

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 25-26, 2008

Reference No.: 2.4d.(2)
Action Item

From: CINDY McKIM
Chief Financial Officer

Prepared by: Bimla G. Rhinehart
Chief
Division of Right of Way
and Land Surveys

Subject: **CONCEPTUAL APPROVAL OF A DIRECT SALE TO THE ONLY ADJOINING OWNER - ONE RINCON LLC, ITS ASSIGNEES OR SUCCESSORS.**

RECOMMENDATION:

The California Department of Transportation (Department) is seeking conceptual approval from the California Transportation Commission (Commission) of a proposed direct sale to the only adjoining owner of excess land parcel DD 00016-01-01 - One Rincon LLC, its assignees or successors (Developer). Time is of the essence as the proposed excess land is currently within the Harrison Street off-ramp being reconstructed as part of the West Approach to the San Francisco Bay Bridge Seismic Safety Project (WASSP).

ISSUE:

The Developer's project consists of two high-rise residential towers in the same vicinity as the WASSP. The Developer has received entitlements to construct the two high-rise residential towers. The first tower which is 60 stories high and fronts on First Street, has been constructed, and is currently occupied. The second tower that will be 56 stories high and fronts on Harrison Street, is scheduled to break ground late summer 2008.

In February 2008, the Developer and the Department met to discuss the second tower. The Department stated that it was in the final stages of construction of the WASSP and hence, this was the Developer's last opportunity to expand the plaza area of the second tower. The Developer decided that enlarging the plaza area and controlling the design of the required barrier was beneficial to their development.

BACKGROUND:

The property will be declared excess and the WASSP project improvements (sidewalks, curbs and gutters) will be deleted by construction change order.

1. The parcel has been estimated to be in the range of 1,200 to 1,700 square feet in size. The size of the parcel will be determined based on the final design for the WASSP.

2. The Department will receive the price per square foot paid by the Developer (estimated \$421 per square foot) for the unentitled adjoining property and will reserve access rights to the off ramp.
3. The Developer will submit to the Department the contract of sale between the Developer and the private property owner as support for the price, as that would have been the price paid to the Department if the parcel had been excess at the time of the Developer's purchase in 2005.

Upon approval by the Commission, the Developer and the Department will finalize the required project changes and execute an Option to Purchase contract. When the details of the transaction have been finalized, the Department will seek approval of the Commission of the sale. The closing date for this transaction is yet to be determined.

The Department seeks to be released of the maintenance of the required sidewalk.

Attachments

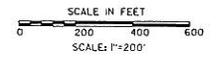
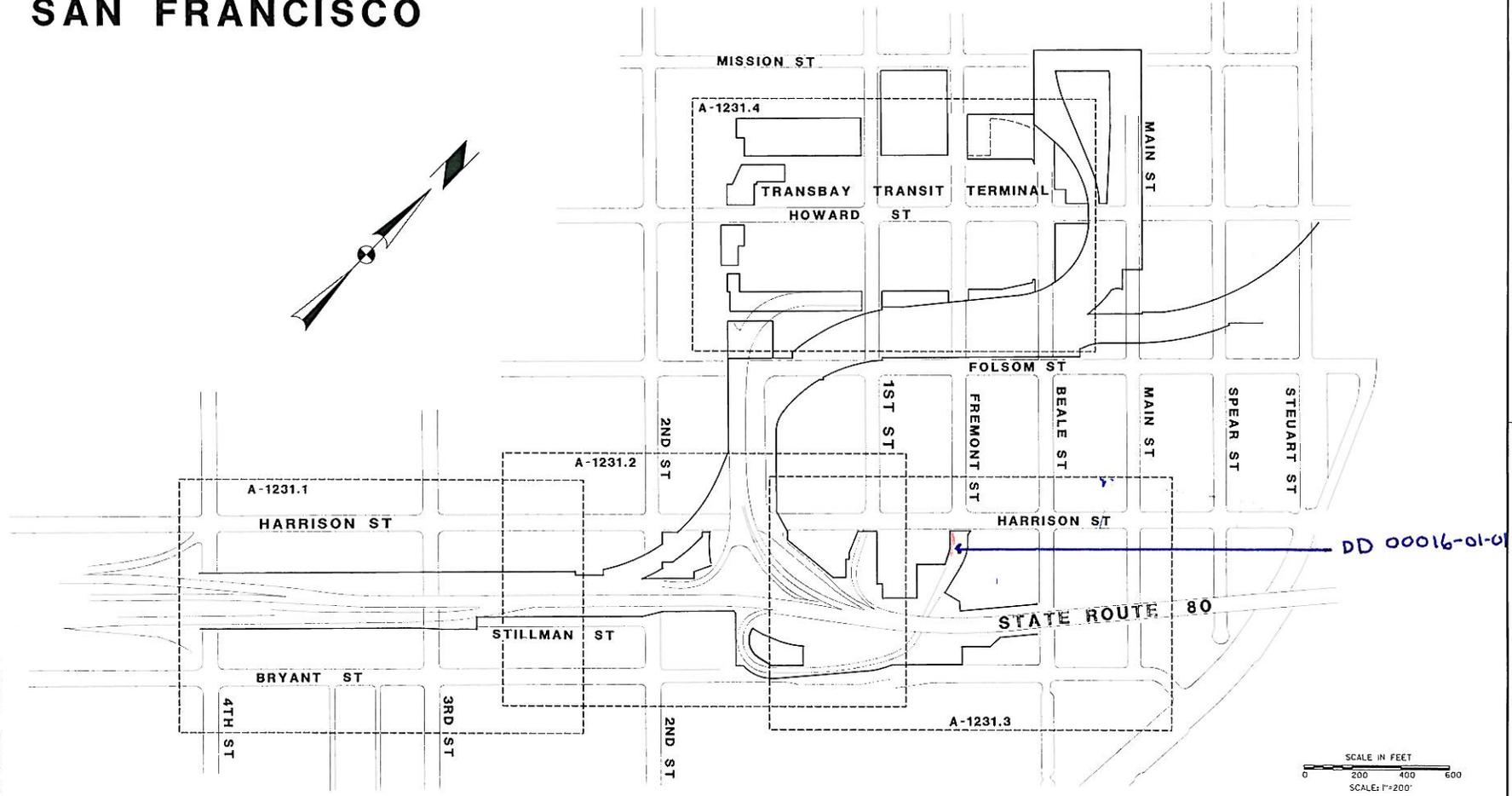
REVISIONS	DATE
Added Form 31643	01/99
Added Form 6004, 6046 & 6042	01/06
Added Form 60730	02/04

A.L.T. DISTRICT		STATE	FEDERAL PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
NO.	NAME	CALIF.				
04	SF		80	5,075.4		

CITY & COUNTY OF SAN FRANCISCO



ATTACHMENT 1A



STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY		APPRaisal MAP	
DISTRICT 04		SHEET NO. 5.1	
PREPARED BY: D.M.	DATE: 4/97	COUNTY: SF	PROJECT: 80
DRAWN BY: D.M.		SHEET NO.: A-1231.0	

NO SCALE

C.A. 133332/0435V2	MAP REFERENCE				
	BLK.	APPRaisal	RECORD	VOUCHER	NUMBER
RCM 2802 - D.W./A.Z. SUPERVISOR	A-1231	R-28 & 31			

