

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 _____ recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance in order to adopt the Snider 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, the standards from the McCordsville Zoning and Subdivision Control Ordinances, dated January 2011, as amended, shall apply.

Section 2. Intent. The Snider PUD provides strict design requirements which are compiled with the intent to produce an age restricted residential neighborhood providing desired market segment amenities.

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 Zoning Ordinance

Permitted Temporary Uses:

Those permitted pursuant to the Town’s Zoning Ordinance

Section 4. Development Standards. The development shall comply with the Preliminary Planned Unit Development Plan/Concept Plan attached hereto as “Exhibit B”. All development shall comply with the following standards:

A. The Development Standards – 80s

1. Maximum Number of Lots on the concept plan)	10 (location depicted by an asterisk)
2. Minimum Lot Area	10,000 square feet
3. Minimum Lot Width at Building Line	80 feet
4. Minimum Setbacks:	
a. Front-yard Setback	25 feet
b. Side-yard Setback	10 feet
c. Rear-yard Setback	15 feet
5. Minimum Livable Floor Area (Dwelling Unit)	
a. One-story	2,050 Square Feet
b. One & half story (optional loft)	2,670 Square Feet
6. Maximum Height-Principal	35 feet
7. Maximum Dwelling Units per Lot	1
8. Maximum No. of Dwelling Units	10

B. The Development Standards – 65s

1. Maximum Number of Lots	160
2. Minimum Lot Area	8,400 square feet
3. Minimum Lot Width at Building Line	65 feet
4. Minimum Setbacks:	
a. Front-yard Setback	25 feet
b. Side-yard Setback	5 feet
c. Rear-yard Setback	15 feet
5. Minimum Livable Floor Area (Dwelling Unit)	
a. One-story	2,050 Square Feet
b. One & half story (optional loft)	2,670 Square Feet
6. Maximum Height-Principal	35 feet
7. Maximum Dwelling Units per Lot	1
8. Maximum No. of Dwelling Units	160

The Snider PUD will provide a minimum of 25% open space as generally shown in the Concept Plan. Drainage facilities shall be permitted as part of the open space calculation. The gross density of the Snider PUD will not exceed 2.14 units per acre.

C. Architectural Standards:

The Architectural Standards for the Real Estate are attached as “Exhibit C”.

D. Landscaping Standards:

Standards of the Town’s Zoning and Subdivision Control Ordinance regarding Landscaping shall be applicable to the Real Estate with the following exceptions:

1. The perimeter landscape areas along CR 700N shall be minimum of fifty (50) feet in width except where acceleration and deceleration lanes are required for the entrance to the subdivision generally as depicted on the Exhibit B, and will feature undulating mounding between three and four feet in height (measured from grade of centerline of 700N) for any portion of this area abutted by the rear of a home(s), a double row of shade trees (2" caliper at time of planting) planted roughly forty (40) lineal feet on center along the frontage except where entryway monument and landscaping are installed as approved by the director and generally depicted on the Exhibit B, and eight (8) shrubs (with a minimum height of 24" at the time of planting) per one hundred (100) lineal feet.
2. The west property line shall be screened as follows:
 - a. A minimum 80' wide Buffer located along western boundary of subject parcel adjacent to proposed Lots that includes an average eight (8) foot high mound and seven (7) shade trees (minimum two (2) inch caliper at time of planting) and/or evergreen trees (minimum six (6) foot tall at time of planting) per 100 lineal feet of Buffer. Evergreen trees shall constitute a minimum 80% of the Buffer plantings.
3. The south property line shall not be required to install perimeter landscaping. However, a ten foot (10') wide Tree Conservation Easement (TCE) shall be provided along the south property line to protect the existing vegetation along the property line with the exception of portions of the south property line where existing legal drain relocations will be required.
4. Any entrance from 700N shall feature a median with a landscape bed at least ten (10) feet in width. This median shall extend to the first internal intersection.
5. The grass strip along both sides of the entrance roadway from CR 700N to the first internal intersection shall be a minimum of ten (10) feet wide and feature Street trees (from the list below) planted every forty (40) feet on center.
 1. American Hornbeam
 2. Green Hawthorn
 3. Hophornbeam
 4. Paperbark Maple
 5. Common Hornbeam
 6. Princeton Elm
 7. American Elm
 8. Yellowwood
 9. Ginkgo (male only)
 10. Street Keeper Honeylocust
 11. Skyline Honeylocust
 12. Riverbirch
 13. London Planetree
 14. Zelkova
 15. Bald Cypress
6. Buffer-yards: Section 6.11(A)(2) shall not apply, and instead the requirements for perimeter landscape areas, as noted above, shall apply.

