

WHITTIER OAKS
ARCHITECTURAL CONTROL BOARD

Memorandum

To: Whittier Oaks Board of Directors (BOD)
From: Whittier Oaks Architectural Control Board (ACB)
Re: Community Paint Palette
Date: January 12, 2024

Recommendation: The Whittier Oaks Architectural Control Board (ACB) recommends the Whittier Oaks Board of Directors (BOD) review the following memorandum. If, after review, the BOD desires to add the new color combination the ACB recommends such addition be accomplished with recommended safeguards to ensure consistency with community standards, the paint palette, other homes in the community and the anti-monotony rule as described in this memorandum.

Issue: At their December 11, 2023 meeting the BOD requested the ACB evaluate if a proposed modification to the approved paint palette (allowing Casa Blanca (SW 7571) for the body and Extra White (SW 7006) for the trim) would be in keeping with the community design standards, intent of the paint palette, adopted aesthetic themes in our community and the BOD's anti-monotony rule.

At the request of the BOD, the ACB has coordinated with Residential Management Concepts (RMC), researched the historical frequency of painting requests prior to and since adoption of the current paint palette (in September of 2022), reviewed existing homes in the community which may have been painted with similar color schemes prior to adoption of the revised paint palette and reviewed the existing colors on the current paint palette. Accordingly, the ACB provides the following memorandum, for the Board's review and consideration.

Background: In the context of evaluating the proposed revision to the paint palette a brief overview of the legislative origins of the paint palette in the governing documents and the impact implementation of the governing documents has had on protecting and enhancing property values in Whittier Oaks is provided.

Creation Of Governing Documents To Protect And Preserve Property Values:

The original developers of Terramar and Whittier Oaks created a series of governing documents (deed restrictions and other related documents) to establish procedures, mechanisms and standards for regulating development in the community(ies), maintenance of common areas, collection of assessments for shared expenses and creation of Homeowners Associations to implement these regulations. The creation of the paint palette for our community as well as the legislative authority for its implementation reside in the original Declaration of Covenants and Restrictions and related governing documents for our community. These deed restrictions and governing documents were put in place not only to protect the Developer's investment but also **to protect the investment of the property owners that would purchase homes in the community.** All homes in Whittier Oaks and Terramar are subject to the deed restrictions and governing documents adopted by the original developers.

Implementation Of The Governing Documents Has Been, And Continues To Be, Successful In Helping To Preserve And Protect Property Values:

Implementation of adopted design guidelines and community standards created by the deed restrictions and governing documents in Whittier Oaks (including the paint palette) has been successful in helping to preserve and protect property values within our community. One significant example of this can be seen by a comparative review of property values. **With recent sales in our community exceeding \$950,000 the property values within Whittier Oaks are amongst the highest of any of the communities in Terramar and are approaching the values in communities of similar age in western Parkland that, in years past, used to sell for as much as double the price of homes in Whittier Oaks.** The continued maintenance of the exterior appearance of homes in our community is vital to the continued protection and enhancement of our property values.

Prior Revisions To The Paint Palette:

The paint palette is not intended to be a “fluid”, “everchanging” document. It is important that careful consideration be given prior to adopting any revisions. As we experienced in Whittier Oaks, in the past there were a number of colors that were added to the old palette by former ACB and BOD’s over the years that were very similar to one and other which resulted in the undesirable effect of having multiple homes next to each other that appeared to be the same color leading to monotony and a lack of variety. This takes away from the architectural features of each home as homes of the same color when placed next to each other tend to blend in with one and other watering down any significant architectural features that may exist. Even though these homes were technically different schemes the colors were so similar that they appeared to be the same. For these and other reasons it is imperative that, prior to considering any revisions to the paint palette, careful consideration be given to the colors of existing homes in the community, the architectural style of homes in the community, other colors on the approved paint palette as well as impacts to the BOD’s adopted “anti-monotony” rule. This rule ensures variation throughout the community by prohibiting houses located next to each other or directly across the street from one and other from being painted the same paint scheme. This is crucial to ensuring diversity and variety while maintaining the consistency and cohesiveness of a community painted from the same palette.

