



Planning & Building Department
6280 W 800N
McCordsville, IN 46055
Phone: 317.335.3604
Email: building@mccordsville.org

PUBLIC HEARING INFORMATION

Case #: PC-20-019

Title: Amendment to the Villages at Brookside PUD to allow attached residential

Meeting Date: this zoning petition is currently scheduled to be heard at the January 19th Plan Commission meeting.

*Meeting agenda and staff report will be available on the website by end of business day on the Friday preceding the applicable meeting. Go to www.mcccordsville.org and click on "Agendas & Minutes".

Statement of Intent

In regard to the approximately 22.2 +/- acre site (the "Site") located near the southwest corner of N 600 W & W 900 N, Petitioner seeks to amend The Villages at Brookside Planned Unit Development (Ordinance No. 052305, and as amended by Ordinance No. 030910) ("Brookside PUD") and to amend the site plan attached as Exhibit B to Ordinance No. 030910 to provide for the development of the Site as depicted on the Proposed Preliminary Site Plan filed herewith.

Petitioner proposes to develop a residential community on the Site, consisting of multifamily buildings comprising of four (4) or two (2) residential dwelling units per building. There shall be a maximum of twenty-one (21) buildings constructed on the Site containing up to four (4) dwelling units per building and a maximum of four (4) buildings constructed on the Site containing not more than two (2) residential dwelling units per building. The types of exterior materials for these structures shall include the following: brick; masonry and/or hardi plank type siding. No vinyl siding shall be allowed as an exterior material on buildings constructed within the site.

Petitioner shall also construct a community building including a "clubhouse", fitness room, gathering space and pool. Each lot owner shall become a member of a mandatory homeowner's association ("HOA") formed by the Petitioner or its assigns. The HOA shall be responsible for exterior maintenance of all buildings, landscaping and snow removal within the community.



**McCCORDSVILLE PLAN COMMISSION
REZONING / ZONING MAP AMENDMENT APPLICATION**

Zoning Ordinance Section 10.06

Applicant Information

Name: Pride Investment Partners , LLC

Current Address: 2700 W. Main Street
Greenfield, IN 46140

Phone No.: 317-468-2525 E-mail Address: keith.white@prideip.com

Property Owner Information (the "owner" does not include tenants or contract buyers)

Name: KS Real Estate Holdings, LLC

Current Address: 2700 W. Main Street
(Number) (Street)
Greenfield IN 46140
(City) (State) (Zip)

Phone No.: 317-468-2525 E-mail Address: keith.white@prideip.com

Notification Information (list the person to whom all correspondence regarding this application should be directed)

Name: Brian J. Tuohy, Attorney

Current Address: 50 S. Meridian Street, Suite 700
(Number) (Street)
Indianapolis IN 46204
(City) (State) (Zip)

Phone No.: 317-638-2400 E-mail Address: btuohy@tbmattorneys.com

Property Information

Current Address: Parcel No. 30-01-23-400-030.004-018 (southwest corner of N 600 W & W 900 N)
(Number) (Street)

Administrative Officer Use Only:

Existing Zoning: _____

Future Land Use: _____

Date Application Filed: _____

Docket No.: _____

Subdivision Name (if applicable): Villages at Brookside

OR General Location (if no address has been assigned provide a street corner, subdivision lot number, or attach a legal description)

Approx. 22.2 acres +/- near the southwest corner of N 600 W & W 900 N (see Legal Description attached hereto as Exhibit A.)

Current Zoning: PUD Requested Zoning: PUD

Explain the reason(s) why the applicant has proposed this zoning change (attach additional pages as necessary): _____

Petitioner proposes to amend The Villages at Brookside Planned Unit Development and to amend the westernmost portion of the site plan attached as Exhibit B to Ordinance No. 030910 to allow for the following improvements and uses: a residential neighborhood consisting of attached residential dwellings.

Rezoning / Zoning Map Amendment Criteria

The Indiana Code and the McCordsville Zoning Ordinance establishes specific criteria to which both the Plan Commission and legislative body must *pay reasonable regard* to when considering a rezoning request. The criteria are listed below; please explain how this request will address each criterion.

Will the rezoning support the *McCordsville Comprehensive Plan* and other applicable, adopted planning studies or reports?

YES NO

Please Explain (attach additional pages as necessary): See attached Exhibit B.

Will the rezoning be compatible with *surrounding current conditions* and the character of current structure and uses?

YES NO

Please Explain (attach additional pages as necessary): See attached Exhibit B.

Will the rezoning result in the property being used for the *highest and best use* for which land in each district is adapted?

YES NO

Please Explain (attach additional pages as necessary): See attached Exhibit B.

Will the rezoning affect *property values* throughout the Town's planning jurisdiction?

YES NO

Please Explain (attach additional pages as necessary): See attached Exhibit B.

Will the rezoning result in *responsible growth and development*?

YES NO

Please Explain (attach additional pages as necessary): See attached Exhibit B.

Applicant's Signature

The information included in and with this application is completely true and correct to the best of my knowledge and belief.

