HIDDEN CREEK PARK

DESIGN GUIDELINES

- **WHAT IS HIDDEN CREEK PARK AND WHY DO WE NEED DESIGN GUIDELINES?**

Hidden Creek Park is a residential section within the Legacy Bend development. It offers generously sized lots to fit large one and two - story homes and will connect to the Legacy Trail System by way of an interior network of walking trails.

These Design Guidelines exist to assist designers, architects, builders, and homeowners as they work to incorporate homes and land improvements into the existing setting. The guidelines serve to communicate the vision for the development in a way that preemptively answers questions and facilitates a smooth and efficient construction process. More practically, these guidelines and the Architectural Control Committee (ACC) serve as a check to ensure that each property and the improvements thereon is of superior quality and would not, in the short or long term, negatively affect the values of other properties within the development. These guidelines are not intended to restrict the creativity of the homeowner. Instead, they act as a "best practices" guide of sorts that fosters a harmonious relationship and enhances the value of each property.

All site plans and design elements must be approved by the Architectural Control Committee (ACC). These Design Guidelines may be updated at any time with or without notice.

All development within Legacy Bend (with Hidden Creek Park as a subset) must comply with all codes and regulations imposed by all applicable governing bodies. In the event that these guidelines provide for a more stringent standard than the applicable governing body, the design guidelines shall control. Where the government regulation is more stringent, it shall control.

MASTER PLAN

Legacy Bend is designed to provide residential uses along the interior portions of Hollytree Drive with more dense uses (including commercial uses) in the areas that approach Old Jacksonville Highway and Cumberland Road. Our vision for this project is to tuck a residential development into the existing park-like nature of the land.

- **SITE DEVELOPMENT**

  - **BUILDING SETBACKS**

    Any permanent improvements or any part of them must meet setback line standards set by the City of Tyler. Requests to change this setback plan must meet City of Tyler standards and be approved by the ACC.

- **TREE CLEARING & SITE GRADING**

  To preserve the natural image of the site, all tree clearing and site grading must be conducted in a way to preserve nature where possible. When needed, retaining and terracing must be used to preserve existing trees and vegetation in the lot.

  A tree clearing plan must be submitted for ACC review and approved before construction begins. This clearing plan can be a part of the overall Landscape plan or submitted by itself if the Landscape plan will be turned in later during construction. ***All hard wood trees 6 caliper inches or larger in the backyard and side yard that are outside building pad, plus 25' around the pad, must be preserved***. Please take precautions to preserve these trees using tape and orange netting to ensure they live through construction. Undesirable trees may be removed and replaced with an approved tree (refer to Appendix 1 or obtain ACC approval). Each lot must attempt to leave trees (where possible) in the front yard to help blend the new structure in with the existing landscape. With proper planning and conservation measures, clearing is a time that front yard tree requirements can be met. In regard to tree requirements, see the Landscape Design information on page 8.

  - To preserve adjacent land uses, appropriate erosion control techniques must be used.
  - All dwelling units must have drainage systems, including but not limited to gutters, downspouts and underground pipes, as it is appropriate to collect rainfall from eighty (80) percent of the roof area of that dwelling unit and bring water from the building, underground, to the street curb, lake, drainage easement, or ACC permitted site.
  - If the final grade does not accommodate a reasonable slope, then sump pumps or other permitted methods must be used to prevent discharge on adjacent lots.
  - Any retention and terracing visible to the street or any common area must be constructed using boulders or stone bricks that are compliant with the materials used and accepted by the ACC in the residential structure. Retaining and terracing, where possible, must accommodate the natural grade.

- **ARCHITECTURAL DESIGN CRITERIA**

  The purpose of the Architectural Design Criteria is to provide direction that guides planning and design in such a way that results in a positive architectural character for the development. The primary elements that will be affected by this section are architectural details, materials, and colors for all development structures. Every eventuality cannot be addressed in a document such as this, therefore there may be a need for the ACC to intervene to address such unforeseen issues.

  No external changes to any lot (except for natural area protection during construction) shall be allowed without the prior written approval of the ACC. Lot owners are strongly encouraged to integrate the distinctive features of the individual lots into the building's design

characteristics and site plan structure. A site plan and elevations must be submitted to the ACC for approval by each lot owner or representative thereof. All planting and landscape materials shall comply with approved plant and material list (see Appendix 1).

