

TRANSIT ORIENTED DEVELOPMENT **Opportunities for Affordability and Access in Austin**



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Introduction

Purpose

Multiple planning efforts currently in process have the potential to shape Austin's land use and transportation for decades to come. Strategic land use over the next several decades will be an important factor in managing Austin's ongoing growth. Transit Oriented Development (TOD) offers Austin an opportunity to manage this growth by providing a "type of community development that includes a mixture of housing, office, retail and/or other commercial development and amenities integrated into a walkable neighborhood and located within a half-mile of quality public transportation."¹ Members of the ULI Affordability and Transportation Strategic Councils worked together to develop this document to recognize opportunities for Transit Oriented Developments in Austin.

ULI Austin

The Urban Land Institute (ULI) is a member driven organization providing leadership in the responsible use of land and in creating and sustaining thriving communities worldwide. As the preeminent, interdisciplinary real estate forum, ULI facilitates the open exchange of ideas, information and experience among local, national and international industry leaders and policy makers who are dedicated to creating better places. ULI has long been recognized as one of the world's most respected and widely quoted sources of objective information on urban planning, growth, and development.

Established locally in 1994, ULI Austin is a district council of the Urban Land Institute where real estate professionals from across Central Texas exchange ideas and best practices to serve community needs. ULI Austin brings together leaders from both private and public sectors who share a common interest in responsible land use strategies and a commitment to excellence in development practice. ULI Austin does not advocate; we offer fact-based information through research, education and publishing.

Strategic Councils

ULI Austin's Strategic Councils convene public, private, and non-profit entities to discuss and impact local issues. Current councils are Affordability, Transportation and Creative Culture. The Affordability Strategic Council focuses on issues affecting affordability in Central Texas, including housing and commercial space. Previous efforts by the Affordability Strategic Council identified sites for affordable housing on government land, recommended publicly-owned land that is viable for affordable housing, and reviewed the City of Austin Housing Blueprint Implementation Plan. The Transportation Strategic Council focuses on issues related to mobility across Central Texas. These efforts include coordination with regional partners and understanding the dynamic between land use and transportation. Previous efforts by the Transportation Strategic Council have included a review of proposed transportation impact fees by the City of Austin and education efforts surrounding the Austin Strategic Mobility Plan and Capital Metro's Project Connect.

Methodology and Process

Each of ULI Austin's Strategic Councils contains multiple experts in their respective subject matter. Specific contributors to the paper are provided in Appendix A. Team members worked to establish the current

¹ Center for Transit-Oriented Development. <u>http://ctod.org/faqs.php</u>



status of TODs in Austin by reviewing current ordinances and planning processes as well as interviewing developers of existing TOD projects. The Strategic Councils then worked to identify ways to maximize the affordability and mobility impact of TODs and opportunities to provide successful TODs within Capital Metro's current and future transportation network. This document and the comments contained within are provided to work with the City and other stakeholders toward a TOD program that aligns with ULI's mission, with a special emphasis on alignment with affordability and multi-modal transportation connectivity.



Executive Summary

Transit Oriented Development (TOD) can include housing, office, and commercial uses, as well as important basic services and public space within walking distance of frequent transit service. The density provided by a TOD should grow transit ridership, therefore driving demand for permanent, frequent transit options at that location, whether bus, rail, or streetcar. TOD transforms a city's built environment through pedestrian-oriented design and amenities.

Capital Metro (CapMetro) is Central Texas' regional transportation provider. Austin's TOD overlay was planned in anticipation of MetroRail Red Line service, CapMetro's 9-station, 32-mile commuter rail system that connects downtown Austin and its northwestern suburb, Leander. Additionally, CapMetro operates frequent bus service, including MetroRapid, MetroExpress, and local high-frequency buses. Seven MetroExpress routes also connect suburban commuters with limited-stop service downtown. Beginning June 2018, CapMetro also began operating its High-Frequency Network, "Cap Remap".

Austin's current land development code uses a 20th century concept of use-based zoning, where residential and commercial uses are segregated, to dictate what development looks like. In 2005, Austin City Council adopted an ordinance creating a new zoning category – TOD or Transit Oriented Development. This was done in anticipation of opening the region's first commuter rail line, the Metro Rail Red Line. A two-phased approach was adopted to establish TOD overlays for station areas. Phase 1 identifies the district boundaries, establishes preliminary hierarchies of intensity, and develops interim regulations for development. Phase 2 develops a more in-depth Station Area Plan (SAP) through the City of Austin's existing neighborhood planning process. Nine TOD Districts have been established; however, only three of these have completed both phases of the TOD process – Lamar/Justin (Crestview Station), MLK Jr., and Plaza Saltillo.

Despite the complexities of this process, Austin's TOD zoning offers an opportunity to improve quality of life for residents in these developments and nearby neighborhoods. Austin is in a housing crisis with a demand for affordable properties that far outstrips the supply of units affordable to low and medianincome households. Housing and transportation costs have been shown to be co-dependent in many locations and should generally be assessed together when considering affordability. Unlike most zoning types, TOD connects housing and transit options, which is key to preserving and creating affordability in Austin.

Members interviewed five local TOD developers to investigate the challenges and successes of Austin's earliest examples of TOD. Drawing on a shared set of interview questions, the resulting discussions covered lessons learned from existing TODs, including how these developments might differ under today's market conditions. Several key themes arose across interviews:

- Connectivity
- Lack of Consistency
- Compatibility
- Density
- Public Space

- Commercial Tenants
- Transit
- Outreach and Communications
- Parking
- Land Costs

Current and future City of Austin plans offer opportunities to encourage Transit Oriented Development. The *Austin Strategic Mobility Plan (ASMP)* established an ambitious goal: an evenly split mode share, in which half of Austin residents drive to work and half commute via non-single occupancy vehicle modes by



2039. By locating more people closer to transit, TOD is central to achieving this goal. TOD is also implicit within ongoing revisions to Austin's existing *Land Development Code (LDC)*, by increasing residential densities along transit corridors. Upzoning in areas with planned and existing transit service will increase housing capacity near CapMetro stations. The *LDC* revision is also an opportunity to clarify Austin's existing TOD ordinance and regulatory plans. Initiated in 2013, Capital Metro's Project Connect is a regional mobility plan that focuses on establishing dedicated high-capacity transit in identified corridors. In conjunction with the City of Austin's land development code overhaul, Project Connect could provide new opportunities for Transit Oriented Development.

Within the past 5 years, the City of Austin has made concerted efforts to stave off the affordability crisis that is prevalent in Austin and in many high-growth cities across the United States. The City of Austin's *Strategic Housing Blueprint (Blueprint)* is the City's guiding housing policy initiative. The *Blueprint* identifies the need for affordable housing in two ways – first, in terms of a prescribed number of units, and second, in terms of location and types of housing. The University of Texas study, *Uprooted: Residential Displacement in Austin's Gentrifying Neighborhoods and What Can Be Done About It (Uprooted),* reaches similar conclusions about affordable housing problems, goals, and strategies needed, especially in Austin's centrally located neighborhoods, which are most at-risk of displacement and gentrification. Tools currently available to provide additional affordable housing within Austin include: Homestead Preservation Districts, Density Bonus Programs, Affordability Unlocked, General Obligation Funding, and S.M.A.R.T. Housing.

With the high cost of housing within the city limits, many residents are moving out of the city proper to the city's extraterritorial jurisdiction (ETJ). While these areas can become part of a regional growth strategy that incorporates TOD, limitations exist. Travis County has identified transportation and economic development strategies related to TOD planning in the *Travis County Transportation Blueprint* and their *Comprehensive Economic Development Strategy*.

Drawing on lessons learned from previous TOD in Austin and momentum from current and ongoing planning efforts, this paper identifies the following opportunities to improve Austin's next iteration of Transit Oriented Development.

• Include Alternative TOD Locations

TOD works best when near high frequency transit, whether bus or rail. More important than the type of transit vehicle is the provision of dedicated right-of-way to ensure on-time service and travel times that are comparable, if not faster, than traveling the same route in a private automobile. In the Austin area, MetroRapid and MetroBus currently provide the frequencies most likely to support robust TOD. CapMetro now offers 14 bus lines running 15-minute service, seven days a week. TOD could be an excellent fit for parts of the Austin metro area currently served by multiple, high-frequency bus lines.

