

ORDINANCE NO. 101023A

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 Rivendell PUD with the Helm's Mill 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 all like 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. Capitalized terms not defined in this PUD Ordinance shall have the meaning ascribed to them in the Town of McCordsville Zoning Ordinance.

- A. Minimum Home Size. 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).

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 Ordinance

Permitted Temporary Uses:

Those permitted pursuant to the Town's Zoning Ordinance

Section 4. Development Standards. The Rivendell development shall have single family development as shown on the Preliminary Planned Unit Development Plan/Concept Plan attached hereto as "Exhibit B" with the following standards:

A. The Development Standards for Helms Mill PUD shall be as follows:

- | | |
|---|--|
| 1. Maximum Number of Lots | 240 Lots |
| 2. Minimum Lot Area | 8,000 Square Feet |
| 3. Minimum Lot Width at Building Line | 65 feet (no less than 150 lots that are at least 70 feet) |
| 4. Minimum Lot Width at R/W | 45 feet |
| 5. Minimum Front Yard Setback | 30 feet |
| 6. Corner Lot Min. Secondary Street Setback | 25feet |
| 7. Minimum Side Yard Setback | 6 feet |
| 8. Minimum Rear Yard Setback | 15 feet |
| 9. Minimum Livable Floor Area | 1,600 square feet (single story)
1800 square feet (multi-story) |
| 10. Maximum Lot Coverage | 50% |
| 11. Maximum Height-Principal | 35 feet |
| 12. Minimum Building Separation | 12 feet |
| 13. Minimum Livable Floor Area for Lots 53-60 | 2,000 square feet total living area |

The Helm's Mill PUD will provide a minimum of 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 Helm's Mill PUD will not exceed 2.0 units per acre.

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.
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.

C. Landscaping Standards:

1. Buffer Yards:
 - a. A Landscape buffer shall be provided along the right of way of CR 1000 North and CR 400 W, said landscape buffer shall be a minimum of fifty (50) feet wide and contain a minimum seven (7) trees and six (6) shrubs per one hundred (100) linear feet of frontage. For additional details see landscape plans included with Preliminary PUD plans. Mounding, undulating between three and five feet in height, shall be provided along the CR 400W frontage. The mounding height shall be measured from the grade of the centerline of CR 400W.
2. The grass strip between the sidewalk and roadway back of curb shall be minimum of ten (10) feet in width, and feature street tree plantings spaced forty (40) feet on-center, along both entrance drives from CR 400W 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 north entrance drive from CR 400W to the first internal intersection. This median shall be landscaped with a mixture of plantings in mulch beds, and turf grass.
4. Fountains shall be installed in the two wet ponds adjacent to the Bee Camp Creek.
5. A minimum fifteen (15) feet wide Tree Conservation Easement (TCE) shall be provided along the south property line of the Real Estate.

D. Multi-Use Paths:

1. The Developer will install a 10’ wide asphalt path along the project frontage of CR 1000 North and CR 400 West. The Developer will install additional 8’ wide asphalt pathways internal to the neighborhood as generally shown on the Site Plan.
2. The Developer will install an internal asphalt trail as generally shown on the Concept Plan.
3. 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.
4. Developer will make all reasonable commercial efforts to acquire right-of-way or pedestrian access easement across Parcel No. 30-02-18-100-003.000-016, so that the perimeter trail may be extended across this property. If the developer is successful, the costs may be eligible for Park Impact Fee Credits. If the developer is not

successful a trail around this parcel will be constructed so that there is a continuous perimeter trail.

E. Community Amenities:

In addition to the open space and trail network, Helm's Mill shall also include the following amenity features, which shall be consistent with the character and quality of "Exhibit E".

1. Walking Trails
2. Pickleball Court (2)
3. Bocce ball court
4. Pavilion/picnic shelter
5. 2 half court basketball courts

F. 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/additions:

1. Any Subdivision monument signs shall include the language "of McCordsville".
2. Primary Monuments: The developer shall install a primary monument at the intersection of CR 400 W and CR 1000 North, monumentation including, but not limited to, brick or stone walls and/or columns, landscaping, and sign lighting. Additional entry monumentation may be permitted at either side and/or in the median of the entry(s) on CR 400 West. The height the monument signage shall not exceed 8 feet in height. Columns, posts, or other vertical features or accents of the entry sign exceed 8 feet in height. Monuments shall be similar in quality and character to illustrative example in "Exhibit D". The developer commits to working with the Town on municipal gateway signage that can be included on the monumentation at the intersection of CR 1000N and CR 400W.
3. Secondary Monumentation: Secondary monument column(s) may 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.
4. 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.
5. Frontage Roads or single loaded street (homes on one side of the street) shall only be required to install sidewalks on the side of the street occupied by homes.

