

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 December 21, 2021, received a \_\_\_\_\_ recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance in order to adopt the Hampton Walk Planned Unit Development Ordinance (the “Hampton Walk PUD”).

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 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 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. Where this Hampton Walk PUD is silent regarding standards other than Development and Architectural standards, the standards from the Town of McCordsville Zoning and Subdivision Control Ordinances, dated January 2011, as amended, applicable to R4, R5, and 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 (Detached Dwellings, Townhouses, etc.)  
Two-Family Dwellings (Duplex or other similar Attached Dwellings)

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 PUD shall have six (6) subarea districts (Townhome Collection, Designer Collection, Maple Street Collection, Patio Collection, Paired-Patio Collection, and Masterpiece Collection) as shown on the Preliminary Planned Unit Development Plan/Concept Plan, attached hereto as “**Exhibit B**”. The subarea districts are identified on the Subarea Plan, attached hereto as “**Exhibit C**”. The maximum number of lots may vary within each area by up to ten percent (10%); however, the total maximum number of lots within the Hampton Walk PUD shall not exceed 346 lots. The following standards shall apply to each area:

**A. The Development Standards shall be as follows:**

	<b><u>Subarea A</u></b> Townhome Collection	<b><u>Subarea B</u></b> Designer Collection	<b><u>Subarea C</u></b> Maple Street Collection
<b>Standard</b>			
Default Zoning District Base Layer	MF1	R5	R5
Max. Number of Lots	129	79	58
Min. Lot Area (sq ft)	1,300	7,200	5,700
Min. Lot Depth (ft)	70	125	120
Min. Living Area (sq ft)	1,800	1,800	1,700
Min. Ground Floor Living Area 1-story bldg (sq ft)	N/A	1,700	1,200
Min. Ground Floor Living Area multi-story bldg (sq ft)	350	1,000	720
Min. Lot Width at Bldg Line (ft)	20	65	55
Min. Front Yard Setback (ft)	15	25	25
Min. Side Yard Setback (ft)	0	5	5
Min. Building Separation (ft)	20	10	10
Min. Rear Yard Setback (ft)	20	15	15
Max. Lot Coverage (% of all impervious surfaces)	None	50%	50%
Max. Principal Structure Height (ft)	40	40	40

	<b><u>Subarea D</u></b> Patio Collection	<b><u>Subarea E</u></b> Paired-Patio Collection	<b><u>Subarea F</u></b> Masterpiece Collection
<b>Standard</b>			
Default Zoning District Base Layer	R5	MF1	R4
Max. Number of Lots	22	42	16
Min. Lot Area (sq ft)	6,600	3,600	10,400
Min. Lot Depth (ft)	125	120	130
Min. Living Area (sq ft)	1,400	1,200	2,000
Min. Ground Floor Living Area 1-story bldg (sq ft)	1,400	1,200	1,800
Min. Ground Floor Living Area multi-story bldg (sq ft)	N/A	N/A	1,500
Min. Lot Width at Bldg Line (ft)	55	30	80
Min. Front Yard Setback (ft)	25	25	30
Min. Side Yard Setback (ft)	5	0	5
Min. Building Separation (ft)	10	10	10
Min. Rear Yard Setback (ft)	15	15	15
Max. Lot Coverage (% of all impervious surfaces)	50%	None	45%
Max. Principal Structure Height (ft)	40	40	40

Notes:

- 1.) The Min. Side Yard Setback applies to the building foundation.
- 2.) The Front Yard Setback is measured at the street right-of-way, EXCEPT for Subarea A where it is measured from the lot line.
- 3.) The Max. Gross Residential Density (du/acre) shall be 3.7 units per acre.

B. **Architectural Standards:** The architectural standards for the Real Estate are attached as “**Exhibit D**”. The Architectural Review Committee may approve elevations that do not meet the architectural standards outlined in “**Exhibit D**”. The Illustrative Architectural Exhibit, attached hereto as “**Exhibit E**”, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the residential dwellings on the Real Estate. The final dwelling designs may vary from the Illustrative Architectural Exhibit; however, the dwellings shall be substantially similar in quality and character to the dwellings shown in the Illustrative Architectural Exhibit.

