



# ARCHITECTURE REVIEW MANUAL

## POLICIES, GUIDELINES, PROCEDURES FOR SINGLE FAMILY HOMESITES IN CEDAR CREEK

THE CEDAR CREEK VILLAGE I & II ASSOCIATION NEW CONSTRUCTION  
COMMITTEE HAS ADOPTED AND APPROVED THESE ARCHITECTURAL  
REVIEW POLICIES, GUIDELINES AND PROCEDURES IN ORDER TO INSURE  
THE ORDERLY CONSTRUCTION OF HOMESITES IN CEDAR CREEK

# CEDAR CREEK ARCHITECTURAL REVIEW MANUAL

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## **AN INTRODUCTION TO THE CEDAR CREEK HOMESITES**

The best word to describe the philosophy of the Developer of Cedar Creek is a commitment to excellence...a strong determination and desire to create a superior living environment for generations to come through the preservation of the natural character of the site.

Our commitment has been to create a community concept with careful attention to details such as roadways and pedestrian systems with aesthetic concern for streetscapes and trees; and with high standards for architectural design and landscaping. The features of Cedar Creek are rightly enhanced by a championship golf course and land that is set aside as natural preservation areas.

Our homesites are available to the individual who wants the ultimate in their home through the use of custom builders and in keeping with the exterior architectural criteria established in this Manual.

Each stage of activity is being carefully monitored to assure compatibility with the master plan, the Declaration of Covenants, Conditions and Restrictions, and the Architectural Review Manual. The New Construction Committee will be controlled by Cedar Creek Development Company, Inc. until turnover and they are committed to specific principals and standards to be observed by all builders and homeowners. The Modifications Committee of Cedar Creek Village I & II Association, Inc. will control all architectural review functions within Cedar Creek after control is relinquished by Cedar Creek Development Company, Inc. We are dedicated to the protection of enduring property values and future improvements. Each detail has been carefully formulated to assure an attractive environment for all residents.

Our commitment to you and Cedar Creek is the reason behind this Manual and the spirit in which all of the professionals associated with creating this community have approached their roles and responsibilities. As members of the Cedar Creek Village I & II Association, Inc., we encourage you to embrace our commitment to excellence and the standards established herein.

## **INTRODUCTION TO THE NEW CONSTRUCTION COMMITTEE**

### **PURPOSE**

One of the most effective methods of assuring the protection of the master plan concept, community lifestyle environment, and individual property values is through the establishment of high standards of architectural review. In order to accomplish this objective, The New Construction Committee (NCC) reviews Applications and Design Documents (as defined in this Manual) for all new construction, including landscaping. Each application is evaluated on its own merits. The NCC will use this manual for the purposes of review but may individually consider the merits of any design due to special conditions, if, in the opinion of the NCC, it provides benefits to the adjacent homesites, the specific homesite, or to the community as a whole. The NCC does not seek to restrict individual creativity or preferences, but rather to maintain within the overall community the aesthetic relationship between homes, natural amenities, the golf course, and surrounding neighborhoods.

### **AUTHORITY**

The authority for the New Construction Committee is set forth by the Village I & II Association Declarations, which encumbers every lot. The NCC is responsible for carrying out its duties on behalf of all members of the association for the benefit of the total community. After a "Certificate of Occupancy" all new construction, any modifications, alterations or additions will be reviewed and acted upon by the Modifications Committee (MC) using this document as its primary criteria.

### **MEMBERS**

The New Construction Committee shall include (3) three to (5) five members appointed by the Developer. Members will be selected to create a balance of professionals with experience in architecture, construction and landscaping.

### **MAJORITY VOTE**

Each member of the New Construction Committee shall have an equal vote and a majority of all members of the NCC shall constitute a decision for approval or denial of an Application.



## **MEETINGS**

The New Construction Committee shall meet to review applications on a weekly basis, or as needed.

## **RESPONSIBILITIES**

The New Construction Committee is empowered to perform the following services:

1. To establish architectural motif and exterior architectural themes for all properties.
2. To establish Architectural Standards and Criteria to assist homeowners in maintaining property values.
3. To review all Architectural Review Applications for compliance with Architectural Standards and Criteria and with Declarations of Covenants.
4. To review plans for compatible architectural standards and harmonious relationships with neighboring properties.
5. To require high standards of architecture, site planning, landscaping and quality construction.
6. To monitor violations of Architectural Standards and Criteria and notify the Developer and Board of Directors of Cedar Creek Village I & II Association to take appropriate action.
7. To amend Architectural Standards and Criteria as may be required from time to time.
8. To contact applicants whose plan and specifications have been disapproved and to provide reasonable assistance and recommendations for adjustments to bring applications into compliance with Standards and Criteria and Covenants.
9. To maintain copies of applications, architectural documents and related records for a minimum of 3 years.
10. To inform Cedar Creek Village I & II Board of Directors regarding changes in Standards and Criteria as they may occur.

## **NEW CONSTRUCTION COMMITTEE POLICIES**

### **POLICY STATEMENTS:**

Property in Cedar Creek is subject to certain restrictions as further defined in the Declaration and the requirements contained in this Architectural Review Manual.

Great care has been taken in the planning, design and construction phases to ensure aesthetic harmony within Cedar Creek. To this end it is of the utmost importance that this special character is further enhanced by housing designs which are creatively conceived, environmentally sensitive and architecturally correct.

This Manual has been created to provide prospective owners, architects and builders with a set of parameters for the preparation of their drawings and specifications.

### **LIMITATION OF RESPONSIBILITIES:**

The primary goal of the NCC is to review the applications, plans, specifications, materials and samples submitted and to determine if the proposed structure conforms in appearance and construction criteria with the standards and policy as set forth by the NCC. The NCC does not assume responsibility for the following:

- a) The structural adequacy, capacity or safety features of the proposed improvement or structure.
- b) Soil erosion, incompatible or unstable soil conditions.

- c) Compliance with any or all building codes, safety requirements, governmental laws, regulations or ordinances.
- d) Performance or quality of work of any contractor.

#### **TIME LIMITATIONS:**

After the preliminary and final review and approval by the NCC, the builder must begin construction (excavation of foundation) within sixty (60) days from the date of approval or forfeit all approvals. In that event, a new application must be submitted, and approval obtained before commencement of construction. **Time to completion of home shall be no longer than 12 months.** Should additional construction time be necessary, requests must be submitted to the NCC for approval. Construction not completed absent extensions requested will be subject to fines and or other sanctions.

#### **APPLICATION SUBMITTALS:**

All applications are made by the builder on behalf of the prospective owner of a homesite in Cedar Creek.

#### **APPLICATION WITHDRAWAL:**

An application for withdrawal may be made without prejudice, provided the request for withdrawal is made by the applicant prior to stamping of final plans.

#### **APPEAL:**

If an application has been denied, or the approval is subject to conditions which the builder feels harsh, the builder may request a hearing before the full NCC to justify his/her position. After the hearing the NCC will review its decision and notify the builder of its final decision within ten (10) days of the hearing.

#### **VARIANCES:**

All variance requests shall be made in writing. Any variance granted shall be considered unique and will not set any precedent for future decisions.

#### **CONSTRUCTION DEPOSIT:**

A refundable construction deposit on every house to be constructed must be submitted by the builder upon lot closing. These funds will be utilized to repair any damage caused by construction personnel or equipment to adjacent property or amenities; used to clean the construction site, if necessary; or to ensure compliance with approved construction plans and Architectural Standards. The deposit will be returned, less any funds withheld, at receipt of the Certificate of Occupancy (C.O.) and upon satisfactory completion of a final inspection by the NCC.

#### **CONSTRUCTION INSPECTIONS:**

Periodic inspections may be made by the NCC while construction is in progress to determine compliance with the approved architectural plans and specifications. The NCC is empowered to enforce its policy, as set forth in the Declaration and this Manual, by any action, including an action in a court of law, to ensure compliance.

A final inspection by the NCC will be conducted upon completion of the residence prior to refund of the construction deposit.

#### **JOB SITE CONDITIONS:**

- a) All job sites will be kept in a neat and orderly condition and in accordance with KDHE SWPPP requirements and Cedar Creek Builder Erosion Control Addendum.
- b) Construction hours are **7:00 a.m. to 30 minutes after sunset seven (7) days per week** but are subject to rules and regulations as published by the NCC from time to time. These construction hours are subject to limitations imposed by Olathe's Noise Control Ordinance.
- c) All builders are required to post and keep on record with the Developer a 24-hour emergency phone number.

- d) All builders are required to keep their building sites clear of construction debris. It is recommended to have a closed container or fenced in area on each site to keep debris controlled.
- e) No flags, banners, or signs will be permitted unless approved by the NCC.
- f) All Builders are required to provide controls for dust, noise levels and soil erosion.
- g) Builders are prohibited from using empty lots as storage for equipment, lumber, gravel, or parking for subcontractors or any other vehicles during the construction process. However, with permission of Developer, a temporary use may be granted under special circumstances.

# CEDAR CREEK ARCHITECTURAL AND SITE PLAN APPLICATION

BUILDER\_\_\_\_\_DATE\_\_\_\_\_

ADDRESS\_\_\_\_\_PLAT/LOT\_\_\_\_\_

THIS APPLICATION IS BEING SUBMITTED FOR:

☐ PRELIMINARY REVIEW

☐ FINAL REVIEW

WE WILL NOT REVIEW AN INCOMPLETE APPLICATION.  
YOU MUST SUBMIT ALL OF THE ITEMS LISTED FOR EACH CATEGORY.

REQUIRED SCALES: SITE PLANS 1"=20' , ARCHITECTURE PLANS 1/4"=1' , LANDSCAPE PLANS 1"=10'  
SPEC HOMES REQUIRE 4 SETS OF ARCHITECTURE AND 3 SETS OF SITE PLANS,  
BUILD JOBS ONLY REQUIRE 3 SETS OF EACH. THE NCC WILL NOT RELEASE FINAL  
PLANS UNTIL THE STAKING ON THE LOT HAS BEEN APPROVED AND THE LOT HAS BEEN CLOSED

THE FOLLOWING ITEMS ARE SUBMITTED:

☐ SITE PLAN

☐ ARCHITECTURE PLANS

THIS MUST BE FILLED OUT AND  
APPROVED BY THE NCC PRIOR TO THE RELEASE OF PLANS

	MATERIAL/BRAND	COLOR
ROOFING	_____	_____
FRONT OF HOUSE	_____	_____
		<small>SUBMIT PAINT BRAND, COLOR NAME &amp; NUMBER</small>
BODY OF HOUSE	_____	_____
		<small>SUBMIT PAINT BRAND, COLOR NAME &amp; NUMBER</small>
FACIA/TRIM	_____	_____
		<small>SUBMIT PAINT BRAND, COLOR NAME &amp; NUMBER</small>
RETAINING WALLS	_____	_____
DRIVEWAY	_____	_____
FENCING	_____	_____
PATIO	_____	_____
DECKING	_____	_____

SEE EXHIBIT K FOR APPROVED COMPOSITION ROOF TYPES.

## **ARCHITECTURAL REVIEW PROCEDURES SINGLE FAMILY HOMESITES**

The following is an outline of the procedures for the plan submissions for single family detached homes.

### **STEP ONE: PRE-DESIGN MEETING**

Prior to the submission of construction plans, the builder is encouraged to meet with the NCC to discuss the proposed plans for all lot improvements.

### **STEP TWO: PRELIMINARY REVIEW**

The builder may submit any preliminary plans consisting of architecture and or grading plot plan. The NCC will review the application and design documents in a timely fashion and contact the builder with any comments the NCC had with the submitted plans.

