

ORDINANCE NO. _____

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 February 16th, 2021, received a 7-0 favorable recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance in order to adopt the Vintner's Park 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 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 R2 Zoning, shall apply.

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 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 3. Development Standards. The Vintner's Park development shall have three (3) single family components 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 Area A shall be as follows:

- | | |
|---------------------------------------|---|
| 1. Maximum Number of Lots | 5 Lots |
| 2. Minimum Lot Area | 27,000 Square Feet |
| 3. Minimum Lot Width at Building Line | 120 feet |
| 4. Minimum Front Yard Setback | 40 feet |
| 5. Minimum Side Yard Setback | 10 feet |
| 6. Minimum Rear Yard Setback | 30 feet |
| 7. Minimum Livable Floor Area | 2,200 square feet (single story)
2,800 square feet (multi-story) |
| 8. Maximum Lot Coverage | 40% |
| 9. Maximum Height-Principal | 35 feet |

B. The Development Standards for Area B shall be as follows:

- | | |
|---|---|
| 1. Maximum Number of Lots | 75 Lots |
| 2. Minimum Lot Area | 15,000 Square Feet |
| 3. Minimum Lot Width at Building Line | 95 feet |
| 4. Minimum Front Yard Setback | 30 feet |
| 5. Corner Lot Min. Front Yard Setback | 25feet |
| a. Applicable to secondary frontage of corner lots. | |
| b. Front elevation remains 30 feet. | |
| 6. Minimum Side Yard Setback | 6 feet |
| 7. Minimum Rear Yard Setback | 20 feet |
| 8. Minimum Livable Floor Area | 2,200 square feet (single story)
2,600 square feet (multi-story) |
| 9. Maximum Lot Coverage | 40% |
| 10. Maximum Height-Principal | 35 feet |
| 11. Minimum Building Separation | 12 feet |

C. The Development Standards for Area C shall be as follows:

- | | |
|---|----------------------------------|
| 1. Maximum Number of Lots | 47 Lots |
| 2. Minimum Lot Area | 11,000 Square Feet |
| 3. Minimum Lot Width at Building Line | 75 feet |
| 4. Minimum Front Yard Setback | 30 feet |
| 5. Corner Lot Min. Front Yard Setback | 25feet |
| a. Applicable to secondary frontage of corner lots. | |
| b. Front elevation remains 30 feet. | |
| 6. Minimum Side Yard Setback | 6 feet |
| 7. Minimum Rear Yard Setback | 20 feet |
| 8. Minimum Livable Floor Area | 1,750 square feet (single story) |

	2,000 square feet (multi-story)
9. Maximum Lot Coverage	45%
10. Maximum Height-Principal	35 feet
11. Minimum Building Separation	12 feet

The Vintner's Park 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 Vintner's Park PUD will not exceed 1.6 units per acre.

D. 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.

E. Perimeter Landscaping Standards:

1. A Landscape buffer shall be provided along the right of way of CR 900 North except along the Estate Lots fronting on CR 900 North. Said Landscape buffer shall be installed per the plan attached as "Exhibit E"
2. A decorative fountain will be installed in each of the ponds proposed in the neighborhood.
3. Fencing with brick or stone columns shall be installed along CR 900 N as depicted on "Exhibit E".

F. Tree Conservation Area:

1. Tree Conservation Areas ("TCA" or "TCE") shall be established as easements shown on the Vintner's Park PUD plans. Within the TCA no trees with a diameter at breast height (DBH) of six inches (6") or greater shall be removed by the developer, builder, town, or anyone acting on their behalf or at their request, unless the tree is damaged, diseased, an invasive species, dead, or must be removed in order to: (1) comply with the safety requirements of any governmental agency, or (2) to accommodate the installation and/or maintenance of drainage improvements.
2. With respect to the TCA, on Lots 115-116, 119-122, & 77 along the border of the Geist Woods Estates neighborhood, if there is any existing gap between trees (6" DBH or larger) greater than thirty (30) feet, measured from center of trunk to center of trunk, the developer, builder, or anyone acting on their behalf or at their request, shall plant a new tree planting(s), so that there is not any gap greater than thirty (30) feet, center of trunk to center of trunk. If trees are removed, as permitted, or required by paragraph 1, in a manner that creates a gap between trees greater than twenty-five (25) feet, new tree planting(s) shall be installed. Such planting(s) shall occur within the TCA, shall be planted as close to the removed tree(s) as possible, shall be planted

