

ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCES NO. 121410 and 041222A,
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 Ordinance No. 041222A as the Hampton Walk Planned Unit Development Ordinance (the “Hampton Walk PUD”); and

WHEREAS, the Town Council of McCordsville, Indiana has, after a public hearing was held on July 16, 2024, received a favorable recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance and the Hampton Walk PUD in order to adopt the Hampton Walk Amendment Planned Unit Development Ordinance (the “Hampton Walk Amendment PUD”).

THEREFORE, BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana that Ordinance Nos. 121410 and 041222A are hereby amended as follows:

Section 1. The real estate more particularly described in the Legal Description, attached hereto as “**Exhibit A**” (the “Real Estate”) is hereby zoned to the PUD designation. The Development and Architectural standards set forth in this Hampton Walk Amendment PUD 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, dated January 2011, as amended, and the original Hampton Walk PUD, dated April 12, 2022. Where this Hampton Walk Amendment PUD is silent regarding standards other than Architectural standards, the standards from the Town of McCordsville Zoning and Subdivision Control Ordinances, dated January 2011, as amended, applicable to MF1 Zoning, shall apply, as referenced in Section 3.

Section 2. 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 Dwellings (Townhouses only)

Permitted Accessory Uses and Structures and Incidental Uses and Structures:

Those permitted pursuant to the Zoning Ordinance

Permitted Temporary Uses and Structures:

Those permitted pursuant to the Zoning Ordinance

Section 3. Development Standards. The Hampton Walk Amendment PUD shall have one (1) subarea district (Townhome Collection - North) as shown on the Preliminary Planned Unit Development Plan/Concept Plan, attached hereto as “**Exhibit B**”. The subarea district is identified on the Subarea Plan, attached hereto as “**Exhibit C**”. Subarea A-1 (Townhome Collection - North) may vary from Exhibit B and Exhibit C in regard to street layout and building placement. The maximum number of lots may vary within the subarea by up to ten percent (10%); however, the total maximum number of lots within the Hampton Walk PUD shall not exceed 345 lots. The maximum number of units per lot in Subarea A-1 shall be one (1). The maximum number of units per building in Subarea A-1 shall be seven (7). The following standards shall apply to each area:

A. The Development Standards shall be as follows:

	<u>Subarea A-1</u> Townhome Collection - North
Standard	
Default Zoning District Base Layer	MF1
Max. Number of Lots	40
Min. Lot Area (sq ft)	1,300
Min. Lot Depth (ft)	85
Min. Living Area multi-story bldg (sq ft)	1,550
Min. Ground Floor Living Area 1-story bldg (sq ft)	N/A
Min. Ground Floor Living Area multi-story bldg (sq ft)	550
Min. Lot Width at Bldg Line (ft)	20
Min. Front Yard Setback (ft)*	20
Min. Side Yard Setback (ft)**	0
Min. Building Separation (ft)	20
Min. Rear Yard Setback (ft)	10
Max. Lot Coverage (% of all impervious surfaces)	90%
Max. Principal Structure Height (ft)	40

Notes:

*1.) The Min. Front Yard Setback is measured from the lot line, calculated at the driveway.

**2.) The Min. Side Yard Setback applies to the building foundation.

B. Architectural Standards:

1. At the July 16, 2024 meeting of the Town’s Architectural Review Committee (“ARC”), the 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”). The exhibit attached hereto as **Exhibit E** is a sampling and general representation of the Approved Elevations. The Approved Elevations are hereby incorporated and approved. Homes in the “Approved Elevations” do not need further review by the ARC except for anti-monotony purposes.

2. All homes not included in the “Approved Elevations” shall comply with the standards set forth in **Exhibit D**, attached hereto and 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. All such homes shall go through a review with the ARC.
3. If a proposed home does not comply with Section 3(B)(2) 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 Section 3(B)(2), as determined by the ARC.

C. Street Tree/ Yard Standards:

1. All buildings shall be landscaped with a minimum of one (1) deciduous tree for every two (2) units and four (4) shrubs planted along the front foundation of the primary structure.
2. All buildings on corner lots shall also include a minimum of five (5) shrubs planted along the foundation of the side elevation of the structure.
3. All buildings shall have sod installed in the Front Yard, and the rest of the yard shall be seed & blanket. Corner Lots shall also have sod in both Front Yards.
4. Street trees shall be required, planted at a rate of one (1) tree per fifty feet (50’) on center, in all street tree lawns equal to or greater than ten feet (10’) in width. All other street tree lawns may be required to have street trees at the Development Plan stage.