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. Rights-of-way (ROW) shall be dedicated to the Town as denoted in the McCordsville Transportation Plan or in the case of CR 1000N as required by the City of Fishers.
2. Additional rights-of-way (ROW) for the future roundabout at the intersection of CR 1000N and CR 400W shall be dedicated to the Town.

3. 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.
4. The Town shall not be responsible for any maintenance on any landscaping, fencing, or signage located in public right-of-way.
5. The Street Lights shall be consistent with the Street Light Detail on Exhibit I.
6. Snow Removal: The Homeowner's Association for Helm's Mill shall be responsible for snow removal of all internal streets.
7. 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.
8. Lot Standards: Side lot lines may have non-radial or vary from right angles from the right of way.
9. Street name signage and traffic control signage shall be installed consistent with the quality and character shown on Exhibit "D".
10. All truncated domes shall be black in color.
11. Tangent between reverse curves can be zero (0) feet
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.
 - c. Developer shall widen CR 400 West along the entire frontage of the development to include a 12' lane and 2' stone shoulder on the west side of CR 400 West.
 - d. Developer shall extend the proposed street stub on the northwest corner of the site and connect to the future stub proposed in the Haven Ponds PUD.

H. 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. *Rental Language to be further discussed. MI Homes is working on rental language.*
5. 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.
6. 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 (closest rear corner of the home shall be considered the outside most corner of the home closest to a side property line line).
7. 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 5. 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 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:

Gregory J. Brewer

Larry J. Longman

Scott Jones

Dr. Bryan Burney

Branden D. Williams

Voting Opposed:

Gregory J. Brewer

Larry J. Longman

Scott Jones

Dr. Bryan Burney

Branden D. Williams

ATTEST:

Stephanie Crider , Clerk-Treasurer

This instrument was prepared by Jonathan Isaacs, MI Homes, 8425 Woodfield Crossing, 100W, Indianapolis, IN 46240

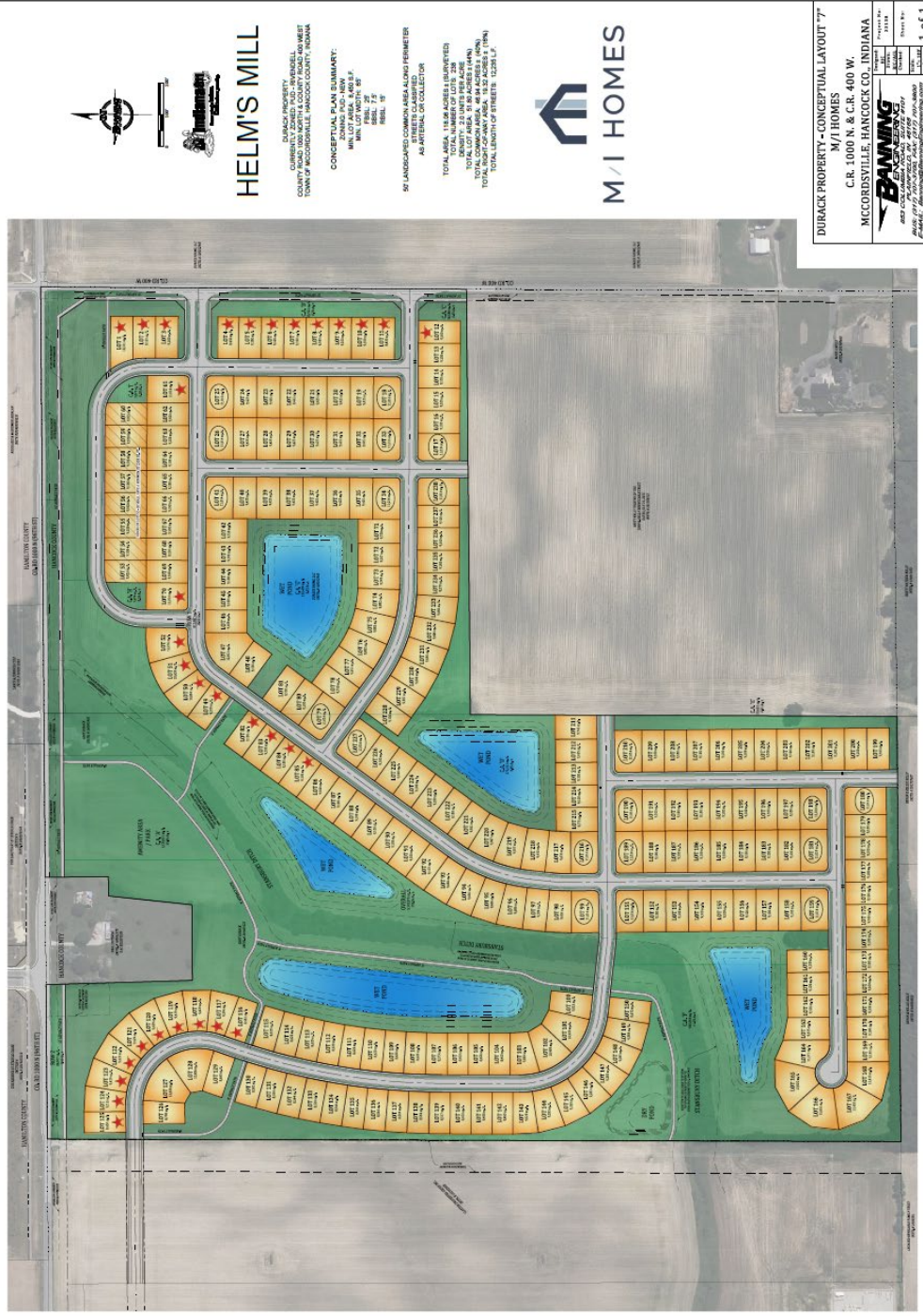
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. – Jonathan Isaacs