### **STEP THREE: FINAL REVIEW**

The builder must submit 3 sets of the final construction plans plot pans as well as material samples, and color chips, as follows:

1. Completed Application Form
2. Final Site Plan: must show site of existing neighboring structures/improvements. **(1" = 20' scale)**
3. Final Floor Plan **(1/4" = 1'-0" scale)**
4. Final Exterior Elevations (all Sides): specifications, materials, color chips **(1/4" = 1'-0" scale) (1/8" = 1' acceptable on rear and side)**
5. Roofs: structure, materials, product photos
6. Facia and Trim: section details, materials, color chips
7. Patios, Decks, Balconies, Porches: specifications, materials, color chips, and dimensions
8. Privacy Fences/Retaining Walls: section details, heights, materials, color chips
9. Screen Enclosures: structure, materials, colors
10. Driveways: materials
11. Final Stake-Out
12. Final Grading Plan: **(1" = 20' scale), 2' contour interval (minimum)** with appropriate spot grades, foundation and retaining wall elevations, sidewalks, driveways, etc.

The NCC will review all design documents and return two sets of plans to the builder in a timely manner with the appropriate comments.

The NCC will require a field inspection of builder's stake-out of the building prior to granting approval.

The NCC will release plans for building permit after:

1. The lot is closed.
2. The staking is approved.

#### **STEP FOUR: SUBMISSION OF PLANS TO BUILDING DEPARTMENT**

Following Final Review approval, builders may submit approved plans to the City of Olathe Building Department, or other such agencies having jurisdiction for required permits.

#### **STEP FIVE: CONSTRUCTION COMMENCEMENT**

No construction activities, other than staking, can commence on a lot prior to closing. Upon receipt of Final Review approvals, lot closing and building permits, the builder can commence construction.

#### **STEP SIX: LANDSCAPE REVIEW**

The builder must submit two sets of the following for Landscape Review in a timely fashion for the NCC review two (2) weeks before installation:

1. Completed Application Form (1" = 10' scale)
2. Landscape Plan (1" = 10' scale) with cost estimate of nurseryman's estimate.
3. Exterior Lighting Plan.

The NCC will review all documents and return one set of plans to the builder with the appropriate comments.

#### **STEP SEVEN: HOME COMPLETION/CONSTRUCTION DEPOSIT**

Upon completion of construction, the developer will return the builder's construction deposit if the builder has complied with all NCC criteria and policies. The NCC does not require a final survey but reserves the right to request a final survey if we feel that unapproved variances have been made during construction. The NCC will do periodic inspections during construction, including checking the foundation after digging.

#### **DESIGN DOCUMENT CHANGES**

The builder must notify the NCC prior to making any changes to the approved plans. A letter with applicable support data (as required) must be submitted to the NCC for the file. Any major deviations (as solely determined by the NCC) may require full NCC approval prior to commencement of changes.

#### **PERIODIC INSPECTIONS**

The NCC reserves the right to inspect construction in progress for conformance with approved design documents and applicants agree to cooperate fully with members of the NCC. Any violations of approved design documents may be subject to a fine and/or a legal action. Fines may be withheld from the construction deposit.

#### **MAINTENANCE**

Routine interior and exterior maintenance of models, specs and pre-sales are the responsibility of the builder. The NCC will establish guidelines for the maintenance and the cost will be borne by the builder.

## **KEY ARCHITECTURAL GUIDELINES**

The following list summarizes those architectural elements which the NCC requires:

1. Preservation of the natural character of the site through stringent requirements for tree preservation, grading, retaining walls, and foundation exposure.
2. Use of certified and/or registered professionals qualified in the fields of planning, architecture, landscape architecture, engineering and surveying.
3. Emphasis in the aesthetics of exterior architectural theme/detailing and landscape architecture.
4. Landscaping of lots that meet or exceed the minimum requirements of the "Landscape and Design Section".
5. Approval of all signage by the NCC, including design, materials, location and installation. This will be strictly enforced.
6. Minimum of two (2) car garage. Large lots (150+/-feet) and corner lots will require side entry garages, except where the NCC exempts this requirement due to existing site conditions (steep slopes, vegetation). Circular driveways are permitted upon approval by NCC.
7. Use of concrete, bomanite concrete, bricks, or pavers for driveways. The use of crushed gravel, asphalt or natural driveways is prohibited.
8. Use of composition, cedar shakes or shingles; slate, clay, or pre-colored concrete tile; or other materials for roofing as approved by the NCC. See exhibit K.
9. Conformance with NCC required setbacks.
10. Approval of all exterior colors by the NCC.
11. Underground lawn irrigation system on all grassed areas unless exempted by neighborhood Supplemental Declarations.
12. Preservation of open spaces to the maximum degree possible. **Complete fencing of any lot is not allowed.** Privacy fences/walls are allowed but they must conform to the architectural style and materials used in the house design. Rear yard fencing is allowed on some lots and must be wrought iron or of similar open character. Fencing is discouraged but may be allowed in the rear of golf course and lake lots but may not be constructed within the rear twenty-five feet (25') of the lot. All fencing must be approved by the NCC prior to installation.

For specific details and additional information, the builder should refer to specific sections in the Architectural Review Manual under Architectural Standards and Criteria.

## **ARCHITECTURAL STANDARDS AND CRITERIA**

### **GRADING, DRAINAGE, AND EROSION CONTROL**

All buildings must blend with the natural grade of the site and surrounding properties. Multi-level or stair-stepped designs may be encouraged on some lots due to slope and grade conditions. Excavation or fill in the front, rear, or side yard setbacks must be kept to a minimum with special attention given to maintaining existing trees.

- a. All finished grading must meet existing grades at property lines and be compatible with neighboring lots.
- b. Foundation exposure must be kept to a minimum. The NCC prefers a foundation exposure of 6 inches; however, a maximum exposure of 24 inches will be allowed if proper sloped or stepped foundation treatments are used (see Exhibit A). Stucco applied directly on foundation walls does not meet the NCC requirement as outlined in this section. On houses having stucco siding, the stucco may be carried down over the foundation, as long as both surfaces are in the same plane.

c. All retaining walls, if required, shall not exceed a four feet average in height. Where slopes require more than four feet of retention, a series of stair-stepped walls, with planting spaces between, will be required. For erosion and silt control during construction, the NCC requires the use of straw bales or silt fencing. It is particularly important that silt control be carefully monitored along the lake, golf course, sloped banks, and on lots adjacent to completed home sites.

Within any sloped bank, no activity may take place that would interfere with or damage established slope ratios, create erosion or sliding problems, or change the flow of water through drainage channels. No slope can be altered unless approved by the NCC. The NCC will require that all steep slopes in rear yards adjacent to the lake shores and other drainage channels will be left in their natural undisturbed state to preserve the original character of Cedar Creek.

## **EXTERIOR MATERIALS AND COLORS**

The NCC shall have the authority to review, consider, and approve alternate building materials on a case-by-case basis. Certain materials and finishes, and combinations thereof, are more appropriate than others. Materials not listed or new building materials as they are developed, or become available, will be given special consideration, provided their use harmonizes with the community.

- a. The NCC prefers that exterior materials be consistent on all four sides of the residence.
- b. Artificial, simulated, or imitation materials are not permitted unless allowed in other sections of this manual; and the use of indigenous materials is recommended.
- c. The following materials are prohibited:
  - 1. Masonite "Board and Batt" siding
  - 2. Masonite "Woodsmen" siding panels
- d. The following materials are allowed:
  - 1) Wood - boards, timbers, roughsawn lumber, lap siding, shingles, shakes
  - 2) Masonry - stone, brick, stucco and specified manufactured stone products in certain neighborhoods. All columns or other architectural features that can be viewed by all sides and built with manufactured stone must be wrapped 360 degrees around the column or architectural feature.
  - 3) Metals - aluminum (anodized or baked-on enamel), copper, bronze, brass, and wrought iron or galvanized iron (painted). Brightly finished metal is prohibited. Brightly finished artificial colors are prohibited.
  - 4) Composition Materials
    - a. Louisiana-Pacific lap siding or equal may be allowed on certain architectural styles.
    - b. Louisiana-Pacific "smart panel" siding or equal (with approval of NCC) may be allowed; (see exhibit J for preferred installation). "Board and Batt" style with LP "Smart" products may be used as an accent on portions of a house; but may not to be used for whole sides of homes.
  - 5) Roofs
    - a. Use of composition, cedar shakes; slate, clay, or pre-colored tile; or other materials for roofing as approved by the NCC.
  - 6) Cement-Based Products – Manufactured product descriptions can change and will be allowed on a case-by-case basis.
- e. The NCC shall have final approval of all exterior colors and each builder must submit an application to the NCC, prior to initial construction and development of any lot, a color plan showing the colors of the roof, exterior walls shutters and trim, etc. The NCC will also consider the extent to which the color scheme conforms with the natural scheme of Cedar Creek.



- f. The **EXTERIOR COLOR SCHEMES for RESIDENCES** (excluding masonry) **MUST BE PRE-APPROVED** and are limited to a maximum of four colors that coordinate and are aesthetically pleasing, and include:
1. A body color,
  2. A trim color,
  3. And up to two other colors from the following:
    - An accent color,
    - Pre-finished or anodized metallic or clad windows and/or doors,
    - Architectural features with colored metal roofing,
    - Stained/finished natural wood or composite material doors, garage doors, shutters and architectural features,
    - Manufactured “wood look” finished doors, garage doors, or shutters may be approved on a case-by-case basis if product is of acceptable quality and the color is consistent with the color scheme of the residence.

**NOTE: FAUX PAINTING FOR AN “ARTIFICIAL LOOK” OF STAINED WOOD OR ANY OTHER MATERIAL, ON EXTERIOR SURFACES WILL NOT BE APPROVED**

**Additional Requirements**

- Front doors must be one of the colors in the color scheme.
  - Garage doors not painted either the body or trim color must be:
    - an approved accent color and the front door plus one or more architectural element(s) on the front of the residence is painted the same color, or
    - the garage doors are approved per paragraph h.3. above.
  - All painted sides of a home must be the same body color. Some paint schemes will allow for two body colors to be used on the front of a house. Those colors will be approved on a case-by-case basis. Window trim must match/blend with window frame and grid colors. Some neighborhoods require all trim to be painted the same on all four sides.
- g. Duplicate, or very similar, color schemes will not be approved for use within at least two houses on the same side of the street and the three houses directly across the street from an existing residence.
- h. Once a color scheme is approved for a residence, the entire color scheme will be approved for repainting by the same resident. However, if any aspect of the previously approved color scheme is changed, the new color scheme shall be subject to review and approval by the Modifications Coordinator.
- i. Manufactured “wood look” finished materials may be approved on a case-by-case basis if consistent with the color scheme of the residence. Wood staining of garage doors, shutters and other architectural elements are allowed on natural wood products and composite products only. Faux painting for the “artificial” look of stained wood of exterior surfaces not listed previously will not be approved ie steel garage doors.
- j. Duplicate, or very similar, color schemes will not be approved for use within at least two houses on the same side of the street and the three houses directly across the street from an existing residence.

**SIZE OF RESIDENCE AND SETBACK CRITERIA**

- a. Each architectural design shall be considered on an individual basis with specific emphasis on impact and harmony with surrounding homes and styles. The overall intent is to maintain a feeling of open green space between units. No encroachment into any setback will be allowed unless approved by the NCC. See Exhibit “C” for general NCC “Typical Setback Requirements”. Any variance shall be considered unique and will not set any precedent for future decisions.
- b. The NCC reserves the right to revert to thirty (30') foot setback when special lot conditions exist in neighborhoods that have a setback greater than thirty feet.
- c. On all lots that have frontage on the golf course or on the lake, there is a restrictive golf course and lake nature preserve area. Absolutely nothing can be constructed or disturbed in this area (see Exhibit C-1), specifically

including any existing vegetation, without the approval of the NCC. See complete restrictions for the “Nature Preserve Area” in the Landscape Section of these guidelines.

