

ORDINANCE NO. _____

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 amended, as the Town of McCordsville Zoning Ordinance; and

WHEREAS, the Town Council of the Town of McCordsville, Indiana, has heretofore adopted the Villages at Brookside PD-M Ordinance No. 052305, as amended by Ordinance No. 030910, Ordinance No. 041211, Ordinance No. 060915, and Ordinance No. 111020B; and

WHEREAS, the Town Council of McCordsville, Indiana, has, after a public hearing was held on February 16, 2021, received a favorable recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Villages at Brookside PUD Ordinance No. 052305, 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. 052305, as amended, is hereby amended as follows:

SECTION 1. This Amendment Ordinance applies to the real estate (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 Ordinances 052305, 030910, 041211, 060915, and 111020B 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and representations of the PUD Ordinances listed above that conflict with the provisions of this Ordinance are hereby rescinded and shall be superseded by the terms of this Ordinance.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. Permitted Uses

The Land Uses for the Real Estate shall be as follows:

Permitted

- Attached residential, min. of 2 units per building, max. of 4 units per building.
 - There shall be no more than five (5) 2-unit buildings.
 - The maximum number of residential units is 98 units.
- Fire Station – as generally shown on Exhibit B

SECTION 4. Development Standards.

The Development Standards for the Real Estate shall be as follows. Any standards which are not addressed by this Amendment Ordinance shall fall back to the underlining zoning district, which shall be MF-1 District, except for a Fire Station use, which shall meet the Neighborhood Commercial (CN) District.

1. Minimum Setbacks:

- a. Residential Uses:
 - i. Front-yard setback (along 900N): 50'
 - ii. Front-yard setback (along internal street): as shown on the Concept Plan
 - iii. Side-yard setback: as shown on the Concept Plan
 - iv. Rear-yard setback: 30' along south property line
 - v. Min. Building Separation: as shown on the Concept Plan
- b. Fire Station Use:
 - i. Front-yard setback (along 900N): 50'
 - ii. Side-yard setback (east property line): 10'
 - iii. Side-yard setback (west property line): 30'
 - iv. Rear-yard setback: 30'
- 2. Minimum Yard & Building Bulk Standards:
 - a. Min. Residential Unit Size: 1,400 square feet
 - b. Max. Principal Structure Height: 35' (residential), 40' (fire station)
 - c. Accessory Structures are not permitted for residential properties.
- 3. Minimum Buffer-yard Requirements
 - a. Southern Property Line (of residential area): 30'
 - b. Western & Southern Property Line (of fire station lot): 30'
 - c. Thirty-foot (30') Wide Buffer-yards shall feature: undulating mounding a minimum of five (5) feet in height, with seven (7) trees and ten (10) shrubs per one hundred (100) lineal feet. Trees and shrub plantings shall be a mixture of deciduous and evergreen.
 - d. Buffer-yards shall not overlap with drainage or easements that would prevent or limit the installation of required mounding or plantings, unless said easement is crossing perpendicular to the buffer-yard.
- 4. Minimum Architectural Standards
 - a. Section 6.04(A) shall apply to all residential buildings constructed within the Real Estate except as noted below:
 - i. Exterior materials are limited to brick, stone (not CMU), EIFS, stucco, and fiber cement.
 - ii. Brick and/or stone shall be provided on all building elevations. The min. height for such material shall be to the bottom of windowsills. In no instance shall this height be less than twenty (20) inches.
 - iii. Any elevation featuring less than full first floor brick wrap/stone shall feature a minimum of three (3) siding materials. Material transitions shall feature a board, sill, cap, or other similar feature. Example: Brick, horizontal fiber cement, and shake fiber cement.
 - iv. Any elevation featuring less than full first floor brick/stone wrap shall feature a minimum of three (3) siding colors.
 - v. A minimum of four (4) windows per building elevation facing a street or driveway shall be provided.