D. Open Space:

1. Open Space shall be as shown on the Preliminary Planned Unit Development Plan/Concept Plan, attached hereto as “**Exhibit B**”. There shall be a minimum of 0.8 acres of Open Space.
2. The inspiration for the open space programming shall be as shown on the Illustrative Open Space Exhibit, attached hereto as “**Exhibit F**”.
3. Perimeter Landscaping shall be installed along the perimeter of the subdivision adjacent to perimeter streets as follows:
 - Along CR 750N, there shall be a minimum twenty-foot (20’) wide perimeter landscape area planted with a minimum of five (5) trees and five (5) ornamental shrubs per 100 lineal feet of perimeter landscape area. A minimum two-foot (2’) tall undulating mound shall be required.
 - Private street turnarounds may be permitted to encroach into the twenty-foot (20’) area, as generally shown on “**Exhibit B**”.
4. All wet detention facilities shall include an illuminated fountain.
5. Street tree lawns, at least ten-foot (10’) in width, shall be provided at the following locations:
 - Along the north-south street adjacent to the Townhomes along CR 750, and
 - All other street trees lawns shall be at least six feet (6’) in width, as required by the Zoning Ordinance.

6. Where the Real Estate abuts an existing multifamily zoned property, the Real Estate shall provide a landscape buffer a minimum of ten feet (10') wide planted with a minimum of five (5) trees and a minimum of ten (10) ornamental shrubs per 100 lineal feet of buffer yard. No mounding shall be required.
7. Generally, fences shall not be permitted, however, a screen or fencing panel shall be allowed between individual home units in the rear yard.

E. Multi-Use Paths:

1. A ten foot (10') wide concrete perimeter path shall be installed along the project frontage of W 750 N.
2. Eight foot (8') wide paths internal to the development shall be installed as generally shown on the Preliminary Planned Unit Development Plan/Concept Plan, attached hereto as "**Exhibit B**".

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 R4 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, brick or stone walls and/or columns, landscaping, and sign lighting at either side and/or in the median of the entrance on W 750 N. The height of the main entry sign shall not exceed nine feet (9') in height as shown on the Proposed Entry Monuments Exhibit, attached hereto as "**Exhibit G**".
2. Additional columns with signage may be installed at the entry of each subarea district within the development. The height of each subarea district entry column/monument shall not exceed seven feet (7') in height as shown on the Proposed Entry Monuments Exhibit, attached hereto as "**Exhibit G**".
3. Lighting units which shall include a pole, luminaire, and all other necessary parts and equipment, shall be placed at the entrances of the community, interior intersections, and along the internal streets consistent with "**Exhibit H**" and the maximum spacing which shall be three hundred feet (300'), within the Hampton Walk development.
4. Subarea A-1 (Townhome Collection - North) shall have at least two (2) parking spaces per unit. At least one (1) space shall be provided in the garage, and at least one (1) space shall be provided on the driveway. The driveway parking spaces shall be a minimum of 20 feet long and 8 feet wide, exclusive of public right-of-way and private street easement.

G. Road Improvements:

1. The developer shall widen CR 750 North along the entire frontage of the development to include a 12' lane and 2' stone shoulder on the south side lane of CR 750 North.
2. The developer shall provide intersection improvements generally described below and referenced to the A&F Traffic Study. The intersection is referenced by the area

map (Figure 1) labels from the traffic study. Details of the improvements shall be approved by the Town Engineer.