- d. In developments having private streets, the front of the structure can be no closer to the street than the edge of the platted Access Utility Easement. A minimum driveway length of 25' will be required.
1. 35' minimum front yard setback will be required on certain lots in these neighborhoods.
2. Maximum Building Height: Front Elevation - 2 Story Rear Elevation - 3 Story
3. On certain high-profile lots, including, but not limited to golf and lake lots, the NCC may not allow a full two-story elevation plus a walkout.

## **ELEVATIONS**

Cedar Creek is a community designed for contemporary living in a resort setting. Natural flowing streets, trees and flowers will blend with residences of rich nature and fine detailing. It is desirable for the homes of our community to exhibit the individuality of their owners as well as the characteristics of the selected architectural style. But it is also important that basic design principles inherent in good architecture are observed, for example:

Will building materials allow for pleasing and harmonious exterior?

Are colors appropriate and used with restraint?

Is there a consistent scale used throughout the design of the residence?

Is each element designed in proportion to the others?

Terms such as “sound design” and “good taste” are difficult to describe and even more difficult to legislate. Good architectural design should incorporate architectural elements that have withstood the test of time. With this in mind the NCC will:

- a. Prohibit elevations that are duplicates in appearance of any existing or approved home in certain neighborhoods. The use of different materials may preclude this requirement, if approved by the NCC.
- b. Require that elevation approval shall consist of review of front, side and rear elevations.
- c. No 4-car front loaded garages will be allowed. The NCC will allow a 3-car front loaded 1 car side loaded, 2 car front loaded 2 car side loaded, 4 car with an angled garage or 4 car side loaded. Contact the NCC with any questions.

# CEDAR CREEK

## NEIGHBORHOOD COMPARISON

### ACTIVE NEIGHBORHOODS

Subdivision	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Rear Yard** Setback on Golf/Lake	Ranch Min. Sq. Footage	Two Story Min. Sq. Footage	1 1/2 Story Min. Sq. Footage 1st Flr/2nd Flr	Front Exterior Building Materials	Side & Rear Building Materials	Roofing Materials	Landscape Minimum Allowance
Hidden Lake Estates	35 Feet	12.5 Feet/25 Feet Between Homes	25 Feet	N/A	2,600 Sq. Ft.	3,600 Sq. Ft.	3,300 Sq. Ft. 2,200/1,100 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Brick	Stucco, Lap Siding, Shingle, Natural Stone, Brick	Tile, Slate, Wood Shingle, Apvd. Comp Apvd SS Metal	1% of Home Price Irrigation Req
Valley Ridge	30 Feet	7-10 Ft - lot dep 14 - 20 Feet Between Homes	25 Feet	N/A	1,900 Sq. Ft.	2,450 Sq. Ft.	2,300 Sq. Ft. 1,700/600 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Brick,Artificial Stone	Stucco, SmartPanel Siding, Lap Siding, Shingle, Natural Stone, Brick,Artificial Stone	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
The Ridge at Shadow Glen	30 Feet	7 Feet/14 Feet Between Homes	25 Feet	25 Feet	1,600 Sq. Ft.	2,400 Sq. Ft.	2,200 Sq. Ft. 1,600/600 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Tile, Slate on golf lots Wood shingle, SS Metal , Approved Composition on rest	1% of Home Price Irrigation Req
The Villas at Hidden Lake	30 Feet	7 Feet/14 Feet Between Homes	25 Feet	N/A	2,100 Sq. Ft.	N/A	2,400 Sq. Ft. 1,800/600 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Tile, Slate, SS Metal , Approved Composition	1% of Home Price Irrigation Req
The Meadows at Valley Ridge	25 Feet	7 Feet/14 Feet Between Homes	25 Feet	N/A	1,600 Sq. Ft.	N/A	2,000 Sq. Ft. 1,400/600 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Brick,Artificial Stone	Stucco, Lap Siding, Shingle, Natural Stone, Brick, Artificial Stone	Tile, Slate,Approved Composition, SS Metal	1% of Home Price Irrigation Req

The NCC reserves the right to revert to the platted thirty (30') foot setback when special lot conditions exist and allow for side yard variances as long as the minimum allowed between homes is met.

\*\*On all lots that have frontage on the golf course or on the lake, there is a restrictive golf course and lake nature preserve area. Absolutely nothing can be constructed or disturbed in this zone, specifically including any existing vegetation, without prior approval of the NCC. See complete restrictions in the Architectural Review Manual which is subject to change.

# CEDAR CREEK

## NEIGHBORHOOD COMPARISON

### FINISHED NEIGHBORHOODS

Subdivision	Front Yard Setback	Side Yard Setback	Rear Yard Setback	**Rear Yard Setback on Golf/Lake	Ranch Min. Sq. Footage	Two Story Min. Sq. Footage	1 1/2 Story Min. Sq. Footage 1st Flr/2nd Flr	Front Exterior Building Materials	Side & Rear Building Materials	Roofing Materials	Landscape Minimum Allowance
The Reserve at Shadow Lake	50 feet	25 Feet/50 Feet Between Homes	25 Feet	35/25 Feet	3,300 Sq. Ft.	4,500 Sq. Ft.	4,000 Sq. Ft. 2,700/1,300 sf	Stucco, Lap Siding, Shingle, Natural Stone, Brick	Stucco, Lap Siding, Shingle, Natural Stone, Brick	Tile, Slate Approved SS Metal	1% of Home Price Irrigation Req
North Shore Estates	40 Feet	20 Feet/40 Feet Between Homes	25 Feet	25 Feet	2,900 Sq. Ft.	3,900 Sq. Ft.	3,600 Sq. Ft. 2,800/800 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
The Estates of Shadow Lake	40 Feet	20 Feet/40 Feet Between Homes	25 Feet	25 Feet	2,900 Sq. Ft.	3,900 Sq. Ft.	3,600 Sq. Ft. 2,800/800 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
The Retreat at Hidden Lake	35 Feet	15 Feet/30 Feet Between Homes	25 Feet	25 Feet	2,400 Sq. Ft.	3,400 Sq. Ft.	3,200 Sq. Ft. 2,400/800 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick, Artificial Stone	Stucco, SmartPanel Siding, Lap Siding, Shingle, Natural Stone, Natural Brick, Artificial Stone	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
Shadow Highlands	35 Feet	12.5 Feet/25 Feet Between Homes	25 Feet	25 Feet	2,400 Sq. Ft.	3,200 Sq. Ft.	3,000 Sq. Ft. 2,200/800 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
North Lake Ridge	30 Feet	10 Feet/20 Feet Between Homes	25 Feet	25 Feet	1,600 Sq. Ft.	2,400 Sq. Ft.	2,200 Sq. Ft. 1,600/600 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
Hidden Lakes North	30 Feet	10 Feet/20 Feet Between Homes	25 Feet	N/A	1,600 Sq. Ft.	2,400 Sq. Ft.	2,200 Sq. Ft. 1,600/600 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
Cedar Glen	30 Feet	10 Feet/20 Feet Between Homes	25 Feet	25 Feet	1,600 Sq. Ft.	2,200 Sq. Ft.	1,800 Sq. Ft. 1,400/400 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Stucco, SmartPanel Siding, Lap Siding, Shingle, Natural Stone, Natural Brick	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
Southglen at Cedar Creek	30 Feet	10 Feet/20 Feet Between Homes	25 Feet	N/A	1,600 Sq. Ft.	2,400 Sq. Ft.	2,400 Sq. Ft. 2,000/400 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick, Artificial Stone	Stucco, SmartPanel Siding, Lap Siding, Shingle, Natural Stone, Natural Brick, Artificial Stone	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irr on Sumac
The Woods of Southglen	30 Feet	10 Feet/20 Feet Between Homes	25 Feet	N/A	2,000 Sq. Ft.	2,700 Sq. Ft.	2,400 Sq. Ft. 2,000/400 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick, Artificial Stone	Stucco, SmartPanel Siding, Lap Siding, Shingle, Natural Stone, Natural Brick, Artificial Stone	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
The Crossings at Southglen	25 Feet	7 Feet/14 Feet Between Homes	25 Feet	N/A	1,600 Sq. Ft.	2,400 Sq. Ft.	2,200 Sq. Ft. 1,600/600 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Brick, Artificial Stone	Stucco, SmartPanel Siding, Lap Siding, Shingle, Natural Stone, Brick, Artificial Stone	Tile, Slate, Wood Shingle, Approved Comp.	\$3,000 Irrigation Req
The Cottages of Glen View	30 Feet	7 Feet/14 Feet Between Homes	25 Feet	N/A	1,600 Sq. Ft.	N/A	2,200 Sq. Ft. 1,600/600 Sq. Ft.	Stucco, Natural Stone, Natural Brick	Stucco, Natural Stone, Natural Brick	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
The Links	25 Feet	7 Feet/14 Feet Between Homes	25 Feet	25 Feet	1,600 Sq. Ft.	N/A	2,200 Sq. Ft. 1,600/600 Sq. Ft.	Stucco, Natural Stone	Stucco, Natural Stone, Natural Brick	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
Cedar Ridge	25 Feet	7 Feet/14 Feet Between Homes	25 Feet	25 Feet	1,600 Sq. Ft.	N/A	N/A	Lap Siding, Natural Stone	Lap Siding	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
The Bluffs	25 Feet	7 Feet/14 Feet Between Homes	25 Feet	N/A	1,600 Sq. Ft.	N/A	N/A	Lap Siding, Natural Stone	Lap Siding	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
Clubsides	25 Feet	7 Feet/14 Feet Between Homes	25 Feet	N/A	N/A	N/A	2,200 Sq. Ft. 1,600/600 Sq. Ft.	Lap Siding	Lap Siding	Tile, Slate, Wood Shingle, Approved Comp.	1% of Home Price Irrigation Req
The Villas of Shadow Glen	30 Feet	7 Feet/14 Feet Between Homes	25 Feet	25 Feet	1,600 Sq. Ft.	N/A	2,200 Sq. Ft.	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Stucco, Lap Siding, Shingle, Natural Stone, Natural Brick	Tile, Slate	1% of Home Price Irrigation Req

The NCC reserves the right to revert to the platted thirty (30') foot setback when special lot conditions exist and allow for side yard variances as long as the minimum allowed between homes is met.

\*\*On all lots that have frontage on the golf course or on the lake, there is a restrictive golf course and lake nature preserve area. Absolutely nothing can be constructed or disturbed in this zone, specifically including any existing vegetation, without prior approval of the NCC. See complete restrictions in the Architectural Review Manual.

## **ROOFS, FIREPLACES, CHIMNEYS, SOLAR PANELS, GUTTERS & SKYLIGHTS**

- a. The roof pitch must be consistent with the architectural style of the building. The minimum pitch on gabled or hipped roofs is 5 on 12 with approval by NCC. Flat roofs will be permitted only when they fit in with the design scheme of the residence, and are visually appealing from other lots, roads, or open spaces.
- b. Roofs shall be pre-colored concrete tile, clay, tile, slate, cedar shakes, approved composition types, or other material as approved by the NCC. No gravel or tar roofs are allowed.
- c. Roof colors shall be an integral part of the exterior color scheme of the building. The only NCC approved composition roofs are listed in **Exhibit K**. Only **colorless sealants** are approved for use on cedar shake roofs.
- d. Masonry fireplaces are encouraged, but if a prefabricated fireplace is installed, it must meet NCC requirements of proper foundation, architectural design, and proper roof capping. Roof stacks and plumbing vents shall be placed on rear slopes of the roofs where possible.
- e. Chimney flues, including caps, may not extend more than 12 inches above the chimney chase, except in the case of decorative clay pots. Direct vent chimneys must extend down to "top of wall" elevation (see Exhibits D - H). Where exposed foundation exceeds six inches landscape screening must be utilized.
- f. Each request to the NCC for solar panels will be considered on its own merit because of differing styles of architecture and because of new developments in solar technology which may result in new collector designs and size requirements.

