

**ORDINANCE NO. 081225D**

**ORDINANCE AMENDING 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 amended, as the Town of McCordsville Zoning Ordinance; and

**WHEREAS**, the Town Council of the Town of McCordsville, Indiana, has heretofore adopted the Villages at Brookside PD-M Ordinance No. 052305, as amended by Ordinance No. 030910, Ordinance No. 041211, Ordinance No. 060915, Ordinance No. 111020B; and Ordinance No. 111423, and

**WHEREAS**, the Town Council of McCordsville, Indiana, has, after a public hearing was held on July 15, 2025, received a favorable recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Villages at Brookside PUD Ordinance No. 052305, as amended, in order to adopt certain changes to said PUD Ordinance;

**THEREFORE BE IT ORDAINED** by the Town Council of the Town of McCordsville, Indiana that Ordinance No. 052305, as amended, is hereby amended as follows:

**SECTION 1. Applicability of Ordinance.** The real estate subject to the provisions of this ordinance is described in **Exhibit A** (the “Real Estate”) and conceptual plan is depicted in **Exhibit B**. All other provisions of the Villages at Brookside PUD Ordinance as Amended remain in effect for said Real Estate unless a provision conflicts with the provisions of this ordinance, in which case, the provisions of this ordinance shall supersede.

**SECTION 2. Uses.** For purposes of this section, the following definitions shall be included as additions to the previous definitions applicable to the Real Estate. All other words or terms shall utilize the definitions or explanation provided within the Villages at Brookside PUD, as amended, or the Town of McCordsville Zoning Ordinance, as amended. In the case of conflict, this Ordinance shall supersede:

1. **Pick-Up Window.** A designated location along an exterior wall of a building where a business employee and customer may exchange goods or services that were ordered in advance. While payment may occur at the window, all ordering must be completed off-site and prior to arrival (e.g., via mobile app or website). A Pick-Up Window shall not include, nor be accompanied by, any menu boards, speaker boxes, order stations, or other means of on-site ordering. As such, a Pick-Up Window is distinct from and shall not be considered a Drive-Thru Window, and is not subject to the provisions of Section 4.10.b.
2. **Drive-Thru Window.** A designated point of interaction located on the exterior of a building or tenant space, allowing a customer to remain in their vehicle while communicating with a business employee through an order station with a pre-order menu board and audio speaker box. Customers advance to a service window to complete payment and receive goods, beverages, or food (“Services”).

#### **SECTION 4. Development Standards.**

The Development Standards for the Real Estate shall be as described in Ordinance 111423, with the following amendments:

10. Miscellaneous Standards:

- b. A maximum of three (3) businesses may be permitted to operate a Drive-Thru Window without the need for a Special Exception. Only Lot 3 may contain a fast food establishment with a Drive-Thru Window. One (1) drive-thru may be permitted for a financial institution. None of the permitted drive-thru uses may operate as 24-hour businesses. All permitted drive-thrus may include a menu board and speaker box, subject to applicable design standards and the Town's Noise Ordinance. Drive-Thru Windows are limited to Lots 3 and 4, on Exhibit B, and under no circumstance shall a Drive-Thru Window be located within 275 feet of the south property line of the Real Estate. Any permitted drive-thru is limited to the following signage:
  - i. One (1) menu-board not to exceed twenty-four (24) SF in sign area.
  - ii. One (1) pre-order menu board not to exceed twelve (12) SF in sign area.
  - iii. This pre-order menu board shall be ground-mounted.
  - iv. All drive-thru signage/menu-board shall be internally illuminated LED and be constructed with a masonry base (brick or stone (not CMU)) complimentary to the primary structure or be attached to the primary structure.
  - v. All drive-thru signage/menu boards shall be screened from nearby residentially zoned properties with the use of landscape plantings, whose height at maturity will block the view of the signage.
  - vi. Buildings, mounds/berms with landscaping, or walls may also be used as a screen, as approved by the Zoning Administrator.
- d. Under no circumstance shall a Pick-Up Window be located within 175 feet of the south property line of the Real Estate.

**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.

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:

\_\_\_\_\_  
Gregory J. Brewer

\_\_\_\_\_  
Gregory J. Brewer

\_\_\_\_\_  
Scott Jones

\_\_\_\_\_  
Scott Jones

\_\_\_\_\_  
Dr. Bryan Burney

\_\_\_\_\_  
Dr. Bryan Burney

\_\_\_\_\_  
Chad D. Gooding

\_\_\_\_\_  
Chad D. Gooding

\_\_\_\_\_  
Dr. John Price

\_\_\_\_\_  
Dr. John Price

ATTEST:

\_\_\_\_\_  
Stephanie Crider, Clerk-Treasurer

This instrument was prepared by Ryan Crum, Town of McCordsville, 6280 Vail Road, McCordsville, IN 46055

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. /s/ Ryan Crum

## **Exhibit A – Legal Description**

### LAND DESCRIPTION

Block A in the Villages of Brookside Section 16 recorded as Instrument No. 2022-12878, Plat Cabinet D, Page 210 in the Recorder's Office of Hancock County, Indiana.

## CONCEPT SITE PLAN

