

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 March 15, 2022, received a favorable 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 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**”. Subarea A (Townhome Collection) may vary from Exhibit B and Exhibit C in regard to street layout and building placement. 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 345 lots. The minimum number of lots in Subarea A shall be 116. The minimum number of lots in Subarea B shall be 70. The minimum number of lots in Subarea F shall be 15. The maximum number of units per lot in Subarea A shall be one (1). The maximum number of units per building in Subarea A shall be seven (7). The following standards shall apply to each area:

A. The Development Standards shall be as follows:

	<u>Subarea A</u> Townhome Collection	<u>Subarea B</u> Designer Collection	<u>Subarea C</u> Maple Street Collection
Standard			
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 multi-story bldg (sq ft)	2,000	2,200	1,950
Min. Ground Floor Living Area 1-story bldg (sq ft)	N/A	1,800	1,600
Min. Ground Floor Living Area multi-story bldg (sq ft)	350	1,000	873
Min. Lot Width at Bldg Line (ft)	20	65	55
Min. Front Yard Setback (ft)*	10	25	25
Min. Side Yard Setback (ft)**	0	5	5
Min. Building Separation (ft)	20	10	10
Min. Rear Yard Setback (ft)	20/10***	15	15
Max. Lot Coverage (% of all impervious surfaces)	85%	50%	50%
Max. Principal Structure Height (ft)	43	40	40

	<u>Subarea D</u> Patio Collection	<u>Subarea E</u> Paired-Patio Collection	<u>Subarea F</u> Masterpiece Collection
Standard			
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 multi-story bldg (sq ft)	1,700	2,000****	2,400
Min. Ground Floor Living Area 1-story bldg (sq ft)	1,700	1,200	2,100
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%	75%	45%
Max. Principal Structure Height (ft)	40	40	40

Notes:

*1.) The Min. Front Yard Setback is measured at the street right-of-way, EXCEPT for Subarea A where it is measured from the lot line.

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

***3.) The Min. Rear Yard Setback for Subarea A shall be 20' for the building foundation, and 10' for any deck above the ground floor.

****4.) At least 50% of Subarea E shall meet the Min. Living Area multi-story bldg (sq ft) standard.

5.) The Max. Gross Residential Density (du/acre) shall be 3.7 units per acre.

B. Architectural Standards:

1. At the January 11, 2022 and January 18, 2022, meetings 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 homes shall go through an anti-monotony 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 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. The community amenity shall be completed prior to the issuance of the 150th building permit.
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~~**fifteen**-foot (~~20~~**15**') wide landscape area planted with ~~seven (7) trees and ten (10) shrubs per one hundred lineal feet (100')~~**one (1) tree per forty lineal feet (40')**.
 - 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.
9. 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.
10. Privacy fences shall not be permitted on lots adjacent to common areas. No fence shall be permitted closer to the street than the back corner of the home unless the side-yard setback is six (6) feet or greater in width.

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 "**Exhibit J**" and the maximum spacing which shall be three hundred feet (300'), within the Hampton Walk development.
 4. Perimeter lighting units shall be installed, along CR 600W, consistent with the Town's standards.
 5. Subarea A (Townhome Collection) shall have four (4) parking spaces per unit. Two (2) spaces shall be provided in the garage, and two (2) spaces shall be provided on the driveway. The driveway parking spaces shall be a minimum of 20 feet long and 8 feet wide.