Through a mapping exercise that reviewed parcels of land within one-quarter mile of existing high frequency transit and MetroRail, members identified 1,350 acres within the city of Austin that could take advantage of the existing TOD designation. When overlaid with future Project Connect lines, the same mapping exercise identified an additional 400 acres of land just along the proposed Orange and Blue lines. With the full Project Connect vision, more than 1,100 acres of additional city of Austin land could become TOD-ready, prime candidates for significant zoning changes that



would allow for TODs. With additional transit service and more connections to different locations, TOD could reduce automobile dependency and support sustainable growth.

• Create Consistent TOD Zoning and Policies

A cohesive set of TOD tools and requirements, made implicit within TOD overlays, would bolster Austin's TOD program. A consistent process and dedicated zoning classifications for TOD would reduce barriers to development.

• Eliminate Fee-in-lieu for Density Bonus Programs

Density Bonus programs for TOD should phase out fee-in-lieu provisions for affordable housing and instead move toward a required affordable housing target in exchange for density bonusses. There is no less expensive area in which affordable units can be provided more efficiently or at a lower cost than a TOD. Removing fee-in-lieu as an option while creating a cohesive set of TOD tools and requirements would result in affordable units spread across the City and close to affordable transit options.

• Consider Equitable Transit Oriented Development

TOD that focuses on affordability is known as Equitable Transit Oriented Development (ETOD). ETOD combines TOD strategies with ideals of social equity, augmenting TOD strategies with targeted affordability and inclusivity measures. This focus also emphasizes opportunities for residents currently living and working in changing areas to benefit from development and remain in their communities. An increasingly prominent ETOD strategy is establishing metropolitan- or city-based TOD Funds, most of which explicitly pursue equity and ecologically-minded goals. These funds combine public housing funding, private or philanthropic impact capital, and bank funds to fill gaps in financing mixed-use, mixed-income, walkable urban locations. In November, Austin voters have the opportunity to vote on the initial phase of the Project Connect transit system, which includes \$300M designated for Equitable Transit Oriented Development.

• Go Beyond Austin: TODs as Regional Growth Strategy

Regional-level policies can support TOD strategies across Central Texas, including the Capital Area Metropolitan Planning Organization (CAMPO) and the Capital Area Council of Governments (CAPCOG). These entities guide regional coordination and transportation planning. As has been done in other regions, these plans can also consider housing strategies alongside long-range transportation planning including planning for TOD at the regional scale. Regional strategies can begin with policies at the municipal level that promote and identify places suitable for equitable Transit Oriented Development.

Austin is on the cusp of making major transit investments, which can drastically change our urban form and economic outcomes. Transit Oriented Development offers an opportunity to encourage transit ridership, create more compact communities, and build more affordable housing. Drawing on Austin's history of TOD planning, an enhanced TOD program can capture the value of forthcoming transportation investments to support inclusive, sustainable growth and responsible land use.



Background on Transit Oriented Development in Austin

What Does TOD Include?

Transit Oriented Development (TOD) can include housing, office, and commercial uses, as well as important basic services and public space and are within walking distance of frequent transit service. By encouraging compact development within a defined radius, TOD promotes a more efficient provision of services and amenities to residents within the development and for adjacent neighborhoods. TODs also provide opportunities for car-free or car-lite ways of living, TODs integrate services and retail with transportation to ensure ready access to everyday needs, including childcare, groceries, public restrooms, and public space. The density provided by a TOD should grow transit ridership, therefore driving demand for permanent, frequent transit options at that location, whether bus, rail, or streetcar.

TOD transforms a city's built environment through pedestrian-oriented design and amenities. These components include smaller block sizes, less dedicated parking, more people per acre, shade, ample lighting, wayfinding, places to sit, and active street-level uses (such as retail or creative spaces). Together, these features make it convenient and safe to walk, cycle, and use public transit. The result is a development pattern that is vibrant and active, improving the long-term viability of the buildings and businesses in a TOD.

TOD also helps reduce dependence on cars, which in turn reduces air pollution and promotes health. Households that live in a TOD, and can use public transportation or walk, free up income for other uses. TODs can therefore improve regional affordability by increasing the availability of housing and office space in the urban core, as well as offering the opportunity to forgo the costs of car ownership.

Current Transit Service in Austin

Capital Metro (CapMetro) is Central Texas' regional transportation provider. The agency's system of transit options includes bus, express bus, rail, rideshare, paratransit, and campus shuttles at the University of Texas at Austin.

Austin's TOD overlay was planned in anticipation of MetroRail Red Line service, Capital Metro's 9-station, 32-mile commuter rail system that connects downtown Austin and its northwestern suburb, Leander. MetroRail Red Line service began in 2010 and runs six days a week. Due to growing ridership and recent federal and state grants, Capital Metro has recently expanded MetroRail capacity, allowing for more frequent service and more train cars for riders. Capital Metro is also expanding the line's Downtown Station, which will increase the line's capacity, and create quality public space in east downtown.

Additionally, Capital Metro operates frequent bus service, including MetroRapid, MetroExpress, and local high-frequency buses. Two high-capacity rapid bus lines, MetroRapid, connect many of Austin's favorite destinations by running along Capital Metro's highest-ridership routes. These routes connect Tech Ridge with Southpark Meadows (via North Lamar and South Congress) and The Domain with the Westgate Transit Center (via Burnet Rd and South Lamar). Station areas for these lines include enhanced shelters (including real-time arrival data), as well as local maps and wayfinding.

Seven MetroExpress routes connect suburban commuters with limited-stop service downtown. Several of these routes operate in managed toll lanes on MoPac, allowing passengers to forgo congestion on this



expressway. Many of these routes serve northern Park & Ride facilities, which may offer potential sites for adjacent Transit Oriented Development.

Beginning June 2018, Capital Metro also began operating its High-Frequency Network. Marketed as "Cap Remap," this network consists of 12 routes which operate every 15 minutes from 6 a.m. to 8 p.m., 7 days a week. Within the first year of implementing Cap Remap service changes, overall system year-over-year ridership has grown by 4.5%.² With frequent, reliable service, these routes also offer opportunities for Transit Oriented Development.

Current Code and TOD Overlay

Austin's current land development code uses a 20th century concept of use-based zoning, where residential and commercial uses are segregated, to dictate what development looks like. As a result, most of the City's zoning code fosters car-dependent land use. For example, the City of Austin requires that an average new housing unit incorporate parking for two full size vehicles, a requirement which significantly impacts construction costs. Alongside current minimum lot sizes, setbacks, compatibility, and percentage-based impervious surface regulations, the resulting landscape can be sprawling and unaffordable for low-and middle-income households.

These development patterns are typical of most American cities, especially those developed after the advent of the automobile. Yet, many cities (including Austin) are creating more sustainable alternatives through TOD. In 2005, Austin City Council adopted Ordinance No. 20050519-008 creating a new zoning category – TOD or Transit Oriented Development. This was done in anticipation of opening the region's first commuter rail line, the MetroRail Red Line. A two-phased approach was adopted to establish TOD overlays for station areas.

Phase 1 identifies the district boundaries, establishes preliminary hierarchies of intensity (with the highest mixed-use density planned closest to the station), and develops interim regulations for development compatible with the anticipated transit oriented district.

For Phase 2, a more in-depth Station Area Plan (SAP) is developed through the City of Austin's existing neighborhood planning process, which eventually replaces the interim regulations established in Phase 1. This plan incorporates any existing neighborhood visions into the vision for the station area. A regulating plan is then developed to achieve the intended SAP, and the entire plan is adopted into the Land Development Code as a base layer of TOD zoning applying to parcels within the district's boundaries.

The TOD Ordinance established districts around selected stops along the Capital Metro MetroRail and at Park and Ride locations, linking Capital Metro's MetroRapid Bus Transit. Nine TOD Districts have been established: Northwest Park & Ride, North IH-35, Lamar Blvd/Justin Lane, Highland Mall, MLK Jr. Blvd, Plaza Saltillo, The Convention Center, Oak Hill, and South IH-35 Park & Ride. To date, only three of these locations have completed both phases of the TOD process: Lamar/Justin (Crestview Station), MLK Jr., and Plaza Saltillo.