Contemporary House Design

With the growing trend of contemporary homes in Tyler, the ACC is cognizant that the Design Guidelines and Covenants & Restrictions do not make room for that type of home due to roof pitch minimum and construction materials percentages. Plans that are submitted in a contemporary design style will be reviewed and considered on a case-by-case basis and with awareness that the features in contemporary style may need flexibility against Design Guidelines and the Covenants and Restrictions. The ACC urges buyers to submit a sample elevation for a soft approval before plans are drafted. Modern style homes with flat roofs will not get approved.

Any design or feature on the homeowner's property that the ACC deems to be inappropriate, or offensive must be removed or altered so as to make it acceptable to the ACC.

Addresses and Additional Signage

Address signage shall be compatible with the building finish materials. All address signage is subject to approval by the ACC, and any additional locations of address signage must be approved prior to installation. No painted-on address signage is allowed on street curbs.

Patios and Balconies

Balconies should not face towards the side lot line in a manner that, in the view of the ACC, would unnecessarily limit the privacy of the neighboring property owner. No patio or balcony may be situated within five (5) feet of the property boundary without ACC approval.

Exterior Site Lighting

Landscape and decorative up lighting on building façades, trees, and sidewalks is encouraged but must be submitted to and approved by the ACC prior to installation.

Minimum Square Footage

The minimum heated and cooled square footage in Hidden Creek Trail is 3,000 square feet, except the minimum for Lots 2-6 on Cherryhill Circle is 2,500 square feet.

Building Materials

- Brick, stone, stucco, or a similar material must be used in a minimum of eighty-five percent (85%) of each of the building wall surfaces that are not glass. Accent materials are strongly encouraged. All building materials must be approved prior to construction by the ACC. The rear and sides of the property must be of similar architectural design and style as the front and must contain equivalent quality materials. The ACC will not approve vinyl siding. Only concrete siding will be allowed.

- Roofing materials that are acceptable for visible sloping roofs are: Asphalt

shingle, clay tile, concrete tile, slate, or others approved by the ACC that are approved for a minimum of 30 years.

- The colors of the building materials must be compatible with each other and must not contrast dramatically to immediately adjacent plots. All dominant exterior building materials must use a limited mix of a consistent color range. Primary or bright colors will not be allowed. The colors used must be a palette of natural earth tones. All materials and colors are subject to ACC approval.

Garages

Garages must not be forward-facing. However, in situations where the main garage is not forward-facing, and the secondary garage is smaller with only a single door than the main garage and is situated off the main front elevation and/or protected by a porte-cochere or similar structure, exceptions may be made. If an exception is made, the forward-facing garage shall:

- be a minimum of 90’ from the back of curb and 40’ back from the front elevation of the house. Lot sizes, site plans, location, and sight lines will all be taken into consideration.
- have a high quality, decorative façade that matches the front of the home and blends well;
- include a decorative (not strictly utilitarian) overhead door (this applies to any other doors on the front)
- have a single garage door that is not wider than 13’ or taller than 8’

In addition, the homeowner will be expected to minimize the visual impact by keeping the overhead door closed on a routine basis. Also, it is preferred (but not required) that landscaping be placed alongside the (curved, if possible) driveway in such a way as to reduce sight lines. The ACC reserves the right to approve or deny forward-facing garage variance requests at their discretion. Submitting initial floor plans for soft approval is the best way to ensure the ACC will approve a forward-facing garage door. This is effective as of July 2026 and will govern all ACC plan submissions moving forward.

Acceptable Design Elements

- Variation in building heights, rooflines, and wall planes, with roof pitches being greater than 12/12 unless used for a design element on a small portion of the structure.
    - The ACC must approve in advance any roofs less than a 12/12 pitch.
- Use of accent materials such as stucco/plaster
- Brick/stone patterning or corbelling
- Variety of materials and textures
- Natural materials or approved synthetic materials
- Covered walkways
- Variety in window size and openings

- The ACC is cognizant of the ever-changing nature of architectural design and acknowledges that additions (and subtractions) from this list will be appropriate from time to time. Should you desire a design element not listed in this section, please submit your request to the ACC early in the design process in order to afford plenty of time to assess your request in a timely way that does not impede the progress of your project.