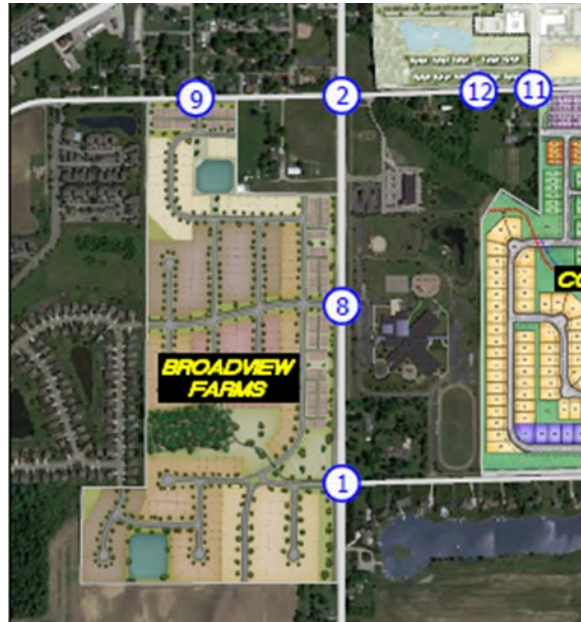


Figure 1

3. Intersection 9 – The developer shall install entrance improvements including an acceleration taper, deceleration lane and taper. Construction of the northbound approach shall include one inbound lane and two outbound lanes.
4. Project Contribution: A contribution towards certain road improvements, as identified in the Traffic Study, of the surrounding area to accommodate the additional traffic generated by the Hampton Walk development shall be provided to the Town in the form of a payment(s), as per the original Hampton Walk PUD.
5. If the perimeter property line in Subarea A-1 as shown on the Preliminary Plan/Plat is reduced as a result of right-of-way acquisition, then the standards applicable to Subarea A-1 shall automatically be revised to maintain Subarea A-1's compliance with such standards in light of the revised perimeter property line. The intent of this provision is to avoid any part of Subarea A-1 from being deemed legal non-conforming in the event additional right-of-way is needed in this Subarea.

H. Miscellaneous:

1. Geometric Street Standards, Spacing: May be less than eight hundred feet (800').
2. Geometric Street Standards, Private Streets: The minimum width for private streets shall be twenty feet (20') from edge of pavement to edge of pavement and twenty-two feet (22') from back of curb to back of curb.
3. Geometric Street Standards, Private Alleyways: The minimum width for private alleyways shall be twenty feet (20') from edge of pavement to edge of pavement.
4. Private streets and alleyways shall have roll curbs.
5. Storm sewer along CR 750N will be constructed with sufficient depth to allow the Town to connect curb inlets in the future.

6. Boat Noise: The developer commits to including language in the CC&Rs indicating that residents acknowledge that there is a ski lake across the street and boat noise is common in the area. Exact language regarding this item shall be crafted in conjunction with the Town prior to recording of the CC&Rs.
7. The Town shall not be responsible for snow removal on any internal streets or alley.
8. The secondary plat and construction plans may incorporate traffic calming measures including, but not limited to, road pavement tapers, landscaped medians, road pavement lane width reductions, and the additions of traffic circles.
9. An eight inch (8”) yellow thermoplastic or reflective paint stripe shall be placed on the top of curb adjacent to any fire hydrant within the subdivision. This stripe shall extend ten feet (10’) out from the hydrant.
10. All truncated domes shall be black in color.
11. Street Standards and Requirements, General; Half streets, stub streets, and dead-end streets: An adequate easement for a turnaround shall be provided for any temporary dead-end street which extends 260 feet or more in length.
12. Parking on private streets shall be limited to one-side parking. The Homeowner’s Association shall enforce parking on private streets. Parking signs may be posted along private streets to aid in enforcement of limitation.

Section 4. 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.

Duly ordained and passed this ____ day of _____, 2024 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

(Remainder of page intentionally left blank.)

TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL:

Voting Affirmative:

Chad D. Gooding

Dr. John Price

Gregory J. Brewer

Scott Jones

Dr. Bryan Burney

Voting Opposed:

Chad D. Gooding

Dr. John Price

Gregory J. Brewer

Scott Jones

Dr. Bryan Burney

ATTEST:

Stephanie Crider, Clerk-Treasurer

This instrument prepared by: Mindy Westrick Brown, Counsel, and Mark R. Leach, Land Use Planner, Faegre Drinker Biddle & Reath LLP, 600 E. 96th Street, Suite 600, 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. – Mark R. Leach

“Exhibit A”

