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### **PUBLIC HEARING INFORMATION**

Case #: PC-22-006

Title: Premier Land Company's request for rezone of +/- 156 acres

Meeting Date: this petition is currently scheduled to have a public hearing at the April 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](http://www.mcccordsville.org) and click on "Agendas & Minutes".

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 \_\_\_\_\_, 2022, received a \_\_\_\_ favorable recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance in order to adopt the Rivendell 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 R3 Zoning, shall apply.

**Section 2. Definitions.** Capitalized terms not defined in this PUD Ordinance shall have the meaning ascribed to them in the Town of McCordsville Zoning Ordinance.

- A. Minimum Home Size. The total square feet of a home, excluding garages, rear porches, front porches, basements, and any decks or patios.
- B. Stone. Shall not be interpreted to include concrete masonry units (CMU).

**Section 3. 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 4. Development Standards.** The Rivendell development shall have two (2) 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                           | 213 Lots  |
| 2. Minimum Lot Area                                 | 12,000 Square Feet  |
| 3. Minimum Lot Width at Building Line               | 80 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                       | 2,100 square feet (single story)<br>2,400 square feet (multi-story) |
| 9. Maximum Lot Coverage                             | 45%   |
| 10. Maximum Height-Principal                        | 35 feet   |
| 11. Minimum Building Separation                     | 12 feet   |

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

- |   |   |
|---|---|
| 1. Maximum Number of Lots                           | 59 Lots   |
| 2. Minimum Lot Area                                 | 8,775 Square Feet   |
| 3. Minimum Lot Width at Building Line               | 65 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                       | 1,700 square feet (single story)<br>2,200 square feet (multi-story) |
| 9. Maximum Lot Coverage                             | 50%   |
| 10. Maximum Height-Principal                        | 35 feet   |
| 11. Minimum Building Separation                     | 12 feet   |

The Rivendell 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 Rivendell PUD will not exceed 1.76 units per acre.

**C. 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.

**D. Perimeter Landscaping Standards:**

1. A Landscape buffer shall be provided along the right of way of CR 1000 North said landscape buffer shall be a minimum of fifty (50) feet wide and contain a minimum seven (7) trees and six (6) shrubs per one hundred (100) linear feet of frontage. A landscape buffer shall be provided along the right of way of CR 400 West and contain a minimum six (6) trees and six (6) shrubs per one hundred (100) linear feet of frontage. For additional details see landscape plans included with Preliminary PUD plans.
2. A decorative fountain will be installed in each of the ponds proposed in the neighborhood. The fountains in ponds 4, 5 and 6 will be illuminated.

**E. Tree Conservation Area:**

Tree Conservation Areas (“TCA” or “TCE”) shall be established along the South boundary of the Real Estate as easements shown on the Rivendell 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.

**F. Multi-Use Paths:**

The Developer will install a 10’ wide asphalt path along the project frontage of CR 1000 North and CR 400 West. The Developer will install additional 8’ wide asphalt pathways internal to the neighborhood as generally shown on the Site Plan.

**G. Community Amenities:**

In addition to the open space and trail network, Rivendell shall also include the following amenity features: (“Exhibit E”)

1. A pool with pool house
2. Play ground structure
3. Pickleball Court (2)
4. Volley ball court
5. Bocce ball court
6. Shuffleboard court (2)
7. Horseshoe court (2)
8. Pavilion with fire place

#### **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 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 entry on CR 1000 North and CR 400 West. The height of the entry sign shall not exceed 8 feet in height. Columns, posts, or other vertical features or accents of the entry sign may not exceed 12 feet in height. See concept as part of "Exhibit D".
2. The Street Lights for Rivendell shall be the Town's standard unit, shall be placed at the entrances of the community, interior intersections and along the internal streets consistent with the Town's standards defined under the Town of McCordsville's Zoning Ordinance except for the maximum spacing which shall be three hundred twenty (320) feet.