as close to the property border with Geist Woods Estates as possible, and located to prevent any gap between trees, caused by tree removal as permitted herein, to be greater than twenty-five (25) feet. However, under no circumstance shall any newly planted tree(s) be closer than fifteen (15) feet to a subsurface drain. Additionally, if any trees are removed in a manner that is not permitted above, replacement of the tree(s) as close to the removed tree(s) as possible is required by new tree planting(s) that are equal to the total DBH of the removed tree(s), so long as there is appropriate spacing between trees to allow for proper growth and development of all new tree planting(s) and existing tree(s). Under no circumstance shall replaced trees be closer than ten (10) feet to each other or any existing tree. The minimum size for all new tree planting(s) shall be as prescribed by the Zoning Ordinance, and all new evergreen tree planting(s) shall be a minimum of six (6) feet tall.

3. Paragraph 2 only applies to the developer, builder, or anyone acting on their behalf or at their request, while the following restrictions shall apply to the TCA along the border of Geist Woods Estates and shall apply to all future Vintner's Park lot owners and the Vintner's Park HOA (Future Owners). Within the TCA no trees with a diameter at breast height (DBH) of six inches (6") or greater shall be removed, unless the tree is damaged, diseased, an invasive species, dead, or poses a risk to health and safety. Any Future Owner which removes a tree(s) in a manner inconsistent with this paragraph shall be required to replace the removed tree(s) with new tree planting(s) that are equal to the total DBH of the removed tree(s), so long as there is appropriate spacing between trees to allow for proper growth and development of all new tree planting(s) and existing tree(s). These new plantings shall occur within the TCA, shall be planted as close to the removed tree(s) as possible, and shall be planted as close to the property border with Geist Woods Estates as possible. Under no circumstance shall replaced trees be closer than ten (10) feet to each other or any existing tree. The minimum size for all new tree planting(s) shall be as prescribed by the Zoning Ordinance, and all new evergreen tree planting(s) shall be a minimum of six (6) feet tall. The town, developer, builder, Vintner's Park HOA, Geist Woods Estates HOA, or other aggrieved parties may enforce this paragraph.

G. Multi-Use Paths:

The Developer will install a 10' wide asphalt path along the project frontage of CR 900 North. The developer will provide a culvert crossing or board-walk style crossing, as permitted by the County Surveyor's Office. The Developer will install additional 10' wide asphalt pathways, as generally shown on the Site Plan.

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 per the attached concept shown on "Exhibit E" at the entrance on CR 900 North
2. Secondary Monument: A secondary monument column will be installed at the stub street connection with Geist Woods Estates for internal identification.
3. The Street Lights for Vintner's Park will follow the standards defined under the Town of McCordsville's Zoning Ordinance.

I. Anti-Monotony Standards:

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. Snow Removal:

The Homeowner's Association for Vintner's Park shall be responsible for snow removal of all internal streets.

K. Daniel's Vineyard:

A statement will be included with the plat to follow the title of the sale of each lot in Vintner's Park notifying buyers of the existence and operation of the neighboring venue and outdoor activities.

L. Construction Traffic:

Access for Site Development activities will be restricted to a stone construction drive to be located on CR 900 North or internally within the neighborhood for the Second phase of construction. After completion of the development activity signage will be provided to direct home construction activity to use the Vintner's Park entrance.

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.

Section 5. Introduced and filed on the ____ day of _____, 2021. 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 _____, 2021 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:

Barry A. Wood

Thomas R. Strayer

Gregory J. Brewer

Larry J. Longman

Branden D. Williams

Voting Opposed:

Barry A. Wood

Thomas R. Strayer

Gregory J. Brewer

Larry J. Longman

Branden D. Williams

ATTEST:

Staci A. Starcher, Clerk-Treasurer

This instrument was prepared by Briane House, Pritzke & Davis, LLP, 728 N. State St., P.O. Box 39, Greenfield, IN 46140

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. – Briane House

“Exhibit A”