While the original paint palette and theme for our community was adopted prior to the construction of the first homes in Whittier Oaks, the paint palette has been revised a few times over the years with the most recent update having occurred in September of 2022. The memorandum dated, August 15, 2022 posted on the Whittier Oaks HOA website discusses the rigorous process that was undertaken to evaluate the prior paint palette and make recommendations to the BOD for what was ultimately adopted by the BOD as the current paint palette.

Consideration Of BOD’s Request:

In evaluating the BOD’s request the ACB considered the following:

Frequency Of Painting Requests Prior To And Since Adoption Of The Revised Paint Palette:

In the 6.5 years prior to adopting the revised paint palette in September of 2022 there were 51 paint requests submitted to the ACB which averages approximately 7.8 requests per year. Since adoption of the revised palette this number has increased to an average of 9.5 requests per year (there have been 11 requests since adoption of the revised palette) which results in a 22% increase.

The recent requests for paint (since adoption of the new palette) have been spread across 5 different color schemes with color scheme #10 being having been requested 4 times, scheme# 1 requested 3 times, scheme #9 requested 2 times, and schemes #7 and #8 each having been requested 1 time. As a result, out of the 11 requests submitted, 7 of the requests (or 63%) were for schemes on the currently adopted palette that were not previously on the former paint palette. Given that the average annual rate of requests for painting has increased and the larger percentage of the recent requests being for schemes on the current palette that were not on the former palette it appears that the new palette has been a success.

Generally speaking, due to the success of the current paint palette the ACB feels the adopted palette provides an adequate framework that allows for variety and choice, while maintaining a cohesive appearance of the community in keeping with current design trends, and has successfully achieved the desired result expressed by the BOD prior to its adoption in September of 2022. Accordingly, the ACB does not necessarily feel an expansion of the paint palette to add a new scheme is needed.

Review Of Existing Homes In The Community Painted With A Similar Scheme:

In order to evaluate the inclusion of the additional combination (Casa Blanca (SW 7571) as body and Extra White (SW 7006) for trim) the ACB viewed other homes in the community that may have been painted with a similar scheme.

Prior to adoption of the new paint palette the old palette contained 1 scheme that was very similar to the requested combination. Former scheme #18 which had Casa Blanca (SW 7571) as the body color and also allowed for Ice Cube (SW 6252) as a trim color. There appear to be 4 homes in the community that have been painted with former scheme #18. Additionally, there are 10 more homes in the community that have been painted with Casa Blanca (SW 7571) as the body color but using a different trim color. Out of 162 homes there are 14 homes (or 9%) that have been painted Casa Blanca (SW 7571) as the body color.

A review of the Sherwin Williams color palette reveals that the requested trim color (Extra White (SW 7006)), while being much lighter, is in the same color family as Ice Cube (SW 6252) the former trim color that was allowed via former Scheme #18 to be used with Casa Blanca (SW 7571) as a body color.

When the revised color palette was being evaluated by RMC Staff in conjunction with Sherwin Williams, the trim color for former Scheme #18 (Ice Cube (SW 6252)) was not recommended to be included in the new palette. Ultimately, after review of the initial palette prepared by RMC Staff and Sherwin Williams, the ACB felt that the 16 schemes that were included on the new palette (and

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ultimately adopted by the BOD) were sufficient to achieve the stated objective of providing a color palette that included more diversity, additional options for light colors and was more reflective of current trends. In light of this Ice Cube (SW 6252) was not included either as a trim color or a body color on the new palette.