LEGAL DESCRIPTION

SECTION 4B

A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 5 EAST IN HANCOCK COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 26; THENCE NORTH 89 DEGREES 08 MINUTES 06 SECONDS EAST ALONG THE NORTH LINE OF SAID HALF QUARTER SECTION 597.06 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND RECORDED AS INSTRUMENT NUMBER 090012712 IN THE OFFICE OF THE RECORDER FOR HANCOCK COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 01 MINUTES 56 SECONDS WEST ALONG THE WEST LINE OF SAID PARCEL 310.04 FEET TO A POINT ON THE BOUNDARY OF HAMPTON WALK, SECTION 1 RECORDED AS INSTRUMENT NO. #202310899, IN SAID RECORDERS OFFICE, THE FOLLOWING THREE (3) COURSES BEING ON AND ALONG SAID BOUNDARY; 1) THENCE SOUTH 89 DEGREES 08 MINUTES 06 SECONDS WEST 232.32 FEET; 2) THENCE SOUTH 04 DEGREES 45 MINUTES 12 SECONDS EAST 44.45 FEET; 3) THENCE SOUTH 19 DEGREES 49 MINUTES 00 SECONDS WEST 85.58 FEET TO THE NORTHEAST CORNER OF HAMPTON WALK, SECTION 4A, RECORDED AS INSTRUMENT NUMBER _____, IN THE AFORESAID RECORDER'S OFFICE, THE FOLLOWING THREE (3) COURSES BEING ON AND ALONG SAID BOUNDARY; 1) THENCE SOUTH 89 DEGREES 58 MINUTES 26 SECONDS WEST 179.00 FEET; 2) THENCE NORTH 00 DEGREES 01 MINUTES 34 SECONDS WEST 13.49 FEET; 3) THENCE NORTH 89 DEGREES 42 MINUTES 15 SECONDS WEST 160.00 FEET TO A POINT ON THE WEST LINE OF THE AFORESAID SECTION 26; THENCE NORTH 00 DEGREES 01 MINUTES 34 SECONDS WEST ALONG SAID WEST LINE 443.74 FEET TO THE POINT OF BEGINNING CONTAINING 5.30 ACRES MORE OR LESS.

LEGAL DESCRIPTION



“Exhibit B”

PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN/CONCEPT PLAN

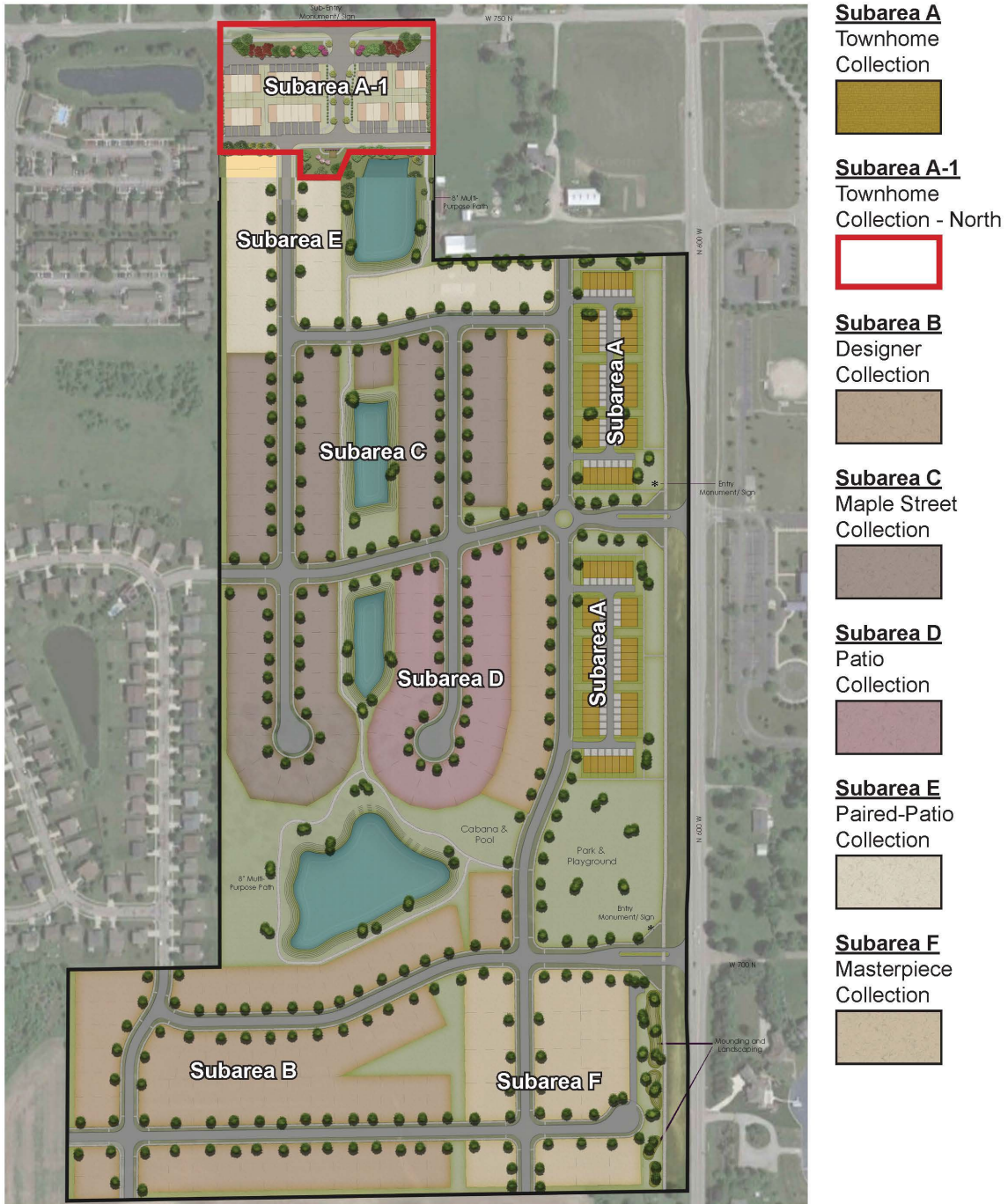


Grand Communities, LLC
Hampton Walk North City of McCordsville, Hancock County, Indiana
20' and 24' Townhomes


July 2024

“Exhibit C”

SUBAREA PLAN



Hampton Walk

“Exhibit D”

ARCHITECTURAL STANDARDS

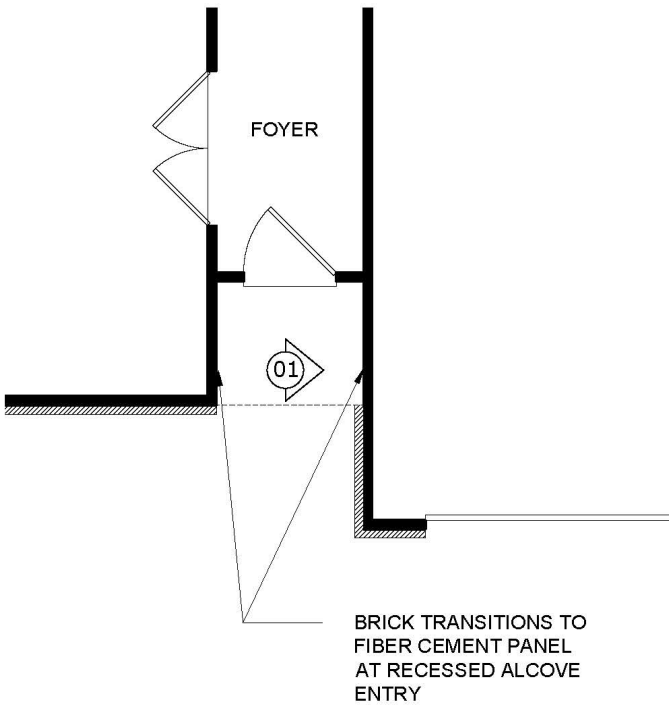
All homes constructed in the Hampton Walk Amendment PUD shall have the following minimum standards:

