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## City council agrees that Charles Hill Circle home worthy of historic landmark

By Sora O'Doherty

The denial by the planning commission to grant historic landmark status to a residence at 12 Charles Hill Circle was reversed by the city council on appeal on Oct. 19. The council members noted that it was a tough decision for a number of reasons, including the fact that the landmark status had originally been recommended by the Historic Landmarks Committee but was denied by the planning commission with only five members present at the time.

Homeowner and appellant Nathan Ogle, an architect, has owned the home since 2009. The single family residence on over three-quarters of an acre was designed by architect Paul Hamilton, who lived in the home and used it as his office for about a decade. The original landscaping was designed by renown landscape architect Lawrence Halprin, but little of the original landscaping survives.

The application has been vigorously opposed by the applicant's neighbors on Charles Hill Circle, who have argued that the applicant seeks the designation in order to interfere with their properties. In fact, the applicant did oppose plans by his neighbor to remove a tree and widen a driveway, but Planning Director Drummond Buckley, who presented the staff report to the council, emphasized that that argument had been denied and that the historic landmark status would apply solely to the one house, 12 Charles Hill Circle. There was also considerable doubt about the status of Paul Hamilton. The architect designed about five homes in Orinda and many others elsewhere. It was agreed that none of his homes have been granted historic landmark status thus far. The applicant claims that their home is a well-preserved example of the Second Bay Tradition in modern architecture.

In order to be granted historic landmark status, a property must be found to meet three of eight criteria. The planning commission found that 12 Charles Hill Circle met only one condition, criterion E, that the building contains elements of architectural design, detail and materials or craftsmanship which represent a significant architectural innovation. However the city council members agreed that the residence met three criteria, criterion E, as well as criteria A and D. A specifies that the character, interest or value is part of the development, heritage or cultural characteristics of Orinda, the state of California, the United States of America or Native Americans; D is that the building represents a distinctive example of an architectural period, style or movement or its identification as the work of an architect or master builder whose work has influenced the development of the city.

The council could not agree on C, that the proposed landmark is associated with a person who significantly contributed to the culture, history and development of the city. But meeting criteria A, D, and E was sufficient to warrant the landmark status.

All of the city council members had questions and concerns regarding the property. Vice Mayor Dennis Fay asked about any burden the status would place on the property owner and also on his neighbors. Buckley responded that only the exterior house structure and entry courtyard would be protected. Any proposed changes to the protected structure would require a landmark improvement plan to be approved by the Planning Commission. He emphasized that the landmark status placed no restrictions on any surrounding properties. Fay was also glad to find out that there are provisions that allow the city council to revoke a landmark designation if they deem it necessary.

Council Member Darlene Gee asked the applicant why he wanted the historic landmark status for his home. He replied that, although it was a lot of hard work, as an architect he viewed preserving the home as "my legacy for the city, and my children's legacy for the city." He stressed that he wishes to give back his knowledge to the next generation. He added that, having been the architect's residence, "this house has memories in it."

In public comments, preservation architect Mark Hulbert said that the subject house lacks strength of character, and that the architect is obscure. In his opinion, "neither the architect nor the house is historically important to the city of Orinda." Leslie Lundin who owns 14 Charles Hill Circle said she would love to see the home restored, but contended that the applicant "is trying to bully his neighbors and the city council." She pointed out that the architect has never had a house designated as historically significant and that his work was derivative. She also noted that the home has been extensively altered and the original landscaping is gone.

Todd Williams, a land use attorney representing Lundin posited that Criterion A would apply to almost half the houses in Orinda. He also averred that Hamilton was not a significant architect and that his work was not innovative. Bobbi Landers, former Orinda mayor and chair of the Historic Landmarks Committee also addressed the council. She said that the committee is very diligent and has only landmarked four to five houses thus far.

Local attorney David Trotter, who represents the appellant, urged the council to seize the day and designate the Paul Hamilton house as a unique example of the Second Bay Tradition. "This is an opportunity you don't get every day," he urged. He also mentioned that the owner is in discussion with a book publisher about the house.

Mayor Amy Worth talked about the history of architecture in Orinda, and concluded that Paul Hamilton, while not comparable to famous architects Frank Lloyd Wright or Richard Neutra who designed two homes with historic landmark status in Orinda, did contribute to the identity of Orinda. The measure passed unanimously.

Reach the reporter at: [sora@lamorindaweekly.com](mailto:sora@lamorindaweekly.com)

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