LEGAL DESCRIPTION

Vintner’s Park – Overall Description





The East Half of the Southwest Quarter of Section 14, Township 17 North, Range 05 East, Vernon Township, Hancock County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of said Half-Quarter Section; thence South 89 degrees 01 minute 36 seconds West (assumed bearing), along the South line of said Half-Quarter Section, a distance of 1,333.83 feet to the Southwest corner thereof; thence North 00 degrees 14 minutes 28 seconds East, along the West line of said Half-Quarter Section, a distance of 2632.71 feet to the Northwest corner thereof; thence North 89 degrees 21 minutes 13 seconds East, along the North line of said Half-Quarter Section, a distance of 1,336.68 feet to the Northeast corner thereof; thence South 00 degrees 18 minutes 23 seconds West, along the East line of said Half-Quarter Section, a distance of 2625.14 feet to the Point of Beginning, containing 80.570 acres, more or less.

“Exhibit B”

Concept Plan
80 ac±

Vintner's Park
McCordsville, IN

-  47 EMPTY NESTER LOTS: 75' X 150'
-  75 ESTATE LOTS: 95' X 160'
-  5 FRONTAGE LOTS: 120' X 225'
-  SECTION LINE
- TOTAL LOTS: 127
- COMMON AREA 20.5 ac± (25.6%)
- DENSITY: 1.58 u/a



"Exhibit C"

Vintner's Park **Architectural Standards**

All homes constructed in Vintner's Park shall have the following minimum standards:

1. Dimensional Shingles.
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. A minimum of fifty percent (50%) of the homes shall have a front elevation at least fifty percent (50%) brick or stone, exclusive of windows, doors, garage doors and areas above the roof line. All homes shall feature a minimum 30" brick or stone wainscot wrap around 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", shall contain one (1) two-foot or greater step back and one (1) gable.
8. Any fencing proposed on the rear of the lots identified on Exhibit "C-1" requiring rear elevation standards shall be consistent wrought iron fence material.
9. The side elevation, facing the street, of any home, noted on Exhibit "C-1" shall contain a minimum of two (2) windows for ranch homes and three (3) windows for two-story homes.
10. Minimum roof overhang of twelve (12) inches on all sides of a house as measured from the wall structure to the fascia board.
11. There shall be not more than 10 percent of the same front elevation in the subdivision.
12. Exterior chimneys for fireplaces shall be made entirely of brick or stone.
13. Unless approved by the ARC, the front porch columns shall be a minimum of six inches by six inches.
14. All ranch homes shall contain a minimum of one (1) window on all four sides for the purpose of meeting the window count standard on the side elevations each window requirement will be considered achieved if the total window area on the side elevation is fifteen square feet or more per window requirement.
15. All two-story homes shall contain a minimum of two (2) windows on all four sides. For the purpose of meeting the window count standard on the side elevations each window requirement will be considered achieved if the total window area on the side elevation is fifteen square feet or more per window requirement.
16. 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.

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 C shall contain a minimum of a two-car garage with a minimum width of twenty-one (21) feet.
19. All homes in Areas A & B shall have a minimum 3-car garage. At least 2 garage bays must be side load, courtyard load, or rear load garage with the option of a 3rd and/or 4th car being a front loading Carriage bay. Such front-loading carriage bays or courtyard garage shall contain decorative garage door(s) similar to those depicted on Exhibit C-2.
20. Front-loading garages in Area C shall contain a decorative garage door similar to those depicted on Exhibit C-2.
21. For any three-car garage that faces a street in Area C, 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 in Area C the garage doors shall not comprise greater than 45 percent of the width of the front elevation for a two (2) car garage and 50 percent for a three (3) car 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. 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. Basements are required for all lots in Areas A & B. Basements shall be offered as an option for all lots in Area C.
25. All homes shall include mailboxes with uniform design.
26. 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 foundation of the primary structure. This shall apply to both front-yards on corner lots.
27. 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.
28. All lot fence construction shall be comprised of black wrought iron or other similar appearing material such as extruded aluminum or composite material.

Concept Plan
80 ac±

"Exhibit C-1"

Vintner's Park
McCordsville, IN




-  47 EMPTY NESTER LOTS: 75' X 150'
 -  75 ESTATE LOTS: 95' X 160'
 -  5 FRONTAGE LOTS: 130' X 225'
- TOTAL LOTS: 127
COMMON AREA 20.5 ac± (25.6%)
DENSITY: 1.58 u/a



Exhibit C-2



Entry Monuments & Landscaping