#### **I. Model Homes:**

Each Area shall be permitted up to two (2) model homes per builder, and at least one (1) model home constructed by each builder shall be one of the four largest square footage floor plans offered by the builder(s) at the time the model home permit is issued. If the builder constructs more than one model, there is no restriction on the size of the second model so long as the first model complies with the above requirement.

#### **J. 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.

**K. Snow Removal:**

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

**L. Miscellaneous:**

1. Block Standards: The maximum block length shall be 1,900 feet with a signed pedestrian crossing dividing the block length to a maximum 1,200 feet.
2. Lot Standards: Side lot lines may have non-radial or vary from right angles from the right of way.
3. The entrance drive from CR 1000 North (96<sup>th</sup> Street) will incorporate a median and 10 foot tree lawns on both sides of the street, as generally shown on the landscape plans.
4. The Town shall not be responsible for any maintenance of landscaping, signage or other features installed in the right-of-way. Examples of this are landscaped medians, cul-de-loops, or other islands.

**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.

**Section 6.** Introduced and filed on the \_\_\_\_ day of \_\_\_\_\_, 2022. 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.

**TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL:**

Voting Affirmative:

\_\_\_\_\_  
Thomas R. Strayer

\_\_\_\_\_  
Larry J. Longman

\_\_\_\_\_  
Branden D. Williams

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

\_\_\_\_\_  
Chad Gooding

Voting Opposed:

\_\_\_\_\_  
Thomas R. Strayer

\_\_\_\_\_  
Larry J. Longman

\_\_\_\_\_  
Branden D. Williams

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

\_\_\_\_\_  
Chad Gooding

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**

#### **Rivendell – Overall Description**

Part of the Northeast Quarter of Section 18, Township 18 North, Range 6 East of the Second Principal Meridian in Hancock County, Indiana, being that 155.296-acre tract of land shown on the plat of an ALTA/NSPS Land Title Survey of said tract certified by Jonathan D. Polson, PS #LS21500011 as Banning Engineering project number 21270 (all references to monuments and course herein are as shown on said plat of survey) described as follows:

BEGINNING at the northwest corner of said northeast quarter, identified by a Harrison Monument; thence North 89 degrees 28 minutes 25 seconds East along the north line of said northeast quarter 481.00 feet to the northwest corner of the land of Paul Spitzner recorded as Instrument Number 100012379 in the Office of the Recorder of Hancock County (the following five (5) courses are along the west, south and east lines of said land of Paul Spitzner); 1) thence South 01 degree 43 minutes 31 seconds East 455.54 feet; 2) thence North 89 degrees 28 minutes 25 seconds East 235.20 feet; 3) thence North 06 degrees 02 minutes 50 seconds East 260.65 feet; 4) thence North 89 degrees 28 minutes 25 seconds East 60.00 feet; 5) thence North 00 degrees 41 minutes 35 seconds West 196.50 feet to the north line of said northeast quarter; thence North 89 degrees 28 minutes 25 seconds East along said north line 1,838.10 feet to the northeast corner of said northeast quarter, identified by a Harrison Monument; thence South 00 degrees 12 minutes 50 seconds West along the east line of said northeast quarter 1,324.65 feet to the southeast corner of the northeast quarter of said northeast quarter of Section 18; thence South 00 degrees 10 minutes 45 seconds West along the east line of said northeast quarter 970.71 feet to the northeast corner of the land of Mark Mills recorded as Instrument Number 201900660 in the Office of the Recorder of Hancock County (the following two (2) course are along the north and west lines of said land of Mark Mills); 1) thence South 89 degrees 21 minutes 34 seconds West 380.00 feet; 2) thence South 00 degrees 10 minutes 49 seconds West 355.00 feet to the south line of said northeast quarter; thence South 89 degrees 21 minutes 34 seconds West along said south line 2,267.71 feet to the southwest corner of said northeast quarter, identified by a 5/8" rebar with DLDS cap; thence North 00 degrees 04 minutes 43 seconds East along the west line of said northeast quarter 2,655.58 feet to the POINT OF BEGINNING, containing 155.296 acres, more or less.



