAST 142.57 FEET; (7) NORTH 63 DEGREES 31 MINUTES 58 SECONDS EAST 83.54 FEET; (8) NORTH 49 DEGREES 48 MINUTES 45 SECONDS EAST 88.18 FEET; (9) NORTH 51 DEGREES 25 MINUTES 47 SECONDS EAST 117.04 FEET; (10) NORTH 58 DEGREES 03 MINUTES 07 SECONDS EAST 90.61 FEET: (11) NORTH 50 DEGREES 56 MINUTES 08 SECONDS EAST 187.35 FEET; (12) NORTH 55 DEGREES 08 MINUTES 28 SECONDS EAST 6.56 FEET TO THE PERIMETER OF THE PARCEL DESCRIBED IN INSTRUMENT 202216574; THENCE ALONG SAID PERIMETER THE FOLLOWING TWO (2) COURSES: (1) SOUTH 00 DEGREES 14 MINUTES 19 SECONDS WEST 811.01 FEET; (2) NORTH 89 DEGREES 03 MINUTES 34 SECONDS EAST 601.27 FEET; THENCE SOUTH 00 DEGREES 13 MINUTES 40 SECONDS WEST 775.80 FEET; THENCE SOUTH 05 DEGREES 52 MINUTES 52 SECONDS WEST 287.76 FEET; THENCE SOUTH 55 DEGREES 46 MINUTES 23 SECONDS WEST 264.87 FEET: THENCE SOUTH 01 DEGREES 00 MINUTES 21 SECONDS EAST 118.80 FEET TO THE SOUTH LINE OF SAID NORTHWEST OUARTER; THENCE ALONG THE SAID SOUTH LINE

SOUTH 89 DEGREES 04 MINUTES 15 SECONDS WEST 2078.65 FEET TO THE POINT OF BEGINNING CONTAINING 80.98 ACRES, MORE OR LESS.

"Exhibit B"

Concept Plan



Area A
Area B

"Exhibit C"

Creekside PUD Architectural Standards

All homes constructed in Creekside shall have the following minimum standards:

- 1. Dimensional shingles offered in a minimum of 3 different colors.
- 2. Main roof pitch of 6:12 or greater, ancillary roofs may be less than 6:12. The Architectural Review Committee may approve a home with a lesser 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. All siding shall be brick, stone, wood, cement fiber board or stucco.
- 5. Masonry Requirements.
 - <u>Area A</u>: All homes shall have a minimum of a 30" brick or stone wainscot on all four (4) sides of the home and contain a minimum of two (2) siding colors or two (2) of the following materials on the front elevations: horizontal lap siding, vertical siding, board and batten, or shake.
 - b. <u>Area B</u>: A minimum of fifty percent (50%) of the homes shall have a front elevation of at least fifty percent (50%) brick or stone, exclusive of windows, doors, garage doors and areas above the roof line. The remaining homes may have less than fifty percent (50%) brick or stone provided they contain a minimum of a 30" brick or stone wainscot and contain a minimum of two (2) siding colors or two (2) of the following materials on the front elevations: horizontal lap siding, vertical siding, board and batten, or shake.
 - c. Return walls along the front elevation shall include brick or stone consistent with the brick or stone on the front elevation.
 - d. When a masonry material terminates at the corner of a home there shall be a minimum of a 24" return around the corner of the home.
- 6. The front elevation of any home shall contain a minimum of one (1) two-foot or greater step back and one (1) gable or front facing hip roof.
- 7. The rear elevation of any home, noted on Exhibit "C-1", as Rear Elevation Enhancement, shall contain one (1) two-foot or greater step back and one (1) gable.
- 8. Minimum roof overhang of twelve (12) inches on all sides of a house as measured from the wall structure to the fascia board.
- 9. All homes shall include a covered entry. Such entries are required to be a minimum of 4' in depth and at least 24 SF.
- 10. There shall be not more than 10 percent (10%) of the same front elevation in the subdivision.
- 11. Exterior chimneys for fireplaces shall be made entirely of brick or stone.
- 12. Unless approved by the ARC, the front porch columns shall be a minimum of eight inches by eight inches.