The most acceptable installation, architecturally, would be one that is installed at the same pitch as the roof and is rear facing. The solar panels must be the same color as the roof or as near as possible. Tanks and pipes must be concealed from view.

- g. Guttering must be painted to match the color scheme of the home unless natural solid copper is used.
- h. Skylights must blend with, and not visually "standout" from, the roofing material on the residence. Skylights cannot face the street, and "globe" skylights can only be installed on rear-facing parts of the roof. Skylight location, style, dimensions, height above the roofline, color and finish will be the primary consideration in the approval process.

## **DOORS, WINDOWS**

- a. Brightly finished or bright plated metal exterior doors, windows, window screens, louvers, exterior trim, or structural members shall not be permitted. The use of anodized metal, composite or wood is the preferred material.
- b. The use of mirror finishes or reflective film on windows is prohibited.
- c. Insulated glass windows, both casement and double hung, are required.
- d. Window type must be consistent throughout the house. A mixture of double hung, and casements is not allowed. Fixed glass windows may be used with either style.
- e. Any window replacement that is different in style, material or color than the original must be repeated to all the windows on that side of the house at the same time.

**NOTE:** All metallic, clad and composite windows and doors must be anodized or otherwise prefinished in a permanent color consistent with the color scheme of the residence.

## **GARAGES, DRIVEWAYS, SIDEWALKS, AND EXTERIOR LIGHTING**

- a. All residences shall have a minimum two (2) car garage, with side entry garage required on the large lots and corner lots as terrain will permit. No carports are allowed.
- b. It is the NCC's intent to keep large expanses of paved surfaces to a minimum. Circular driveways are permitted where approved by the NCC. Three (3) car driveways must be narrowed to two (2) car width at curb (see Exhibit I). No basketball or other game court marking lines shall be painted on driveways.
- c. No curb side parking areas may be created by extending any portion of the street pavement.
- d. Use of crushed gravel, asphalt, or natural driveways is prohibited. Plain concrete, patterned concrete, bomanite stamped concrete, interlocking pavers, brick, or other stone finishes are required.
- e. All proposed exterior lighting must be detailed on the landscape plans. No lampposts will be permitted in front or side yards and only low voltage landscape lighting will be permitted in those areas. No exterior lights shall be aimed at streets or adjacent housing or lots. No exterior lighting shall be permitted, which in the opinion of the NCC, would create a nuisance to the adjoining property owners.
- f. Low voltage string/party lights may only be installed in the rear yard around patio or deck perimeters and can only be illuminated when patio or deck is in use or until 10:00 pm daily when not in use.
- g. Sidewalks are installed by the builder, per the City/Developer's approved sidewalk plan at the time of home construction, and will be maintained by the City of Olathe

## **AWNINGS, DECKS, SHUTTERS, FENCES, AND WALLS**

- a. Retractable canvas awnings may be installed on the rear side of residences to provide shade for the patio and deck areas. Additionally, retractable, vertical sunshades may be installed on approved permanent, overhead decking or pergolas provided the retractable mechanism is mounted or installed in a manner in which it is not visible on the exterior of the home or attached structure. Both products require approval from the NCC or MC, whichever is applicable.
- b. Shutters which are a part of the architectural theme of the residence must be finished in coordination with the color scheme of the home. They must be functional or give the appearance of being functional.
- c. All exposed deck components, other than metal rails and spindles, shall be redwood, cedar, CCA treated wood or approved composite material. All vertically exposed deck materials, other than pre-finished metal rails and spindles, shall be painted or stained the same color. The deck color must be one of the colors in the color scheme of the residence and blend with, rather than stand out from, deck rails and spindles and the color scheme of the home. Once approved, the deck must be maintained using a clear sealer, or other products, to prevent the deterioration and blackening of the materials. All colors must be approved by the NCC.
- d. All exposed wood components on exterior living spaces (deck, screened porch, pergola, etc.) Shall be painted or stained so as to coordinate with the color scheme of the home; and once approved, must be maintained using a clear sealer, or other products, to prevent the deterioration and blackening of the materials. All colors must be approved by the NCC.
- e. Complete fencing (front, side, and rear) of any lot is prohibited. Partial rear yard fencing may be allowed on some lots only with approval of plans by the NCC; however, rear yard fencing may not be approved in some cases. Fencing may not extend any further forward on a lot than the rear line of the house (generally, as defined by the two (2) rear corners of the residence) without specific approval of the NCC; and no fencing will be permitted beyond any applicable build line. In certain instances of build line differences between adjoining properties screening the fence with plant material may be required. No whole yard fencing is allowed in maintenance provided neighborhoods; however partial yard is allowed for dogs etc with NCC approval. **See exhibit E.**
- f. No fencing is allowed in Golf Course or Lake Nature Preserve Areas.

- g. All fence material must be black wrought iron or a similar material, open character, 48" in height and must be approved by the NCC. Underground electric fencing is recommended for pet management.
- h. Fencing for homes with pools can be either 5' in height with a standard style or use a 4' fence but it must be a **flat top, two rail, flush bottom** style to meet City of Olathe code. A same style 48" high gate requires a top pull MagnaLatch® gate latch, or similar, to meet the city code.
- i. Privacy fences or walls around patio areas that are an integral part of the residential design may be used but may not be closer than five (5) feet from the property line or greater than six (6) feet in height. All proposed privacy fences/walls must be approved by the NCC prior to installation. They must conform to the architectural style, materials and colors of the residence.
- j. Sprinkler controls, air conditioners, gas meters, and other similar utilitarian devices may be fenced, walled, or landscaped provided they do not extend more than two and a half (2 ½) feet into the setback and the type of materials used is approved by the NCC.
- k. All retaining walls constructed shall not exceed an average 4' in height. Where slopes require more than 4' of retention, a series of stair-stepped walls with planting spaces between will be required (see Exhibit B). Allowable Materials: Stacked Stone, Laid Stone, Stuccoed Concrete Walls with stone or brick cap, Brick, or any Man-made stone (with permission of N.C.C.).

#### **AIR CONDITIONERS, RADON MITIGATION EQUIPMENT AND TRASH CONTAINERS**

- a. All air conditioning units shall be shielded and hidden as much as possible to limit the visibility from any street or adjacent property.
- b. Window and/or wall air conditioning units shall not be permitted.
- c. All radon mitigation must comply with applicable Environmental Protection Agency, state and local standards, directives, ordinances, etc. Radon Mitigation equipment and venting must be installed inside the structure and then outside through the roof. If such an installation is truly impossible (and not just more cost-effective), any exposed venting on a side of the residence must be boxed with the same material and color as that used on the residence. The boxing must extend from the top of the foundation to the eave, the venting must extend through the eave and out the roof. If the exterior equipment is installed behind the rear line of the residence, the venting must be painted/screened to blend with the residence and limit visibility from streets and adjacent properties.
- d. All garbage, trash, recycling and yard waste containers shall be kept inside the garage, beside or behind the residence (only if properly screened as determined by the N.C.C.). Containers can only be placed at the curb according to the Olathe municipal code 6.04.050.

#### **SIGNS, ANTENNAS, FLAGPOLES AND WIND TURBINES**

- a. Placement of satellite dishes must conform to the City of Olathe Unified Development Ordinance. All satellite dishes shall be approved by the NCC prior to installation (Dish cannot be installed where it will be seen from the street).
- b. A flagpole is defined as a metal pole, permanently mounted in the ground, that is specifically designed to display flags and utilizes a cable/rope/pulley system to raise and lower the flag into position. The top of the flagpole must not exceed the height of the ridge of the associated structure at its highest point. The flagpole must be at least 22' in height. If one flag is flown it must be the flag of the United States of America. Two flags may be flown at one time; however, the uppermost flag must Always be the flag of the United States of America. The second flag may be a State flag from a State in the United States of America, a branch of the US Military, a sports team, or an educational institution. The maximum size of a flag is approximately 4' x 6', a maximum of one flagpole will be allowed per residential lot. No flagpole shall be used as an antenna or wind turbine mount. Flagpole requests are subject to the approval of the NCC.
- c. All signs, billboards, and advertising structures (including flags and banners), are prohibited on any lot except with the written permission of the NCC. No sign shall be nailed or attached to any tree.

- d. Vertical axis wind turbines will be considered on a case-by-case basis. Factors considered will include noise and visual nuisances.

## **SWIMMING POOLS, TENNIS COURTS, ACCESSORY STRUCTURES, PLAY EQUIPMENT, AND DECORATIVE OBJECTS**

- a. All plans for swimming pool construction, fencing, screening, etc., must be submitted to the NCC for approval prior to construction. Above ground swimming pools shall not be permitted. Swimming pools will be discouraged on the street side of the residence. Pool screening and decks cannot be constructed in the rear building setback on golf course and lake nature preserve lots. Pool houses, cabanas, or pump houses will be permitted only if compatible with the architecture of the residence and approved by the NCC. Pool equipment must be screened from view from surrounding streets and properties and must be approved by the NCC.
- b. Accessory structures, such as tool sheds, doghouses, etc. are not permitted, unless architecturally compatible with the residence. Such structures must be screened from street view and from surrounding properties and must be approved by the NCC on a case-by-case basis
- c. All playground equipment, including, but not limited to, playhouses, trampolines, swingsets, etc., shall be placed in the rear yard of the lot, shall not be placed within fifteen feet (15') of a rear property line and fifteen feet (20') from any side yard property line. Additional plant screening may be required dependent on the site and a case-by-case basis only with the approval of the NCC. All playground equipment must be constructed of wood and in colors that blend with the natural surroundings and must be screened with plant material to screen the view from street. Structure size cannot exceed 14 feet wide x 27 feet long x 12 feet in height, and no more than one "tower" on the structure is allowed.
- d. Absolutely no decorative objects, such as sculptures, birdbaths, fountains, etc., shall be placed or installed on the street side of any lot without approval of the NCC. Any yard ornamentation must be of sufficient quality and scale to be in keeping with the high aesthetic standards required in the community. Artificial plants in pots or other containers shall not be approved.
- e. Tennis courts and backyard courts are permitted when lot size is sufficient and conducive (minimal grading, etc.). Placement, materials, retaining walls, fencing, screening and a landscape plan must be approved prior to beginning construction. Court finish colors must be approved and must be subdued rather than stand out from adjoining properties (no bright colors).
- f. One permanent basketball goal will be permitted per residence and must be approved by the NCC as to placement on the lot. Goals must not be attached to the house. They are to be on a separate pole, painted black and backboard must be of glass or clear construction. **Note: NO New Portable Goals Are Allowed.**
- g. Pergolas and such like open roof structures shall be allowed within twenty feet (20') of the side yard and rear yard property lines.

## **LANDSCAPING AND DESIGN**

### **A. Design Guidelines**

It is the purpose of this section to establish certain requirements and regulations that set a minimum aesthetic standard for functional landscape treatment from lot to lot without strict definition of property lines. This proposed treatment of the landscape is composed of living elements which, when properly and effectively combined, will greatly enhance the total man-made and natural environment.