² Austin Business Journal, *Capital Metro Ridership Bounces Back from Years of Stagnation*. <u>www.bizjournals.com</u> <u>austin > news > 2019/06/25 > capital-metro-ri...</u>



TOD zoning regulates building form and amenities akin to zoning elsewhere within the city, but each variable (such as parking requirements or allowable height) is modified to create healthy, walkable transit oriented places. For example, zoning for single-family neighborhood areas such as Brentwood (largely zoned as SF-3) permits about 6 housing units per acre, but zoning at nearby Crestview Station allows for a maximum of 45 units per acre and even includes some minimums that prohibit development with fewer than 17 units per acre.³

Height restrictions were incorporated into all three Station Area Plans. As explained in the plan for the Plaza Saltillo area:

There was a range of opinions expressed with respect to appropriate allowable building heights in the TOD. Generally speaking, three-to-five story buildings were supported, throughout the TOD District. Input from the development community indicated that there was little interest in building heights greater than 60 feet as the cost of developing above that (i.e. using steel-frame construction) is not financially feasible in this area at this time.⁴

These entitlements depend on negotiations between City leadership, developers, City staff, and surrounding neighbors. For example, during the Plaza Saltillo station planning process, height limits were a focal point of discussions between City Council, various community stakeholders, private developers, and affordable housing advocates. Saltillo's regulating plan ultimately included maximum residential densities and height restrictions, versus utilizing tools and entitlements to maximize density (as in peer cities, such as Seattle). Some advocates believe that these regulations diluted the density of today's TODs and represent a loss of regional housing. Nonetheless, market conditions are also a natural limiter of height and density, as market demand for areas planned for TOD may not yet support higher-density development.

Despite the complexities of this process, Austin's TOD zoning offers an opportunity to improve quality of life for residents in these developments and nearby neighborhoods. TOD zoning can create high-quality, walkable urban places, improve access to transportation, offer models of equitable development for households burdened by transportation costs, and support sustainable regional growth.

Current Affordable Housing Availability

Affordable housing in Austin is in short and shrinking supply. Austin is in a housing crisis, with a demand for affordable properties that far outstrips the supply of units affordable to low and median-income households. This mismatch between demand and supply is shown in growing housing costs for renters and homebuyers alike, and for all income levels. Between 2008 and 2018, monthly rent grew by 51.7% (according to Yardi) while median income only grew by 23% during this same time period. With housing costs outpacing wage growth, 49.3% of Austin's renters are classified by the Department of Housing and

³ City of Austin, *Guide to Zoning*. <u>https://www.austintexas.gov/sites/default/files/files/Planning/zoning_guide.pdf;</u> City of Austin, *Regulating Plan for the Lamar Blvd./Justin Lane TOD Station Area Plan*.

ftp://ftp.ci.austin.tx.us/npzd/Austingo/lamar justin regplan.pdf

⁴ City of Austin, *Plaza Saltillo TOD Station Area Plan*.

https://austintexas.gov/sites/default/files/files/Planning/Urban Design/Plaza Saltillo Final SAP Lo Res.pdf



Urban Development (HUD) as "cost-burdened," or devoting more than 30% of monthly earnings to housing costs. $^{\rm 5}$

Home prices are also on the rise. While the median sale price for a home in the city of Austin was \$179,250 in 2010, in January 2020, the average home sale price was \$384,750, representing a 115% increase.⁶ Occupancy rates also reflect strong demand, averaging 93.1% in 2018.⁷ To address these constraints on supply, the City's recent housing plan, the *Strategic Housing Blueprint*, calls for an additional 135,000 units to be built over the next decade.⁸

Connecting housing and transit options is key to preserving and creating affordability in Austin, a major advantage of TOD versus other zoning types. Housing and transportation costs have been shown to be codependent in many locations and should generally be assessed together when considering affordability. To date, two of Austin's existing examples of TOD (MLK and Lakeline) include developments with 100% income-restricted affordable units. Plaza Saltillo is considered mixed-income housing, with affordable units as part of the development's overall unit mix. By locating affordable housing near transit, TOD can reduce both transportation and housing expenses for Austin's most cost-burdened households.

As a community, city leadership and voters are attempting to combat Austin's housing crisis. In November of 2018, voters approved a \$250 million General Obligation bond to support the development of affordable housing for low and middle-income earners and simultaneously support long-term residents most at-risk for displacement. Forty percent of this bond is devoted to buying land for permanently affordable housing via a community land trust model – funding that could potentially secure affordable housing near planned transit service. Recent revised density bonuses, known as Affordability Unlocked, also promote the production of more affordable units and are discussed later in this paper.

Existing TOD in Austin: Lessons Learned

TOD planning in Austin began in anticipation of Capital Metro's MetroRail service, which started service in 2010. To date, three station areas (Crestview, MLK, and Plaza Saltillo) have undergone full planning processes for TOD as prescribed by the City of Austin. Members interviewed five local TOD developers to investigate the challenges and successes of Austin's earliest examples of TOD. These conversations discussed developments at MetroRail stations at Crestview, Highland, Lakeline, Martin Luther King (MLK, Jr.), and Plaza Saltillo stations. Only three of these stations have TOD regulating plans as per the City's process described above (MLK, Jr., Crestview, and Plaza Saltillo); however, development incorporating TOD principles is occurring at all five locations.

Drawing on a shared set of interview questions, the resulting discussions covered lessons learned from existing TODs, including how these developments might differ under today's market conditions. As Austin

⁵ Salviati, Chris, 2019 Cost Burden Report: Half of Renter Households Struggle With Affordability. https://www.apartmentlist.com/rentonomics/cost-burden-2019/

⁶ Austin Board of Realtors, *January 2020 Central Texas Housing Market Report*. <u>https://www.abor.com/statsjan2020/</u>

⁷ Novak, Shonda. *Hot dwellings: Austin apartment market sizzled in 2018, sending rents higher.* <u>https://www.statesman.com/news/20190308/hot-dwellings-austin-apartment-market-sizzled-in-2018-sending-</u> rents-higher

⁸ City of Austin, *Strategic Housing Blueprint*.

https://www.austintexas.gov/sites/default/files/files/NHCD/Strategic Housing Blueprint 4.24.17 reduced .pdf



aims to increase activity along transit corridors and near stations and key stops, these conversations can inform improved regulations and development outcomes. Several key themes arose across interviews:

- Connectivity
- Lack of Consistency
- Compatibility
- Density
- Public Space

- Commercial Tenants
- Transit
- Outreach and Communications
- Parking
- Land Costs

Connectivity

Each interviewee cited connectivity of the built environment as a key goal for TOD, as well as a feature that often faces major barriers. For TODs, connectivity can imply ease of navigation within the site (i.e. between office and retail) or integration with transit and surrounding streets. For example, M Station, Foundation Communities' affordable development near MLK Station, created a 10' sidewalk that also connects residents to two major arteries, MLK Blvd and Manor Rd, both of which have frequent bus service. This improvement enhanced access to transit and commercial corridors, otherwise complicated by a disconnected street network. Other projects, such as the Highland Mall redevelopment, established

design principles that prioritize connectivity for pedestrians and cyclists early in project planning. Some projects indicated ongoing needs for sidewalk connectivity, in some instances where the TOD was completed prior to improvements to the surrounding road network. At Lakeline, for example, the project's sidewalk feeds into an unimproved road and ends at the project boundary. Improved coordination could improve connectivity between the TOD site and its surrounding streets.



Figure 1 - Poor sidewalk connectivity at Lakeline TOD

Lack of Consistency

Today TOD in Austin is governed by a regulating plan, which is different and unique for each TOD. While this allows for some advantages, such as customized compatibility with surrounding neighborhoods, many developers described these divergent plans as challenging.

Interviewees emphasized the need for consistency with other zoning categories, and the potential for these regulations to ultimately overlap. For example, today's TOD overlay is similar to regulations which govern Vertical Mixed Use (VMU). Aiming for a consistent zoning category for both TOD and VMU overlays would simplify planning for both development typologies. Some developers also requested more flexibility within zoning categories, such as allowing a mix of uses within floors (e.g. permitting both office and retail on the ground floor).