C. **Street Tree/ Yard Standards:**

1. All homes shall be landscaped with a minimum of (1) deciduous tree, two (2) ornamental trees, and twelve (12) shrubs planted along the front foundation of the primary structure, except that Townhomes shall be landscaped with a minimum of eight (8) shrubs instead of twelve (12).
2. All homes on corner lots shall also include a minimum of one (1) deciduous tree and one (1) ornamental tree planted in the secondary Front Yard, and twelve (12) shrubs planted along the foundation of the side elevation of the structure, except that Townhomes shall be planted with a minimum of eight (8) shrubs instead of twelve (12).
3. All homes 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 23.37 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. A pool and cabana amenity shall be constructed for the community, as conceptually shown on the Pool Cabana Concept Design Exhibit, attached hereto as “**Exhibit G**”. The community amenity shall be private and shall be owned and maintained by the Homeowner’s Association.

4. 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 five-foot (5') wide perimeter landscape area planted with a tree every fifty feet (50') on center.
  - Along CR 600W, north of the southern entrance, there shall be a minimum twenty-foot (20') wide landscape area planted with seven (7) trees and ten (10) shrubs per one hundred lineal feet (100').
  - Along CR 600W, south of the southern entrance, there shall be a minimum fifty-foot (50') wide landscape area planted with ten (10) trees and ten (10) shrubs per 100 lineal feet. This area shall also include undulating mounding at least three feet (3') in height.
5. Entrance medians, at least twelve feet (12') wide (back of curb to back of curb) shall be provided at both entrances off of 600W. The Town Engineer may alter this requirement, as necessary, to facilitate the construction of a future roundabout at the southern entrance.
6. All wet detention facilities shall include an illuminated fountain.
7. Street tree lawns, at least ten-foot (10') in width, shall be provided at the following locations:
  - Along the main east-west street connecting Gateway Crossing to 600W,
  - Along the north-south street adjacent to the Townhomes along CR 750,
  - Along the east-west street that aligns with CR 700N, the street trees shall extend to the first intersection,
  - Along the easternmost north-south street, for the segment(s) that is located adjacent to common area/open space, and
  - All other street trees lawns shall be at least six feet (6') in width, as required by the Zoning Ordinance.
8. Within the Tree Preservation Area, as identified on "**Exhibit H**", no trees with a diameter at breast height ("DBH") in excess of six inches (6") or evergreens eight feet (8') or more in height (the "Protected Trees") shall be removed unless the tree is damaged, diseased, dead, classified as an invasive plant species, is required to be removed in order to comply with safety requirements of any governmental agency, or is required to be removed to accommodate road extensions, utility extensions, utility access, drainage improvements, or other infrastructure (including, but not limited to, fencing). If a Protected Tree is damaged or otherwise removed by the owner of the Real Estate, except as permitted to be removed as listed above, then the owner of the Real Estate shall reestablish the Protected Tree with a tree or trees of combined equal or greater DBH subject to the availability of space for their healthy growth.

**E. Multi-Use Paths:**

1. A ten foot (10') wide concrete perimeter path shall be installed along the project frontage of N 600 W and 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 entrances on N 600 W and 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 I**".
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 I**".
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 the Town's standards except for the maximum spacing which shall be three hundred feet (300'), within the Hampton Walk development.

G. **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. Storm sewer along CR 750N will be constructed with sufficient depth to allow the Town to connect curb inlets in the future.
5. RESERVE FOR TOWN ENGINEER LANGUAGE (The Town Engineer as standard practice includes language regarding road improvement necessitated by the development in PUD Ordinance.)
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.

**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.

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**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 prepared by: Steven D. Hardin, Esq., Partner, and Mark R. Leach, Land Use Planner, Faegre Drinker Biddle & Reath LLP, 600 E. 96<sup>th</sup> 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**