It is recognized that, among the many benefits, landscape elements can effectively provide shade and cooling, control and modulate views, and at the same time contribute to air-purification, oxygen regeneration, noise absorption, glare reduction, wind and heat abatement, and increased water absorption into the soil due to the reduction of water run-off.



In summary, the landscape treatment will achieve three highly desirable attributes in community development. First, the implementation of a high level of community aesthetics; second, the preservation of the best characteristics of the natural environment; and third, utilization of the landscaping to cool and heat the home through natural elements.

## B. Minimum Landscape Requirements

- 1) The minimum landscape allotment is one (1%) percent of the total lot and house value (except in designated neighborhoods) and only includes shrubs and trees, but excludes sod, irrigation, grading, and any hard surfaces. However, with a home that requires landscape screening on more than the front side, the budget shall be accommodated for the additional planting requirement.
- 2) Foundation landscaping is required for all lots and attention should be given to all elevations. Front yards of all homes shall present an attractive appearance, emphasizing and reinforcing the major entry and the architectural design of the house. For Meadows, Villas at Hidden Lake and The Ridge sized lots a **minimum of 25 shrubs** are required, Valley Ridge sized lots a **minimum of 35 shrubs** are required and for Hidden Lake Estates sized lots a **minimum of 50 shrubs** are required. Any perennial flowers in the plan may not count as shrubs.
- 3) The rear yards of homes adjacent to areas of high community exposure from streets require landscape treatment commensurate with that of the front yard. Budget limitations will not be a factor for not addressing the areas.
- 4) Each lot must also be provided with sufficient shrubs and hedges to provide screening of air conditioner units and all other mechanical equipment on the lot such as utility meters, irrigation controls, and backflow valves.
- 5) Street trees and/or front yard trees are required and must be maintained on all lots. That is, if such a tree is removed in most circumstances it must be replaced. For Meadows, Villas at Hidden Lake and The Ridge sized lots 2 shade/street trees plus 2 ornamental trees are required, for Valley Ridge sized lots 3 shade/street trees plus 2 ornamental trees are required, for Hidden Lake Estates sized lots 3 shade/street trees plus 3 ornamental trees are required. Any corners lots will be required to plant additional street trees commensurate to it length.
- 6) Lots with areas of undisturbed heavy native vegetation should to be left in its natural state. NCC review and approval is required for any possible changes considered for all areas left in the natural state.
- 7) All disturbed areas not in planting beds shall be sodded and maintained. When special grasses are required or are part of a unique landscape design and are not available in sod, then seeding may be allowed with prior NCC approval.
- 8) All turf grassed areas shall be provided with an underground irrigation system that has 100% head coverage, except in specific neighborhoods where Supplemental Declarations do not require such irrigation with original home construction.
- 9) Large bare mulched areas shall not be considered planting beds and are an unacceptable alternative to turf grasses.
- 10) All city right-of-way on the lot (front, back and or side) shall be irrigated, sodded and maintained as part of the City of Olathe's unified development ordinance. This also includes areas that may be in a landscape and access easement.

## C. Nature Preserve Areas

In order to provide an appropriate buffer between both golfing and lake activities and residential housing, a nature preserve area has been established between the rear building line of the contiguous lots and the manicured turf of the golf course or a lake shoreline.

### 1) Golf Course Nature Preserve Area

This area is both on golf course property and on the private lots. It is intended that it be kept in a natural state or, if barren, that it be re-landscaped with native materials.

- a) **Golf Course Ownership Area:** That portion of the “Nature Preserve Area” that lies between the rear property line of the lots and the manicured turf of the golf course is owned by the golf course. This area is variable in depth from just a few feet up to forty (40') feet or more. Property owners and/or builders may not remove, prune, trim, mow, **or in any way disturb any native plant materials** in this area.
- b) **Private Lot Ownership Area:** The rear twenty-five (25') feet of all lots contiguous to the golf course has been established as part of the “Nature Preserve Area.” No structures, including, but not limited to, patios, decks, pools, etc. can be constructed in this area. No fencing is allowed. All areas of native vegetation (including underbrush) in this area must be retained and any clearing must be approved by the NCC and Shadow Glen Golf Club. If the lot is barren of native vegetation, the NCC requires that an appropriate amount of landscaping be planted in the “Nature Preserve Area” for visual and safety screening.

## 2) Lake Nature Preserve Area

This area is both on property owned and maintained by Cedar Creek Community Services Corporation (CCCSC) and on private lots contiguous to the CCCSC property.

- a) **CCCSC Ownership Area** - That portion of the “Nature Preserve Area” that lies between the rear property line of lots and a lake shoreline is owned by CCCSC. This area is variable in depth from just a few feet to thirty (30') feet or more. Property owners and/or builders may not remove, prune, trim, mow, **or in any way disturb any native plant materials** in this area. Development in this area is limited to a lakeshore trail system, for use by Cedar Creek residents and for landscape improvement. No private boat docks or other structures/equipment may be constructed or stored in this area.
- b) **Private Lot Ownership Area:** The rear twenty-five (25') feet of all lots contiguous to the CCCSC property has been established as part of the “Nature Preserve Area.” No structures, including, but not limited to, patios, decks, pools, etc., can be constructed in this area. Gazebos and private trails or pathways connecting private lots to the lakeshore must be approved by the NCC prior to construction. No fencing is allowed. This area on most lots is the steep sloped area adjacent to the lake and the NCC requires that all native vegetation (including underbrush) be retained.

## D. Saving Trees and Native Vegetation

- 1) Cedar Creek is abundant in existing forested areas and heavy native vegetation. It is essential that all development and construction be especially concerned with the preservation of the natural Cedar Creek environment.
- 2) The NCC encourages existing natural vegetation be incorporated into the final landscape plan. Where plant material exists on a site prior to development, such plant material may be used, when approved, as credit toward meeting the minimum landscape requirements set forth in this section.
- 3) Permission is required from the NCC before removing any trees four (4") inches or over in caliper. Appropriate construction procedures should be followed to protect and preserve desirable trees, shrubs, and other landscaping which may exist on the lot or adjacent lots. All trees with root systems which are likely to cause damage to public roadways or underground utility lines shall not be planted so as to damage such public works.

## E. Materials and Workmanship

- 1) Plant material for landscaping shall equal or exceed the standards of the American Association of Nurserymen. The sizes for plant material given in this section shall be the minimum size at the time of installation and height requirements shall be as measured from ground level after installation.
  - a) Shade trees shall be a minimum of 2" in caliper. Ornamental trees shall be a minimum height of 6'-8'. Evergreen trees shall be a minimum height 6'-8'.

- b) Evergreen, broadleaf and deciduous shrubs shall generally have a minimum size of 2-gallon container stock, 5 gallon is preferred. 1 gallon is allowed for perennials.
  - c) Sizes of all other plant materials not falling in the above general categories must be approved by the NCC.
- 2) All plant material shall be installed in accordance with the current standard practice of American Association of Nurserymen.
  - 3) All planting beds must include some type of ground cover. Dark colored hardwood mulch or any other approved material is the required product; but, if mulch will not work because of proven slope issues, stone or rocks may be approved. When stone or rocks are desired, a comprehensive landscape plan with samples and colors must be submitted for consideration. Note a 60/40 mulch to rock ratio in planting beds is allowed when using rock, bare planting bed ground cover shall not exceed a 4' radius around central features such as trees, fountains etc.
  - 4) All plant beds must be outlined with an appropriate hard or natural trenched "V" edging for ease and consistency of maintenance.
  - 5) No synthetic or artificial plant material such as but not limited to trees, shrubs, flowers, vines, groundcovers, or lawns shall be used.
  - 6) The use of indigenous inorganic materials (i.e., rocks, gravel) as an accent in the landscape shall be allowed only with an approved design concept for areas where organic material will present maintenance or logistic problems.

F. Landscape Buffering and Screening

The NCC shall determine the location and degree of opacity required of all areas to be buffered and/or screened. It shall be the responsibility of the applicant to prepare a landscape and/or screening plan that shall achieve the NCC's directives.

G. Earthen Berms

Any berming must be smooth flowing natural berms carefully formed and fine graded to blend into the surrounding landscape. Architectural berms with straight lines and crisp angular changes in direction are prohibited. The height of berms should vary to avoid a monotonous appearance. No berming shall impede or cause surface drainage problems and must be approved by the NCC before beginning.

H. Maintenance

All landscaping shall be maintained on a regular basis and shall be the responsibility of the property owner or his agent and shall include watering, weeding, mowing, fertilizing, treating, pruning, removal and/or replacement of dead or diseased materials, and removal of refuse and debris so as to present a healthy, neat, and well-kept appearance at all times. After occupancy, residents need to check with the HOA Property Management Office prior to pruning, removal and/or replacement of dead or diseased plant materials to see if a Modification Review Form is required.

## **PRIVATE TRAILS**

Any homeowner desiring to construct a private "trail" or "path" from his or her property through any common area in Cedar Creek in order to connect with the Cedar Creek trail system, park, areas, swim and racquet club, tot lot, or any other Cedar Creek amenity, must obtain written permission from the NCC if the home is still under construction. This permission must be obtained before trail construction may begin.

Submittal plans must contain the following:

- a) Scale of drawing.
- b) Location and description of existing features of the area of the trail, including topography, tree survey, and other natural features.

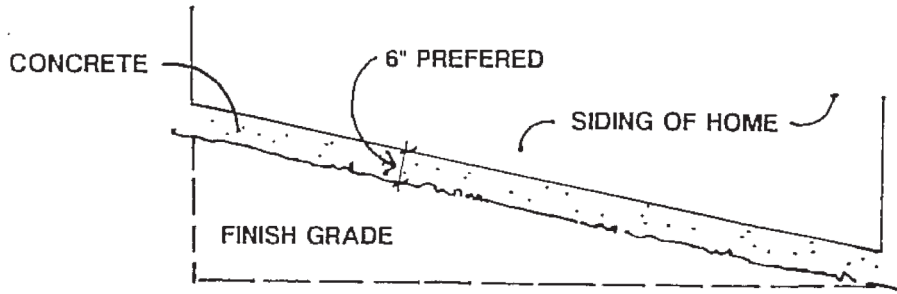
- c) Location and description of proposed trail and its specifics, including material, width, and any modification of existing feature.
- d) Any other Construction details as needed to clearly explain proposal.
- e) Property ownership lines (boundary of private property and affected common area)

General Design Guidelines:

1. All trails should be “natural-looking” and congruent with existing features. Use of native rock or mulch is recommended. It should be unobtrusive, if not invisible, from neighboring or cross-viewing homes or lots.
2. Trails should be located so as to minimize grading requirements. Disturbance or removal of existing trees and vegetation must be minimized.
3. The juncture of private and common area trails should not create confusion as to which is the Cedar Creek trail system, and which is private.
4. Trails should be crowned or cross-pitched properly so as not to provide a drainage waterway which could damage the lower features.
5. The homeowner must agree in writing to be responsible for any damage or loss incurred during the construction of the trail to properties owned by neighboring homeowners, Cedar Creek Village I & II Association, or Cedar Creek Community Services Association. The homeowner will be required to replace, clean up, or renovate any damage done to existing features, natural areas, common areas, or neighboring lots as a result of the construction. Any steps required shall be constructed of natural landscape material and installed to assure a safe stepping transition (no tripping, slipping, or tipping). The homeowner is solely responsible for maintenance of homeowner’s trail.
6. The homeowner is responsible for any future damage done to existing Cedar Creek property due to the construction of said trail, including, but not limited to tree damage and erosion/drainage. The homeowner will be required to take steps as necessary to correct any recurring problem, including, without limitation, redesign and possible trail renovations.
7. Notwithstanding any review and approval of any trail by the Modifications Committee pursuant to these guidelines, the homeowner shall be solely responsible for the adequacy of the design of the trail and its proper maintenance in a good and safe condition. Neither Cedar Creek Development Co., Inc., Cedar Creek Community Services Corporation, Cedar Creek Village I & II Association, the Modifications Committee, nor any member, employee, director, or other agent of any of them accepts any responsibility or liability for any matters pertaining to any trail constructed by the homeowner, including without limitation any damage or loss through personal injury or property damage to any person or property in connection with the design, construction, use, or maintenance of any such trail. The homeowner, as part of the Request for Review, shall indemnify all such parties against all such damage or loss.
8. No private signage or trail markers on common area property will be allowed.