- vi. Any building elevation facing a street or driveway shall feature at least two (2) gables and two (2) changes (projection or recess) in the wall plane of at least two (2) feet in depth.
- vii. All units shall feature a front porch. Porch columns shall be a minimum size of 8" x 8" (nominal).
- viii. All windows facing a street or driveway shall feature window grids.
- ix. All window, door, and corner trim shall be a minimum size of 1" x 6" (nominal).
- x. The main roof pitch of all buildings shall be a minimum 6:12. Ancillary roof pitches may be less.
- xi. The minimum roof overhang shall be eight (8) inches, measured from exterior of siding material to fascia board.
- xii. Roof materials shall be limited three-dimensional asphalt/fiberglass shingles, tile, stone, or slate. High quality standing seam metal roofing may be used as a roof covering on ancillary roofs only.
- xiii. Residential units and buildings shall be assembled and organized in patterns that reduce monotony. The exact same building elevation (facing a street) shall not be directly across the street or next to the exact same building elevation (facing the same street). Notwithstanding the other requirements noted herein, adjacent buildings shall utilize different color palettes.
- xiv. The above noted architectural standards shall also apply to the clubhouse, with the following exceptions:
 - 1. The north building elevation shall feature a minimum of two (2) windows. The east and west building elevations shall each feature a minimum of three (3) windows.
 - 2. Any building elevation facing a street, driveway, or parking lot shall feature at least one (1) gable and one (1) change (projection or recess) in the wall plane of at least two (2) feet in depth.

5. Minimum Landscaping Standards

- a. The north perimeter common area (for the residential area) shall feature: undulating mounding a minimum of three (3) feet in height, with seven (7) trees and ten (10) shrubs per one hundred (100) lineal feet. Trees and shrub plantings shall be a mixture of deciduous and evergreen.
- b. The clubhouse parking lot shall be landscaped as required by Section 6.10(B)(4)(c).
- c. The Town's foundation planting requirements shall apply to the street frontage building elevation and garage-side building elevation of all residential buildings. Additionally, the same standard shall apply to the clubhouse. Foundation plantings shall only be required along the front elevation of any fire station building.
- d. There shall be a strip of landscape material between adjacent residential driveways serving the same building.
- e. All other landscape standards shall be as required by Article VI of the Town's Zoning Ordinance, as amended.

6. Minimum Lighting Standards

- a. All internal streets lights shall be complimentary to the style of the streetlights in the Villages at Brookside.
- b. Street lighting, consistent with the style installed by Traditions at Brookside, shall be required along 900N, for every two hundred and fifty (250) lineal feet of frontage.

7. Minimum Road Standards

- a. There shall be a maximum of one road cut onto CR 900N for the residential area and one road cut for emergency vehicles only for the fire station lot.
- b. Curbing, with curb turnouts for drainage, will be extended across the 900N frontage matching what was done in front of Traditions at Brookside.
- c. The following traffic improvements shall be installed.
 - i. The residential entrance shall feature a minimum of a 150' acceleration lane taper and a 100' deceleration lane with a 150' taper.
- d. An emergency access road (min. 20' width and sufficient depth to support fire apparatus), constructed of asphalt shall be provided as generally shown on Exhibit C. This access road shall feature collapsible bollards or other access control devices as approved by the Town Engineer. The design of the access road must accommodate a 48' ladder truck.
- e. All other road standards shall be per the applicable Ordinances of the Town of McCordsville.

8. Minimum Pedestrian Standards

- a. A five (5) foot concrete sidewalk shall be installed along the CR 900N frontage.
- b. A pedestrian connection shall connect to the stub provided by the commercial development to the east. This sidewalk stub shall be near the middle of the site, to keep the majority of the "Real Estate" within a one quarter ($\frac{1}{4}$) mile walking distance of the businesses within the commercial area to the east.
- c. A pedestrian connection shall be made to the trail in the Villages at Brookside. The emergency access drive may double as this pedestrian connection.
- d. All other pedestrian standards shall be per the Town's Zoning Ordinance, as amended.

9. Minimum Signage Standards

- a. All ground signage included in the development shall include similar design features and/or materials to the ground signage design and style used by the Villages at Brookside. The signage shall include the wording "at Brookside".
- b. The residential entrance may feature a maximum of one (1) double-sided ground sign or two (2) single-sided ground signs.
- c. All other signage standards shall be per Article VII of the Town's Zoning Ordinance, as amended.

10. Miscellaneous Standards

- a. A clubhouse building, no less than 2,500 square feet in size, shall be constructed. This facility shall include indoor and outdoor communal space to be available to the residents of the development.