**LEGEND**

- WATER
- COMMON AREA
- PAVEMENT
- LOT 1-75
- LOT 76-150
- LOT 151-225
- LOT 226-300
- LOT 301-375
- LOT 376-450
- LOT 451-525
- LOT 526-600
- LOT 601-675
- LOT 676-750
- LOT 751-825
- LOT 826-900
- LOT 901-975
- LOT 976-1050
- LOT 1051-1125
- LOT 1126-1200
- LOT 1201-1275
- LOT 1276-1350
- LOT 1351-1425
- LOT 1426-1500
- LOT 1501-1575
- LOT 1576-1650
- LOT 1651-1725
- LOT 1726-1800
- LOT 1801-1875
- LOT 1876-1950
- LOT 1951-2025
- LOT 2026-2100
- LOT 2101-2175
- LOT 2176-2250
- LOT 2251-2325
- LOT 2326-2400
- LOT 2401-2475
- LOT 2476-2550
- LOT 2551-2625
- LOT 2626-2700
- LOT 2701-2775
- LOT 2776-2850
- LOT 2851-2925
- LOT 2926-3000
- LOT 3001-3075
- LOT 3076-3150
- LOT 3151-3225
- LOT 3226-3300
- LOT 3301-3375
- LOT 3376-3450
- LOT 3451-3525
- LOT 3526-3600
- LOT 3601-3675
- LOT 3676-3750
- LOT 3751-3825
- LOT 3826-3900
- LOT 3901-3975
- LOT 3976-4050
- LOT 4051-4125
- LOT 4126-4200
- LOT 4201-4275
- LOT 4276-4350
- LOT 4351-4425
- LOT 4426-4500
- LOT 4501-4575
- LOT 4576-4650
- LOT 4651-4725
- LOT 4726-4800
- LOT 4801-4875
- LOT 4876-4950
- LOT 4951-5025
- LOT 5026-5100
- LOT 5101-5175
- LOT 5176-5250
- LOT 5251-5325
- LOT 5326-5400
- LOT 5401-5475
- LOT 5476-5550
- LOT 5551-5625
- LOT 5626-5700
- LOT 5701-5775
- LOT 5776-5850
- LOT 5851-5925
- LOT 5926-6000
- LOT 6001-6075
- LOT 6076-6150
- LOT 6151-6225
- LOT 6226-6300
- LOT 6301-6375
- LOT 6376-6450
- LOT 6451-6525
- LOT 6526-6600
- LOT 6601-6675
- LOT 6676-6750
- LOT 6751-6825
- LOT 6826-6900
- LOT 6901-6975
- LOT 6976-7050
- LOT 7051-7125
- LOT 7126-7200
- LOT 7201-7275
- LOT 7276-7350
- LOT 7351-7425
- LOT 7426-7500
- LOT 7501-7575
- LOT 7576-7650
- LOT 7651-7725
- LOT 7726-7800
- LOT 7801-7875
- LOT 7876-7950
- LOT 7951-8025
- LOT 8026-8100
- LOT 8101-8175
- LOT 8176-8250
- LOT 8251-8325
- LOT 8326-8400
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- LOT 8476-8550
- LOT 8551-8625
- LOT 8626-8700
- LOT 8701-8775
- LOT 8776-8850
- LOT 8851-8925
- LOT 8926-9000
- LOT 9001-9075
- LOT 9076-9150
- LOT 9151-9225
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- LOT 9976-10050
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- LOT 10501-10575
- LOT 10576-10650
- LOT 10651-10725
- LOT 10726-10800
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- LOT 13801-13875
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- LOT 13951-14025
- LOT 14026-14100
- LOT 14101-14175
- LOT 14176-14250
- LOT 14251-14325
- LOT 14326-14400
- LOT 14401-14475
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- LOT 14701-14775
- LOT 14776-14850
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- LOT 15451-15525
- LOT 15526-15600
- LOT 15601-15675
- LOT 15676-15750
- LOT 15751-15825
- LOT 15826-15900
- LOT 15901-15975
- LOT 15976-16050
- LOT 16051-16125
- LOT 16126-16200
- LOT 16201-16275
- LOT 16276-16350
- LOT 16351-16425
- LOT 16426-16500
- LOT 16501