## Exhibit A

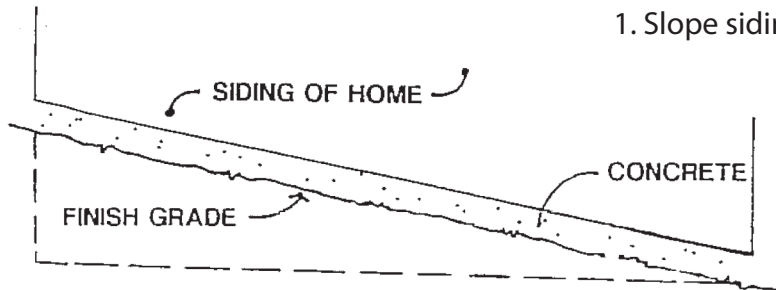
### Exposed Concrete Foundation Walls



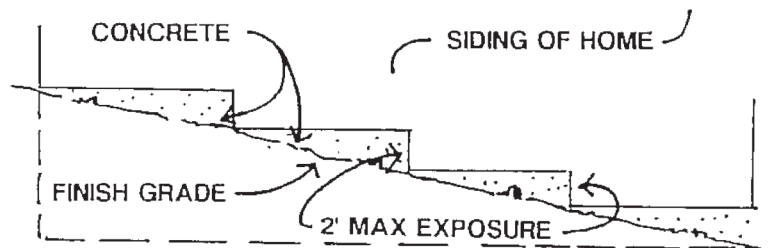
The NCC will allow a maximum of 2' exposure of concrete

### Suggested alternative for sloped foundation treatments

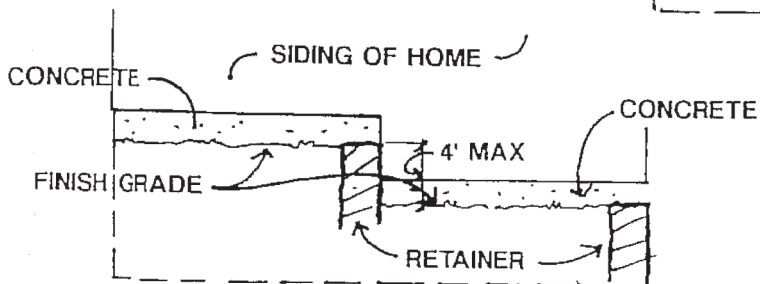
1. Slope siding with finish grade of home



2. Stair-step siding



3. Retaining wall (max 4' tall)

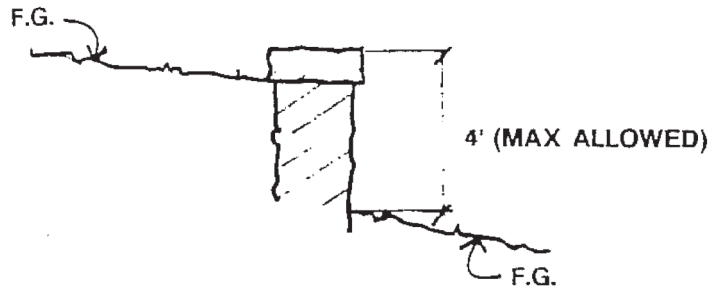


NOTE: All exposed concrete must be painted to match body color of home.

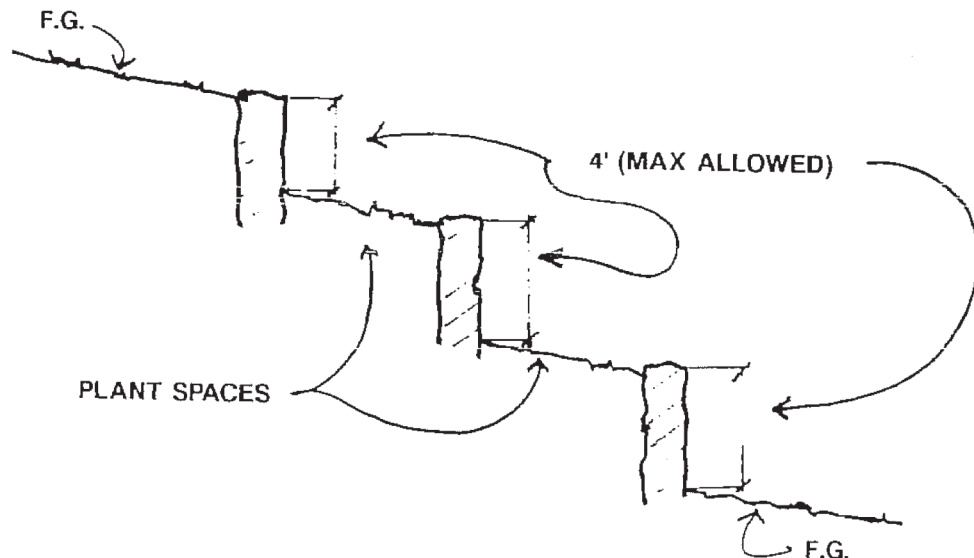
## Exhibit B

### Retaining Walls

All retaining walls constructed shall not exceed 4' in height



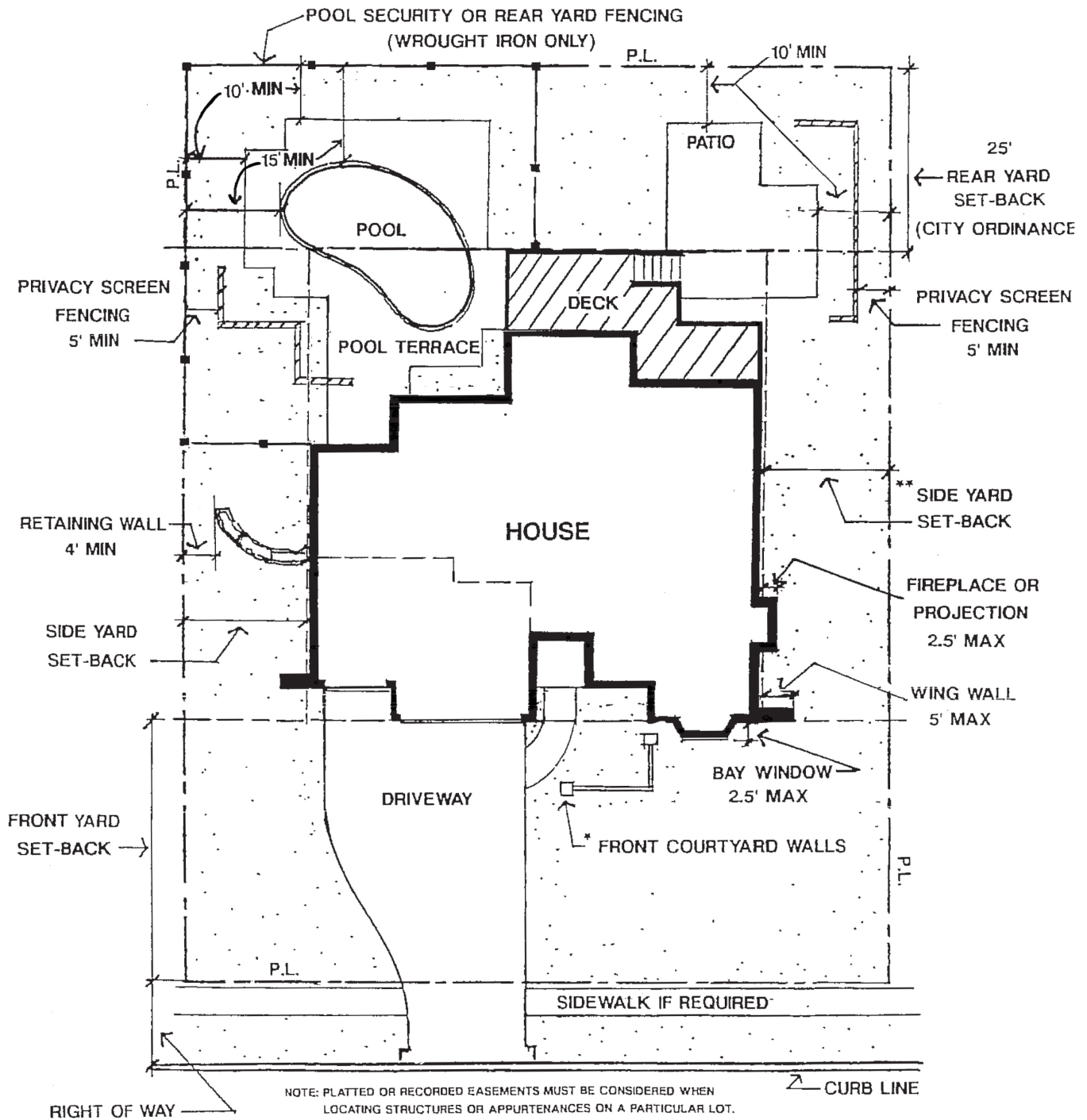
Where slopes require more than 4' of retention, a series of stair stepped walls with planting spaces between will be required



**Allowable Materials:** Stacked Stone, Laid Stone, Timber (with permission of NCC)  
Stuccoed Concrete with Stone or Brick Cap, Brick or man-made stone (with permission of NCC)