PART OF THE SOUTHEAST QUARTER OF SECTION 26 TOWNSHIP 17 NORTH, RANGE 5 EAST AND PART OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 17 NORTH, RANGE 5 EAST IN HANCOCK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER SAID SECTION 32; THENCE NORTH 89 DEGREES 02 MINUTES 56 SECONDS EAST 35.20 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 09 MINUTES 34 SECONDS WEST 162.34 FEET; THENCE SOUTH 02 DEGREES 35 MINUTES 37 SECONDS EAST 100.12 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 08 SECONDS WEST 382.53 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND RECORDED AS INSTRUMENT NUMBER 82-2776 IN THE OFFICE OF THE RECORDER FOR HANCOCK COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 05 MINUTES 00 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL OF LAND 261.92 FEET; THENCE CONTINUE SOUTH 89 DEGREES 05 MINUTES 00 SECONDS WEST 1,468.20 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND RECORDED AS INSTRUMENT NUMBER 82-2776 IN SAID RECORDER'S OFFICE; THENCE NORTH 00 DEGREES 19 MINUTES 34 SECONDS EAST ALONG THE EAST BOUNDARY LINE OF SAID PARCEL OF LAND 643.96 FEET; THENCE NORTH 89 DEGREES 02 MINUTES 56 SECONDS EAST 42.33 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 06 SECONDS EAST 0.41 FEET; THENCE NORTH 88 DEGREES 59 MINUTES 12 SECONDS EAST 380.05 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 34 SECONDS WEST 2,627.36 FEET; THENCE NORTH 89 DEGREES 08 MINUTES 06 SECONDS EAST 597.06 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 56 SECONDS WEST 667.48 FEET; THENCE NORTH 88 DEGREES 33 MINUTES 43 SECONDS EAST 707.76 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 46 SECONDS WEST 327.55 FEET; THENCE SOUTH 02 DEGREES 49 MINUTES 59 SECONDS EAST 100.12 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 46 SECONDS WEST 1,300.00 FEET; THENCE SOUTH 02 DEGREES 53 MINUTES 31 SECONDS WEST 100.12 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 34 SECONDS WEST 137.51 FEET TO THE POINT OF BEGINNING. CONTAINING 93.51 ACRES MORE OR LESS.





**“Exhibit B”**

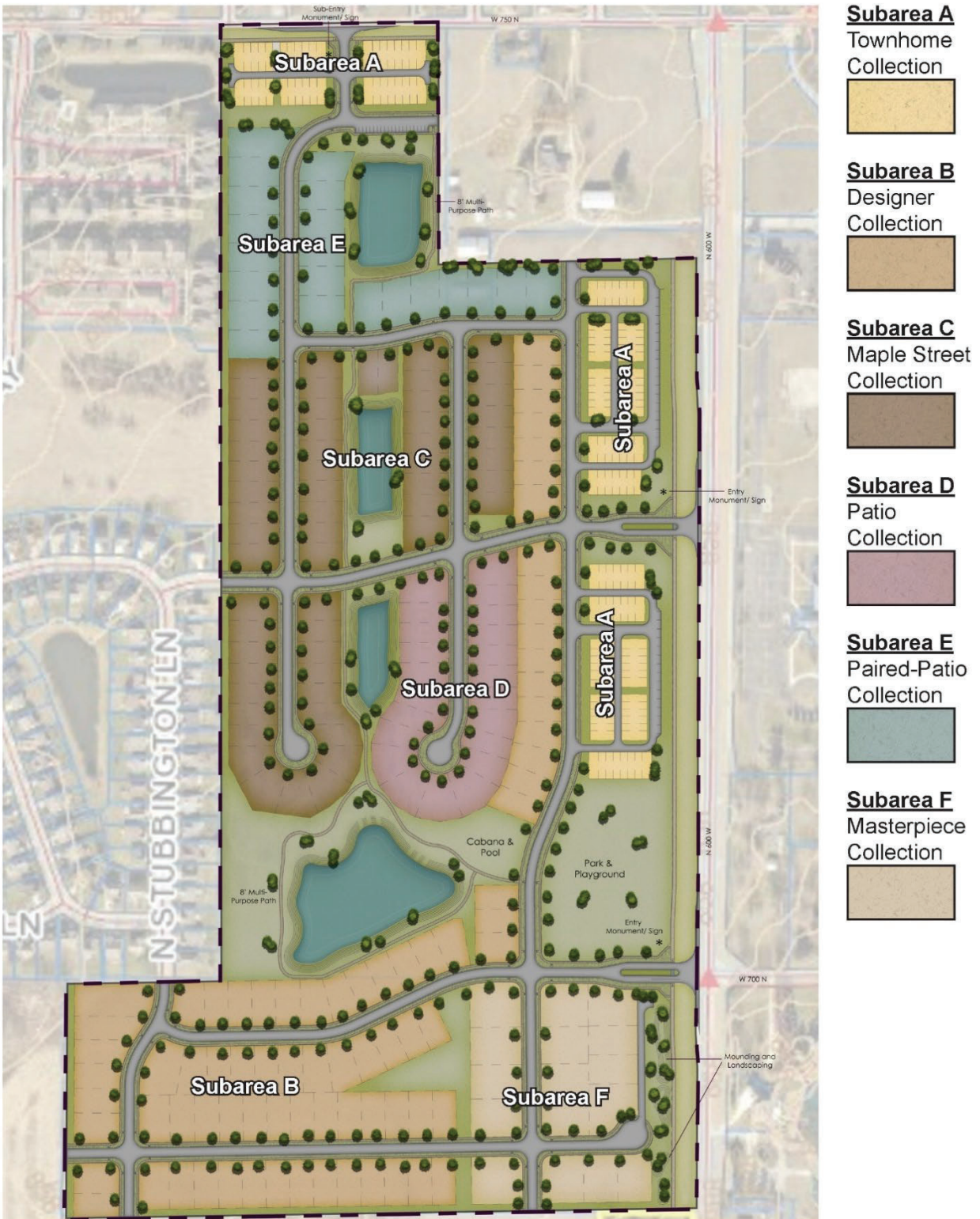
**PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN/CONCEPT PLAN**