Driveways, Walkways, and Curb Breaks

Walks from the driveway or street pointing towards the front of the residence must have a minimum width of three (3) feet, maximum width of (8) feet, and be constructed entirely of concrete, stone and/or masonry. A curvilinear fashion is desired but not required. Each lot must provide a (4) foot public concrete sidewalk that is shaped curvilinear unless the lot is in the curve of a cul-de-sac. To achieve the curvilinear appearance, the inside peak of each curve should alternate between 4.5' and 6' from back of curb on 17' centers. See Exhibit A for visual example. Unless otherwise approved by the ACC, all driveways must be built completely with concrete. All concrete within five (5) feet of the rear of the street curb must match the finish and color of the street curb. No driveway or other road may be constructed on any lot in a manner that provides access to any other lot without the prior written consent of ACC. All curb breaks must be saw cut. No driveway installation can be on the property line. Installation of driveway must be a minimum of 6" (six inches) from property line.

Fencing Guidelines

The ACC reserves the right to approve all fencing materials for each lot in Legacy Bend - Unit 3 ("Hidden Creek Park"). All fence layouts and column locations of each lot must be submitted to the ACC for approval prior to installation. All fences must be installed on the property line, unless otherwise authorized by the ACC.

Lots with fencing that opens to Common Area:

3 Rail, every other picket with finial (aluminum and other metals allowed). See picture:

- Minimum fence height: 6' (8' preferred)
- 5/8" pickets
- 4" finials with 5/8" base, every other picket
- Rackable panels

- 2”x 2” powder coated black steel posts set in concrete to a depth of at least 1/3 to 1/2 of the actual above-ground height of the post.

Lots with side or rear fences adjacent to streets or common area walkways shall follow the following guidelines:

- Only ornamental iron (aluminum and other metals allowed) with stone columns (see metal fence requirements and Legacy Bend development stone structure specifications below) may be used.
- Rear and side (only the portion that is adjacent to the street or common area walkway) fencing must follow the guidelines in this paragraph, unless prior written approval from the ACC is obtained. The side fence **not** adjacent to streets or common area walkways shall follow paragraph “b” (below) of the Fencing Guidelines section.
- Fencing that adjoins the side of the house to the front of the side lot line (typically the stretch of fence that is parallel to the front of the house and faces the street) must be: (1) an ornamental metal fence (not required to follow the ornamental metal fence requirements in this section), or (2) a masonry fence.
- Stone columns (see Legacy Bend development stone structure specifications below) shall be placed at the corners of the lot. Columns are only required on the side of the lot that is adjacent to the street or common area walkway.
- Swimming pools in lots adjacent to streets or common areas must have an ornamental metal fence and must be properly located as required by law. All swimming pool fences must be approved by the ACC prior to installation unless otherwise indicated in writing.

Lots NOT adjacent to streets or common area walkways shall follow the following guidelines:

- Fences shall be composed of ornamental metal, cedar or other high quality, durable fencing material that matches the architecture of the residence (masonry columns preferred but not required). The masonry columns (if installed) may be constructed from brick or stone that matches the architecture of the residence and must be located at the front of the side lot line. Metal fence color shall only be black, bronze or a dark gray. Wood fence color shall only be (light or dark) brown or dark gray and should blend (as much as possible) with the landscape.
- Fencing that adjoins the side of the house to the front of the side lot line (typically the stretch of fence that is parallel to the front of the house and faces the street) must be: (1) an ornamental metal fence (not required to follow the ornamental metal fence requirements in this section), or (2) a masonry fence.
- Fence should act as a backdrop for the home and landscape, not a focal point.
- Materials and colors in this paragraph are subject to final approval in writing

by the ACC.

Swimming pools
Must be properly located on the lot as to meet city requirements and code. All swimming pool plans and fences must be approved by the ACC prior to installation unless otherwise indicated in writing.

Retaining walls
For lots adjacent to Hollytree Drive, retaining walls visible from Hollytree Drive must be faced with the Legacy Bend development stone (see specifications below).

For lots that are **NOT** adjacent to Hollytree Drive, the retaining wall must be faced with either: (1) brick or stone that matches the architecture of the residence or (2) Legacy Bend development stone.