# Exhibit C

## Typical Set-Back Requirements



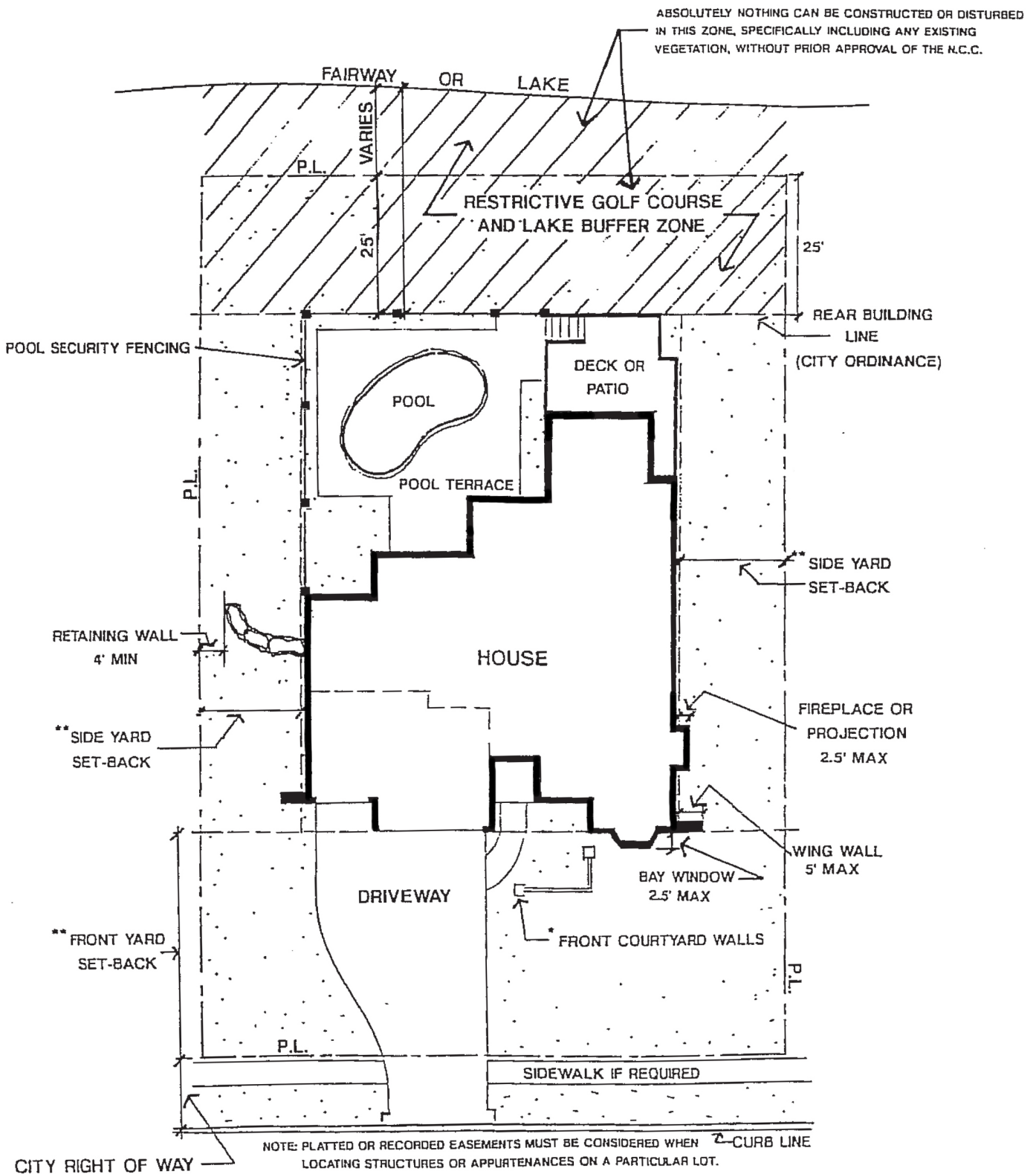
\* BY N.C.C. APPROVAL ONLY

\*\* VARIABLE- SEE ARCHITECTURAL REVIEW GUIDELINES

NO SCALE

## Exhibit C-1

### Typical Set-Back Requirements (For Golf Course and Lake Frontage Lots)

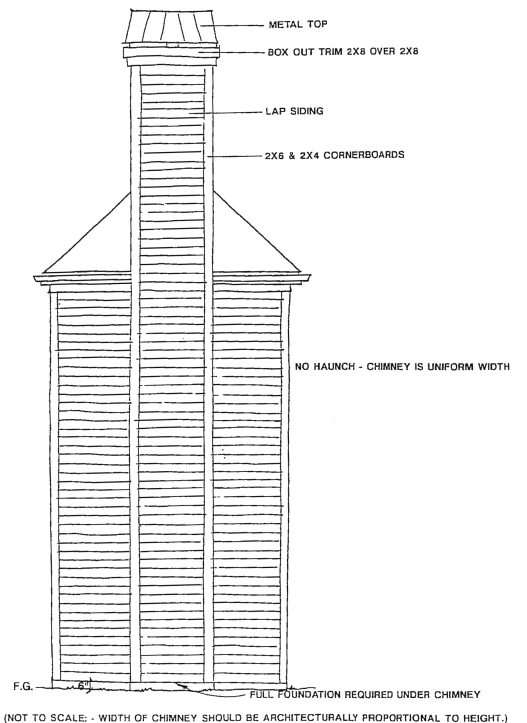
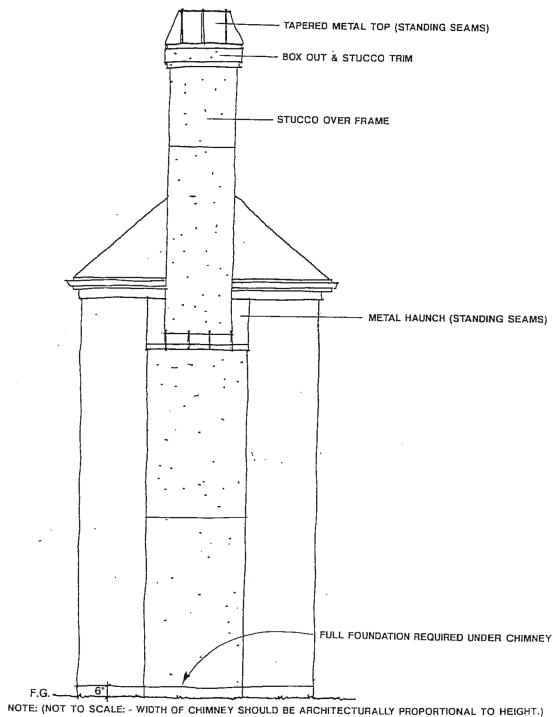
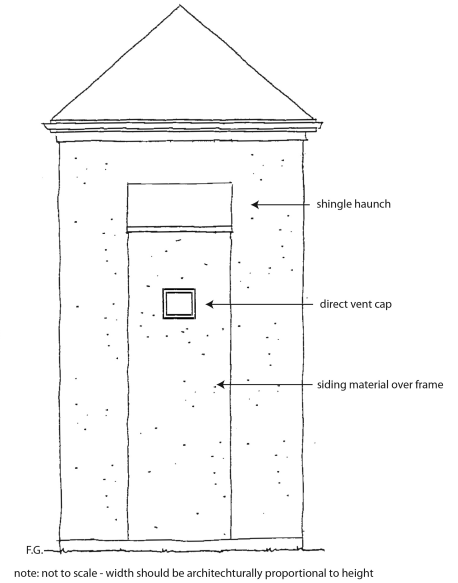
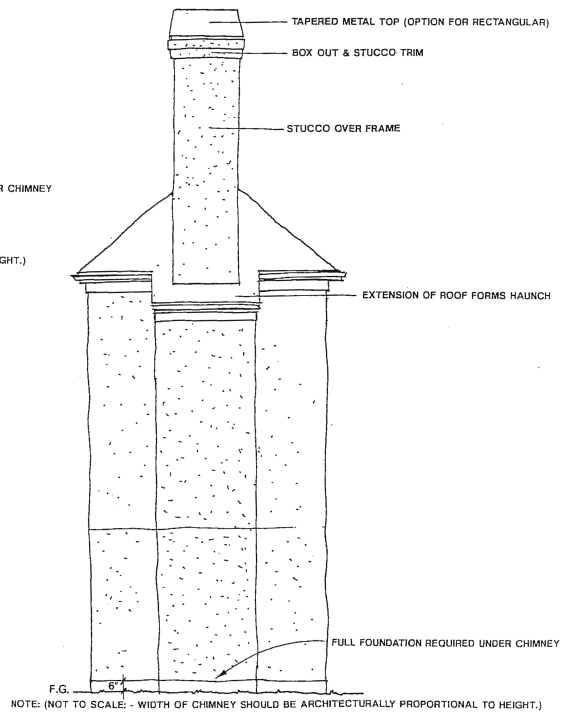
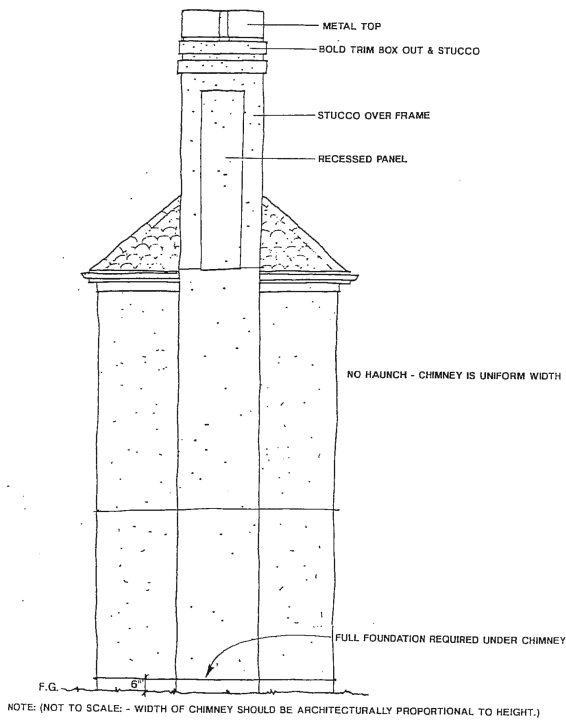


- \* BY N.C.C. APPROVAL ONLY
- \*\* SEE ARCHITECTURAL REVIEW GUIDELINES
- \*\*\* NO PERIMETER YARD FENCING IS ALLOWED ON GOLF COURSE AND