**“Exhibit C”**

**SUBAREA PLAN**



## **“Exhibit D”**

### **ARCHITECTURAL STANDARDS**

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

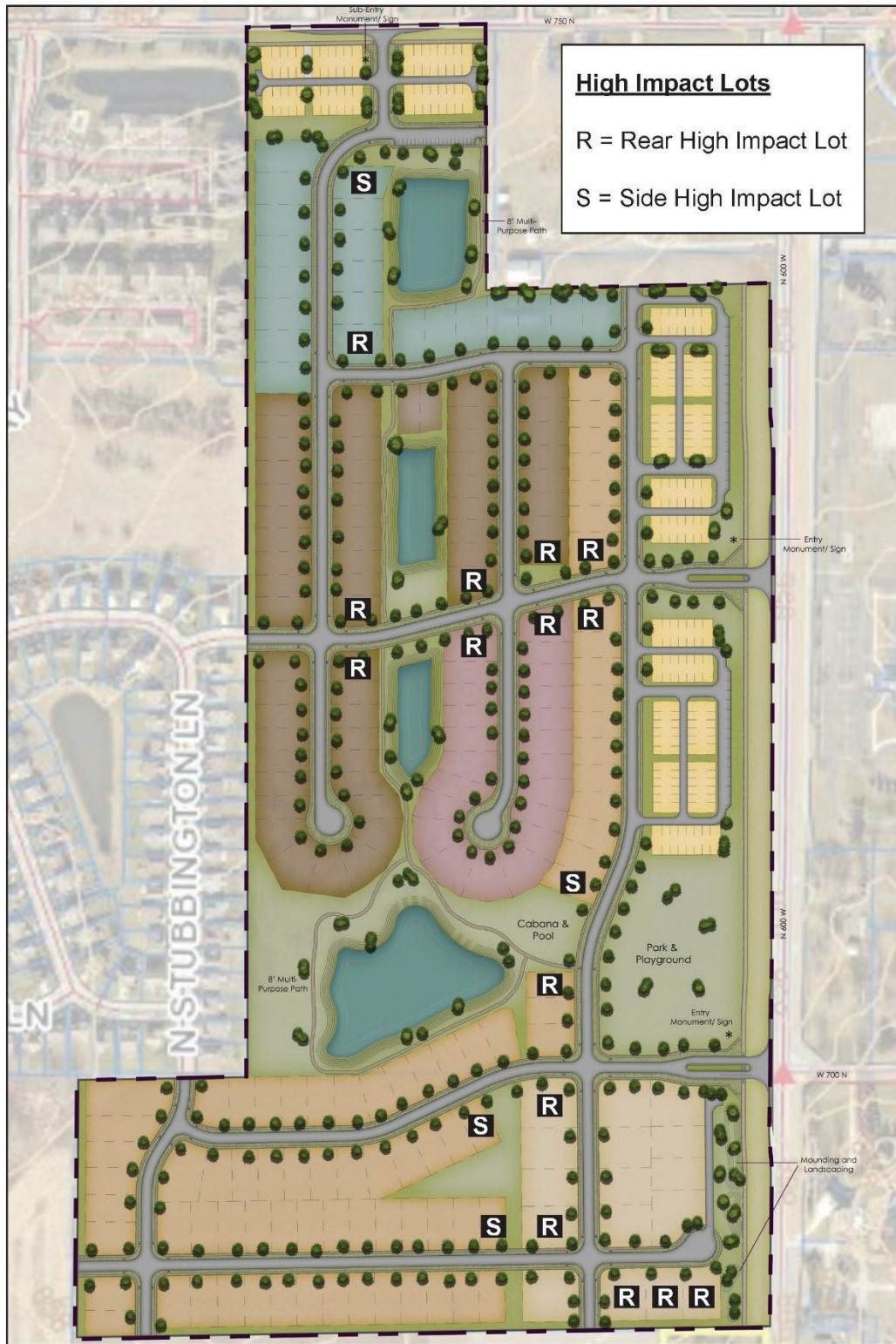
1. Architectural or dimensional shingles; metal accent roofs are allowed per approved plans.
2. The primary roof pitch for the Maple Street and Designer Collections shall be 6:12 or greater, ancillary roofs may be less than 6:12. For Patio, Paired-Patio, and Townhome Collections the primary roof pitch shall be 5:12 or greater. The Architectural Review Committee (ARC) may approve a home with a lesser roof pitch if the roof pitch is in keeping with architectural style.
  - a. Architectural styles are styles such as Urban Modern, Modern Farmhouse, Craftsman.
3. 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.
4. All siding shall be brick, stone, wood, cement fiber board, or stucco.
5. Vinyl siding is prohibited.
6. A minimum of fifty percent (50%) of the homes (75% of the Designer and Masterpiece Collections) 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 brick or stone wainscot to the bottom of the first-floor windows 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. For the Paired-Patio and Townhome Collections, the masonry percentage requirements may vary from unit to unit but shall be achieved across the entire building or structure.
7. The front elevation of all homes shall contain one (1) two-foot (2') or greater step back and either two (2) ridgelines, one (1) gable, or a front porch.
  - a. 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, However, for the Townhome and Paired-Patio Collections, a single front elevation shall not be repeated unless it is separated by at least one different front elevation along either side of the same street frontage.
  - b. The side and rear elevations of residences that abut a street, open space, trail, or park, shall have a brick or stone wainscot on all four (4) sides of the structure. The exterior elevations of all single-story residences 1,200 square feet or less in livable floor area shall be masonry. This requirement shall include all sides of the structure, exclusive of windows, doorways, and bays.
8. Exterior chimneys for fireplaces shall be made entirely of brick or stone.
9. The front porch columns shall be a minimum of 5.5" by 5.5" or as approved by the ARC.
10. All one (1) story or one and a half story (1.5) homes (includes loft) shall contain a minimum of one (1) window on all four (4) sides with the exception of a façade facing a public street which shall contain a minimum of two (2) windows. A service door with a window, set of