Incentives, which are often additional entitlements, can also encourage affordable housing in TODs. However, today's incentives vary based on type or location of development, which complicates their use



for developers. Interviewees stressed the need for greater consistency, especially in the types of bonuses granted. While many incentives can grant TOD additional square footage for affordable units, one developer noted that these bonuses should grant developments an extra percentage of units, rather than square footage, which would encourage the production of more affordable units.

Compatibility

Some developers noted the challenges of compatibility with existing single-family density. Frequently, neighborhood concerns about compatibility, as well as some concerns about matching development form, diluted the density of existing TODs. For example, height restrictions for sites adjacent to single family homes limit the number of units of housing that can be built overall, resulting in expensive building types (podium over parking, for example) that cannot take full advantage of their TOD or VMU designation.

Density

Resoundingly, most developers reflected that if the project was built today, they would plan projects with additional density. One interviewee even exclaimed they would "double or triple the density" if permitted by regulating plans. With additional density, developers could provide more space for the amenities and environments where people want to live, work, and play. Expanded entitlements and increased density in TODs would support creation of these high-quality places, and additional housing choices. Additional people living near at these developments would increase demand for transit, creating an incentive for better service. In these interviews, developers by and large encouraged greater density bonuses, including increasing allowable floor area ratio (FAR) and building height.

Public Space

Transit Oriented Development is designed for multiple "customers." These customers include not only tenants, but also surrounding communities, which includes transit riders.

Whether through embedded parks and open space, integrated and enhanced transit stations, or retail offerings, TODs are an opportunity to improve the built environment near transit service. For transit riders, this may mean a better place to wait, including improved seating or retail (such as a coffee shop). However, these improvements are challenging to incorporate, due to restrictions surrounding site development or the cumbersome nature of public-private coordination. Some developers suggested incentivizing public improvements through tools like tax increment financing, used by peer cities but underutilized in Austin.

Commercial Tenants

Another major "customer" for TODs are its retail tenants. A TOD ordinance needs to accommodate commercial tenants, especially as more sophisticated tenants will negotiate for their operational needs. Important concerns, such as shared parking or space for truck delivery, can be baked into developments to lure the right TOD tenant.

"Anchor institutions" (such as hospitals or educational institutions) can also stabilize or secure development in areas that may not be considered market-ready. For example, the re-development of the former Highland Mall site was anchored by a public-private partnership with Austin Community College (ACC). ACC's continued commitment to this site has catalyzed additional private development, which shows how major local institutions and businesses can incite further development at TOD station areas.



Transit

Though transit is seemingly intrinsic to TOD, projects need to coordinate with Capital Metro to accommodate operational needs and encourage ridership among residents. Projects should work closely with Capital Metro to integrate development with existing or planned station areas. Successfully planned TOD will improve access to transit, increase transit ridership, and ease operations for transit providers. Further, TOD works best alongside high-frequency transit service, arriving every 15 minutes or less, 7 days a week.

Outreach and Communications

All interviewees emphasized the need to work proactively with surrounding communities. Outreach should take place early in project development, allowing neighbors more time to understand the project. Developers of TOD with significant affordable housing components especially stressed the importance of outreach.

Marketing and readily accessible information can also encourage tenants to take transit. Most interviewees noted that projects distributed information about transit service through tenant resource centers and digitally.

Parking

When planned proactively, parking can balance the needs of tenants, transit riders, and daytime retail visitors or employees. For example, Crestview Station uses shared parking for retail in which retail tenants can use residential spaces that are unoccupied during the daytime. Overall, interviewees stressed the importance of planning parking according to regulation, location, and demand. Many called for relaxed parking requirements, to lower the cost of development and reallocate more funding towards housing.

Increasingly, many TODs dedicate staff to incentivize transit through transportation demand management (TDM) principles, which often focus on parking and transit usage. TDM tactics may include offering free or reduced transit passes (in exchange for parking), demand-based parking management, properly-valued and priced parking, carpool parking, on-site bike sharing, circulator shuttles, real-time transit information, and shared parking for retail and residential tenants. These principles can ensure that developments are not "overparked," by dedicating excessive space to parking. This trend is especially present in developments with open office floorplans, which trigger additional parking requirements due to higher employee headcounts. To date, none of the TODs have been required to develop a TDM plan with the city, which could further encourage a mode-shift towards transit, biking, and walking.

Land Costs

Multiple developers described a desire to purchase additional land surrounding station areas for future development, also known as land banking. This is a key strategy for affordable development, especially if land is available prior to new infrastructure investments.

Developers discussed the importance of land banking early, before land costs become prohibitively expensive. These costs determine the scale of the development and potential for including incomerestricted affordable units. For example, planning for M Station began before Capital Metro's Red Line was operational. Because land costs had not yet increased with this infrastructure investment, M Station was feasible as a 100% affordable development and includes amenities such as a childcare facility, LEED



sustainable design, and maximizing FAR and building height. M Station also received Low-Income Housing Tax Credits to subsidize development costs.

Future Plans and Opportunities

Recent and ongoing planning efforts can include Transit Oriented Development as an important component of both mobility and land use goals. Opportunities exist for TOD as part of planning for high-capacity transit (Project Connect), land use and zoning (City of Austin land development code revision), mobility (*Austin Strategic Mobility Plan*), affordable housing (*Strategic Housing Blueprint* and others), and regional level plans.

Project Connect and TOD Planning

Initiated in 2013, Capital Metro's Project Connect is a regional mobility plan that focuses on establishing dedicated high-capacity transit in identified corridors. In conjunction with the City of Austin's land development code overhaul, Project Connect could provide new opportunities for Transit Oriented Development. In March 2020, Capital Metro released its system plan for Project Connect, which includes dedicated transitways, two light rail lines with dedicated right of way, expanded Rapid Bus, Express Bus, and Commuter Rail service, new Park & Rides, several Transit Hubs connecting residential areas and regional centers, and greater frequencies and stations overall. The plan is slated for an election in November 2020.

Opportunities for TOD associated with Project Connect build on previous work at Capital Metro. The agency developed and maintains an interactive TOD Priority Tool, to guide public and private investment around transit stations. The TOD Priority Tool focuses on a half-mile radius around high-capacity transit stations on the MetroRapid and MetroRail system. Capital Metro's high-frequency bus network could also support Transit Oriented Development, particularly where two or more high-frequency bus lines intersect.⁹

Future Zoning and Transportation Plans

Current and future City of Austin plans offer opportunities to encourage Transit Oriented Development. The two foundational plans are the *Austin Strategic Mobility Plan (ASMP)* and ongoing revisions to our city's land development code. The following sections highlight how policies and tools associated with these documents can foster transit supportive density.

Austin Strategic Mobility Plan

The Austin Strategic Mobility Plan (ASMP) is Austin's comprehensive, multimodal, long-range transportation plan. Adopted by City Council in 2019, the ASMP's recommendations work towards 2039, or a 20-year planning horizon. A multimodal transportation plan, the ASMP's policies and targets include all modes that make up Austin's transportation network, including sidewalks, roads, public transportation, bicycles, urban trails, emerging mobility, and aviation.

⁹ Capital Metro. <u>https://capmetro.org/every15/</u>



At the *ASMP*'s core is an ambitious goal: an evenly split mode share, in which half of Austin residents drive to work and half commute via non-single occupancy vehicle modes (i.e., transit, biking, walking, carpooling) by 2039. Today, 74% of Austinites drive alone to work.¹⁰ The plan outlines several scenarios that would allow the City to achieve this vision, including specific targets by mode (such as growing the share of cycling commuters from 1% to 5%).

To meet this 50-50 goal, the *ASMP* devotes significant attention to land use policy and Transit Oriented Development. The *ASMP* emphasizes the relationship between land use and transportation, emphasizing that increased residential density will support the 50-50 mode share goal, especially by increasing housing supply along transit corridors. The plan includes five (5) specific land use policies:

- Policy 1: Promote transit-supportive densities along the Transit Priority Network
- Policy 2: Encourage employers to locate near public transportation
- Policy 3: Create places that encourage travel choice and are connected
- Policy 4: Minimize the impact of development on the roadway system by prioritizing multimodal solutions
- Policy 5: Make streets great places

Collectively, these policies encourage Transit Oriented Development. Accordingly, the *ASMP* also prioritizes the advancement of Capital Metro's unconstrained transit system vision, Project Connect, and recommends coordination between City of Austin and Capital Metro to implement these policies.