R. J. Tushy, Attorney
(Applicant's Signature)

12/17/2020
(Date)

Owner's Signature (the "owner" does not include tenants or contract buyers)

I authorize the filing of this application and will allow Town staff to enter this property for the purpose of processing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.

(Owner's Signature)

(Date)

(Owner's Signature)

(Date)

Exhibit A

Legal Description

PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 17 NORTH, RANGE 5 EAST, VERNON TOWNSHIP, HANCOCK COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 15 MINUTES 29 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 15.00 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 33 SECONDS WEST A DISTANCE OF 1081.50 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 28 SECONDS WEST A DISTANCE OF 37.50 FEET TO THE WEST BOUNDARY OF COUNTY ROAD 600 WEST PER INSTRUMENT NUMBER 2008303, AS RECORDED IN THE HANCOCK COUNTY RECORDER'S OFFICE AND THE **PLACE OF BEGINNING**; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 28 SECONDS WEST A DISTANCE OF 1373.34 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 25 SECONDS EAST A DISTANCE OF 1016.91 FEET TO THE SOUTH BOUNDARY OF COUNTY ROAD 900 NORTH PER INSTRUMENT NUMBER 201904454, AS RECORDED IN SAID RECORDER'S OFFICE; THENCE ALONG SAID SOUTH BOUNDARY THE FOLLOWING FOUR COURSES: 1) NORTH 72 DEGREES 37 MINUTES 55 SECONDS EAST A DISTANCE OF 104.85 FEET; 2) NORTH 89 DEGREES 15 MINUTES 29 SECONDS EAST A DISTANCE OF 799.39 FEET; 3) SOUTH 85 DEGREES 01 MINUTE 53 SECONDS EAST A DISTANCE OF 100.50 FEET; 4) NORTH 89 DEGREES 15 MINUTES 29 SECONDS EAST A DISTANCE OF 350.60 FEET TO SAID WEST BOUNDARY; THENCE ALONG SAID WEST BOUNDARY THE FOLLOWING FOUR COURSES: 1) SOUTH 17 DEGREES 40 MINUTES 21 SECONDS EAST A DISTANCE OF 22.29 FEET; 2) SOUTH 00 DEGREES 07 MINUTES 33 SECONDS WEST A DISTANCE OF 229.66 FEET; 3) SOUTH 03 DEGREES 27 MINUTES 02 SECONDS EAST A DISTANCE OF 262.98 FEET; 4) SOUTH 00 DEGREES 07 MINUTES 33 SECONDS WEST A DISTANCE OF 522.81 FEET TO THE **PLACE OF BEGINNING**.

CONTAINING 32.719 ACRES, MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING:

PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 17 NORTH, RANGE 5 EAST, VERNON TOWNSHIP, HANCOCK COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 07 MINUTES 23 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 1081.62 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 54.50 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 399.21 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 23 SECONDS EAST A DISTANCE OF 1039.25 FEET TO THE SOUTH BOUNDARY OF COUNTY ROAD 900 NORTH PER INSTRUMENT NUMBER 201904454, AS RECORDED IN THE HANCOCK COUNTY RECORDER'S OFFICE; THENCE ALONG SAID SOUTH BOUNDARY THE FOLLOWING TWO COURSES: 1) SOUTH 85 DEGREES 01 MINUTE 57 SECONDS EAST A DISTANCE OF 25.48 FEET; 2) NORTH 89 DEGREES 15 MINUTES 25 SECONDS EAST A DISTANCE OF 350.59 FEET TO THE WEST BOUNDARY OF COUNTY ROAD 600 WEST PER INSTRUMENT NUMBER 2008303, AS RECORDED IN SAID RECORDER'S OFFICE; THENCE ALONG SAID WEST BOUNDARY THE FOLLOWING THREE COURSES: 1) SOUTH 17 DEGREES 40 MINUTES 28 SECONDS EAST A DISTANCE OF 22.31 FEET; 2) SOUTH 00 DEGREES 07 MINUTES 23 SECONDS WEST A DISTANCE OF 229.66 FEET; 3) SOUTH 03 DEGREES 27 MINUTES 12 SECONDS EAST A DISTANCE OF 262.98 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 23 SECONDS WEST A DISTANCE OF 522.91 FEET TO THE PLACE OF BEGINNING.

CONTAINING 9.355 ACRES, MORE OR LESS.

Note: Within the approximately 23.364 acres described above, approximately 1.16 +/- acres located along CR 900 N are contemplated to be reserved for the potential future development of a fire station, as shown on the Proposed Preliminary Site Plan filed herewith.

Exhibit B

Rezoning / Zoning Map Amendment Criteria

1. Will the rezoning support the McCordsville Comprehensive Plan and other applicable, adopted planning studies or reports?

The Town of McCordsville and the Town's potential new Town Center (and businesses within a new Town Center) will benefit from the increase in residents in the area.