“Exhibit A” LEGAL DESCRIPTION

Part of the Northeast Quarter of Section 18, Township 17 North, Range 6 East of the Second Principal Meridian in Hancock County, Indiana, being that 118.064-acre tract of land shown on the plat of an ALTA/NSPS Land Title Survey of said tract certified by Jonathan D. Polson, PS #LS21500011 as Banning Engineering project number 23138 (all references to monuments and course herein are as shown on said plat of survey) described as follows:

BEGINNING at the northwest corner of said northeast quarter, identified by a Harrison Monument; thence North 89 degrees 33 minutes 33 seconds East along the north line of said northeast quarter 481.00 feet to the northwest corner of the land of Paul Spitzner recorded as Instrument Number 100012379 in the Office of the Recorder of Hancock County (the following five (5) courses are along the west, south and east lines of said land of Paul Spitzner); 1) thence South 01 degree 38 minutes 25 seconds East 455.54 feet; 2) thence North 89 degrees 33 minutes 33 seconds East 235.20 feet; 3) thence North 06 degrees 07 minutes 58 seconds East 260.65 feet; 4) North 89 degrees 33 minutes 33 seconds East 60.00 feet; 5) thence North 00 degrees 36 minutes 27 seconds West 196.50 feet to the north line of said northeast quarter; thence North 89 degrees 33 minutes 33 seconds East 511.46 feet to the northeast corner of the west half of the northeast quarter of Section 18; thence North 89 degrees 33 minutes 33 seconds East 1,326.46 feet to the northeast corner of said northeast quarter, identified by a Harrison Monument; thence South 00 degrees 17 minutes 58 seconds West along the east line of said northeast quarter 1,324.57 feet to the southeast corner of the northeast quarter of said northeast quarter of Section 18, identified by a Harrison Monument; thence South 89 degrees 28 minutes 45 seconds West along the south line of the northeast quarter of the northeast quarter of Section 18 a distance of 1,324.72 feet to the east line of the west half of the northeast quarter of Section 18, marked by a 5/8" rebar with Banning-Eng Firm #0060 cap; thence South 00 degrees 13 minutes 23 seconds West along said east line 1,326.40 feet to the southeast corner of said west half; thence South 89 degrees 26 minutes 42 seconds West along the south line of said west half 1,323.77 feet the southwest corner of said northeast quarter, marked by a 5/8 inch rebar with DLDS cap; thence North 00 degrees 09 minutes 51 seconds East along the west line of said northeast quarter 2,655.40 feet to the POINT OF BEGINNING, containing 118.064 acres, more or less.

“Exhibit B” Conceptual Plan



“Exhibit C”

Helm’s Mill
Architectural Standards

All homes constructed in Helm’s Mill shall have the following minimum standards:

1. Dimensional Shingles. A variety of colors will be offered to Buyers.
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 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. All siding shall be brick, stone, wood, cement fiber board or stucco. Vinyl siding shall be prohibited; however, vinyl soffits will be allowed.
5. 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 masonry wainscot on the front elevation measuring a minimum of a 24” to the bottom of the first-floor windows.
6. The Architectural Review Committee may approve a home with lesser masonry if warranted by the home design/styling.
7. Brick or stone on a front elevation shall wrap around exterior corners by at least twenty-four (24) inches.
8. 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.
9. The side elevation of all residences that abut an internal street, perimeter street, or open space shall also provide a minimum 24” masonry wainscot wrap but not to be higher than the bottom of the first-floor window.
10. The front elevation of any home shall contain a minimum of one (1) front-facing gable.
11. The front elevation of all homes must have at least one point of wall plane articulation of at least two (2) feet in depth.
12. The rear elevation of homes, on lots identified on Exhibit “G” with a star, shall contain at least one of the following:
 - a. four sides 1st floor brick wrap,
 - b. four sides brick wainscot (min.24”) wrap or located to the bottom of the first-floor windows,
 - c. covered rear patio
 - d. screened-in porch
 - e. 1st floor rear façade extension a min. of 4’ (café, gathering room, morning room, three season room, etc.), or other rear façade extension approved by the Architectural Review Committee.