1. All siding shall be brick, stone, wood, cement fiber board, or stucco.
2. Vinyl siding is prohibited.
3. The primary roof pitch shall be 5:12 or greater. Gable pitches shall be a minimum of 8:12.
4. Minimum roof overhang of eleven (11) inches on all sides of a structure as measured from the exterior wall framing to the fascia board; eight (8) inch gable overhang from the exterior wall where the side consists of brick.
5. All shingles shall be architectural or dimensional shingles.
6. The front elevations shall contain brick or stone wainscot, as generally depicted on the elevations in **Exhibit E**, 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. Additionally, the amount of brick or stone on any front elevation shall also be included on any front interior elevation returns, except for alcoves as illustratively shown on the Elevation Return Exhibit, attached hereto as **“Exhibit D-1”**. The front elevation brick or stone shall wrap the corner onto side elevations at least twenty-four inches (24”).
7. The front elevation of each building shall contain one (1) two-foot (2’) or greater step back and either two (2) ridgelines, or one (1) gable, as illustratively shown on the Approved Elevations.
8. Front porch columns shall be a minimum of actual 5.5” by 5.5” with decorative trim at the top and bottom of the columns, or as approved by the ARC.
9. A single unit front elevation shall not be repeated unless it is separated by at least one different unit front elevation along either side. Additionally, adjacent townhome buildings shall feature a different color scheme, which shall be presented to staff at the building permit stage.
10. All side elevations of buildings shall feature: (a) brick or stone wainscot, as generally depicted on the elevations in **“Exhibit E”**; and (b) a minimum of three (3) materials or (3) colors (excluding trim color), or in the case of a hip roof, a minimum of two (2) materials or (2) colors (excluding trim color).
11. All rear elevations of buildings shall feature a brick or stone wainscot, as generally depicted on the elevations in **“Exhibit E”**.
12. All homes shall contain a minimum of two (2) windows on all four (4) sides. Side façades facing a public street or common area shall have window configurations that meet the elevations shown in **“Exhibit E”**. A service door with a window, set of three (3) “bullet” windows a minimum of 1’ x 1’ each, a transom window a minimum of 1’ x 4’, and/or a decorative garage door with windows may count as one (1) window.
13. 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.

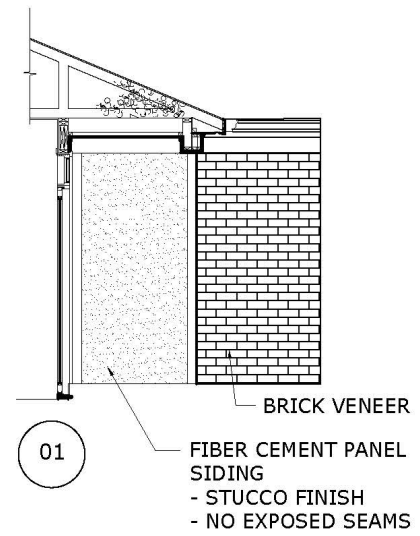
14. Unless adjacent to brick or stone wrap, all windows, doors and corners shall have a minimum nominal one-inch by six-inch (1" x 6") wood or vinyl surround, shutters, decorative trim, or headers.
15. Exhaust vents shall not be visible from the front elevation of the home. Additionally, no wall-mounted vent or louver shall be located on the first-floor exterior of a front elevation (excluding gable areas).
16. All homes shall have front-loading garages.
17. Two-car garages shall be a minimum of 390 square feet measured to outside of garage wall. One-car garages shall be a minimum of 250 square feet measured to outside of garage wall.
18. Garages shall contain a decorative garage door similar to those depicted on the Decorative Garage Doors Exhibit, attached hereto as "**Exhibit D-2**".
19. All homes shall have a minimum driveway depth of twenty feet (20').
20. Driveways shall be concrete.
21. The building style is depicted in the Illustrative Architectural Exhibit, attached hereto as "**Exhibit E**".

“Exhibit D-1”

ELEVATION RETURN EXHIBIT



PLAN DETAIL



SECTION DETAIL

“Exhibit D-2”

DECORATIVE GARAGE DOORS EXHIBIT



“Exhibit E”

**ILLUSTRATIVE ARCHITECTURAL EXHIBIT
Subarea A-1 - Townhome Collection - North**



FISCHER HOMES COPYRIGHT 2021 | FISCHER HOMES, INC. | ALL RIGHTS RESERVED. 2-STORY TOWNHOME - (5 UNITS COMBINED) NOT FOR CONSTRUCTION



LEFT ELEVATION



RIGHT ELEVATION

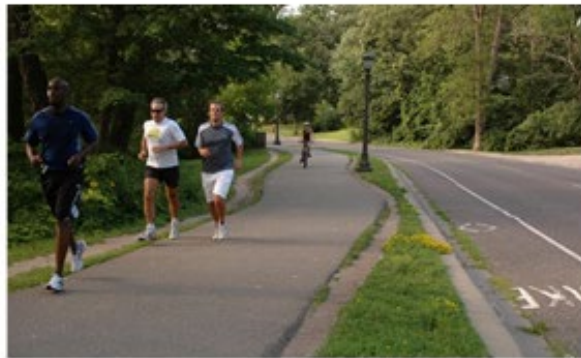
FISCHER HOMES COPYRIGHT 2021 | FISCHER HOMES, INC. | ALL RIGHTS RESERVED. 2 STORY TOWNHOME - SIDE ELEVATIONS NOT FOR CONSTRUCTION