7. Evergreen trees (minimum six (6') feet tall at time of planting) may be substituted for supplemental shade trees in Common Areas.

E. Pedestrian Accessibility:

Standards of the Town's Zoning and Subdivision Control Ordinance regarding Pedestrian Accessibility shall be applicable to the Real Estate with the following exceptions:

1. A ten (10) foot wide perimeter multi-use asphalt path or a five (5) foot wide sidewalk shall be installed along CR 700N for the width of the frontage of the Real Estate. The Town will make a determination of sidewalk or path at the time of the Development Plan. A crossing of the legal drain shall be constructed by the developer so long as the County Surveyor's Office permits either a board-walk style bridge or culvert crossing.
2. Notwithstanding the requirements above, any path which is located back-of-curb, without a grass strip between the pedestrian facility and the curb, shall be concrete.
3. All truncated domes shall be black in color.
4. An internal trail system shall be provided as generally shown on the Concept Plan.

F. Lighting, Parking, and Signage:

Standards of the Town's Zoning and Subdivision Control Ordinance regarding Lighting, Parking, and Signage shall be applicable to the Real Estate with the following exceptions:

1. Entry Features: All development shall be required to install prominent entry features at the entrance. All such entrances shall feature no less than entry walls or columns and fencing on both sides of the entrance roadway and/or within the center median. The primary material of the entry wall shall be masonry (CMU prohibited). Additionally, masonry signage columns may be permitted at the RAB.
2. All street lighting shall be full cut-off fixtures.
3. Temporary Ground Signs along the perimeter road (as defined in Title XV: Land Usage, Section 154.145 of the Town of McCordsville Code of Ordinances) will be permitted until the last building permit is approved in Colonnade.
4. A total of 6 Temporary Ground Signs will be permitted internally within the development as directional signs to model homes.

G. Roadway:

Standards of the Town's Zoning and Subdivision Control Ordinance regarding Streets, Roadways, and Right-of-way shall be applicable to the Real Estate with the following exceptions:

1. Rights-of-way (ROW) shall be dedicated to the Town as denoted below:
 - a. Minimum half-width ROW of thirty (30) feet on CR 700N
2. The Town shall not be responsible for any maintenance or repairs on any alley, nor any roadway which is not built to town standards and/or not dedicated and accepted as public right-of-way.

3. The Town shall not be responsible for any maintenance on any landscaping, fencing, or signage located in public right-of-way.
4. The following traffic improvements shall be constructed:
 - a. Acceleration and deceleration lanes, in conformance with town standards, at all access points into the development from any local-collector, collector, and/or arterial roadway.
 - b. Passing blisters or left-turn lanes, in conformance with town standards, at all access points as required by the Town Engineer.
5. Street name signage and traffic control signage shall be installed consistent with the quality and character shown on Exhibit "D".
6. The maximum block length shall be 1,250 feet. Any block length equal to or greater than 800 feet in length shall feature traffic calming measures, including but not limited to:
 - a. Street trees
 - b. Traffic circles
 - c. Neck-downs for pedestrian crossings
 - d. Chicanes
 - e. Other features as approved by the Town Engineer.
7. 70' radius along centerlines entering a residential roundabout are permitted.
8. No straight tangents are required between reverse curves.
9. No separation of driveways from intersections are required when lot is across from a 3-way intersection.
10. The developer agrees to pay any future Road Impact Fees adopted and effective at the time of any building permit(s) are issued.

H. **Miscellaneous**

1. Section 4.17 shall not apply to the Real Estate.
2. Decorative fountain(s) shall be installed in all detention/retention facilities. Such fountains shall be illuminated.
3. Developer commits to creating a professional owner's association that will manage and maintain the common spaces.
4. All driveways shall be concrete.
5. Subject to compliance with all federal and state laws, dwellings in the Snider PUD shall be sold and not leased or rented from the builder to the initial purchaser.
6. No home shall be rented for a period of at least twenty-four (24) months from the date of the last sale or transaction. This language shall also be added to the HOA Covenants and Declarations.
7. A neighborhood amenity that consists of a minimum of one clubhouse (with meeting room, kitchenette, and restroom facilities), one parking lot, and one outdoor gathering area (with seating). The clubhouse shall be no less than eight-hundred (800) square feet, excluding porches, decks, and patios).
8. Model Home: Each District 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 (1) model, there is no restriction on the size of the second model