## **"Exhibit C"**

### **Rivendell** **Architectural Standards**

All homes constructed in Rivendell shall have the following minimum standards:

1. Dimensional Shingles. A variety of colors will be offered to Buyers.
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. Vinyl siding shall be prohibited, however vinyl soffits will be allowed.
5. A minimum of fifty percent (50%) of the homes 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 a minimum of a 30" brick or stone wainscot and contain a minimum of two (2) siding colors or two (2) of the following siding styles on the front elevation: horizontal lap siding, vertical siding, board and batten, and shake. The Architectural Review Committee may approve a home with a lesser masonry if warranted by the home design/styling.
6. Return walls along the front elevation shall include brick or stone consistent with the brick on the front elevation.
7. The side elevation of all residences that abut an internal street, identified on Exhibit C-1 shall also provide a minimum 30" masonry wainscot.
8. The front elevation of any home shall contain a minimum of one (1) two-foot or greater step back and either two (2) ridgelines or one (1) gable.
9. The rear elevation of homes, on lots identified on Exhibit "C-1", shall contain at least one (1) gable and one (1) of the following: (i) four sides 1<sup>st</sup> floor brick wrap, (ii) four sides brick wainscot (min.30") wrap, (iii) covered porch, (iv) screened-in porch, (v) 1<sup>st</sup> floor rear façade extension a min. of 4' (café, gathering room, morning room, three season room, etc.), or other rear façade extension approved by the Architectural Review Committee.
10. For Lots identified on Exhibit "C-1" requiring rear features there shall be no more than three (3) consecutive single-story homes or three (3) consecutive two-story homes.
11. Any fencing proposed on the rear of the lots identified on Exhibit "C-1" requiring rear elevation standards shall be consistent black aluminum fence material.
12. Minimum roof overhang of twelve (12) inches on all sides of a house as measured from the wall structure to the fascia board.
13. There shall be not more than 10 percent of the same front elevation in the subdivision.
14. Exterior chimneys for fireplaces shall be made entirely of brick or stone.

15. Unless approved by the ARC, the front porch columns shall be a minimum of six inches by six inches.
16. Window Count:
  - All ranch homes shall contain a minimum of three (3) windows on the front façade and one (1) window on all side facades and three (3) windows on the rear facade with the exception of a side façade facing a public street which shall contain a minimum of two (2) windows. Windows on a front façade or side façade facing a public street may include sidelights and garage door windows.
  - All two-story homes shall contain a minimum of five (5) windows on the front façade. Windows on the front façade may include sidelights and garage door windows. Double windows count as two windows. A minimum of two (2) windows on the side facades, and a minimum three (3) windows on the rear façade, with the exception of a side façade facing a public street which shall contain a minimum of three (3) windows. Windows on a front façade or side façade facing a public street may include sidelights and garage door windows.
17. Window Treatment: 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.
18. Window Trim: unless adjacent to masonry, all windows, doors and corners shall have a minimum nominal one-inch by six-inch (1"x6") wood or vinyl surround, shutters, decorative trim, or headers.
19. All homes shall contain a minimum of a two-car garage with a minimum width of twenty-one (21) feet.
20. Front-loading garages shall contain a decorative garage door similar to those depicted on Exhibit C-2.
21. For any front loading three-car garage, 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 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. All homes built on corner lots shall have side-loading garages. A minimum of 50 homes including homes on corner lots will have side-loading garages.
24. 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.
25. All homes shall have a decorative front door containing a transom or sidelight
26. All homes shall have two (2) dusk-to-dawn coach lights.
27. All homes shall include mailboxes with uniform design and will be installed and located per direction of the local United States Postal Service (USPS).

28. All homes shall be landscaped with a minimum of two (1) deciduous tree, one (1) ornamental tree and twelve (12) shrubs planted along the front foundation of the primary structure.
29. 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.
30. All lot fence construction shall be comprised of black wrought iron or other similar appearing material such as extruded aluminum or composite material.
31. All home styles shall be offered with a slab or basement foundations.