FISCHER HOMES COPYRIGHT 2024 | FISCHER HOMES, INC. | ALL RIGHTS RESERVED. 2 STORY TOWNHOME (5 UNITS COMBINED) - REAR ELEVATION NOT FOR CONSTRUCTION

“Exhibit F”

ILLUSTRATIVE OPEN SPACE EXHIBIT



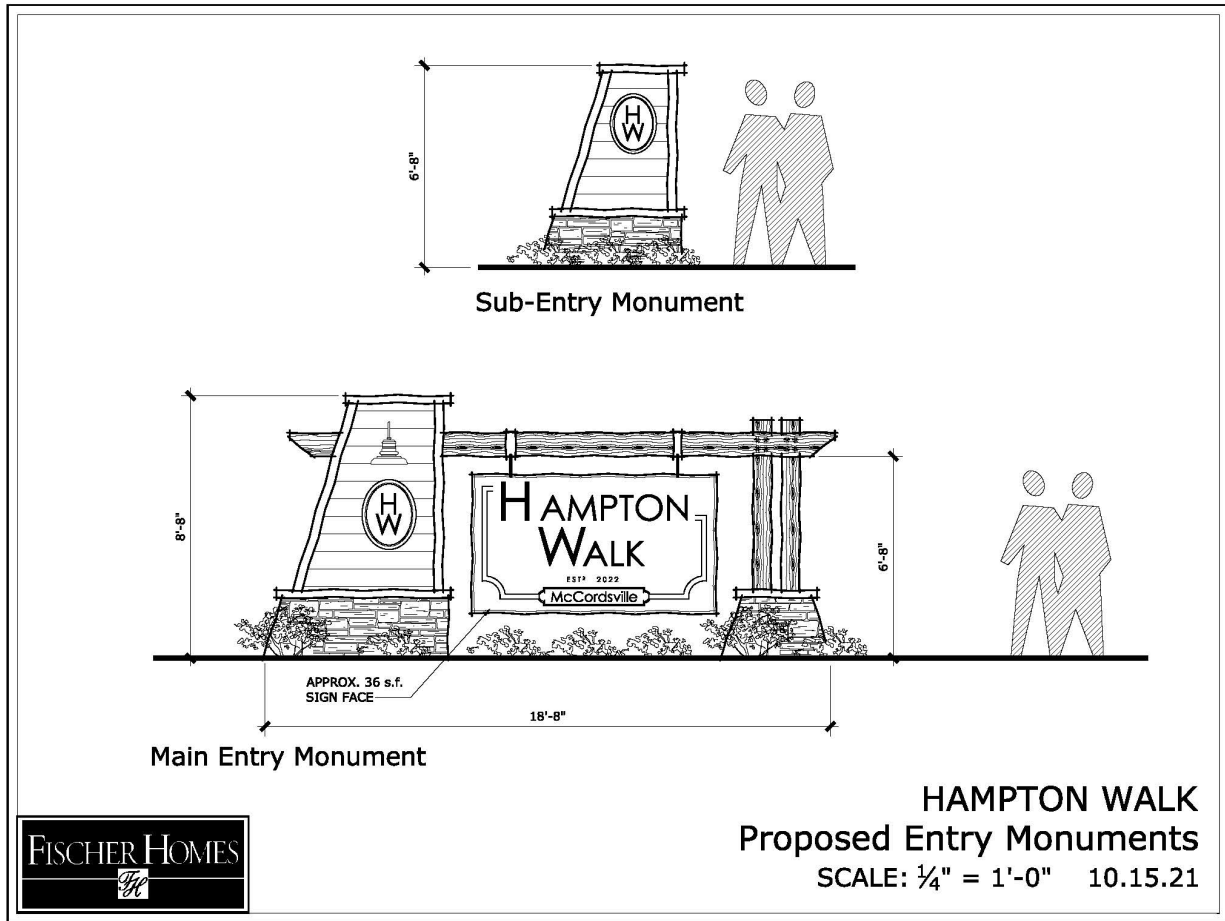
“Exhibit F, Continued”