Legacy Bend development stone structure specifications

- Footer: Concrete footers shall be made of 3,000 PSI Concrete also known as 5 Sack with #4 (1/2") rebar (2) top and bottom each way (4 pieces per footer). Four vertical pieces of #4 Rebar shall extend from the bottom of the footer to the top section of each CMU cavity. Any vertical joint in the rebar shall overlap 2' and be secured to one another with wire ties. Every CMU cavity shall be filled with 3,000 psi concrete.
- Legacy Bend columns (and walls) feature a dry stack appearance that consists of "Hillcrest, Ledgestone." A "dry stack" appearance is achieved by affixing the stones in place with mortar that is not easily seen and using galvanized wall ties that are positioned at every joint line in the CMU blocks during the construction of the CMU block.
- Stone Cap: The columns are to be "capped" with a single row, approx. 2" of Hillcrest Ledgestone. The "cap" must slightly overhang the body of the column approx. 2". "Caps" are not dry-stacked, the joints in the stone shall be filled with mortar and broomed finished. This will encourage water shedding off the top of the column.

- Dimensions: the columns must be 27” square (27” x 27”). Column height (including stone cap) must be 9” (nine inches) above the top of the ornamental fence (minimum height of ornamental fence facing a common area is six feet).

Trash Cans
Trash cans must be concealed from the sight of your neighbors or the street. Please plan and provide a spot for your cans to sit that is not visible from the street. A privacy screen is acceptable so long as the material of your screen matches the exterior of your home.

A/C Units and Meters
A/C unit(s) and meters must be concealed from the sight of the neighbors and the street. Ensure your unit(s) and meters are not visible from the street or install a privacy screen with materials that match the exterior of the home. If landscape is used to screen unit(s) or meters, at the time of planting, evergreen plants must be a minimum of 4’ tall and cover 75% of unit(s).

LANDSCAPE DESIGN GUIDELINES

LANDSCAPE DESIGN

The vision for Hidden Creek Park is to discretely tuck dwellings into the existing natural beauty of the land. The design of the landscape must be adaptive to these characteristics and, where possible, conserve native plants and trees. The mixture of native and naturalized plant material in informal natural patterns enhances the identity and preserves the character of the existing landscape, creating an effective mix between the built environment and preservation areas.

Landscaping design must be comparable in character to Legacy Bend's neighborhood design. This requires a plan for landscaping that at least demonstrates:

- Plantings of specimen trees, shrubs and groundcovers, annuals, and perennials from the Plant Material Selection List (see Appendix 1).
- Retaining and terracing to preserve existing trees and natural topography using boulders and/or stone walls.
- Landscape elements should be curvilinear and landscaped with a variety of native trees, shrubs, and groundcovers in natural, informal patterns to enhance the image of a natural environment.
- Pools and water features in general should be designed to blend with the surrounding landscape and provide adjacent lots and common areas with minimal disturbance.
- Grass must reflect the overall character of the site and ensure that the natural areas and the yard are seamlessly integrated.
- ***All hard wood trees 6 caliper inches or larger in the backyard and side yard that are outside building pad, plus 25’, must be preserved****.* Please take precautions to preserve these trees using tape and orange netting to ensure they

live through construction. Undesirable trees may be removed and replaced with an approved tree (refer to Appendix 1 or obtain ACC approval).

- ***Each lot must have a minimum of 2 trees in the front yard either preserved or replanted.*** At the time of planting, the tree must be at least 8 (eight) feet tall and at least 3 caliper inches. The homeowner is responsible for replacing the tree if it is determined at a later date that an unapproved tree has been planted or that the tree cannot attain minimum mature dimensions 5 (five) years after planting.
- Landscape designs must be approved by the ACC prior to installation. Grading, drainage, planting, irrigation, and site lighting must be visually depicted in these plans.
- To maintain the overall character and image of the site, the ACC reserves the right to make appropriate revisions and/or recommendations at any time and without notice.