After review of existing homes in the community the ACB acknowledges the following; 9% of homes in Whittier Oaks are painted with Casa Blanca (SW 7571) as the body color and the new combination (which would have Casa Blanca (SW 7571) as the body color) would not be adding a new body color to the palette; 4 of the homes painted with Casa Blanca (SW 7571) as the body color have been painted with a trim color that is similar to the requested trim color; and the requested trim color is already an approved trim color in the community.

In light of the foregoing, the ACB feels, if proper safeguards are provided to ensure compliance with the intent of the paint palette and anti-monotony rule, if so desired by the BOD, the incorporation of the requested color combination could be accomplished in a way that would not be considered incompatible with existing homes in the community, the existing color palette or the BOD's originally stated objectives of revising the color palette from 2022.

Impact on Anti-Monotony Rule:

The ACB has evaluated the addition of the requested color combination as it relates to the BOD's "**anti-monotony**" rule. As referenced previously this rule ensures variation throughout the community by indicating that **houses next to each other and directly across the street from one and other cannot not be painted the same paint schemes.**

If a completely new scheme were added to the paint palette allowing for Casa Blanca (SW 7571) as a body Color and Extra White (SW 7006) as a trim Color it would allow the possibility of painting a house the requested combination (Casa Blanca (SW 7571) for the body and Extra White (SW 7006) for the trim) next to a house that had been painted with currently approved Scheme 1 (Casa Blanca (SW 7571) as a body color and Beach House (SW 7518) as a trim). The end result would be that the bodies of both houses would be painted Casa Blanca (SW 7571) with the only small difference being the different trim colors. This would create the appearance of 2 houses next to each other that would ostensibly appear to be the same color which is in direct violation of the intent of the anti-monotony rule.

If the Board desired to adopt the new color combination the ACB would strongly recommend the BOD do so by adding Extra White (SW 7006) as a Trim option to scheme #1. Additionally, the ACB would not recommend the Board adopt a revision to allow the new combination unless the Board also adopts and corresponding revision to the anti-monotony rule to also stipulate that no houses in the community may be painted the same body color next to each other or across the street from one and other.

Other Colors on the paint Palette:

In evaluating the request the ACB reviewed the other colors on the approved paint palette. As referenced previously, Casa Blanca (SW 7571) is currently an approved body color for homes the community. Furthermore, Extra White (SW 7006) is currently an approved trim color in the community as well (albeit not in combination with Casa Blanca (SW 7571)) and was recommended by RMC Staff in conjunction with Sherwin Williams staff.

Conclusion:

As stated above the ACB feels that the adopted palette currently provides an adequate framework that allows for variety and choice, while maintaining a cohesive appearance of the community in keeping with current design trends, and has successfully achieved the desired result expressed by the BOD prior to its adoption in September of 2022. Accordingly, the ACB does not necessarily feel an expansion of the paint palette to add a new scheme is needed at this time.

However, as per the BOD's request the ACB has evaluated the possible inclusion of the requested combination. The ACB feels that, if proper safeguards are provided to ensure compliance with the intent of the paint palette and anti-monotony rule, and if desired by the BOD, the incorporation of the requested color combination could be accomplished in a way that would not be considered incompatible with the existing color palette or the BOD's originally stated objectives of revising the color palette from 2022 as indicated below:

The addition of the requested color combination could be compatible with the color palette provided the requested trim color is incorporated as an option to Scheme #1 rather than as a new scheme and that changes to the anti-monotony rule are adopted by the BOD as well.

The ACB would not recommend the combination be added as a "new scheme" and would also not recommend the combination be added as an option unless changes to the anti-monotony rule are adopted by the BOD (see below).

If the BOD desires to allow for the requested color combination (Casa Blanca (SW 7571) as a Body Color with Extra White (SW 7006)) as a trim Color ACB recommends the following changes be adopted by the BOD:

1. Color Scheme 1 is revised to allow for Extra White (SW 7006) as an additional optional trim color.
2. The anti-monotony rule is amended to **also** prohibit homes with same body color from being located next to each other or across the street from one and other.