- 13. All one (1) story or one and a half story (1.5) homes (includes loft) shall contain a minimum of two (2) windows on the front façade, a minimum of one (1) window on the side facades, and a minimum of three (3) windows on the rear façade.
- 14. All two-story homes shall contain a minimum of three (3) windows on the front façade, a minimum of two (2) windows on the side facades, and a minimum of three (3) windows on the rear façade. A front door with a window, set of 3 "bullet" windows a minimum of 1'x1' each, and/or a transom window a minimum of 1'x4', and/or decorative garage door with windows may count as one (1) window.
- 15. Corner lots and those lots only separated from a street with common area shall include an additional window on the side elevation facing the second street frontage and a minimum brick/stone wainscot (on all elevations). If the side elevation facing the second street frontage has a gable, then that elevation shall have at least 3 siding colors or materials.
- 16. With the exception of large picture windows, easement windows and small accent windows, which do not open, all windows on a front façade facing a public street shall have shutters, mullions or window grids.
- 17. Unless adjacent to brick/stone wrap, all windows, doors and corners shall have a minimum nominal one inch by six-inch wood or vinyl surround or shutters, decorative trim or headers.
- 18. All homes in Area A shall offer basements as an option, subject to soil suitability. The model home in Area A shall have a full basement, subject to soil suitability.
- 19. All floor plans designed to offer basements as an option, in Area B, shall offer basements as an option, subject to soil suitability. The model home in Area B shall have a full basement, subject to soil suitability.
- 20. All homes shall be landscaped with a minimum of two (2) deciduous tree, one (1) ornamental tree and twelve (12) shrubs planted along the front of the primary structure. This shall apply to both front-yards on corner lots. The Zoning Administrator shall be permitted to allow plantings to be placed in side-yards or rear-yards when there is not sufficient space in the front yard.
- 21. 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.
- 22. All homes shall contain a minimum of a two (2) car garage with a minimum width or depth of 20' and total size of no less than 415 SF.
- 23. For front-loading garages, the garage doors shall not comprise greater than fifty percent (50%) of the width of the front elevation for a two (2) car garage and sixty percent (60%) for a three (3) car garage. This standard shall not apply to side load garages.
- 24. For any three (3) car garage that faces a street, at least one of the bays must have a separate door and be recessed a minimum of two (2) feet from the other bays.
- 25. Any front-loading garage that protrudes eight (8) feet or more in front of the front elevation shall feature at least one window on a side elevation of the garage. These windows shall not count towards any other window requirement. No front-loading garage shall protrude more than ten (10) feet in front of the front elevation. Garage protrusion shall be measured by determining the distance between the farthest protruding front

façade of the garage and the widest portion of the front façade of the front elevation. Any front-loading garage that protrudes a minimum of eight (8) feet in front of the front elevation shall feature a minimum of eight (8) shrubs along the foundation of the side elevation (nearest the side-yard property line) of the garage.

- 26. All garage doors shall be decorative. This includes windows and brackets.
- 27. Any side-load or courtyard garage shall include at least two (2) windows in the front facing façade of the garage. These windows shall not count towards any other window requirement.
- 28. 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 C-2, 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. Such home(s) deemed in compliance with "Exhibit C" and determined to be in substantially similar in quality and character shall then be an Approved Elevation by the ARC.
 - b. If a proposed home does not comply with "Exhibit C" of this Ordinance, then the proposed home 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.

"Exhibit C-1"

Rear Elevation Enhancement



Rear Elevation Enhancement

"Exhibit D"

