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Subject: Comments on Regulations for SR-710 Surface Property Sales
Date: Tuesday, September 02, 2014 3:50:44 PM
Attachments: [NTHP comments_Regs for Sale of SR-710 Surface Properties_Sept 2 2014.docx](#)

Mr. Green – Attached please see comments from the National Trust for Historic Preservation on the Affordable Sales Program to govern the disposition of properties owned by the California Department of Transportation (Caltrans) along the Route 710 corridor. Please feel free to contact me at cmorris@savingplaces.org or our Deputy General Counsel, Elizabeth Merritt at emerritt@savingplaces.org if you have any questions or need additional information.

Thank you.

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**National Trust for
Historic Preservation**
Save the past. Enrich the future.

September 2, 2014

Brent L. Green
Chief, Division of Right of Way and Land Surveys
ATTN: Affordable Sales Program
California Department of Transportation
1120 N Street, MS 37
Sacramento, CA 95814

Re: Comments on Proposed Regulations for Affordable Sales Program:
SR-710 Surplus Properties Sales

Mr. Green:

The National Trust for Historic Preservation welcomes the opportunity to review and comment on the proposed rules and regulations for the Affordable Sales Program to govern the disposition of properties owned by the California Department of Transportation (Caltrans) along the Route 710 corridor.

The National Trust for Historic Preservation has been involved for nearly three decades in efforts to protect and preserve the hundreds of historic properties potentially affected by the proposed 710 freeway extension. The National Trust was a co-plaintiff, together with the City of South Pasadena and others, in the lawsuit against the previous Caltrans proposal to extend the SR-710 by building a massive surface freeway through South Pasadena, Pasadena, and the El Sereno neighborhood of Los Angeles. *City of South Pasadena v. Slater*, 56 F. Supp. 2d 1106 (C.D. Cal. 1999). Now, more than 15 years after the federal court enjoined the construction of that freeway on the grounds that it violated federal law, we are very pleased that Caltrans has begun to move forward to release many of the hundreds of homes that have been under Caltrans control for decades. This represents an excellent opportunity for many residents in Pasadena, South Pasadena, and Los Angeles to purchase these homes at an affordable price, which will bring stability and vitality to these neighborhoods after many years of uncertainty, and will substantially increase the investment in maintenance for these homes.

Of the 461 properties owned by Caltrans within the SR-710 corridor, Caltrans proposes to dispose of 53 properties (11.5 percent of the total) within Phase 1:

- 20 properties are proposed for Phase 1A, all of which are located within South Pasadena;
- 22 properties are proposed for Phase 1B, which include historic properties, and are located within all three of the corridor cities; and
- 11 properties are “unimproved,” and located within Pasadena and South Pasadena.

The National Trust's primary concerns are to ensure that the historic properties and historic districts in the corridor are adequately protected in the wake of the disposition process. In order to accomplish this, two primary actions need to be taken:

1. Caltrans must update its inventories of historic properties and historic districts to ensure that the most current information is considered in determining which properties are historically significant.
2. Caltrans must ensure that any historic properties that are transferred to private ownership are adequately protected from future demolition or harmful alteration. In addition, vacant or non-contributing properties within historic districts must be adequately protected to ensure that future new construction would not be incompatible with the surrounding historic character of the district.

Caltrans has determined that all of the properties identified for Phase 1A are *non*-historic single family residences, and that their sale would not result in any adverse community impact. We are very concerned that this assessment is not accurate, and we request that Caltrans update and reexamine its historic inventory information. For example, the June 2014 Cultural Heritage Inventory for the City of South Pasadena identifies 3 of the 20 properties in Phase 1A as historic:

- 1707 Meridian Avenue;
- 1101 Pine Street; and
- 852 Monterey Road

These three properties, and any others that are identified as historic, should be moved from Phase 1A to Phase 1B in order to allow time to address the protection of their historic character. It is possible that there are other properties in the Phase 1B group in Pasadena and Los Angeles that also have been identified as historic through updated local surveys or other means.¹

At present, there is no language in the regulations that specifically addresses the disposition of historic properties and additional protections that would be necessary. It is our understanding that Caltrans does not yet have a specific covenant or legal instrument prepared for the sale of historic properties. ***These issues must be resolved before any of the historic properties within Phase 1B are offered for sale.*** Caltrans should work directly with the municipalities and the historic preservation organizations, such as Pasadena Heritage, the Los Angeles Conservancy, the National Trust, and others, to define the language, terms, and compensation for covenants that would ensure the preservation of historic resources. The National Trust has considerable experience in

¹ We support the comment from the City of South Pasadena that the remaining surplus properties from the 110 properties identified as surplus in April 1995, and the 54 surplus properties identified for sale in July 1995, should be included in the list of available surplus properties. It is not clear how many of those properties remain in the Caltrans inventory from these lists or what the intention of Caltrans is with respect to these properties.

holding and enforcing covenants and easements on a range of historic property types and we would gladly provide information and guidance on best practices, draft covenant language, appropriate fees, etc.

Meanwhile, Caltrans should provide an accurate list of all tenancies and categorize the existing and previous tenants to establish their order of priority to purchase each individual property as originally provided and proposed. We also support the comment from the Cities of Pasadena and South Pasadena that housing-related public entities should be given priority over housing-related private nonprofit entities.²

We appreciate this opportunity to provide feedback on the Affordable Sales Program and we look forward to working with Caltrans to preserve the important historic properties that will be placed back into private ownership within the corridor communities. We urge Caltrans to engage in a meaningful dialogue with the local governments in an effort to reach a consensus on resolving the concerns that have been raised by the governments and members of the public within the corridor. If you have any questions or comments please contact me at emerritt@savingplaces.org or (202) 588-6026.

Sincerely,



Elizabeth S. Merritt
Deputy General Counsel

cc: City of South Pasadena, Mayor and Councilmembers
City of Pasadena, Mayor and Councilmembers
Los Angeles Conservancy
Pasadena Heritage

² The proposed regulations are specific to residential properties and we request clarification regarding the release of Caltrans surplus non-residential properties.