## Exhibit D

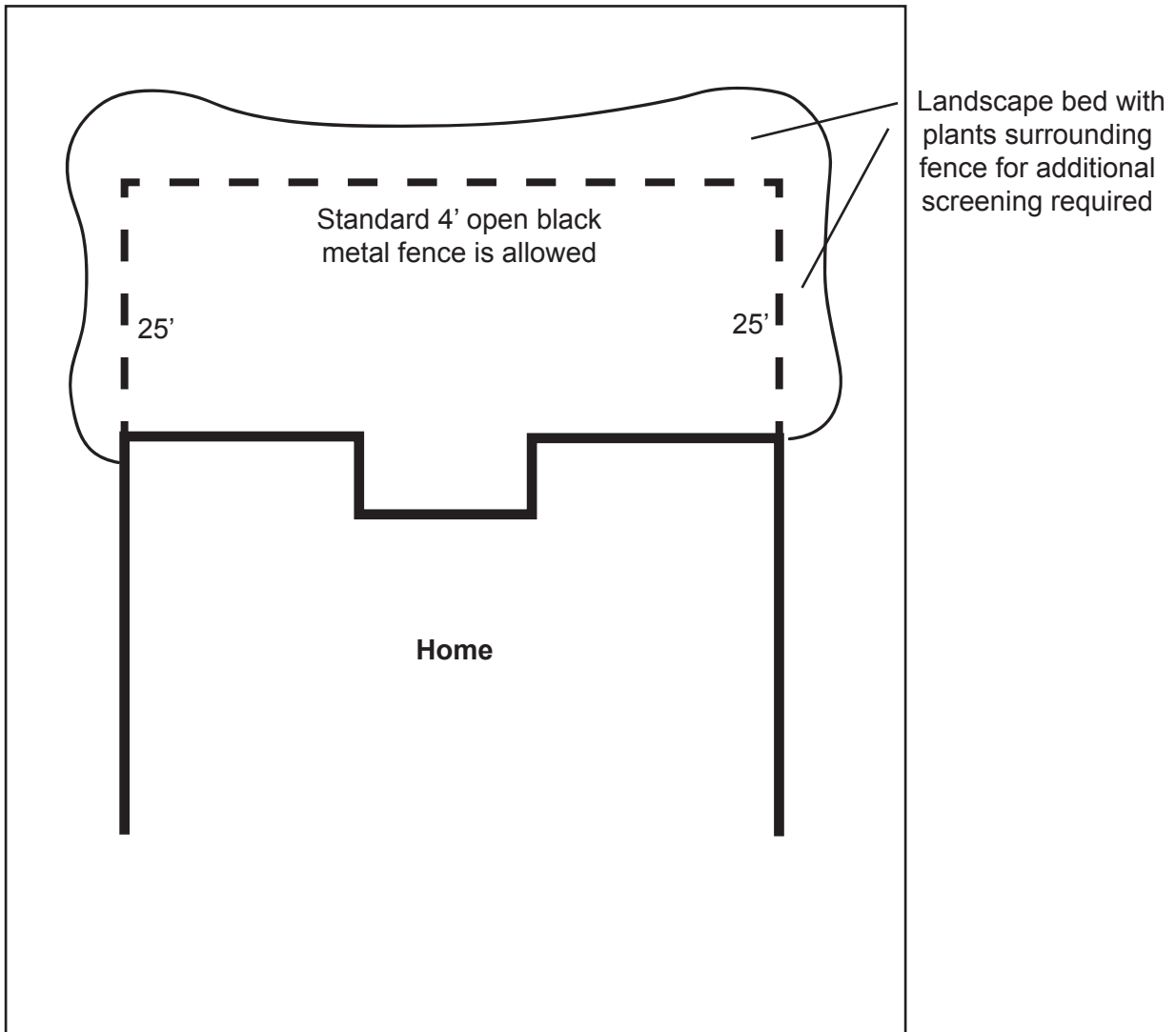
### Zero Clearance Fireplaces



## Exhibit E

# Maintenance Provided Fencing Option (subject to approval)

Property Line

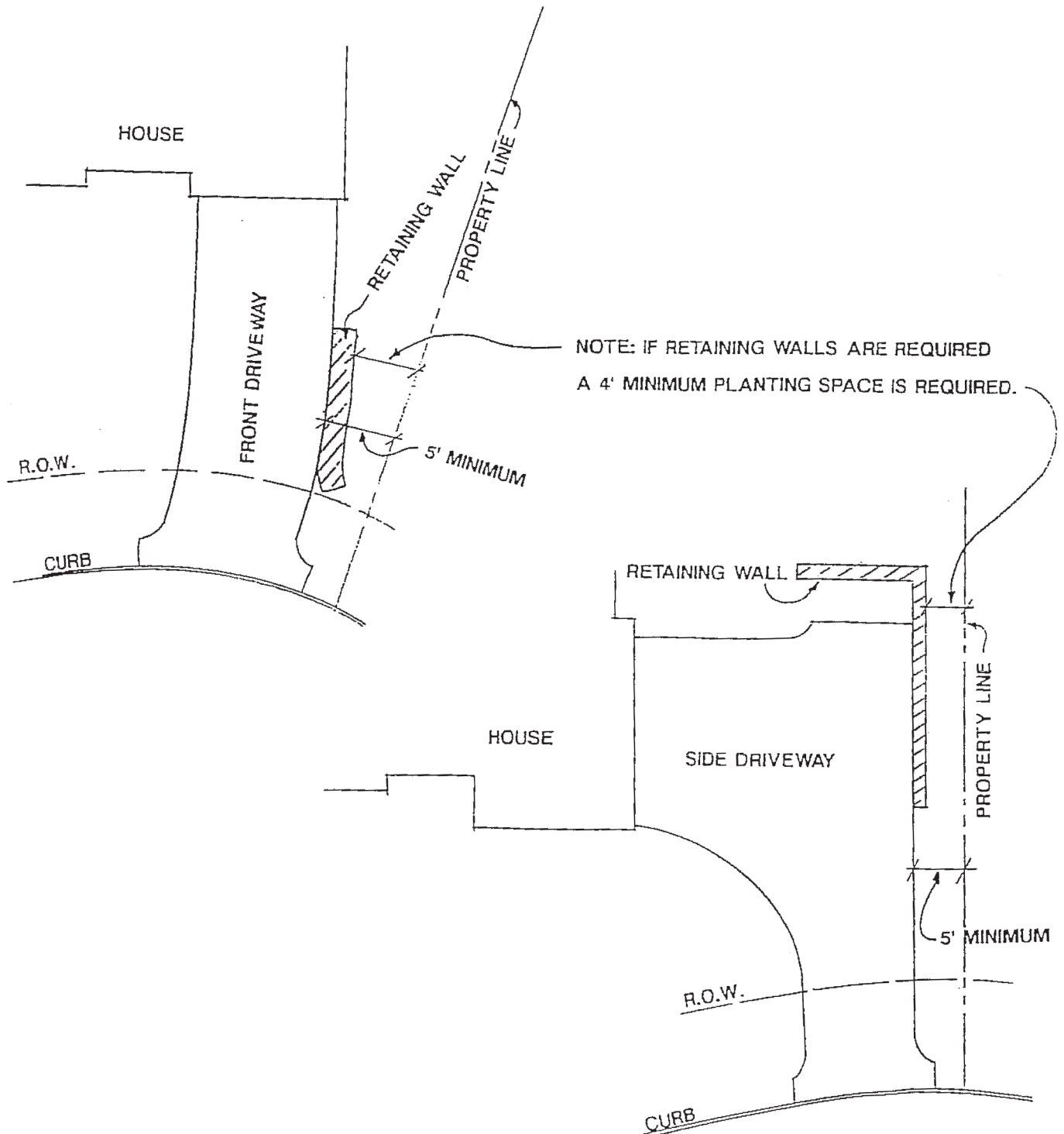


Fence is only allowed to be 25' straight back from right and left corner foundation wall of house. Any deck or patio may not be used to extend fence further into yard. Landscape bed with plants surrounding fence for additional screening required. The neighborhood homes association is not obligated to maintain inside of the fence, however the homeowner is required to maintain the area to neighborhood standards. Homeowner may contract with maintenance company directly to maintain said area. The homes association is not responsible for any left open gates.

## Exhibit F

### Driveway Set-Backs

DRIVEWAYS MAY BE NO CLOSER THAN 5' FROM ANY SIDE PROPERTY LINE.



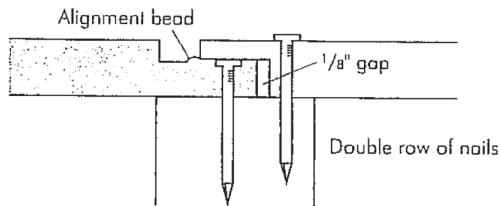
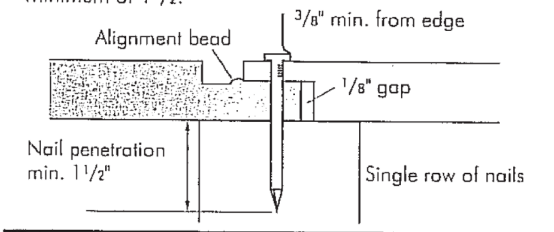
# Exhibit G

## Approved Hardboard Materials (in approved neighborhoods) Smart Panel Installation

SmartPanel™

### NAILING INSTRUCTIONS

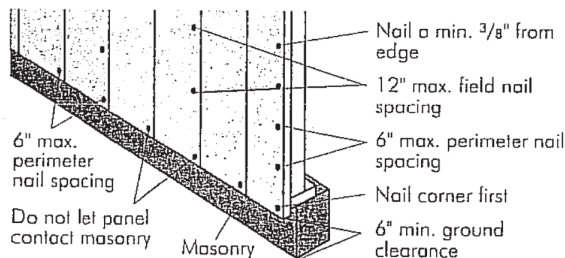
- Use minimum 6d, corrosion resistant according to ASTM 641, box style nail for 3/8" and 7/16" panels and minimum 8d for 19/32" panels.
- Penetrate studs or studs and wood sheathing a combined minimum of 1 1/2"



- For 7/16" and 19/32" panels double nailing procedure meets shear wall requirements. It may be necessary to angle drive the second nail. Seal nails driven below the surface.
- Shear values for panels applied directly to studs shall be no greater than noted in Table 4 of the National Evaluation Report 124. (Call 1-800-648-6893 for a copy of this report.)

### CAUTION

- Do not force siding into place.
- SmartLap and SmartPanel are not approved to be attached by stapling.



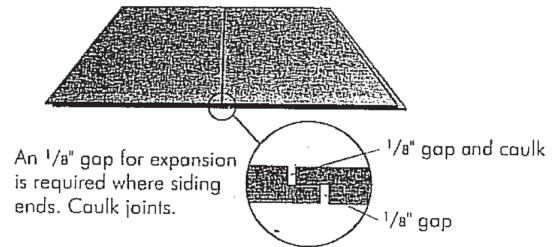
### CONDITION

- Snug
- Flush
- Visible fiber
- Countersunk 1/16"-1/8"
- Countersunk more than 1/8"

### CORRECTION

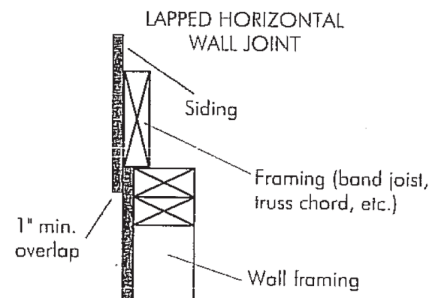
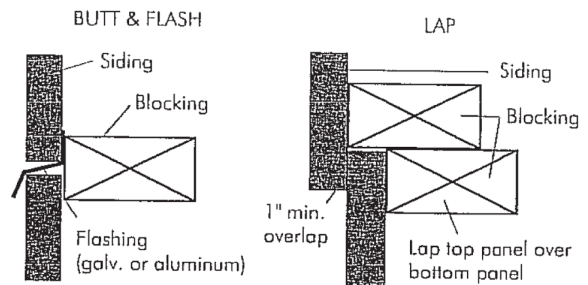
- OK
- OK
- Paint
- Seal with caulking
- Seal with caulk and re-nail

### 4'-x 8' UNGROOVED SHIPLAP PANEL



### SMARTPANEL™ JOINT DETAILS

#### HORIZONTAL WALL JOINTS



# Exhibit K

## Cedar Creek Approved Roofing Materials

April 2022

1. **Tile**
2. **Pre-colored Concrete Tile**  
(Allowed in all neighborhoods; style and colors determined on a case-by-case basis).
3. **Slate**  
(Allowed in all neighborhoods; style and colors determined on a case-by-case basis).
4. **Cedar Shake Wood Shingles**  
(Allowed in all neighborhoods)
5. **Standing Seam Metal**  
(Allowed in all neighborhoods, style and colors determined on a case-by-case basis. Whole house use only allowed on new construction. Partial use on architectural elements approvable on a case-by-case basis)
6. **DaVinci Shake – Select Shake Nature Crafted Collection, Black Oak color**  
(Allowed in all neighborhoods)
7. **Composition Shingles I:**  
(Allowed in all neighborhoods except The Reserve at Shadow Lake and The Villas of Shadow Glen).

### CertainTeed - Presidential Shake TL

- Weathered Wood
- Autumn Blend
- Classic Weathered Wood
- Shadow Gray

### CertainTeed - Presidential Shake (IR)

- Weathered Wood
- Autumn Blend
- Classic Weathered Wood
- Shadow Gray

### CertainTeed - Grand Manor

- Black Pearl
- Colonial Slate
- Stonegate Gray
- Weathered Wood
- Gatehouse Slate
- Tudor Brown

### GAF - Grand Canyon

- Black Oak
- Stone Wood

### GAF - Grand Sequoia

- Weathered Wood
- Autumn Brown
- Charcoal

### GAF - Glenwood

- Weathered Wood
- Chelsea Grey
- Autumn Harvest
- Dusky Gray

### Malarkey - Windsor

- Weathered Wood
- Storm Grey
- Natural Wood
- Black Oak

### 8. **Composition Shingles II:**

(Limited to use in The Crossings at Southglen, Valley Ridge, Meadows at Valley Ridge & Villas at Hidden Lake).

### Tamko - Heritage Premium

- Weathered Wood
- Rustic Black

### CertainTeed – Landmark

- Weathered Wood
- Moire Black