13. Minimum roof overhang of twelve (12) inches on all sides of a house as measured from the wall structure to the fascia board.
14. Exterior chimneys for fireplaces shall be made entirely of brick or stone.
15. Unless approved by the ARC, the front porch columns shall be a minimum of six inches by six inches.
16. Window Count:
 - a. All onestory homes shall contain a minimum of the following:
 - i. (2) 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
 - iv. Windows on a front façade or side façade facing a public street may include transom windows or 2' x 2' windows.
 - b. All two-story homes shall contain a minimum the following:
 - i. five (5) windows on the front façade. Windows on the front façade may include transom windows. 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.
 - iv. Windows on a front façade or side façade facing a public street may include sidelights or transom windows.
17. Window Treatment: With the exception of 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.
18. Window Trim: unless adjacent to masonry, all windows, doors and corners shall have a minimum nominal one-inch by six-inch (1"x6") wood or vinyl surround, shutters, decorative trim, or headers.
19. All homes shall contain a minimum of a two-car garage with a minimum of twenty-two (22) feet in width or depth measured from the exterior walls of the garage or must be at least 420 square feet.
20. Front-loading garages shall contain a decorative garage door similar to those depicted on Exhibit C-2.
21. 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.
22. 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.
23. Any front-loading garage that protrudes eight (8) feet or more in front of the front elevation shall feature at least one window on each side elevation of the garage. These windows shall not count towards any other window requirement. An architectural feature may be installed in lieu of the window on the side elevation closest to the front door. 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 feet in front of the front elevation shall feature a minimum of eight shrubs

along the foundation of side elevation (nearest the side-yard property line) of the garage.

24. Any side-loading garage shall have at least two (2) windows in the front facing façade of the garage. These windows shall not count towards any other window requirement.
25. All homes shall have a decorative front door containing a transom, sidelight, or window in the front door.
26. All homes shall have at least two (2) dusk-to-dawn coach lights.
27. All homes shall include mailboxes with uniform design and will be installed and located per direction of the local United States Postal Service (USPS).
28. All homes shall be landscaped with a minimum of one (1) deciduous tree, one (1) ornamental tree and eight (8) shrubs planted along the front foundation of the primary structure. One of the trees may be planted in a side or rear yard where conflicts prevent planting in the front yard.
29. 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.
30. All homes shall have a concrete driveway.
31. 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.

“Exhibit C-1”
Approved Architecture



Mackey A



Mackey B



Mackey D



Mackey D

“Exhibit C-1”
Approved Architecture



Ashton A



Ashton B



Ashton C



Ashton D

“Exhibit C-1”
Approved Architecture



Irvington A



Irvington B



Irvington C



Irvington D



Approved with 1st floor front brick
Findley A



Findley B



Findley C



Findley D

“Exhibit C-1”
Approved Architecture



Akerman (McKinley) A



Akerman (McKinley) B



Akerman (McKinley) C



Akerman (McKinley) D



Foster A



Foster B



Foster C



Foster D

Exhibit C-2



“Exhibit D”

Entry Monuments & Landscaping



Exhibit E

ILLUSTRATIVE OPEN SPACE EXHIBIT



Exhibit E

ILLUSTRATIVE OPEN SPACE EXHIBIT



Exhibit F

Anti Monotony Standard

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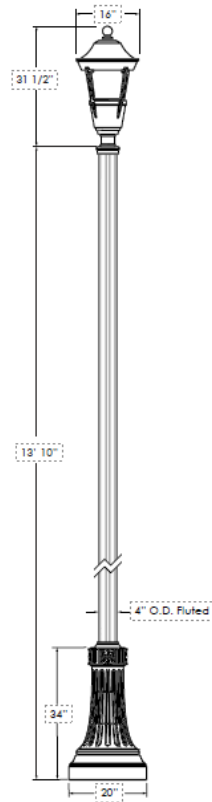
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- 1 Homes shall be not be of the same elevation of the same plan as the Subject Home and Shall be a Different Color Package
- 2 Homes may be identical to Subject Hom

NO more than 10% of any one elevation may be permitted in the community.

Exhibit I

Street Light Exhibit



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 matt finish