9. Snow Removal: The HOA for the development shall be responsible for snow removal of all internal streets.
10. Fences: Fences shall be limited to black, wrought iron, aluminum or an equivalent like material. Fences shall maintain a minimum of three feet (3') of clearance from any A/C unit, window well, or the like.
11. A four (4) inch yellow thermoplastic stripe shall be placed on the top of the curb adjacent to any fire hydrant within the subdivision. This stripe shall extend ten (10) feet out from the hydrant in both directions.
12. Boat Noise: The developer commits to including language in the CC&Rs indicating to residents to acknowledge there is a ski lake on the adjacent property and boat noise is common in the area. Exact language regarding this item shall be crafted in conjunction with the Town prior to the recording of the CC&Rs.
13. Age Restricted Requirement: The development of dwellings on the Real Estate shall be operated as an age-restricted community in compliance with all applicable state and federal laws, including 42 U.S.C. § 3607.

I. Definitions:

1. Minimum Home Size: total square feet of a unit, excluding garages, rear porches, front porches, and any decks, patios, or balconies.
2. Stone: shall not be interpreted to include concrete masonry units (CMU).
3. Decorative Garage Door: garage doors with windows shall be considered decorative garage doors. Two illustrative examples are included in Exhibit C-1. Exhibit C-1 shall not be interpreted to represent the actual decorative garage doors that will be used in this project.
4. Tree Conservation Easement (TCE): Within a TCE no trees with a diameter at breast height (DBH) of six inches (6") or greater shall be removed the builder, developer, owner, 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: (a) comply with the safety requirements of any governmental agency, or (b) to accommodate the installation and/or maintenance of drainage improvements, following a determination by the Town Engineer that the drainage improvements/maintenance are deemed necessary in this location. Any person or organization that removes a tree(s) in a manner inconsistent with easement language shall be required to replace the removed tree(s) with new planting(s) that are equal to or greater than the total DBH of the removed tree(s). The location of the new trees shall be determined by the Zoning Administrator. The minimum size of replacement trees shall two inches (2") DBH for deciduous trees and eight feet (8') tall for evergreen trees.

Section 6. 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 7. 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:

Voting Opposed:

Thomas R. Strayer

Thomas R. Strayer

Larry J. Longman

Larry J. Longman

Gregory J. Brewer

Gregory J. Brewer

Chad D. Gooding

Chad D. Gooding

Branden D. Williams

Branden D. Williams

ATTEST:

Staci A. Starcher, Clerk-Treasurer

This instrument was prepared by Ryan Crum.