SECTION 5. Definitions

For the purposes of this Ordinance the following words or terms are defined herein. All other words or terms shall utilize the definition or explanation provided within the Villages at Brookside PUD, as amended, or the Town of McCordsville Zoning Ordinance, as amended. In the case of a conflict, this Ordinance shall supersede.

1. Siding: The term siding includes any permitted exterior material except for exterior trim material.
2. Exact Same Building Elevation: Any two building elevations whereas the only difference in the building elevation is materials and/or colors.

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 9th day of March 2021. A motion to consider on 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 _____, 2020 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:

Barry A. Wood

Barry A. Wood

Thomas R. Strayer

Thomas R. Strayer

Gregory J. Brewer

Gregory J. Brewer

Larry J. Longman

Larry J. Longman

Branden D. Williams

Branden D. Williams

ATTEST:

Staci A. Starcher
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

PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 17 NORTH, RANGE 5 EAST, VERNON TOWNSHIP, HANCOCK COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 15 MINUTES 29 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 15.00 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 33 SECONDS WEST A DISTANCE OF 1081.50 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 28 SECONDS WEST A DISTANCE OF 37.50 FEET TO THE WEST BOUNDARY OF COUNTY ROAD 600 WEST PER INSTRUMENT NUMBER 2008303, AS RECORDED IN THE HANCOCK COUNTY RECORDER'S OFFICE AND THE **PLACE OF BEGINNING**; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 28 SECONDS WEST A DISTANCE OF 1373.34 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 25 SECONDS EAST A DISTANCE OF 1016.91 FEET TO THE SOUTH BOUNDARY OF COUNTY ROAD 900 NORTH PER INSTRUMENT NUMBER 201904454, AS RECORDED IN SAID RECORDER'S OFFICE; THENCE ALONG SAID SOUTH BOUNDARY THE FOLLOWING FOUR COURSES: 1) NORTH 72 DEGREES 37 MINUTES 55 SECONDS EAST A DISTANCE OF 104.85 FEET; 2) NORTH 89 DEGREES 15 MINUTES 29 SECONDS EAST A DISTANCE OF 799.39 FEET; 3) SOUTH 85 DEGREES 01 MINUTE 53 SECONDS EAST A DISTANCE OF 100.50 FEET; 4) NORTH 89 DEGREES 15 MINUTES 29 SECONDS EAST A DISTANCE OF 350.60 FEET TO SAID WEST BOUNDARY; THENCE ALONG SAID WEST BOUNDARY THE FOLLOWING FOUR COURSES: 1) SOUTH 17 DEGREES 40 MINUTES 21 SECONDS EAST A DISTANCE OF 22.29 FEET; 2) SOUTH 00 DEGREES 07 MINUTES 33 SECONDS WEST A DISTANCE OF 229.66 FEET; 3) SOUTH 03 DEGREES 27 MINUTES 02 SECONDS EAST A DISTANCE OF 262.98 FEET; 4) SOUTH 00 DEGREES 07 MINUTES 33 SECONDS WEST A DISTANCE OF 522.81 FEET TO THE **PLACE OF BEGINNING**.

CONTAINING 32.719 ACRES, MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING:

PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 17 NORTH, RANGE 5 EAST, VERNON TOWNSHIP, HANCOCK COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 07 MINUTES 23 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 1081.62 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 54.50 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 399.21 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 23 SECONDS EAST A DISTANCE OF 1039.25 FEET TO THE SOUTH BOUNDARY OF COUNTY ROAD 900 NORTH PER INSTRUMENT NUMBER 201904454, AS RECORDED IN THE HANCOCK COUNTY RECORDER'S OFFICE; THENCE ALONG SAID SOUTH BOUNDARY THE FOLLOWING TWO COURSES: 1) SOUTH 85 DEGREES 01 MINUTE 57 SECONDS EAST A DISTANCE OF 25.48 FEET; 2) NORTH 89 DEGREES 15 MINUTES 25 SECONDS EAST A DISTANCE OF 350.59 FEET TO THE WEST BOUNDARY OF COUNTY ROAD 600 WEST PER INSTRUMENT NUMBER 2008303, AS RECORDED IN SAID RECORDER'S OFFICE; THENCE ALONG SAID WEST BOUNDARY THE FOLLOWING THREE COURSES: 1) SOUTH 17 DEGREES 40 MINUTES 28 SECONDS EAST A DISTANCE OF 22.31 FEET; 2) SOUTH 00 DEGREES 07 MINUTES 23 SECONDS WEST A DISTANCE OF 229.66 FEET; 3) SOUTH 03 DEGREES 27 MINUTES 12 SECONDS EAST A DISTANCE OF 262.98 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 23 SECONDS WEST A DISTANCE OF 522.91 FEET TO THE PLACE OF BEGINNING.