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

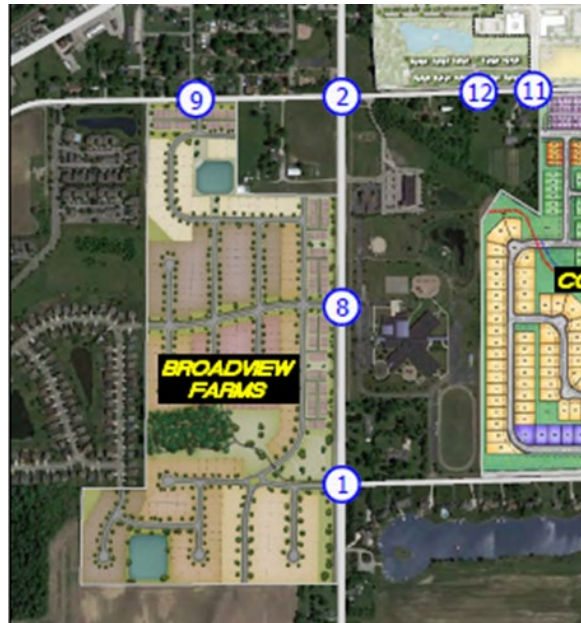


Figure 1

3. Intersection 1 – The developer shall install temporary entrance improvements including left turn lane on 600 West, an acceleration taper, deceleration lane and taper. Construction of the eastbound approach shall include one inbound lane and two outbound lanes. Right of way for the proposed roundabout shall be dedicated to McCordsville.
4. Intersection 8 – The developer shall install entrance improvements including a left turn lane on 600 West, an acceleration taper, deceleration lane and taper. Construction of the eastbound approach shall include one inbound lane and two outbound lanes.
5. 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.
6. 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) totaling \$703,281.12. The developer/builder may elect to pay this amount in one lump sum at the time of the recording of the first plat, or may choose to pay it in the amount \$2,150.10 per residential unit/lot, paid at the time of issuance of each individual building permit. However, notwithstanding the above, the total amount shall be in full within five years of the date of the first recorded plat.
- ~~6-7.~~ If the perimeter property line in Subarea A as shown on the Preliminary Plan/Plat is reduced as a result of right-of-way acquisition, then the standards applicable to Subarea A shall automatically be revised to maintain Subarea A'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 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. Storm sewer along CR 750N will be constructed with sufficient depth to allow the Town to connect curb inlets in the future.
5. 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.
6. The Town shall not be responsible for snow removal on any internal streets or alley.
7. Sidewalks shall be constructed by the developer to connect to the existing sidewalks along Windsor Drive.

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. The alley in Subarea F shall be curbed.
10. A 4" yellow thermoplastic stripe shall be placed on the top of curb adjacent to any fire hydrant within the subdivision. This stripe shall extend 10' out from the hydrant.
- ~~9.11.~~ All truncated domes shall be black in color.
12. Subject to receiving all required governmental approvals, the developer shall place an uncontrolled or partially controlled (PHB) pedestrian crosswalk (The "Crosswalk") at/near the entrance opposite the McCordsville Elementary School (the "School") entrance. After commencement of the development, the Crosswalk shall be completed prior to the first to occur of the following: (i) issuance of the 150th building permit; or (ii) the start of the school year when the School first allows schoolchildren to walk to School (subject to reasonable advance notice being provided). Once completed, the developer shall have no responsibility for repairing or replacing the Crosswalk if the Crosswalk is damaged due to road widening or other actions. Developer shall be responsible for maintenance of the Crosswalk during any applicable maintenance bond period. The Crosswalk shall include one or more of the following measures dependent on engineering discussions between the town engineer and the developer's consultant engineer.
 - Rectangular rapid flashing beacon (RRFB) or Pedestrian Hybrid Beacon (PHB) (previously known as the high intensity activated crosswalk (or HAWK))
 - Pedestrian Warning series signs (W11-2) or School warning series signs (S1-1)
 - Stop here for pedestrians (R1-5b)
 - In-lane signs (R1-6a)
 - Bump outs / pedestrian islands
 - Other measure(s) consistent therewith

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 _____, 2022 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:

Thomas R. Strayer

Larry J. Longman

Gregory J. Brewer

Chad D. Gooding

Branden D. Williams

Voting Opposed:

Thomas R. Strayer

Larry J. Longman

Gregory J. Brewer

Chad D. Gooding

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. 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

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 Masterpiece, 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.
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), excluding the Townhomes, 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. Any home, within the Maple Street, Designer, Patio, or Masterpiece subareas that only features a brick or stone wainscot on the front elevation shall wrap said wainscot on all elevations. Additionally, the amount of brick or stone on any front elevation, in any Subarea, shall also be included on any front interior elevation returns as shown on the Approved Elevations, except for alcoves as illustratively shown on the Elevation Return Exhibit, attached hereto as “Exhibit D-3”. The front elevation brick or stone shall wrap the corner onto side elevations at least twenty-four inches (24”).
7. Townhomes shall have no less than fifty percent (50%) brick or stone on any front building elevation. No less than a 2nd floor brick or stone wrap shall be provided on any side elevation identified with a “T” on the High Impact Lot Exhibit, attached hereto as “Exhibit D-1”. All other side elevations and any rear elevation shall have a minimum of a 1st floor brick or stone wrap.
8. Exhibit E depicts several townhome building styles. The more traditional style shall be built along CR 750N, while the more modern style shall be built along CR 600W.
9. For all Subareas except for Subarea A (the Townhome Collection), the front elevation of all homes shall contain one (1) two-foot (2’) or greater step back and either two (2) ridgelines, or one (1) gable. In Subarea A, 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.