ILLUSTRATIVE OPEN SPACE EXHIBIT



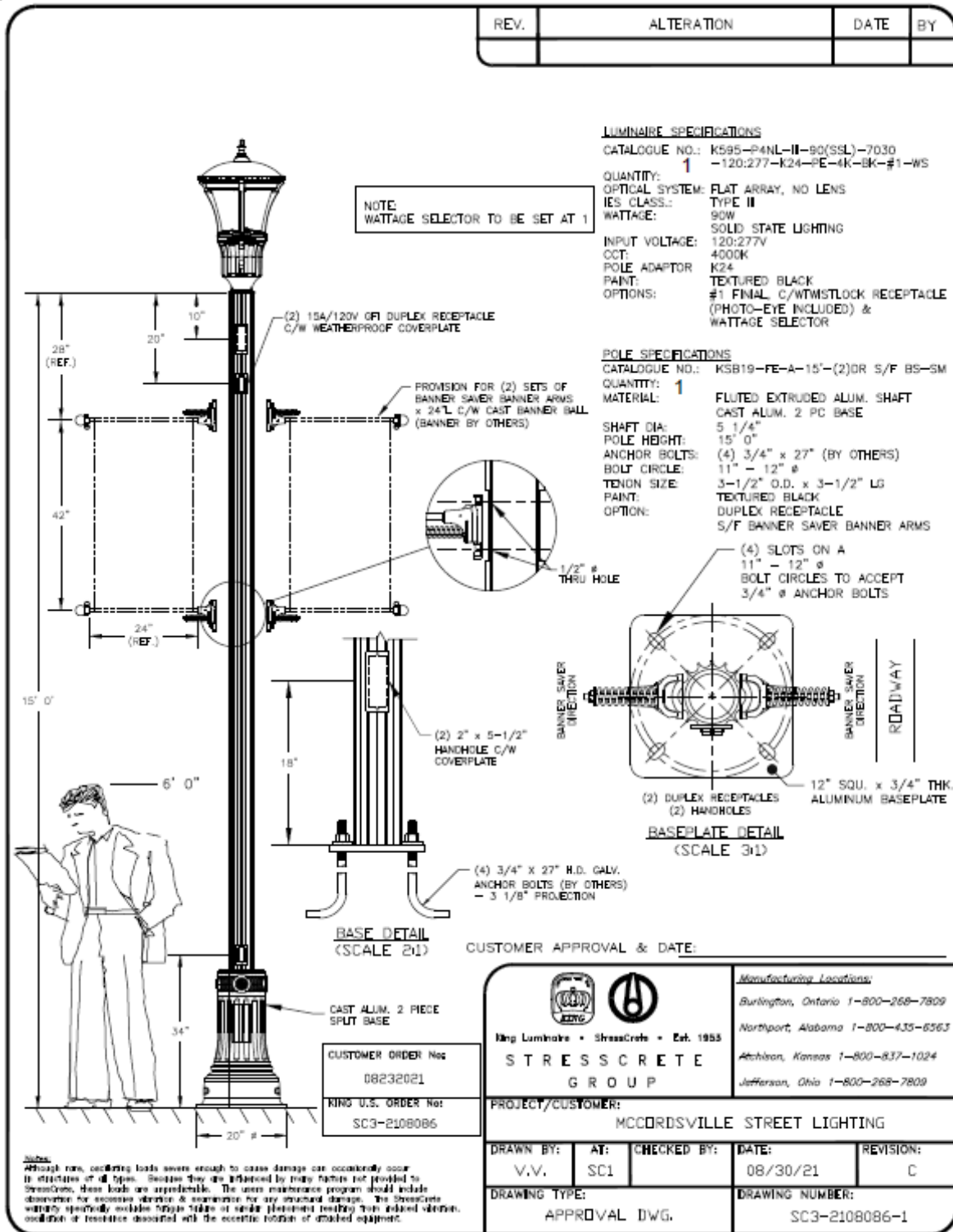
“Exhibit G”

PROPOSED ENTRY MONUMENTS EXHIBIT



“Exhibit H”

INTERIOR STREET LIGHT



Notes:
Although rare, oscillating loads severe enough to cause damage can occasionally occur in structures of all types. Designs that are influenced by fatigue factors not provided to Stresscrete, these loads are unpredictable. The users maintenance program should include observation for excessive vibration & examination for any structural damage. The Stresscrete warranty specifically excludes fatigue failure or similar phenomena resulting from induced vibration, oscillation or resonance associated with the excessive motion of installed equipment.