CONTAINING 9.355 ACRES, MORE OR LESS.

Note: Within the approximately 23.364 acres described above, approximately 1.16 +/- acres located along CR 900 N are contemplated to be reserved for the potential future development of a fire station, as shown on the Proposed Preliminary Site Plan filed herewith.

Exhibit B - Conceptual Site Plan

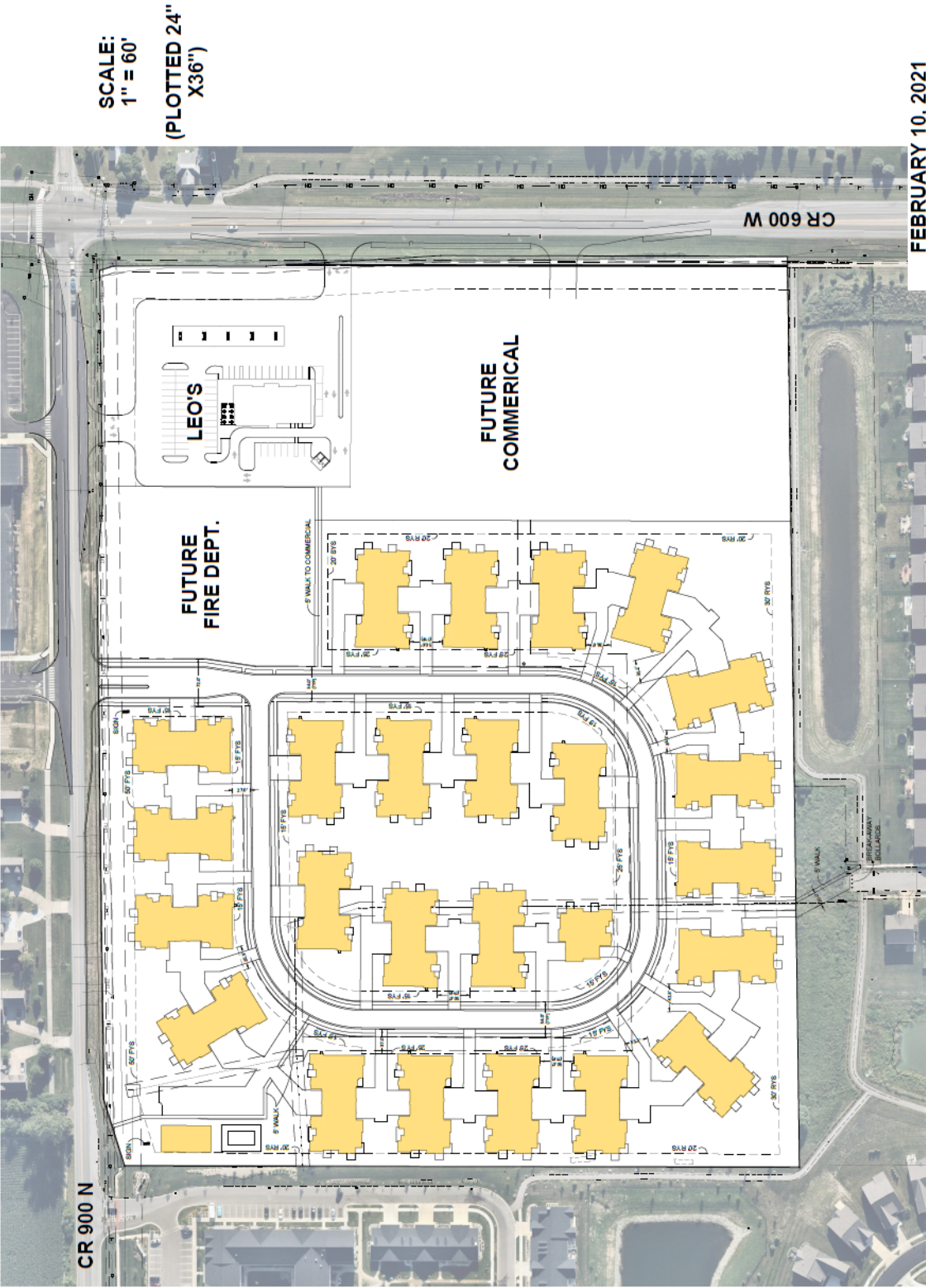
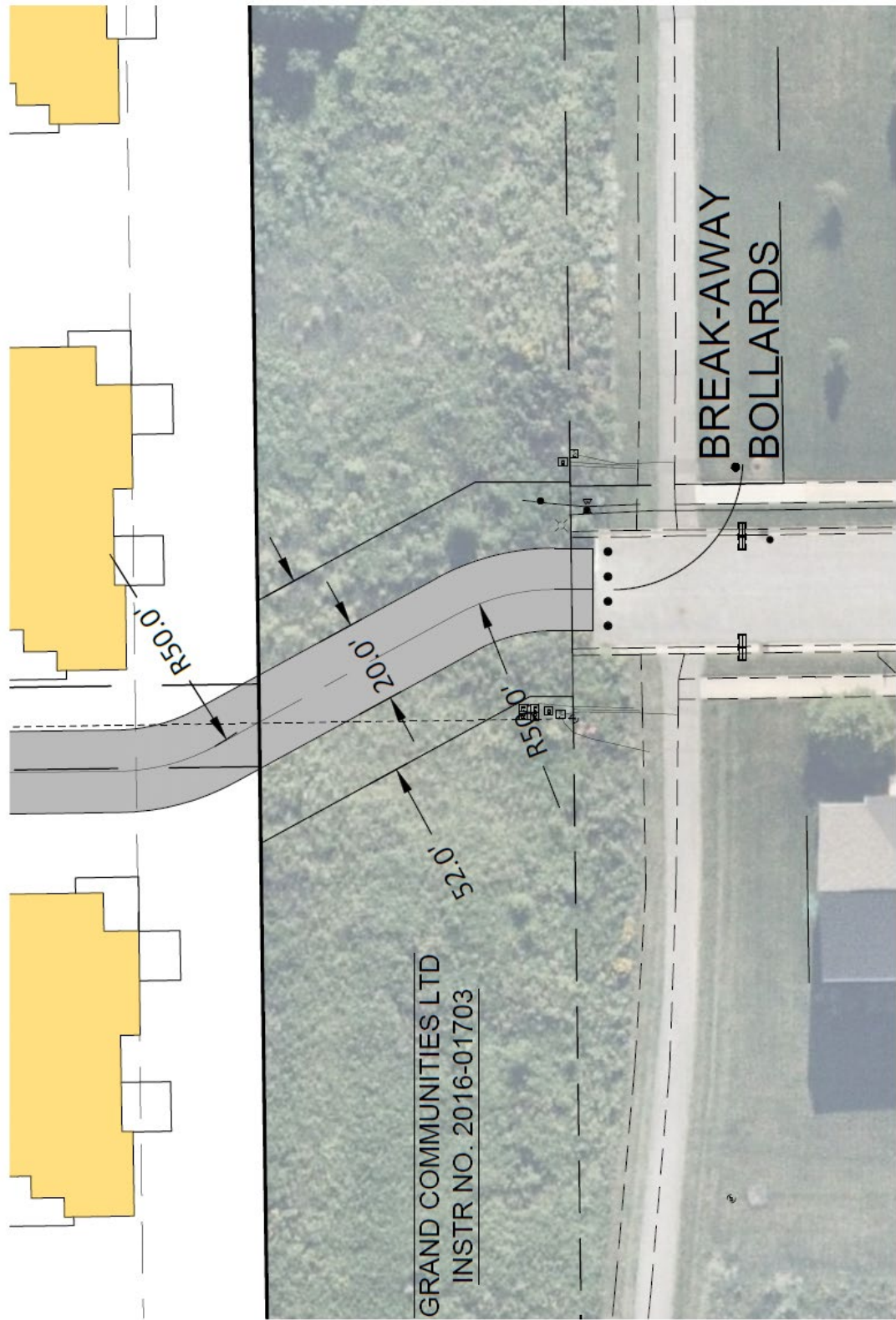


Exhibit C – Emergency Access Road Diagram

OFF-SITE R/W EXHIBIT



FEBRUARY 12, 2021