ALL LOTS WITH BACK OR SIDE YARDS OPEN TO COMMON AREA (LOTS 2 & 6 ON CHERRY HILL & 1, 19, 28 & 10 ALONG HIDDEN CREEK TRAIL) MUST HAVE:

- ***Shrubbery planted in natural patterns inside the fence line*** that obscures visibility through fence.
- 1 (one) additional tree of no less than 3 (three) caliper inches selected from the Plant Material Selection List (see Appendix 1) to be planted or preserved near the side fence line (so there is one in the backyard and one in the front yard at completion). Full grown height must be 15 feet or greater. Prior to installation, the ACC must approve the planting spot.

- **PLANT MATERIAL SELECTION LIST**

All plant materials, including trees, shrubs, vines, groundcovers, perennials, and grasses must be chosen from the Plant Material Selection List (see Appendix 1) to achieve the objective of a cohesive natural environment at Legacy Bend. Should you desire a plant that is not on the list,

you may request approval from the ACC by submitting the name, a picture and a thorough description that (at a minimum) includes its mature size dimensions, native habitat, water requirements, any safety concerns and its susceptibility to disease. This information should be presented to the ACC in the form of a document (i.e. cut sheet, informational article, etc.) from a reputable third-party source.

- **IRRIGATION**

Unless approved in writing by the ACC, no sprinkler or irrigation system of any kind shall be built, constructed, or operated within the property if it functions to draw water from streams, reservoirs, lakes, wetlands or other surface water within the property.

To optimize performance, all irrigation systems must use a central, computerized controller and a rain gauge. All irrigation equipment (other than the controller and rain gauge) shall be sufficiently concealed below grade and shall be situated exclusively in landscaped areas. To provide deep root zone irrigation of trees and shrubs, the use of

an appropriate bubbler irrigation system is encouraged.

- **LANDSCAPE STRUCTURES**

  All landscape structures such as arbors, pergolas, porte-cocheres, greenhouses, gazebos, and/or decks must be located within the building setbacks and be consistent with associated building materials of the residential unit. All landscape structures require approval of the ACC prior to beginning of construction.

- **LANDSCAPE MATERIALS**

  Uniform landscape materials should be used, so that there is a common design thread that connects Hidden Creek Park to Legacy Bend and provides a visual relation throughout the site. This includes:

  - Landscape/retaining walls must complement building structure architecture, and the materials must be approved before installation by the ACC.
  - All beds must be mulched with a material approved by the ACC.
  - Stone or brick edging is encouraged where needed to establish appropriate grade. An earth tone color edging is also encouraged to maintain a natural look.
  - Site utilities such as trash receptacles, meters, etc. must be concealed from street sight, common areas, or any other area visible to the public.
  - Patios, seating areas, and remote access can alternatively be constructed of decomposed granite screenings or other material as approved by the ACC.
  - Any paver accents on sidewalks must be approved by the ACC.

- **LANDSCAPE MAINTENANCE**

  Landscaping should make the area look natural and must be maintained in a healthy and well-kept condition. This includes:

  - Suitable fertilization and irrigation
  - Keep the following areas free of weeds: landscape beds, cracks and joints in concrete (this includes weeds growing in the cracks of the street in front of your lot and the side street if located on a corner), and any other locations weeds develop.
  - Proper pest control must be maintained on all lots.
  - Prompt replacement of faded mulch and dead plant material in flowerbeds.
  - Grass trimmings shall be bagged or evenly distributed on lawn (no clumps of grass). No grass trimmings or landscape debris shall be left on the road, sidewalks, driveways, porches or any other hard surfaces. Each lot owner will be responsible for maintaining (i.e. removing trash, weeds, rocks or debris of any kind) from the curb to the midpoint of the road in front or on the side (if on a corner) of their lot.

Appendix 1

Plant Material Selection List

- **Shade Trees**

  - Bald Cypress / Pond Cypress - Taxodium distichum
  - Burr Oak - Quercus macrocarpa
  - Cherry Laurel - Prunus laurocerasus
  - Deodora Cedar - Cedrus Deodara
  - Eastern Red Cedar - Juniperus Virginiana
  - Japanese Black Pine - Pinus thunbergii
  - Lacebark Elm - Ulmus parvifolia
  - Live Oak - Quercus Virginiana
  - Loblolly Pine - Pinus taeda
  - Nuttal Oak - Quercus nuttallii
  - Pin Oak - Quercus palustris
  - Post Oak - Quercus stellata
  - Red Maple - Acer rubrum
  - River birch - Betula nigra
  - Seedless Sweetgum - Liquidambar styraciflua ‘Rotundiloba’
  - Shademaster Honeylocust - Gleditsia triacanthos ‘Shademaster’
  - Shantung Maple - Acer truncatum
  - Slash Pine - Pinus elliottii