To measure progress towards these policies, the ASMP includes four (4) major indicators:

- Increase the number of people living and working within a 1/2 mile of the Transit Priority Network
- Increase the number of people living and working within a 1/2 mile of all ages and abilities bicycle facilities
- Increase the number of developments contributing to active mobility improvements
- Reduce the number of drive-alone trips generated and vehicle miles traveled by new developments (by shifting trips to other modes and not by decreasing intensity)

By locating more people closer to transit, TOD is central to each of these indicators. Similarly, the plan wants to place more transit closer to people. Ultimately, the *ASMP* prescribes a mutually reinforcing vision for transportation and land use in Austin. Development supports a multi-modal transportation network, and that network efficiently moves more people between compact, connected places.

Land Development Code Revision

Transit Oriented Development is also implicit within ongoing revisions to Austin's existing *Land Development Code* (*LDC*). This document determines how land can be used, what can be built, where it can be built, and how much can be built.

At the writing of this white paper, the new *LDC* is on hold; however, the latest draft focuses on building more housing throughout Austin's neighborhoods, with specific attention to increasing residential densities along transit corridors. Upzoning (or allowing more residential density) in areas with planned and existing transit service will increase housing capacity near Capital Metro stations. Zoning can also

¹⁰ City of Austin, *Austin Strategic Mobility Plan*. <u>http://app.box.com/s/7aiksxmwwgymalsty0lm21wingk0slug</u>



support more mixed-use development, connecting employment, housing, and entertainment/retail offerings.

The *LDC* revision is also an opportunity to clarify Austin's existing TOD ordinance and regulatory plans. As described previously, today's TOD ordinance outlines a two-phase process to identify the location, land use, site development standards, and boundaries for TOD districts. The first phase identifies locations and interim regulations, while the second phase creates a specific station area plan. Accordingly, each TOD maintains a different regulating plan, which can complicate the development process.

The initial *LDC* draft outlays a TOD zoning category that provides for "development that is compatible with and supportive of public transit and a pedestrian-oriented environment" and then requires regulating plans for each TOD zone. The ad hoc nature of this process means that key TOD elements are often recreated with each station area.

In Austin, technical criteria manuals, which will follow *LDC* adoption, provide an additional opportunity to improve the TOD process and outcomes. For example, criteria manuals may link transportation demand management (TDM) to TOD zoning, requiring developers to incorporate alternative transportation amenities and resources for TOD residents, such as free transit passes, shuttles to transit service, or and reducing parking supply.

City of Austin Affordability Plans and Initiatives

Within the past 5 years, the City of Austin has made concerted efforts to stave off the affordability crisis that is prevalent in Austin and in many high-growth cities across the United States. Seeing similar cities like Seattle and San Francisco struggle to keep up with the demand for affordable and workforce housing, the City of Austin is attempting to address its housing deficit. By making bold moves to keep pace with demand, the City can work to mitigate displacement and preserve our cultural diversity and vitality.

Strategic Housing Blueprint

The City of Austin's *Strategic Housing Blueprint (Blueprint)* is the guiding housing policy initiative. Adopted by City Council in 2017, the *Blueprint* addresses Austin's pressing housing crisis, summarized below:

"From 1970 to 1990, Austin was one of the most affordable cities in the country. However, Austin has rapidly become less affordable in the last few years for many residents, including Austinites who embody the city's character and who provide critical services in the community. The city's growing economy and vibrant cultural assets continue to attract businesses and families, creating a steady population increase. Subsidies alone cannot close the growing affordable housing gaps or provide households with more affordable housing and transportation choices. While Austin's affordability issues are complex, implementing the Austin Strategic Housing Blueprint can help the community address these issues in a more cost effective and efficient manner."¹¹

The *Blueprint* identifies the need for affordable housing in two ways — first, in terms of a prescribed number of units, and second, in terms of location and types of housing. From a quantitative perspective, the *Blueprint* states a goal of 60,000 newly constructed units for households at 80% median family income (MFI) and below, and another 75,000 units for households earning greater than 80% MFI.

¹¹ City of Austin, Austin Strategic Housing Blueprint. <u>http://www.austintexas.gov/edims/document.cfm?id=298411</u>



From a qualitative perspective, the goals are more nuanced and include locating newly constructed units in areas that increase housing choice, while also preserving affordability in existing, established, and diverse multi-family communities. A major value highlighted is connecting Austin households with transportation choices and other community assets, such as grocery stores, health care services, and social support agencies, values which are consistent with principles of Transit Oriented Development.

UT's *Uprooted* Study

Uprooted: Residential Displacement in Austin's Gentrifying Neighborhoods and What Can Be Done About It (Uprooted) reaches similar conclusions about affordable housing problems, goals, and strategies needed, especially in Austin's centrally located neighborhoods, which are most at-risk of displacement and gentrification. Uprooted provides a comprehensive map of the areas in Austin that have experienced gentrification forces and establishes a continuum, from areas that are susceptible to gentrification to those areas that have already experienced sustained gentrification.

Through an exhaustive survey, *Uprooted* outlines numerous solutions to combat gentrification forces, from giving current residents a voice in the early stages of planning processes, to creating homestead preservation districts and community land trusts. Of particular relevance for those at-risk neighborhoods with Transit Oriented Districts, the study recommends early intervention by local governments to acquire land in strategic locations, through tools such as land banking and a land acquisition fund that would enable the City to be more nimble in supporting the development of affordable housing. The study also recommends leveraging hot real estate markets in late-stage gentrification areas to include affordable housing through density bonus programs.

The City of Austin has already undertaken several initiatives outlined by these two planning studies: 1) The Homestead Preservation District No. 1; 2) Density Bonus Programs; 3) the Affordability Unlocked Ordinance; and 4) General Obligation Funds. All of these tools are important to incorporate as planning for TODs continues in Austin.

Homestead Preservation Districts

The City of Austin's Homestead Preservation Reinvestment Zone No. 1 Preliminary Project Plan and Reinvestment Zone Financing Plan, approved by Ordinance No. 20081218-114 on December 18, 2008, is a tool specifically created to address gentrification forces in Central East Austin. It is a tax increment financing mechanism aimed at improving economic and social conditions within disadvantaged communities by enhancing the viability of affordable housing for low-income and moderate-income residents in areas experiencing economic pressures.

The Plaza Saltillo TOD is located within the Homestead Preservation Reinvestment Zone 1, which includes the central east Austin neighborhoods north of Lady Bird Lake and south of Cherrywood. This area is separated from downtown (in its southern part) and from the Capital Complex (in its northern part) only by several hundred feet, but also by Interstate 35.

This area is historically a high-poverty area, with a large percentage of households earning less than \$25,000 annually, and a disproportionately large number of households headed by single-parents, and/or



parents without a high school diploma.¹² However, median home values in the zone appreciated 63 percent from 2011 to 2016. Simultaneously, the percentage of households experiencing poverty and the percentage of black households have decreased from 27 to 22 percent, and 20 to 14 percent respectively, reflecting the general trend of gentrification and displacement the area has been experiencing.¹³ For example, a search of homes for sale listed on the Austin Board of Realtors' Multiple Listing Service indicates that there are no habitable homes available for purchase in the area for a household earning \$50,000 annually.¹⁴ Gentrification pressures are high, and resources for low-income renters and homeowners are limited.

Due in large part to TOD at Plaza Saltillo, the Zone will generate \$464,783 in funds to reinvest into the community as affordable housing.¹⁵ Looking ahead, next steps for the process include appointing a Board of Directors to administer how the zone's funds will be spent, project future proceeds, and identify opportunities for reinvestment. Zone 1 is the first of its kind in Austin, which will serve as a model in other parts of Austin experiencing sustained property appreciation that should be captured and reinvested in the community.

