



DATE: May 8, 2018

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Approve the Acquisition of Fee Title from Portions of 967 North Shoreline Boulevard (APN 153-16-008) and 975 North Shoreline Boulevard (APN 153-16-009 and 153-16-010) for the Shoreline Dedicated Bus Lane Project**

RECOMMENDATION

1. Approve the acquisition of fee title from a portion of 967 North Shoreline Boulevard (APN 153-16-008), owned by 967 Shoreline Associates, L.P., a California limited partnership, for the amount of \$60,500.
2. Approve the acquisition of fee title from a portion of 975 North Shoreline Boulevard (APN 153-16-009 and -010), owned by Terraline Properties, LLC, for the amount of \$125,000.
3. Authorize the City Manager or his designee to execute all documents and take all necessary actions related to the acquisition of fee title from portions of 967 North Shoreline Boulevard (APN 153-16-008) and 975 North Shoreline Boulevard (APN 153-16-009 and 153-16-010) for the Shoreline Dedicated Bus Lane Project.

BACKGROUND

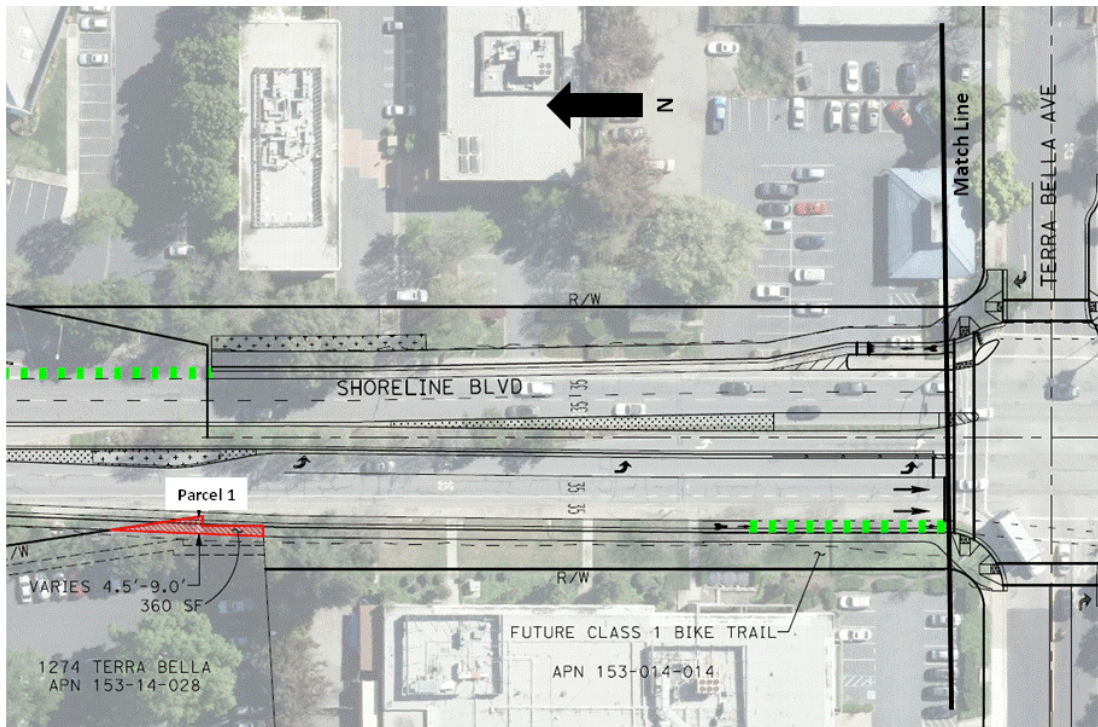
The Shoreline Boulevard Reversible Transit Lane Project is the first step in transforming Shoreline Boulevard into a multi-modal corridor as envisioned in the "Shoreline Boulevard Corridor Study" approved by the Mountain View City Council in November 2014. That study provided for a phased program of transportation improvements to accommodate anticipated increases in employment and development in the North Bayshore Area.

The scope of the project includes a dedicated, center-running, reversible bus lane between Middlefield Road and Plymouth Street/Space Park Way to reduce transit travel time and improve transit efficiency and reliability. The new lane will replace the existing two-way left-turn lane or landscaped median and will not eliminate any existing vehicle lanes. The bus lane will operate northbound in the morning peak hours

and southbound in the afternoon peak hours on weekdays. Bus stops are planned at Terra Bella Avenue and Pear Avenue.

