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## Historic landmark status recommended for Orinda home, despite neighbors' objections

By Sora O'Doherty



View of subject property south facade, November 24, 2009. Source: Homeowner, Nathan Ogle

The first of several steps has been taken to designate the private residence at 12 Charles Hill Circle as a historic landmark. On June 8 the Orinda Historical Landmarks Committee voted to recommend to the Planning Commission that they recommend to the city council that the residence, owned by applicants Jeanne Huang Li and Nathan Ogle be designated a historic landmark. Neighbors on each side of the residence and across the street spoke at the public hearing in opposition to the application.

The city staff report was presented to the committee by Planning Director Drummond Buckley. Buckley said that staff recommended that the applicants' request be granted, and presented a draft resolution, which was later adopted by the committee, with members Tania DeGroot, Bobbie Landers, and Lori Smith voting in favor. Bill Waterman was only able to join a portion of the meeting and so abstained from voting,

In order to be designated as a historic landmark, the applicant must meet at least three criteria, and Buckley said that the applicant met at least three, and perhaps four. The applicant's presentation was given by Hannah Simonson of Page & Trumbull. She told the committee that the home was designed by architect Paul Hamilton and landscape architect Lawrence Halprin, who, according to the staff report, demonstrated the importance of siting and respect for nature in Modernist residential design.

The staff report said that the application was based on the importance of this home as an example of Modernist design, the work of a notable architect, and an artifact of Orinda history. "Designed by an architect of local significance, Paul Hamilton, in 1951, the residence at 12 Charles Hill Circle is a well-preserved example of the Second Bay Tradition, a regional idiom of Modern architectural design. It served as the personal residence and studio of Paul Hamilton from 1951 - 1960." Staff concluded that the residence is a key reminder of a critical time in the history of Orinda, the post-war boom. Many houses of this modernist style were constructed around the city during a time that saw Orinda expand and transform.

The staff report also stressed that the application applies only to the subject property at 12 Charles Hill Circle. and does not apply to any other properties, including homes in the immediate vicinity of 12 Charles Hill Circle. This reflected claims by neighbors that the applicants had already used the potential historic landmark designation to attempt to prevent the neighbors from dealing with their own property, or threatened to do so.

Neighbor Leslie Lundin stated that the applicants are trying to prevent neighbors from completing restoration of their property. In addition, Lundin said that the applicants have done nothing to restore their property and have showed "zero intent" to do so. The Lundins withdrew an application concerning their property when the applicant demanded that they pay for a full environmental impact report, and are currently in dispute over the Lundins' application to remove a tree for fire safety. Lundin advised the committee, "This application doesn't meet any of the requirements for historic landmark." Pointing out that no building designed by Paul Hamilton has been granted historic landmark status, Lundin urged the committee to reject the application, which, according to the commenter, "is a hoax."

Neighbor David Twist also objected, as did preservation expert Mark Hulbert, and Richard Drury. Attorney Todd Williams, who represents Leslie Lunden, argued that the subject home has been extensively changed with no restoration efforts. Attorney Dave Trotter, who represents the applicants, also stressed that the application does not affect any neighboring properties. But neighbor Dan Rath disagreed, telling the committee that the primary purpose of the application is to interfere with other people's efforts to improve their property.

The question arose whether the designation would entitle the applicants to a reduction of property tax under the Mills Act. It was pointed out that, although the act does apply in Orinda, it requires approval by the city council and the Orinda City Council has never approved such an application in the past. The matter will next be considered by the Orinda Planning Commission.

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