Density Bonus Programs

Austin currently has more than ten density bonus programs, in which certain types of developments in identified parts of the city are eligible to receive increased building entitlements in exchange for including a percentage of affordable units, or paying a fee in lieu of building affordable housing onsite. The Transit Oriented Development Bonus applies to existing TOD areas, which are Plaza Saltillo, Crestview, and MLK Jr. stations, and could be extended to newly-created TODs.

If affordability requirements are met, the TOD bonus allows increased height, FAR, and modifications to compatibility standards; a fee in lieu is also allowed. In addition to the TOD density bonus, developers can also take advantage of the Vertical Mixed-Used (VMU) density bonus ordinance, which allows for relaxed site area requirements, setbacks, and parking requirements, as well as a FAR waiver. Importantly, because the VMU density bonus does not offer a fee in lieu option, it has resulted in the development of more than 500 affordable units at no cost to the City, with rents at 80 percent and 60% MFI.

The third density bonus that could potentially be utilized to build a TOD is the Planned Unit Development (PUD) ordinance. PUDs offer an opportunity to shape large, planned tracts of land where development can exceed base entitlements. Similar to density bonuses, PUDs allow for increased height, FAR, and increased building coverage if affordability requirements are met. A summary of current density bonuses is included in Appendix B.

Affordability Unlocked

The Affordability Unlocked Development Bonus Program is designed to incentivize the creation of affordable housing units in Austin by offering additional entitlements to developers. By meeting

¹² U.S. Census Bureau, *2006-2010 American Community Survey 5-Year Estimates* and 2014-2018 American Community Survey 5-Year Estimates

¹³ City of Austin, *Homestead Preservation Reinvestment Zone No. 1 Final Project & Financing Plan.* <u>https://www.austintexas.gov/edims/document.cfm?id=317095</u>

¹⁴ Austin Board of Realtors, Multiple Listing Service.

¹⁵ City of Austin, *Homestead Preservation Reinvestment Zone (HPRZ)* #1. http://www.austintexas.gov/edims/document.cfm?id=291815



prescribed levels of affordability outlined in the ordinance, developments are granted waivers from compatibility height and setback requirements, FAR limits, minimum site area requirements of the base zoning district, and dwelling unit occupancy limits.

Affordability Unlocked also grants the development modified lot sizes and setbacks, as well as increased height and density. However, the most advantageous development incentive under this new ordinance is the waiver of all parking requirements (except for accessible parking provision requirements). This incentive is particularly desirable for developments within TODs, which make car-free lifestyles tenable. Limitations of Affordability Unlocked include limits on the total number of units allowed based on underlying zoning, rather than the size of the lot. For example, an SF-3 lot is limited to between 6 and 8 units, regardless of whether the lot is 5400 sf or 25,000 sf. This approach limits the efficacy of the tool for certain parts of Austin.

General Obligation Funding and S.M.A.R.T. Housing

In 2018, City of Austin voters overwhelmingly approved a \$250 million general obligation bond, which provides significant gap financing for the creation and preservation of affordable housing within the City of Austin. \$100 million is earmarked for land acquisition, which is an important tool for the City to strategically acquire land in existing TODs. Another \$98 million is available for new construction of additional affordable housing units and the acquisition and rehabilitation of existing multifamily units, and the remainder will be used to support home ownership, home repairs, and rehabilitation programs. This bond issue is the second of its kind in recent years, following the \$65 million dollar issue approved by voters in 2013.

The City of Austin also manages the S.M.A.R.T. Housing program, which is designed to stimulate the production of affordable housing for residents of Austin that is Safe, Mixed-Income, Accessible, Reasonably Priced, and Transit Oriented (i.e., S.M.A.R.T.) and compliant with the City of Austin's, Austin Energy Green Building standards. Eligible S.M.A.R.T. Housing projects may receive development fee waivers if the development provides mixed-income housing, with increased accessibility, and achieves at least a one-star rating under the Austin Green Building Program.¹⁶ This program brings significant economic value to affordable and mixed-income communities, where development fees easily reach \$500,000 to \$1,000,000 on most multifamily developments.

County Planning Efforts

While the majority of the region's job centers and population are located within the City of Austin's corporate limits, new law limits the ability of cities to grow through annexation. In conjunction with the high cost of housing within the city limits, many residents are moving out of the city proper to the city's extraterritorial jurisdiction (ETJ), the unincorporated areas of Travis County and into surrounding counties. While these areas can become part of a regional growth strategy that incorporates TOD, certain limitations nonetheless exist.

As people move out of the city, they face longer commute times and a limited availability of services, such as public transit, medical care facilities, and grocery stores. Texas counties do not have land use authority like cities do, which can result in unplanned growth and sprawl. Counties also lack authority to issue debt for transit and are limited to using maintenance and operations (M&O) funds to contract with a transit

¹⁶ City of Austin, Austin Green Building Program. <u>https://greenbuilding.austinenergy.com/aegb/</u>



authority like Capital Metro for direct service provision, such as an extension of a bus route to an area outside the transit authority's service area. New revenue caps enacted by the Texas Legislature in 2019 further restrict the County's ability to raise revenue for new M&O expenditures.

Finally, counties also rely heavily on ad valorem property taxes. More than 65% of Travis County's operating revenue comes from property taxes. Counties lack access to sales tax or other taxes and services fees like cities do. This limits the County's ability to invest in transit and mobility, even when the need is there.

Travis County Transportation Blueprint

On July 19, 2019, Travis County Commissioners Court approved the *Travis County Transportation Blueprint*.¹⁷ The Blueprint guides transportation planning through 2045 and identifies transportation needs and solutions, incorporates future options and choices, and prioritizes improvements in the unincorporated areas of Travis County. As part of the community engagement process for this planning effort, the Green Line Commuter Rail project was the fourth-most supported partnership project, ranking behind roadway projects for RM 620, IH-35, and Hwy 71 West.

Travis County Comprehensive Economic Development Strategy

On December 17, 2019, Travis County Commissioners Court approved Travis County's first *Comprehensive Economic Development Strategy*. The strategy focuses on four main goals: Business Development, Economic and Financial Opportunity, Place-Making, and Transportation and Mobility. Under the Place-Making goal, one sub-goal relates very closely to TOD planning:

1.1 Grow the pool of funds and the number of projects that foster vibrant, walkable, mixed-use communities to meet diverse needs for housing and commercial space.

Additionally, the *Strategy's* Transportation and Mobility goal includes three sub-goals that are directly tied to TOD planning:

4.1 Invest in transportation and infrastructure that strengthen the development of activity centers and nodes connected by transportation corridors.

4.2 Prioritize transportation programs that increase mobility options for residents to reach their destinations in ways that are efficient, safe, affordable, and healthy.

4.3 Continue to cultivate partnerships across the five-county metropolitan area to ensure coordination and continuity of transportation planning and investment.

Cumulatively, Travis County's plans indicate strong support for TOD that focuses on equity, inclusion and affordability. As part of the five-year Consolidated Plan development required for the Community Development Block Grant program, the Commissioners Court approved funding for two additional studies in partnership with other entities: the *Regional Analysis of Impediments to Fair Housing Choice* and a *Comprehensive Housing Market Study*. Taken together, these studies, along with other Travis County initiatives, will result in a comprehensive planning effort around fair and affordable housing. Additionally, the *Comprehensive Housing Market Study* will include a zip code level equity model similar to a model

¹⁷ Travis County, *Travis County Transportation Blueprint*. <u>https://www.traviscountytx.gov/tnr/transportation-plan</u>)



used by the City of Austin, but with variance due to the unique characteristics experienced outside Austin's boundaries.

Since 2015, an Affordable Housing Policy Committee has also been working to align affordable housing policies across all Travis County departments. The committee is in the process of developing policies and procedures to support countywide fair and affordable housing goals. Thus far, the Commissioners Court has approved values, housing policy statements and a fair housing screening process for Low Income Housing Tax Credit (LIHTC) projects. In addition, they approved recommendations on new, additional tools (projects and programs) that will add affordable housing stock across Travis County.

These initiatives highlight how Travis County is part of regional growth strategies that incorporate TOD. Continued coordination between the City of Austin, Travis County, and other outlying municipalities can set the stage for TOD that anchors more sustainable regional growth.