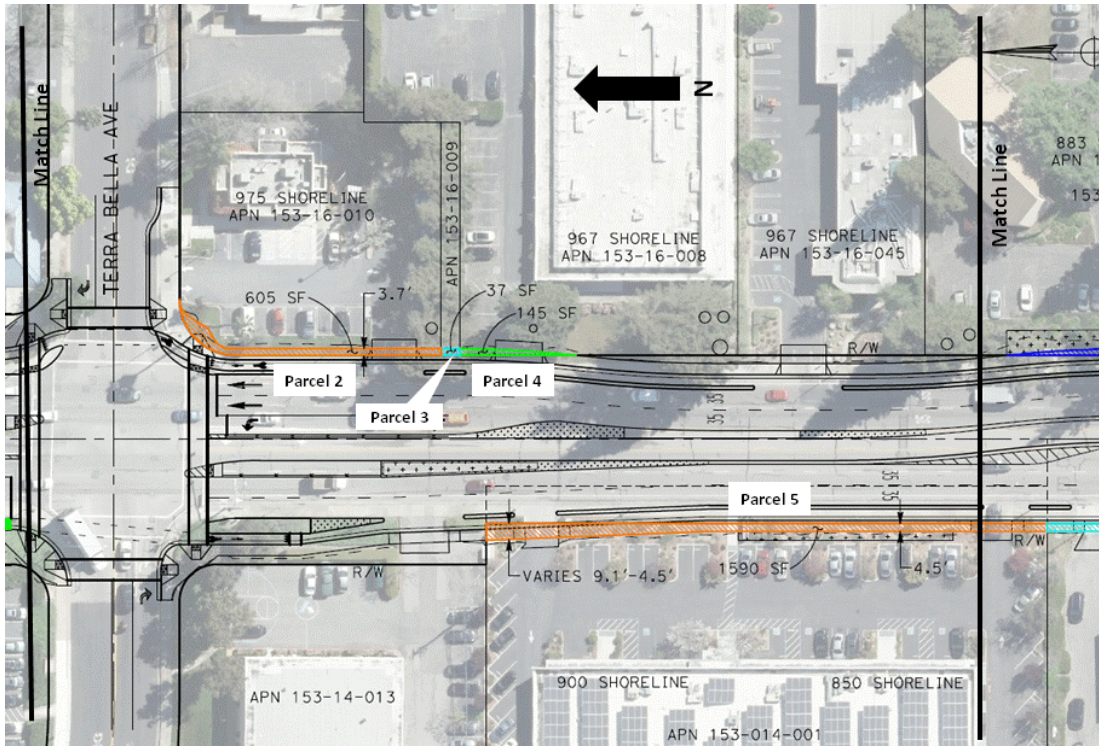
The project also includes a combination of protected and enhanced bicycle lanes on North Shoreline Boulevard from Middlefield Road to Plymouth Street/Space Park Way to enhance safety and increase ridership for bicyclists of all riding skills. Pedestrian improvements will include sidewalks varying from 5' to 8' wide, protective sidewalk improvements at the Middlefield Road intersection, and modifications to crosswalks at the Highway 101 interchange.

The project will require the acquisition of right-of-way from nine parcels between West Middlefield Road and Highway 101 to keep the buffer and sidewalk widths to acceptable minimums. The nine properties, and the acquisition program, are shown on the following project maps and are summarized in the table below. Parcels 2, 3 and 4 are the subject of this Council report.