- three (3) “bullet” windows a min. of 1’ x 1’ each, a transom window a min. of 1’ x 4’, and/or a decorative garage door with windows may count as one (1) window.
11. All two-story homes shall contain a minimum of two (2) windows on all four (4) sides with the exception of a façade facing a public street which shall contain a minimum of three (3) windows. A service door with a window, set of three (3) “bullet” windows a min. of 1’ x 1’ each, a transom window a min. of 1’ x 4’, and/or a decorative garage door with windows may count as one (1) window.
  12. 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.
  13. 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.
  14. All of the rear elevations of homes on lots identified with an “R” on the High Impact Lot Exhibit, attached hereto as “**Exhibit D-1**”, shall contain a rear-facing gable and at least one (1) of the following: (i) first floor brick wrap, (ii) brick wainscot wrap (to sill of first floor window), (iii) covered porch, (iv) pergola, or (v) first floor rear façade extension a minimum of four feet (4’).
  15. Corner Lots (including those with a secondary elevation facing a street but separated with common area), and lots identified with an “S” on the High Impact Lot Exhibit shall feature an additional window and shall have a brick/stone wainscot wrap.
  16. Front-loading garages shall contain a decorative garage door similar to those depicted on the Decorative Garage Doors Exhibit, attached hereto as “**Exhibit D-2**”.
  17. Garages shall be a minimum of 18’ in depth or width.
  18. For any three (3) car garage that faces a street, at least one of the bays must have a separate door and be recessed a minimum of two (2) feet from the other bays.
  19. For the front-loading garages the garage doors shall not comprise greater than fifty percent (50%) of the width of the front elevation for a two (2) car garage and sixty percent (60%) for a three (3) car garage. This standard shall not apply to the Paired-Patio or Townhome Collections.
  20. The Townhome Collection shall have rear-loaded garages.
  21. Gable pitches shall be a minimum of 8:12.
  22. There shall be a minimum of two (2) model homes at any given time during construction, except that when only one (1) product type is available for sale then there shall be a minimum of one (1) model home.
  23. Basements will be offered on detached homes as long as soils are suitable.