Recommendations

Drawing on lessons learned from previous TOD in Austin, and momentum from current and ongoing planning efforts, this paper identifies opportunities to improve Austin's next iteration of Transit Oriented Development. These recommendations incorporate national best practices, with a focus on equity. By increasing the supply of affordable housing, and placing that housing near frequent transit service, TOD can reduce costs and increase opportunities for low- and middle-income households in Central Texas. Accordingly, Equitable TOD can become a cornerstone of strategies to produce and preserve more affordable housing across our region.

Include Alternative TOD Locations

Transit Oriented Development can be in any location centering a transit station and the surrounding neighborhood area, so long as the goal is promoting development compatible with public transit, such as multifamily buildings, shopping and restaurants in close proximity to a transit station. Consistent, frequent transit service promotes the success of TOD for affecting affordability through reduced transportation costs and reducing car ownership.

High Frequency Transit

In Austin, TOD has largely been relegated to low-frequency rail stations and/or park-and-rides. These locations overlook the actual opportunity in the Austin metro area: high-frequency bus intersections.

Because of the ad hoc, case-by-case progress of Austin's TOD regulatory environment, the city of Austin currently uses TOD zoning predominantly centered around rail stations and park-and-rides. However, TOD works best when near high frequency transit, whether bus or rail.¹⁸ Development patterns are mode-agnostic and suggest the driving factor of successful projects is being within a half-mile of corridors served by light rail, Bus Rapid Transit or bus routes with service every 10 to 15 minutes. More important than the type of transit vehicle is the provision of dedicated right-of-way to ensure on-time service and travel times that are comparable, if not faster, than traveling the same route in a private automobile.

¹⁸ Komarek, John. TOD: Developments succeed near high frequency transit <u>https://www.metrotransit.org/tod-developments-succeed-near-high-frequency-transit-1</u>



In the Austin area, MetroRapid and MetroBus currently provide the frequencies most likely to support robust TOD. Capital Metro now offers 14 bus lines running 15-minute service, seven days a week. TOD could be an excellent fit for parts of the Austin metro area currently served by multiple, high-frequency bus lines. As the City of Austin is grappling with the land development code, with a focus on Imagine Austin centers and "transition zones," these conversations overlook potential TOD opportunities along Capital Metro's High Frequency Transit Routes. Appendix C shows a map of these routes.

Several high-frequency lines intersect in areas not currently identified for TOD zoning, or located on a designated "corridor," but would support additional residences, offices, and shopping destinations. Among the high-frequency transit intersections, the intersections named in Appendix D should be considered for zoning that could take advantage of TOD regulations. All these locations have the frequency of multiple routes to support the type of development currently identified for MetroRail and park-and-ride locations. Many of these locations are among the highest ridership locations in the Capital Metro service area, including the Oltorf and Stassney corridors and the Govalle area.

Project Connect

The preceding list considers only existing transit service, versus service planned in Project Connect. The authors of this paper created an <u>interactive map</u> that not only identifies all parcels that are within onequarter mile of existing high frequency transit and Red Line parcels, but also identifies parcels near planned priority Orange Line and Blue Line service.¹⁹ Those parcels show TOD potential planned with proposed transit investments. The map also includes a third designation for seven other Project Connect lines.

The following image provides an example of how this map identifies potential TOD parcels as Light Blue, Red, or Pink parcels (which respectively correspond with planned short-range, mid-range, and long-range transit investments). When accessed online, this mapping tool allows the user to view parcels along transit corridors at higher resolutions and includes the entire Project Connect System Plan Map.

These maps include only parcels where current zoning (such as CS, GR, DMU, CBD, and ERC) would be able to take advantage of the existing and likely potential TOD overlay and density bonuses. Additional rezoning of land as a result of the Project Connect plans or the code rewrite could further increase development potential.

Currently, there are approximately 1,350 acres (0.7 percent) within the City of Austin that could take advantage of the existing TOD designation. With just the Orange and Blue Lines, an additional 400 acres of land becomes potential for TOD. This is because the Orange and Blue Lines typically follow existing routes and would replace or complement service in those areas. However, more transit service would support additional density on these identified parcels.

With the full Project Connect vision, more than 1,100 acres of additional City of Austin land could become TOD-ready, prime candidates for significant zoning changes that would allow for TODs. These would

¹⁹ Project Connect TOD Potential in Austin.

https://wesleyan.maps.arcgis.com/apps/View/index.html?appid=92c1a6f15c014b57bc3d536f98b67f4d &extent=-97.8260,30.2099,-97.6650,30.2798



include some of the suburban locations that rely on commuter service to and from the core of Austin. Leander is already planning a significant TOD around its Red Line station that encompasses 115 acres and would include more than 2,500 residential units and 500,000 square feet of commercial space. With additional transit service and more connections to different locations, TOD could reduce automobile dependency and support sustainable growth.



Figure 2 - Example map of parcels with TOD potential (pale blue indicates potential parcels due to existing transit)



Create Consistent TOD Zoning and Policies

A cohesive set of TOD tools and requirements, made implicit within TOD overlays, would bolster Austin's TOD program. A consistent process and dedicated zoning classifications for TOD would reduce barriers to development.

Peer cities offer examples on codifying TOD principles through zoning. For example, Seattle applies specific design standard overlays for TOD areas, designated in the City's zoning map as Urban Centers and Station Areas. Seattle's commercial code also supports TOD. Specific commercial code elements work to improve the pedestrian environment through established pedestrian zones, allow more flexibility to locate residential uses at street-level in commercial zones, and require non-residential uses at street level along designated pedestrian zones. Base zoning also reduces minimum parking requirements and eliminates parking minimums in Urban Centers and Station Areas, which fosters more successful Transit Oriented Development.

Austin can learn from cities like Seattle and apply design standards, increased residential densities, and affordability bonuses to all areas zoned as TOD. Developers described the status quo of individual regulating plans for each TOD as challenging. In addition to inconsistencies between regulating plans, additional entitlements also vary from location to location. A comprehensive TOD program, which applies a shared base zoning, would reduce these barriers and improve City processes around TOD.

Eliminate Fee-in-lieu for Density Bonus Programs

Density Bonus programs in TOD and similar planning areas in Austin have included a fee-in-lieu provision for affordable housing. While well-intentioned, this option should be phased out and future TOD ordinances and other land use plans should move towards a required affordable housing target in exchange for density bonusses. Austin's explosive growth has impacted all parts of the City and there is no less expensive area in which affordable units can be provided more efficiently or at a lower cost than a TOD. As prices rise, any funds placed in a fee-in-lieu program are in effect worth less than the day they were committed. Moreover, through its affordable housing in all parts of town." Removing fee-in-lieu as an option would result in affordable units spread across the City, allowing service workers and others to live close to work, close to affordable transit options and close to the businesses and services they rely on for daily life. Further, locating affordable housing in a TOD with high-frequency transit options allows lower income households to reduce or eliminate costs associated with car ownership.

Consider Equitable Transit Oriented Development

Transit Oriented Development that focuses on affordability is known as Equitable Transit Oriented Development (ETOD). With growing support from affordable housing developers, advocacy groups, and major national foundations, ETOD is a suite of policies and tools that provide all people with access to housing options in healthy, walkable, transit oriented neighborhoods, with a focus on creating opportunities for low-income and middle-income households. In growing regions like Austin, ETOD can support our region's most vulnerable residents, building housing that creates alternatives to displacement and rising costs of living. These vulnerable residents include renters (residential, commercial and retail), which are often disproportionally affected by displacement.



ETOD combines TOD strategies with ideals of social equity, augmenting TOD strategies with targeted affordability and inclusivity measures. Inclusivity is a key focus for ETOD. All stakeholders, especially vulnerable neighbors at-risk for displacement, are offered opportunities to participate meaningfully in public and private processes that create opportunity-rich, transit oriented places, that include a mix of uses and incomes. This focus also emphasizes opportunities for residents currently living and working in changing areas to benefit from development and remain in their communities.

Models in other US cities rely on a convening entity to facilitate policy development to allow and encourage Equitable Transit Oriented Communities. For example, Los Angeles relies on a nonprofit consortium, with paid staff at several different organizations coordinating a diverse group of stakeholders to meet monthly and pursue ETOD strategies.²⁰ Portland incorporates TOD funding within existing regional governance. Metro, Portland's regional government, directly organizes grantmaking for TOD.²¹ ETOD strategies can also support development in areas where market demand is still growing and may not yet be "ready" for density. These projects generally require higher levels of public participation and subsidies.