2. Will the rezoning be compatible with surrounding current conditions and the character of current structure and uses?

The proposed amendment to the existing The Villages at Brookside PUD will provide for the development of a residential neighborhood, which will be compatible with the character of the site's nearby residential uses, school, office uses and future neighborhood commercial uses. The existing zoning contemplates a large retail store, which is not as compatible with the character of the site's nearby uses.

3. Will the rezoning result in the property being used for the highest and best use for which land in each district is adapted?

Petitioner proposes to amend the existing The Villages at Brookside PUD to provide for residential uses. The site is nearby other existing residential uses, a school and office uses. Petitioner's proposed uses are the most desirable and compatible uses for the site.

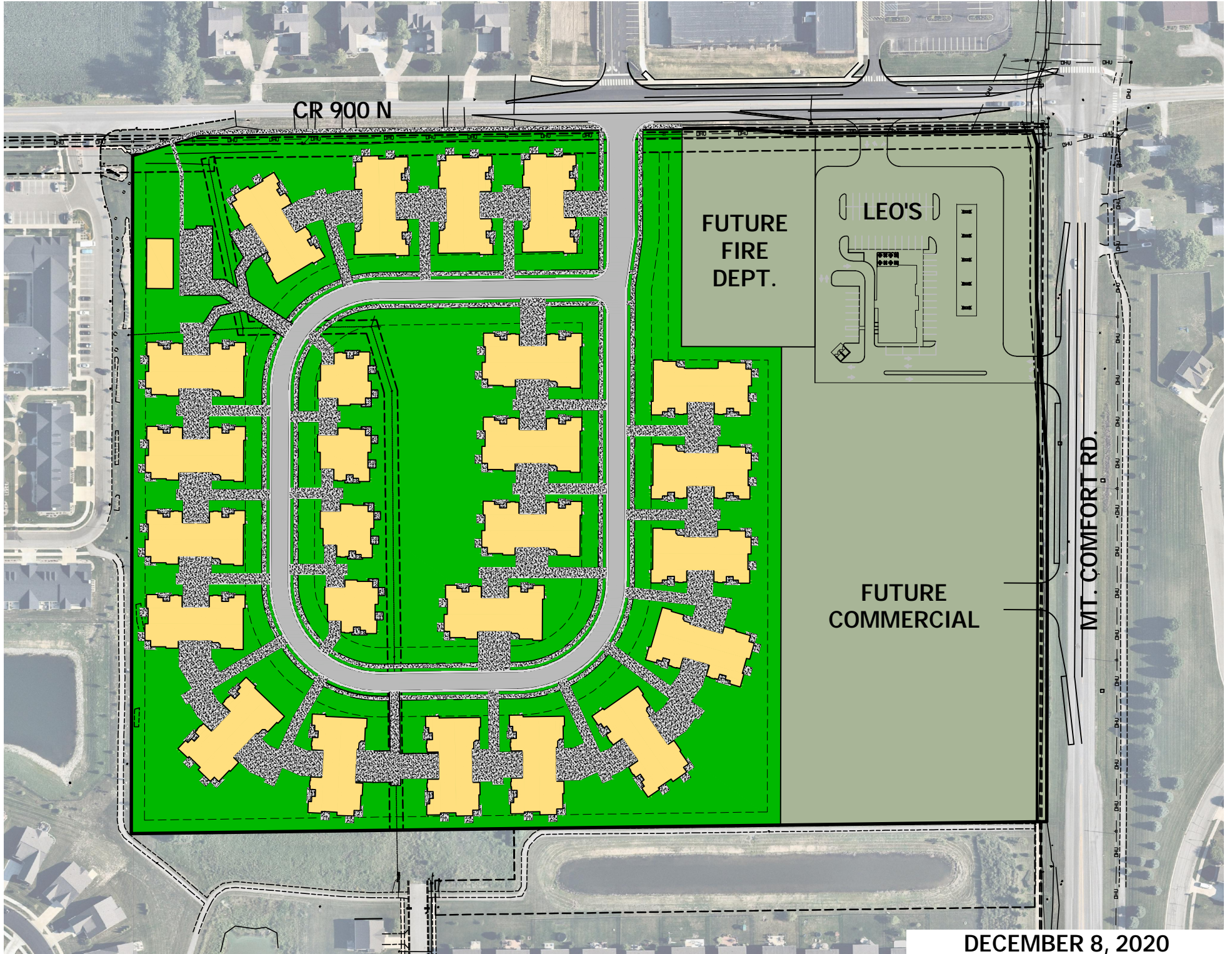
4. Will the rezoning affect property values throughout the Town's planning jurisdiction?

The site is nearby existing residential uses, office uses and a school. The proposed amendment to the PUD is compatible with these nearby uses. Property values throughout McCordsville will not be negatively affected by the proposed uses. The development of the site as proposed by Petitioner will significantly increase the assessed value of the site.

5. Will the rezoning result in responsible growth and development?

The proposed amendment to the PUD will increase the residents in the area, which will benefit the Town and the proposed new Town Center.

PROPOSED PRELIMINARY SITE PLAN



DECEMBER 8, 2020