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APPROVED AS TO FORM AND LEGALITY:

Diane Lewis

AGENCY COUNSEL

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND
2010 - 0006
RESOLUTION No. _____ C.M.S.

**RESOLUTION APPROVING A REPLACEMENT HOUSING PLAN FOR
THE MACARTHUR TRANSIT VILLAGE PROJECT**

WHEREAS, Section 33413 of the California Health and Safety Code requires that dwelling units housing households of very low, low or moderate income that are destroyed or otherwise removed from the low and moderate income housing market as part of a redevelopment project that is subject to a written agreement with a redevelopment agency or that receives financial assistance from the agency be replaced on a one-for-one basis with comparable units; and

WHEREAS, Section 33413.5 of the California Health and Safety Code requires that a redevelopment agency adopt by resolution a replacement housing plan if such dwelling units are destroyed; and

WHEREAS, the Redevelopment Agency of the City of Oakland ("Agency") will be financially assisting the development of the MacArthur Transit Village Project (the "Project") by providing up to \$17.6 for general development costs, and up to \$16.4million for housing development costs; and

WHEREAS, the project developer MacArthur Transit Community Partners, LLC (MTCP) plans to construct a number of improvements as the MacArthur Transit Village project, including 624 residential rental and ownership units (516 market rate units and 108 below market rate units; 42,500 square feet of commercial/neighborhood serving retail space; 5,000 square feet of community space; 400 replacement parking spaces for BART in a new parking structure and a commitment to park an additional 110 BART patrons through either an expanded parking garage, shared parking, satellite lots, and/or attended parking in the garage; new public roads, and public plazas; and

WHEREAS, construction of the project will require the purchase and demolition of two properties: 526 West MacArthur Boulevard, currently in use as the Rio Motel, and 544 West MacArthur Boulevard, currently is use as the Sleepy Hollow Motel; and

WHEREAS, these two motel properties collectively contain one low income residential owner-occupied unit, one low-income residential rental unit and one very low income residential rental unit that will be displaced as a result of the first phase of construction; and

WHEREAS, the demolition of these housing units is necessary to proceed with the construction of the MacArthur Transit Village project which will eliminate blight and provide new housing in the redevelopment project area; and

WHEREAS, the Agency drafted a Replacement Housing Plan for the Project, attached as Attachment C to the staff report accompanying this resolution, providing for the replacement within four years of the housing units demolished on the Project site with 2 comparable units affordable to low income households earning no more than 80% of area median income and one very low income households earning no more than 50% of area median income; and

WHEREAS, the Replacement Housing Plan was made available to other public agencies and the general public for a reasonable time prior to the adoption of this Resolution; and

WHEREAS, the requirements of the California Environmental Quality Act of 1970 ("CEQA"), the CEQA Guidelines as prescribed by the Secretary of Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; now, therefore, be it

RESOLVED: That the Redevelopment Agency hereby adopts the Replacement Housing Plan for the MacArthur Transit Village Project, attached as Attachment C to the staff report accompanying this resolution; and be it

FURTHER RESOLVED: That the Agency has independently reviewed and considered this environmental determination, and the Agency finds and determines that this action complies with CEQA because this action on the part of the Agency is exempt from CEQA pursuant to Section 15061(b)(3) (general rule) of the CEQA guidelines; and the Agency Administrator shall cause to be filed with the County of Alameda a Notice of Exemption; and be it

FURTHER RESOLVED: That the Agency Administrator or his designee is hereby authorized to take action as necessary to implement the Replacement Housing Plan, and take any other action with respect to the Replacement Housing Plan consistent with this Resolution and its basic purposes.

JAN - 5 2010

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2010

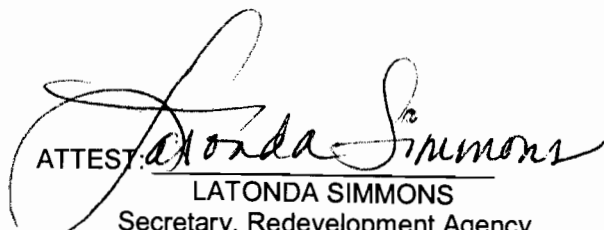
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
CHAIRPERSON BRUNNER - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST 
LATONDA SIMMONS
Secretary, Redevelopment Agency
of the City of Oakland