

ORDINANCE NO. 061119

ORDINANCE AMENDING 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 Town of McCordsville Zoning Ordinance; and

WHEREAS, the Town Council of the Town of McCordsville, Indiana, has heretofore adopted the Gateway Crossing PD-M Ordinance No. 031301, as amended; and

WHEREAS, the Town Council of McCordsville, Indiana, has, after a public hearing was held on May 21st, 2019, received a favorable recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Gateway Crossing PD-M Ordinance No. 031301, as amended in order to adopt certain changes to said PUD Ordinance;

THEREFORE BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana that Ordinance No. 031301, as amended, is hereby amended as follows:

SECTION 1. This Amendment Ordinance applies to the real estate more particularly described in the attached Exhibit A.

SECTION 2. Applicability of Ordinance. Except as modified by this Ordinance, all other provisions of the PUD Ordinance No. 031301, as amended, shall remain in effect with the adoption of this Ordinance. All provisions and representations of the PUD Ordinances listed above that conflict with the provisions of this Ordinance are hereby rescinded and shall be superseded by the terms of this Ordinance.

SECTION 3. Written Commitments

The Written Commitments in Exhibit B of Ordinance 031301, as amended, is hereby amended as follows:

1(b). The commercial area between the retail out-lots and apartments may feature senior, age-restricted apartments, in lieu of multi-tenant and anchor retail buildings, as generally illustrated on the attached Exhibit B.

3. The overall density for the residential areas within the project shall not exceed 4.42 du/ac. The maximum densities permitted within the residential areas on the site shall be:

(a) 80' wide lot single family detached	1.29 du/ac
(b) 70' wide lot single family detached	2.65 du/ac
(c) attached single family	3.15 du/ac
(d) multifamily area	11.31 du/ac
(e) senior, age restricted multifamily area	23.8 du/ac

7. The multifamily, including senior, age restricted, housing will not involve Section 8 or 42 housing.

29. The front yard setback shall be as noted on the Preliminary PUD Plan, with the exception that the front yard setback for any senior age restricted multifamily be no less than 30' along Gateway Crossing Boulevard and 50' along any other front yard.

30. Minimum side and rear yard setbacks for the project shall be as follows:

- | | |
|---|---|
| (a) 80' wide lot single family detached | 8' side, 20' rear |
| (b) 70' wide lot single family detached | 7' side, 20' rear |
| (c) attached single family | 6' side, 20' rear |
| (e) senior, age restricted multifamily area | 5' side along north property line, 20' along east property line |

33. No. 6 of the Written Commitments shall not apply to senior, age restricted multifamily and instead the following architectural standards shall apply:

- (a) vinyl siding is prohibited
- (b) all structures (primary and accessory) shall feature a mix of fiber cement, brick, and/or stone
- (c) The exterior materials for the primary structure shall be as illustrated on Exhibit C, unless otherwise approved by the ARC. The percentage of brick shall not be reduced from what is shown on Exhibit C.
- (d) The building façade articulation shall be no less than as illustrated on Exhibit C.
- (e) The architectural character and elements shall be no less than as illustrated on Exhibit C.
- (f) The primary structure building height shall not exceed 42', as measured from grade to peak of roof. Accessory structure height shall not exceed 15', as measured from grade to peak of roof.
- (g) The minimum roof pitch of the primary structure shall be 5:12. The minimum roof pitch of accessory structures shall be 5:12.
- (h) Shingles shall be dimensional shingles. 3-tab is prohibited.
- (i) The minimum overhang depth is 12".
- (j) Façade colors shall be limited to low reflectance, subtle, neutral or earth tone colors.
- (k) Site features, such as, but not limited to sidewalks and outdoor seating areas shall be as shown on the Concept Plan.

34. The buffering of any senior, age restricted multifamily shall be as follows:

- (a) A small buffer-yard as defined by the McCordsville Zoning Ordinance shall be required between the senior, age restricted multifamily and retail uses to the north. This buffer-yard shall be installed on the retail acreage.

(b) A small buffer-yard as defined by the McCordsville Zoning Ordinance shall be required between the senior, age restricted multifamily and single-family uses to the south. This buffer-yard shall be installed on the senior, age restricted multifamily acreage.

(c) A buffer-yard shall not be required between the senior, age restricted multifamily and the retail uses to the east, so long as there is at least 100' feet between any senior, age restricted building and the retail drive aisle behind the retail out-lots.

37. Senior, age restricted multifamily miscellaneous standards:

(a) No accessory structures shall be located between a senior, age restricted primary structure and a public right-of-way or public access easement.

(b) Pedestrian connections, for senior, age restricted multifamily shall be as shown on Exhibit B.