10. All side elevations of Townhome buildings shall feature either: (a) two-story brick or stone; or (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. For all Subareas except for Subarea A (the Townhome Collection) and Subarea E (the Paired-Patio Collection), 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. In Subarea A, a single unit front elevation shall not be repeated unless it is separated by at least one different unit front elevation along either side of the same street frontage. In Subarea E, a single building front elevation shall not be repeated unless it is separated by at least one different building front elevation along either side of the same street frontage.
12. 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.
13. Exterior chimneys for fireplaces shall be made entirely of brick or stone.
14. The front porch columns shall be a minimum of 5.5" by 5.5" or as approved by the ARC.
15. 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.
16. 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.
17. Townhome buildings shall have no less than four (4) windows on any side elevation. Any side elevation that faces a street, alley, or open space shall have a minimum of six (6) windows.
18. 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.
19. 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. However, elements of Urban Modern and Modern Farmhouse elevations may have a minimum nominal one-inch by four-inch (1" x 4") wood or vinyl surround, shutters, decorative trim, or headers if appropriate for the architectural style as determined by the ARC.
20. 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) first floor rear façade extension a minimum of four feet

- (4') in depth and ten feet (10') in length, or (v) other rear feature as approved by the Architectural Review Committee.
21. 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 at least a brick/stone wainscot wrap.
 22. 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**".
 23. The Townhome Collection shall have garages a minimum of 440 square feet, ~~and the~~ The Paired-Patio Collection shall have garages a minimum of 435 square feet. **The Patio Collection shall have garages either: (i) a minimum of 460 square feet; or (ii) a minimum of 22' in width; or (iii) at least a three-car garage.** The ~~Patio~~, Designer, Maple Street, and Masterpiece Collections shall have garages a minimum of 22' in width or at least a three-car garage.
 24. 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.
 25. 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.
 26. The Townhome Collection shall have rear-loaded garages.
 27. Any side-load or courtyard garage shall feature a minimum of two (2) windows facing the street.
 28. Gable pitches shall be a minimum of 8:12.
 29. 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. All model homes shall include a basement, except the Townhome and Paired-Patio Collections.
 30. Basements will be offered on detached homes as long as soils are suitable.
 31. All townhome building sides facing 600 West shall feature the following: a minimum of four (4) deciduous trees, three (3) dwarf standard ornamental trees, three (3) evergreen shrubs, six (6) dwarf deciduous shrubs, and four (4) ornamental grass plantings.
 32. The maximum percentage of elevation per subarea shall be 10% for the Designer, Patio, and Masterpiece Collections. The maximum percentage of elevations per subarea shall be 20% for the Maple Street Collection. The maximum percentage of elevations per subarea shall be 50% for the Paired-Patio Collection.
 33. 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).
 34. All townhome units shall have a concrete walk from the front door to the perimeter sidewalk or path.
 35. All townhome units shall have a minimum driveway depth of twenty feet (20').
 36. All driveways shall be concrete.
 37. Front-load garages that protrude at eight feet (8') or greater in front of the front elevation shall feature at least one (1) window on one of the garage's side elevations. The maximum protrusion for a front-load garage shall be sixteen feet (16') from the front elevation.

Garage protrusion shall be measured from the widest part of the front elevation, which may be the front porch. The maximum protrusion does not apply to courtyard or side-load garages, nor front-load garages in the Paired-Patio subarea. For all front-load garages that protrude eight feet (8') or more landscaping of a minimum of eight (shrubs) shall be added to the side elevation, nearest the side-lot line, of said garage.

38. There shall be a minimum of three (3) roof colors offered in Subareas B, C, D, and F.
39. In Subarea B, a minimum of 10 homes shall feature a side-load garage. In Subarea F, a minimum of 50% of homes shall feature a side-load, court-yard load or rear-load garage.