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. – Ryan Crum

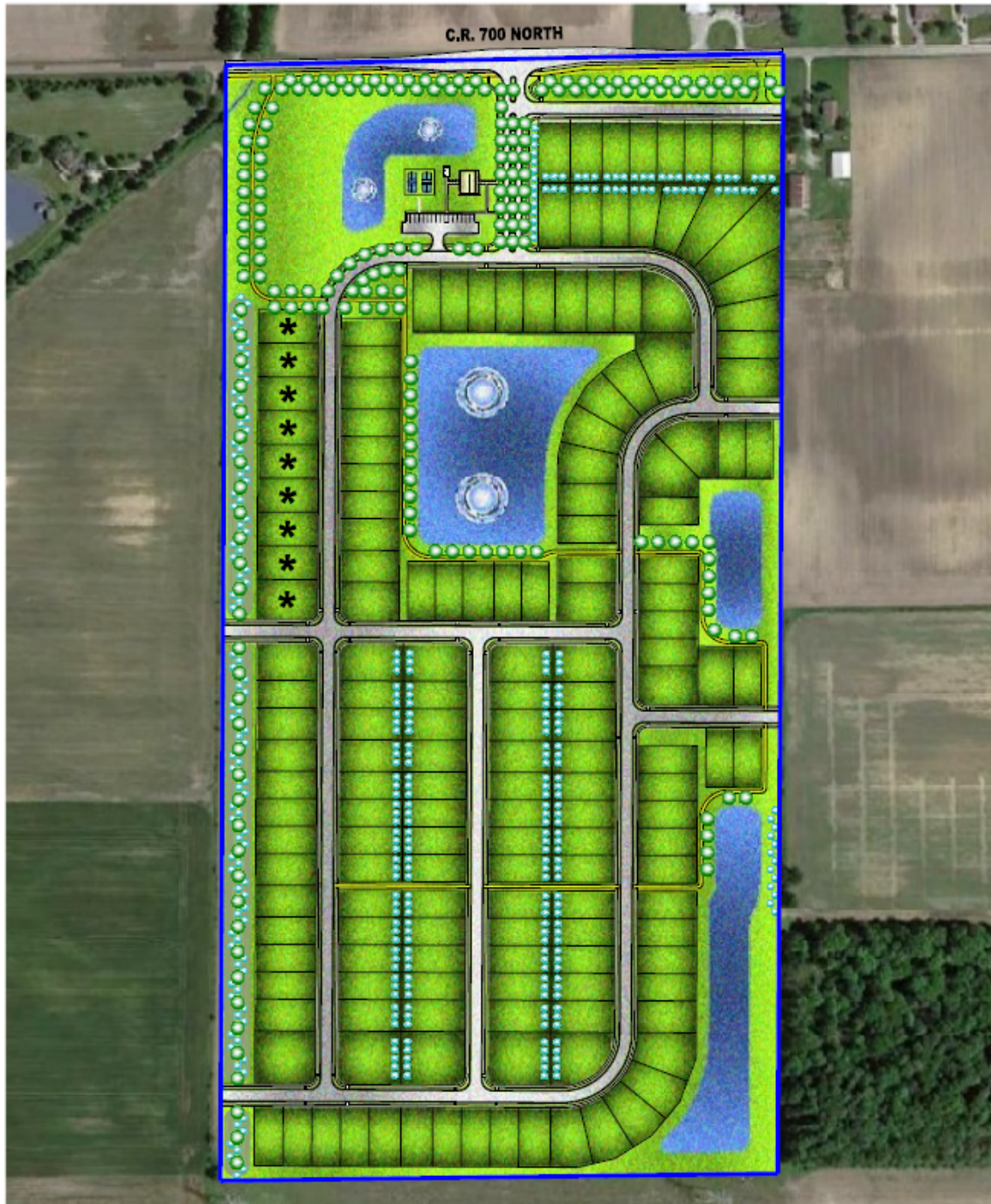
“Exhibit A”

LEGAL DESCRIPTION

The West half of the Northeast quarter of Section 36, Township 17 North, Range 5 East, Hancock County, Indiana, containing 80 acres, more or less.

“Exhibit B”

Concept Plan



**GATHERINGS AT AURORA
Concept Plan Rendering**

“Exhibit C”

Architectural Standards

All primary structures constructed on the Real Estate shall have the following minimum standards:

1. All homes are limited to single-story or single-story with a loft. Such loft is limited to no more than eight hundred (800) square feet.
2. Exterior siding materials are limited to brick, stone (CMU prohibited), glass, wood, and fiber cement. Vinyl siding is prohibited.
3. Satellite dishes and the like are prohibited.
4. Window A/C units and the like are prohibited.
5. The heavier material shall always be used below a lighter material.
6. Minimum brick/stone requirements shall be as follows:
 - a. A minimum of 50% of homes shall have 50% brick or stone on the front elevation. The remaining 50% of homes may have less than 50% brick or stone, so long as there is a minimum of brick or stone wainscot to bottom of windowsill on all facades, and a minimum of two (2) other siding types present on the front elevation.
 - b. Any side or rear elevation that faces a perimeter street, perimeter property, internal street, open space, trail, or other common area shall have a brick or stone wainscot wrap. Any elevation with less than 75% brick or stone shall feature a minimum of three (3) siding materials and colors (excluding trim colors).
7. The exterior material of front elevation returns shall match the exterior material of the adjacent front facing façade.
8. Brick solely on front elevations shall wrap the corners of minimum depth of 24”.
9. The permitted roofing materials are dimensional shingles, copper, slate, and stone. High quality, standing seam metal roofing is only permitted as an accessory roofing material.
10. Roof Pitch: The primary roof pitch shall be 6:12 or greater. Ancillary roofs may be less than 6:12 if approved by the ARC.
11. A minimum of three (3) colors will be provided for all roofing materials. Exhaust vents shall not be visible from the front elevation of a home. Additionally, no wall-mounted vent or louver shall be located on the first floor of a front elevation (excluding gable areas).
12. Exterior chimneys for fireplaces shall be made entirely of brick or stone.
13. All sloped roofs shall be covered in one of the following materials: 30-year dimensional shingles, copper, or slate. High quality standing seam metal may be used as an accent roofing material as determined by the ARC.
14. Overhangs are required along all facades. No overhang shall extend less than twelve (12) inches from the exterior façade where the façade consists of siding at the eaves, and a minimum of eight (8) inches from the exterior façade where the façade consists of brick or stone at the eaves. This measurement does not include the gutter system.