(c) Parking spaces shall be generally located as shown on Exhibit B, and shall be no less than 80 surface parking spaces and 40 garage parking spaces.

(d) Mechanical equipment screening: All mechanical equipment shall be screened from view, with the use of a wall or fence, supplemented by landscaping. The wall or fence design must be found compatible with the primary structure.

(e) Trash receptacle screening: A minimum of one trash receptacle shall be required. All receptacles shall be screened with a masonry enclosure matching the primary structure. The enclosure shall feature an opaque gate. The enclosure shall be at least 1' taller than the highest point of the trash receptacle.

(f) The minimum unit size shall be 600 square feet.

(g) The maximum lot coverage shall be 60%.

38. Any senior, age restricted multifamily shall conform to all other landscape, lighting, signage, and parking development standards per the McCordsville Zoning Ordinance, as amended, for the MF-2 – Medium-High Density Multi-family Residential District, unless there is a conflict with this Amendment. In such case, this Amendment supersedes.

SECTION 4. Definition

The term senior, age restricted shall be defined as: Multi-family units shall be defined as age restricted to 55 years of age and older in compliance with the Fair Housing and Act and The Housing for Older Persons Act. Any amendment to this binding element shall require review and approval by the Town Council

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 11th day of June, 2019. A motion to consider on First Reading on the day of introduction was offered and sustained by a vote of 5 in favor and 0 opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this 11th day of June, 2019 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN OF MCCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:


Thomas R. Strayer


Lawrence J. Longman


Bryan T. Burney


Branden D. Williams


Barry A. Wood

Voting Opposed:

Thomas R. Strayer

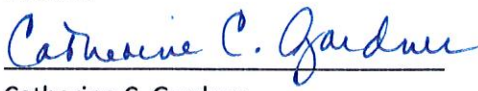
Lawrence J. Longman

Bryan T. Burney

Branden D. Williams

Barry A. Wood

ATTEST:


Catherine C. Gardner
Clerk Treasurer

This instrument was prepared by Gregg H. Morelock, BRAND & MORELOCK, P.O. Box 6, 6 West South Street, Greenfield, IN 46140.

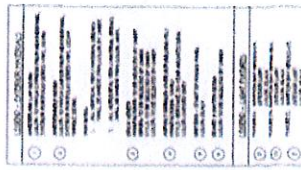
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Gregg H. Morelock.

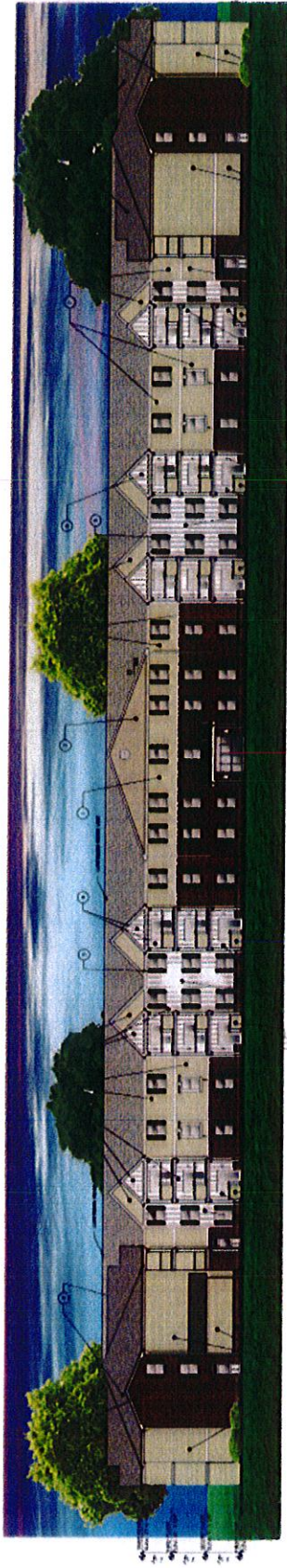
Exhibit A – Legal Description

A part of the East Half of the Southwest Quarter and the West Half of the Southeast Quarter of Section 26, Township 17 North, Range 5 East, in Vernon Township, Hancock County, Indiana, more particularly described as follows:

COMMENCING at the Northeast corner of the West Half of the Southeast Quarter of said Section; thence North 89 degrees 59 minutes 42 seconds West along the North line of said Half Quarter Section a distance of 1,020.63 feet; thence South 00 degrees 52 minutes 49 seconds West a distance of 741.04 feet to a northwesterly boundary line of Gateway Crossing Apartments, Section Three as recorded in Instrument 2003-10979 in Plat Cabinet "C", Slide 122 & 123 in the Office of the Recorder, Hancock County, Indiana; thence along the northwesterly boundary lines of said Gateway Crossing Apartments, Section Three by the next four (4) courses; 1) South 43 degrees 13 minutes 24 seconds West 308.07 feet to the POINT OF BEGINNING of this description; 2) South 38 degrees 38 minutes 57 seconds West 187.29 feet to the point of curvature of a curve concave northwesterly, the radius point of said curve being North 51 degrees 21 minutes 03 seconds West 715.00 feet from said point; 3) southwesterly along said curve 53.13 feet to the point of tangency of said curve, said point being South 47 degrees 05 minutes 37 seconds East 715.00 feet from the radius point of said curve; 4) South 42 degrees 54 minutes 24 seconds West 79.02 feet to a point on a curve concave southwesterly, the radius point of said curve being South 45 degrees 06 minutes 39 seconds West 390.00 feet from said point, said point also being on a northeasterly boundary line of Gateway Crossing, Section One as recorded in Instrument 2002-13631 in Plat Cabinet "C", Slide 98-100 in said Recorder's Office; thence along the northeasterly boundary lines of said Gateway Crossing, Section One by the next three (3) courses; 1) northwesterly along said curve 165.68 feet to the point of tangency of said curve, said point being North 20 degrees 46 minutes 14 seconds East 390.00 feet from the radius point of said curve; 2) North 69 degrees 13 minutes 47 seconds West 176.19 feet to the point of curvature of a curve concave northeasterly, the radius point of said curve being North 20 degrees 46 minutes 13 seconds East 260.00 feet from said point; 3) northwesterly along said curve 214.95 feet to the point of tangency of said curve, said point being South 68 degrees 08 minutes 18 seconds West 260.00 feet from the radius point of said curve; thence North 68 degrees 08 minutes 22 seconds East a distance of 75.92 feet; thence North 36 degrees 32 minutes 01 seconds East a distance of 359.89 feet; thence North 39 degrees 21 minutes 34 seconds West a distance of 57.75 feet; thence North 29 degrees 28 minutes 35 seconds West a distance of 24.41 feet; thence North 74 degrees 28 minutes 35 seconds West a distance of 25.34 feet; thence North 60 degrees 32 minutes 50 seconds East a distance of 81.61 feet; thence South 05 degrees 38 minutes 25 seconds West a distance of 24.61 feet; thence South 39 degrees 21 minutes 43 seconds East a distance of 594.43 feet to the POINT OF BEGINNING. Containing 5.059 acres, more or less.

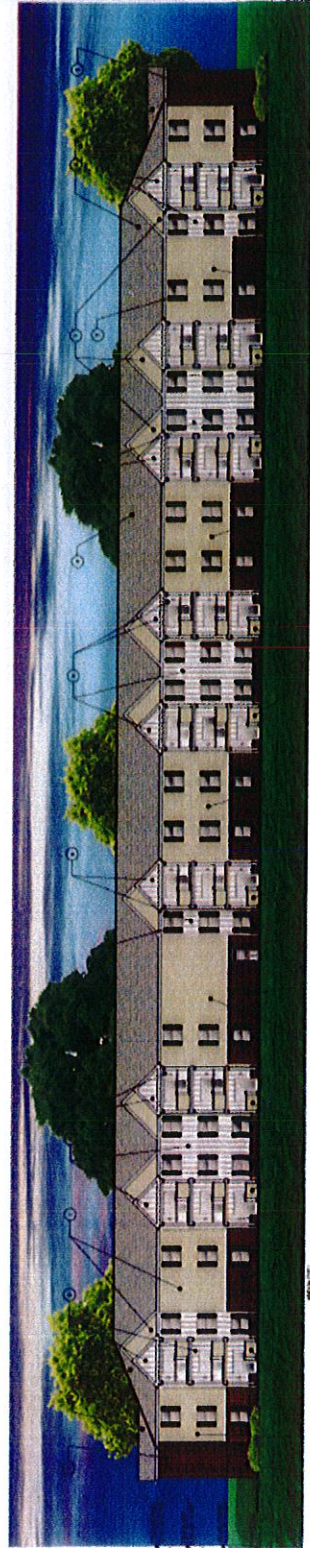
GATEWAY SENIOR HOUSING
INDIANA





SOUTH ELEVATION

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



WEST ELEVATION

GATEWAY SENIOR HOUSING INDIANA

MISSISSIPPI
ARCHITECTS
INC.
1000 N. W. 10TH AVE.
SUITE 100
FORT WORTH, TEXAS 76102
© 2004 MISSISSIPPI ARCHITECTS, INC.