- **Ornamental Trees**

  - American Holly - Ilex opaca
  - Chaste tree - Vitex agnus-castus
  - Chinese Pistachio - Pistachio chinensis
  - Crape Myrtle - Lagerstroemia indica
  - Dogwood - Cornus florida
  - Dwarf Southern Magnolia - Magnolia Grandiflora ‘Little Gem’
  - East Palatka Holly - Ilex x attenuata
  - Japanese Maple - Acer Palmatum
  - Leyland Cypress - Cupressocyparis leylandii
  - Possumhaw - Ilex decidua
  - Redbud (Eastern) - Cercis Canadensis
  - Rusty blackhaw - Viburnum rufidulum
  - Smoketree - Cotinus obovatus
  - Trident Maple - Acer buergerianum
  - Wax Myrtle - Myrica cerifera
  - Yaupon Holly - Ilex vomitoria

- **Grasses and Improved Turf Areas**

  - Bermuda
  - Centipede
  - Gulf muhly grass - Muhlenbergia capillaris
  - Inland sea oats - Chasmanthium latifolium
  - Mexican feather grass - Stipa tenuissima
  - Miscanthus - Miscanthus sinensis
  - St. Augustine
  - Switch grass - Panicum virgatum
  - Zoysia

- **Shrubs**

  - Abelia
  - American beautyberry - Callicarpa Americana
  - Azalea - Rhododendron
  - Banana shrub - Michelia figo
  - Barberry – Berberis vulgaris
  - Bottlebrush - Callistemon citrinus ‘Little John’
  - Butterfly bush - Buddleia
  - Cast Iron Plant - Aspidistra elatior
  - Cherry Laurel - Prunus laurocerasus
  - Chinese fringe flower - Loropetalum chinense
  - Cotoneaster
  - Dwarf palmetto - Sabal minor
  - Fernleaf Bamboo - Bambusa multiplex ‘Fernleaf’
  - Flowering Quince - Chaenomeles lagenaria
  - Forsythia
  - Gardenia – Gardenia jasminoides
  - Ginger (variegated)
  - Hibiscus - Althea
  - Holly Sky Pencil - Ilex crenata
  - Honeysuckle - Lonicera
  - Hydrangea spp.
  - Ilex spp.
  - Indian Hawthorne - Raphiolepis indica
  - Iris spp.
  - Japanese camellia - Camellia japonica
  - Japanese Yew – Taxus cuspidata
  - Knock-out Roses
  - Lilly of the Nile - Agapanthus spp.
  - Mountain Sage - Salvia regal
  - Mugo Pine - Pinus mugo

- Nandina – Nandina domestica
- Primrose Jasmine - Jasminum mesnyi
- Rose spp.
- Rosemary
- Sasanqua camellia - Camellia sasanqua
- Spiraea spp.
- St. John's Wort - Hypericum perforatum
- True Indigo - Indigofera tinctoria
- Viburnum spp.
- Wax leaf Ligustrum - Ligustrum japonicum 'Texanum'
- Wax myrtle - Myrica cerifera

- **Groundcovers/Vines**

  - Ajuga (bugleweed/carpetweed) - Ajuga reptans
  - Confederate Jesamine - Trachelospermum jasminoides
  - Coral Honeysuckle - Lonicera sempervirens
  - Crossvine - Bignonia capreolata
  - Ferns - Thelypteridaceae spp.
  - Ivy spp.
  - Lady banks rose - Rosa banksiae
  - Lirope spp.
  - Mondo grass - Ophiopohon japonicus
  - Passion Vine - Passiflora
  - Ruellias - Ruellia
  - Spring cinquefoil - Potentilla verna
  - Sweet Autumn Clematis - Clematis terniflora
  - Trumpet Vine - Campsis radicans
  - Veronica (Georgia Blue) - Veronica peduncalaris (or umbrosa)
  - Vinca
  - Virginia creeper - Parthenocissus quinquefolia
  - Wisteria