15. A minimum of three (3) roof planes, or a single gable must be visible from the front elevation.
16. Unless adjacent to brick/stone wrap, all windows, doors and corners shall have a minimum nominal one inch by six-inch wood or fiber-cement surround or shutters, decorative trim or headers.
17. Except for 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. Minimum window quantities shall be required as noted below. For the purposes of this standard, secondary front elevations (corner lots), side elevations, and rear elevations that face a street, are only separated from a street by common area, or are façade facing a trail or other amenity considered to be a front elevation.
 - a. Single-story (and single-story with loft) homes
 - i. Front elevations (and side elevations facing a street) shall have a minimum of three (3) windows
 - ii. Side elevations shall have a minimum of two (2) windows
 - iii. Rear elevations shall have a minimum of three (3) windows
19. The front elevation of all homes must have at least one point of wall plane articulation of at least two (2) feet in depth and a gable.

High Visibility Lots:

- a. Lots marked with an “*” shall be required to feature the following:
 - i. Rear elevations shall feature one (1) point of wall plane articulation in the form of a minimum change of 2’ in depth of the wall plane for at least 10 lineal feet. Covered porches, screened-in porches, and three-season rooms shall not constitute a change in the wall plane of the rear elevation for the purpose of this standard.
 - ii. Rear elevations shall feature one (1) gable
 - iii. Full first-floor brick or stone wrap (all facades).
20. All garage doors shall be decorative garage doors.
21. The minimum garage size shall be four hundred and thirty (430) square feet.
22. Any front-loading three-car garage shall have one bay separated from the others and be recessed or projected a minimum of two (2). This point of articulation shall not be counted towards the required front elevation articulation required elsewhere in these standards.
23. Any front-loading garage that protrudes eight (8) feet or more in front of the front elevation shall feature at least one (1) window on the house side elevation of the garage. This window 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 from 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 (8) feet in front of the front elevation shall feature a minimum of eight (8) shrubs along the foundation of the side elevation (nearest the side-yard property line) of the garage.
24. Any side-load, courtyard-load, or rear-load garage shall feature a minimum of two (2) windows in the garage façade facing the street. These windows shall not count towards any other window requirement.

25. Front-loading two-car garages shall not exceed 50% of the width of the front elevation and three-car garages shall not exceed 61% of the width of the front elevation. A maximum of XX% of homes shall feature a garage that exceeds 50% of the width of the front elevation.
26. All porch columns shall be a minimum of eight (8) inches by eight (8) inches (nominal), unless otherwise approved by the ARC.
27. All homes shall feature a covered entry. Front porches are required to be a minimum of four (4) feet in depth.
28. All homes shall feature dusk to dawn controlled light fixtures flanking the garage door(s). A front porch light may also be added.
29. Elevation Approval: 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 Approved Elevations are hereby incorporated as Exhibit C-2, and while they must meet the standards of the PUD, are approved by the ARC. Homes in the "Approved Elevations" do not need further review by the ARC except for anti-monotony purposes.
 - a. All homes not included in the "Approved Elevations" shall comply with the standards set forth in Exhibit C of this Ordinance and shall 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. Such homes shall be approved by the ARC.
 - b. If a proposed home does not comply with Exhibit C 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 the PUD, as determined by the ARC.
30. Community amenities, such as pool-houses, clubhouses and the like shall be required to comply with the architectural standards for the applicable district, and shall have a similar design, theme, materials, and compatible architecture as the residential structures.
31. All homes shall comply with the Town of McCordsville's anti-monotony guidelines.
32. There shall be no more than 10 percent of the same front elevation in any District.
33. Lot and foundation plantings shall comply with the Town of McCordsville Zoning Ordinance.

“Exhibit C-1”

Decorative Garage Doors



“Exhibit C-2”

Illustrative Architectural Renderings









“Exhibit D”

Street Name & Traffic Control Signage Exhibit