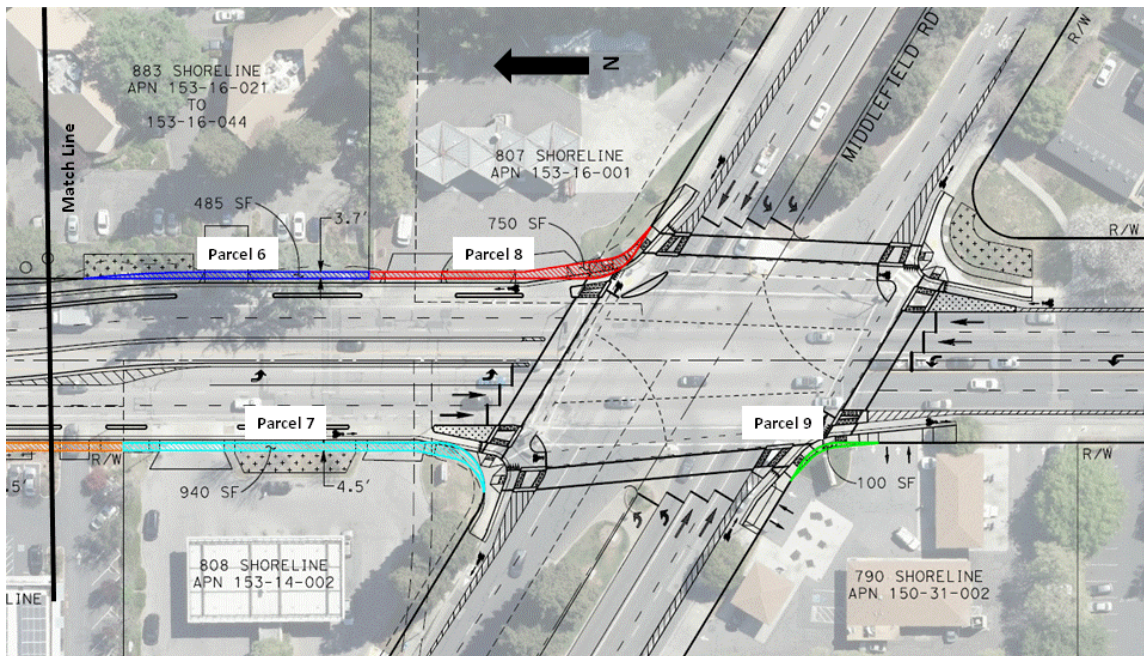


Terra Bella Avenue to Highway 101 – Parcel 1

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Between Terra Bella Avenue and West Middlefield Road – Parcels 2 through 5



North Shoreline Boulevard/West Middlefield Road Intersection – Parcels 6 through 9

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Parcel No.	Address/APN	Property Owner	Business Occupant	Acquisition Size (s.f.)	Total Parcel Size (s.f.)
1	1274 Terra Bella Avenue APN 153-14-028	Teledyne Wireless Inc.	Same	359	286,000
2	975 North Shoreline Boulevard APN 153-16-010	Terraline Properties, Inc.	Taco Bell	654	17,195
3	No Situs APN 153-16-009	Terraline Properties, Inc.	Taco Bell	87	1,250
4	967 North Shoreline Boulevard APN 153-16-008	967 Shoreline Associates	Multi-tenant office building	352	59,430
5	850/900 North Shoreline Boulevard APN 153-14-001	FKR Properties LLC	Δ Base and VITA	1,588	79,531
6	883 North Shoreline Boulevard APN 153-16-021 through 153-16-044 (condo common area)	C-M Shoreline Station LLC	Office condo common area	484	66,466
7	808 North Shoreline Boulevard APN 153-14-002	Chevron USA Inc.	Chevron station	935	36,084
8	807 North Shoreline Boulevard APN 153-16-001	Au Energy, LLC	Shell station	750	27,334
9	790 West Middlefield Road APN 150-31-002	Hadad Petroleum Inc.	Arco station	100	24,219

If any of the affected properties were being considered for redevelopment, it is possible dedication of additional right-of-way as a condition of approval could be required, but to date none of the properties have applied for planning approval of a new development.

ANALYSIS

California law (California Government Code §7267 *et seq.*) requires public agencies to appraise the fair market value of property it intends to acquire and to offer no less than the approved appraised fair market value as “fair and just compensation.” Section 1263.320 of the California Code of Civil Procedures defines fair market value as:

- (a) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
- (b) The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

The City had the acquisition parcels appraised by a qualified, independent real estate appraiser and the City made formal offers of fair and just compensation as required by State law. The City and the owner of Parcels 2 and 3 (Terraline Properties, Inc.) have reached a negotiated agreement for the City to purchase the necessary property for \$125,000. The City has also reached agreement with the owner of Parcel 4 (967 Shoreline Associates) to purchase the necessary property for \$60,500. Staff recommends approval of the purchase of the property rights. Negotiations are ongoing with the remaining property owners and agreements will be brought forward for Council approval as agreements are reached.

FISCAL IMPACT

In adopting the Fiscal Year 2017-18 Capital Improvement Program, Council approved Shoreline Bus Lane Property Acquisition, Project 18-47, and appropriated \$4,260,000 for right-of-way acquisition.

ALTERNATIVES

1. Do not approve the acquisitions.
2. Direct staff to renegotiate the price and terms of the acquisitions.
3. Provide other direction.

PUBLIC NOTICING

Agenda posting. A copy of this report was also provided to the property owners.

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DPD-DSC-MAF/JA/2/CAM
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