CR 750 N Road Alignment

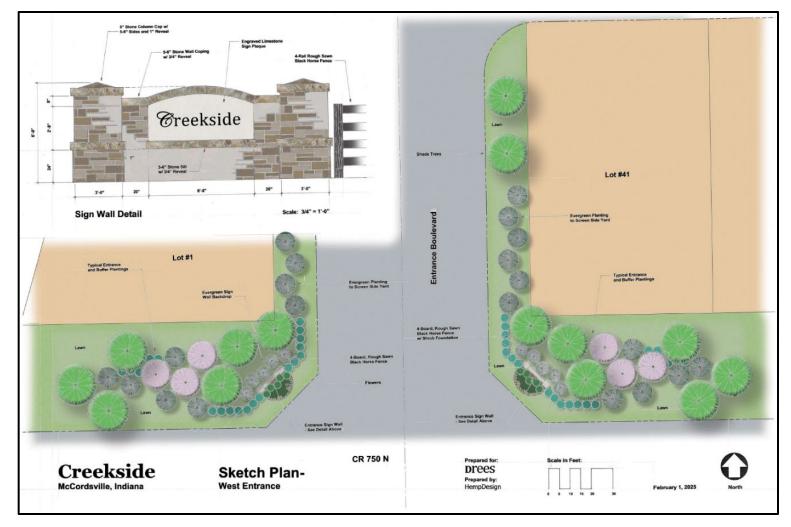


"Exhibit E"

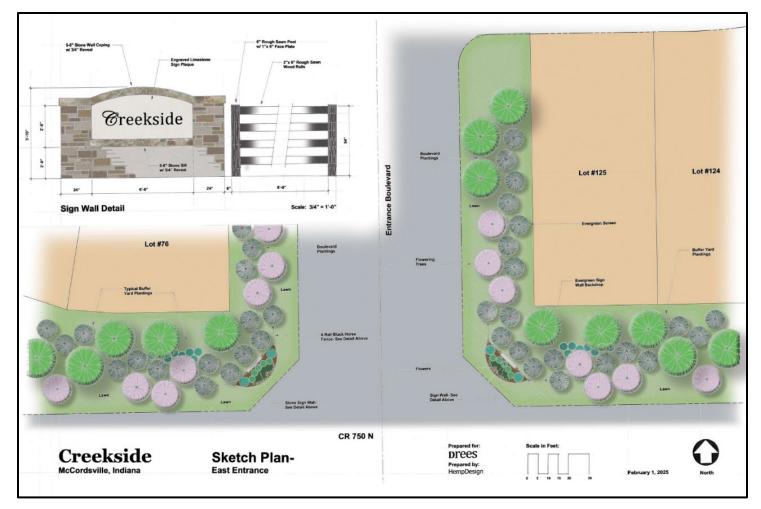
Monumentation



Gateway Signage – Carroll Rd & CR 750 N



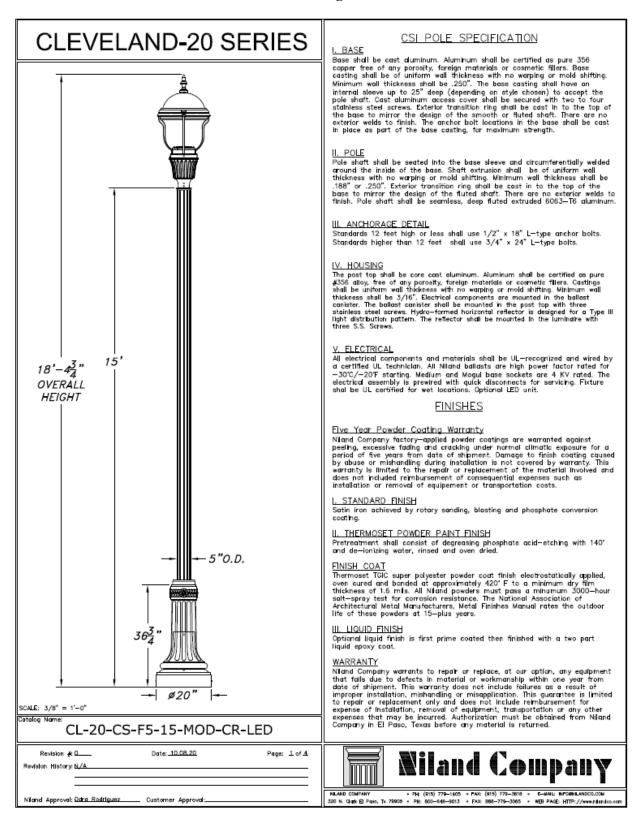
West Entrance



East Entrance

"Exhibit F"

Street Lights



"Exhibit G"

Street Signs