“Exhibit D-1”

HIGH IMPACT LOTS EXHIBIT



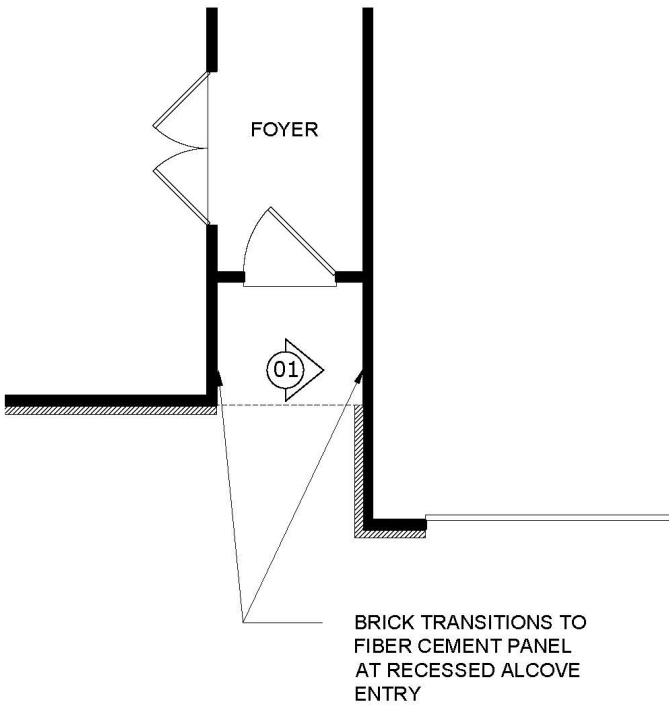
“Exhibit D-2”

DECORATIVE GARAGE DOORS EXHIBIT

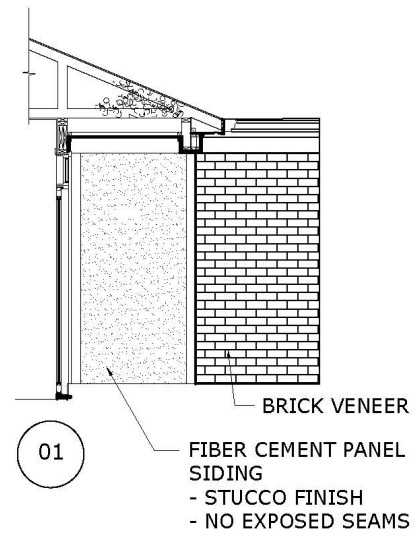


“Exhibit D-3”

ELEVATION RETURN EXHIBIT



PLAN DETAIL



SECTION DETAIL

“Exhibit E”

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



Traditional



Modern

“Exhibit E, continued”

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



Subarea B - Designer Collection, Cont.



Subarea B - Designer Collection, Cont.



Subarea B - Designer Collection, Cont.

The Springfield Coastal Cottage



The Springfield Modern Ranchhouse with Stone



The Wright American Classic with Stone



The Millis Remodeled Retreat with Stone



The Springfield Modern Ranchhouse with Brick



The Wright American Classic with Brick



The Millis Remodeled Retreat with Brick



The Springfield Coastal Cottage with Stone



The Springfield Urban Modern with Brick



The Wright Modern Farmhouse with Brick



The Wright New England Retreat with Stone



The Wright Coastal Cottage with Stone



The Wright Remodeled Retreat with Stone



The Wright Coastal Cottage with Brick



The Wright Modern Farmhouse with Stone



“Exhibit E, continued”

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



Subarea C - Maple Street Collection, Cont.



“Exhibit E, continued”

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



“Exhibit E, continued”

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



ILLUSTRATIVE ARCHITECTURAL EXHIBIT

Subarea F - Masterpiece Collection



Subarea F - Masterpiece Collection, Cont.

The Harbor Pacific Capehouse



The Harbor American Cottage



The Lakeland Colonial Cottage with Stone



The Harbor Villa Terrace



The Harbor New Colonial Retreat



The Lakeland Modern Farmhouse with Stone



The Harbor American Classic



The Harbor Dutch Village



The Lakeland Modern Farmhouse with Stone



The Lakeland American Classic with Deck



The Marshall Windsor Craftsman



The Marshall American Craftsman



The Lakeland American Classic with Stone



The Marshall English Retreat



The Marshall American Classic



The Lakeland Colonial Cottage with Deck



The Marshall French Retreat



The Marshall De la Ville



Subarea F - Masterpiece Collection, Cont.