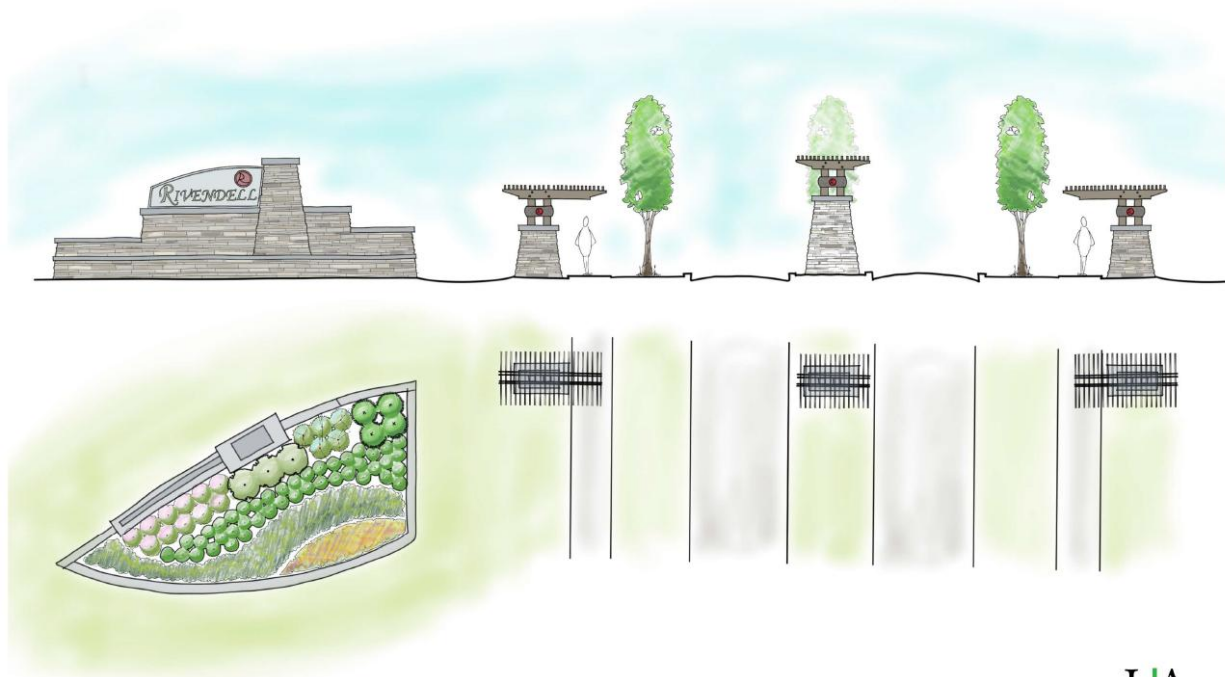
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**Exhibit C-2**



## “Exhibit D”

### Entry Monuments & Landscaping



### **RIVENDELL - CONCEPTUAL ENTRANCE ELEVATION AND PLAN**

McCordsville, IN | FEBRUARY 2022

**L|A**  
**P|P**  
design group, llc  
landscape  
architecture  
planning  
professionals



## Exhibit E

### ILLUSTRATIVE OPEN SPACE EXHIBIT





## **Exhibit E**

### **ILLUSTRATIVE OPEN SPACE EXHIBIT**





## Exhibit E

### ILLUSTRATIVE OPEN SPACE EXHIBIT









Bristol Carriage





Bristol Estate Side-load





Campton Estate





Denali Estate





Denali Carriage





Denali Gallery





Denali Gallery Side-load





Grandover II Carriage Side-load





Heyden Estate





Heyden Estate Side-load





McKinley Estate





McKinley Carriage





McKinley Carriage Side-load





Sycamore Estate





Sycamore Gallery





Sycamore Premier





Sycamore Carriage





Sycamore Carriage Side-load





Sycamore Craftsman





Sydney Estate





Sydney Gallery





West Haven Carriage





West Haven Craftsmen





West Haven Estate



West Haven Carriage Side-load