**“Exhibit D-1”**

**HIGH IMPACT LOTS EXHIBIT**



**“Exhibit D-2”**

**DECORATIVE GARAGE DOORS EXHIBIT**





**“Exhibit E”**

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





**“Exhibit E, continued”**

**ILLUSTRATIVE ARCHITECTURAL EXHIBIT  
Subarea B - Designer Collection**





**“Exhibit E, continued”**

**ILLUSTRATIVE ARCHITECTURAL EXHIBIT  
Subarea C - Maple Street Collection**





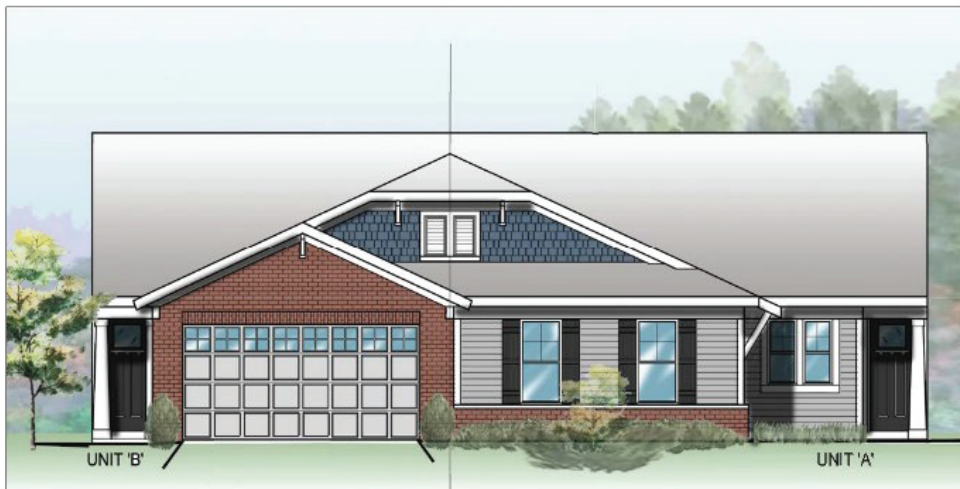
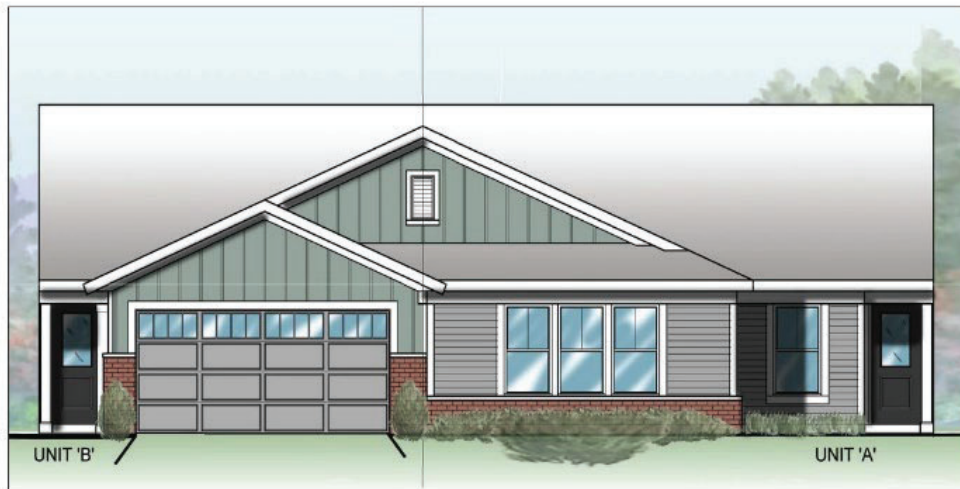
**“Exhibit E, continued”**

**ILLUSTRATIVE ARCHITECTURAL EXHIBIT  
Subarea D - Patio Collection**



**“Exhibit E, continued”**

**ILLUSTRATIVE ARCHITECTURAL EXHIBIT  
Subarea E - Paired-Patio Collection**





**“Exhibit E, continued”**

**ILLUSTRATIVE ARCHITECTURAL EXHIBIT  
Subarea F - Masterpiece Collection**





**“Exhibit F”**

**ILLUSTRATIVE OPEN SPACE EXHIBIT**



**“Exhibit G”**

**POOL CABANA CONCEPT DESIGN EXHIBIT**





**“Exhibit H”**

**TREE PRESERVATION AREA**



**TREE PRESERVATION AREA**

**“Exhibit I”**

**PROPOSED ENTRY MONUMENTS EXHIBIT**