The Mirabel Cambridge Cottage



The Mirabel Grande Villa



The Stanton American Court



The Mirabel Jamaica Court



The Stanton Garden Cottages



The Mirabel Coastal Court

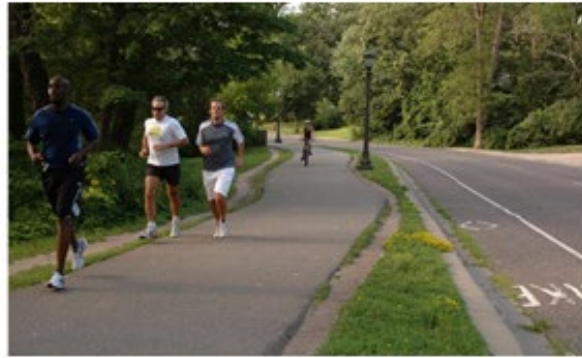


The Stanton English Cottage



“Exhibit F”

ILLUSTRATIVE OPEN SPACE EXHIBIT



“Exhibit G”

POOL CABANA CONCEPT DESIGN EXHIBIT



“Exhibit H”

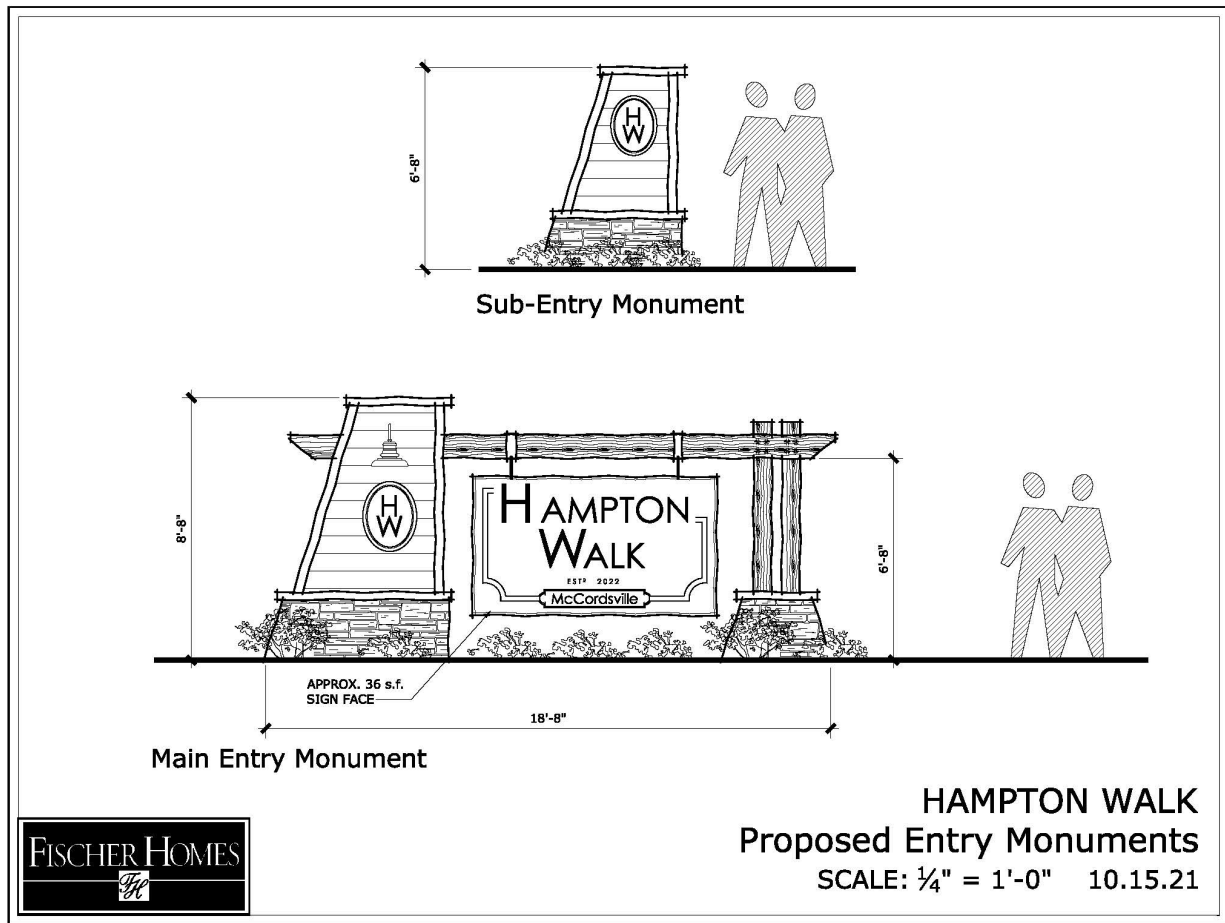
TREE PRESERVATION AREA



 **TREE PRESERVATION AREA**

“Exhibit I”

PROPOSED ENTRY MONUMENTS EXHIBIT



INTERIOR STREET LIGHT

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