An increasingly prominent ETOD strategy is establishing metropolitan- or city-based TOD Funds, most of which explicitly pursue equity and ecologically-minded goals. Denver, San Francisco, Boston, Detroit, and San Diego have all established ETOD Funds in the last decade, dedicating tens of millions of dollars to building sustainable, equitable neighborhoods. These funds combine public housing funding, private or philanthropic impact capital, and bank funds to fill gaps in financing mixed-use, mixed-income, walkable urban locations. ETOD Funds typically require a certain level of affordable housing units for a developer to utilize the fund's resources, and are generally governed by a commission described above. The funds are designed to work for private developers as well as nonprofit, mission-based housing developers.

In November, Austin voters have the opportunity to vote on the initial phases of the Project Connect transit system. In addition to priority transit projects, this ballot item will include \$300M designated for Equitable Transit Oriented Development.²² The \$300M could enable land acquisition near transit that is reserved for future affordable housing and function similarly to ETOD funds described above. This fund could also leverage other recent community investments, such as the 2018 Affordable Housing bonds and tenant stabilization program, to support inclusive Transit Oriented Development and mitigate displacement.

Go Beyond Austin: TODs as Regional Growth Strategy

Regional growth in Central Texas is characterized by sprawling development, resulting in longer commutes, rising housing costs, and the relegation of low-cost housing to the region's margins. TOD is a template for more sustainable regional growth through compact development, improved transit access, and a reduction in vehicle trips and greenhouse gas emissions.

Today's sprawling spatial patterns are a product of lifestyle choices and market demand by residents. For example, the Kinder Houston Area Survey found that about half the people of the Houston region would

²⁰ LA Thrives. <u>https://www.lathrives.org/aboutus</u>

²¹ Metro. *Transit-Oriented Development Program*. <u>http://www.oregonmetro.gov/tools-partners/grants-and-resources/transit-oriented-development-program</u>.

²² City of Austin. "Response to Resolution No. 20200423-038, related to displacement." <u>http://www.austintexas.gov/edims/pio/document.cfm?id=343876.</u>



prefer to live in a large house with a yard, even if it means they have to drive everywhere. Yet, another half of the 7.5 million people of the Houston region would prefer to live in a place where they could walk to things, even if that meant a smaller housing unit.²³ While no equivalent survey exists for Austin, these lifestyle and housing preferences likely resonate among Central Texas residents.

Currently, only 34% of Austinites live in urban settings. On the other hand, 47% of the people of Houston and 48% of the people of Dallas - Fort Worth live in an urban setting, based upon a 3,800 people per square mile threshold.²⁴ While many households do prefer suburban-style development, others would prefer to live in the urban core, yet have few affordable options available. Typically, demand for urban core living outpaces supply. As people have to move slightly farther out than they desire, this can result in displacement and rising household costs within Central Texas.

Sustainable growth is a regional challenge, which will require coordination between the City of Austin, outlying municipalities, surrounding counties and regional planning entities, such as the Capital Area Metropolitan Planning Organization (CAMPO). Regional-level policies can support TOD strategies across Central Texas, including CAMPO and the Capital Area Council of Governments (CAPCOG). These entities guide regional coordination and transportation planning. Metropolitan Planning Organizations (MPOs) are required to produce a long-range Regional Transportation Plan (RTP), and CAMPO is currently developing its 2045 RTP.

Though MPOs guide regional spending of federal transportation dollars, these plans can also consider housing strategies alongside long-range transportation planning. For example, the San Francisco Metropolitan Transportation Commission (SFMTC), CAMPO's Bay Area equivalent, started including housing into their RTP planning process by creating a *Regional Housing and Transportation Plan.* Current RTP planning (*Plan Bay Area 2050*), covers economic, environmental, housing and transportation. To bring this planning into implementation, SFMTC previously invested \$10 million of regional transportation funds to support creation of a TOD Fund called the Bay Area Transit Oriented Affordable Housing Fund.

Other regions are also planning for TOD at the regional scale. The San Diego Association of Governments (SANDAG), the San Diego region MPO, has developed a *Regional Transit Oriented Development Strategy* as part of its Regional Transportation Plan, and the metro region is helping launch an Equitable Transit Oriented Development Fund.²⁵ Portland and Seattle's MPOs also have a long history of placing TOD as a component of regional growth strategies. Most recently, in advance of a new light rail line, the City of Portland completed the *Southwest Corridor Equitable Housing Strategy* using funding from the regional MPO.²⁶

These examples show opportunities for Central Texas to engage with more equitable, sustainable approaches to development, similar to peer regions. Regional strategies can begin with policies at the municipal level that promote and identify places suitable for equitable Transit Oriented Development.

 ²³ Rice Kinder Institute. Kinder Houston Area Survey. <u>https://kinder.rice.edu/kinder-houston-area-survey</u>
²⁴ Farm&City, *Sprawl: Austin is the Most Sub-urban Large Metro in Texas.*

http://www.farmandcity.org/2020/03/16/sprawl-austin-is-the-most-sub-urban-large-metro-in-texas/ ²⁵ San Diego Association of Governments, *Regional Transit Oriented Development Strategy*.

https://www.sandag.org/index.asp?classid=12&projectid=500&fuseaction=projects.detail

²⁶ Cities of Portland and Tigard, *Southwest Corridor Equitable Housing Strategy*. <u>https://www.tigard-or.gov/city_hall/SWCorridorEquitableHousingStrategy.pdf</u>



This may include downtown areas in Austin's outlying municipalities, regional centers identified in *Imagine Austin* (Austin's comprehensive plan), or transit corridors identified in Project Connect (such as suburban Park & Rides or areas along proposed Green Line commuter rail service).

<u>Conclusion</u>

Austin is on the cusp of making major transit investments, which can drastically change our urban form and economic outcomes. Transit Oriented Development offers an opportunity to encourage transit ridership, create more compact communities, and build more affordable housing. Drawing on Austin's history of TOD planning, an enhanced TOD program can capture the value of forthcoming transportation investments to support inclusive, sustainable growth and responsible land use.

Transportation Benefits

TODs support a productive transit network by placing more people closer to bus and rail options. Transit becomes a more competitive travel mode with driving when convenient, accessible, affordable, and reliable. By locating housing at station areas, TOD makes transit a preferable choice for residents. As a result, TOD can increase ridership, supporting the overall health and productivity of Capital Metro's transit system.

Built Environment Benefits

TOD is also an opportunity to create high-quality, walkable urban environments, where people live, work, and play. These developments incorporate important services and amenities, increasing access for residents and surrounding neighborhoods. TODs place these benefits within a smaller spatial footprint, making errands or entertainment more convenient. TOD design also creates a vibrant public realm, with open space, pedestrian amenities, shade, benches, and lighting. Importantly, this public space is accessible to TOD residents, transit riders, and surrounding neighbors, creating a conflux of people and opportunities.

Equity and Affordability Benefits

Finally, TODs are also an opportunity to create much-needed affordable housing in Central Texas. Housing at station areas saves cost-burdened households transportation costs and expands access to jobs and services. Equitable TOD strategies can work to ensure that our infrastructure investments directly benefit low- and middle-income households and protect our most vulnerable communities.

As Austin makes policy decisions that guide our explosive growth, TOD can be a central tool to creating inclusive, compact communities. With a comprehensive municipal TOD program, regional growth strategies, and an eye towards equity, Austin can encourage sustainable growth and benefit residents of all income levels.



<u>Appendix A – Participants</u>

ULI Austin thanks the members of the Affordability and Transportation Strategic Councils who spent many hours researching Community Land Trusts and compiling information for this white paper. ULI Members who participated in the development of this white paper are listed alphabetically by last name.

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Staff Liaison: Paulette Gibbins, Executive Director, ULI Austin



<u>Appendix B – City of Austin Incentive Policy Overview²⁷</u>

Policy	Incentive Policy Type	Applicability	Development Incentives & Waivers/ Modifications	Affordability Set-Aside	Maximum Income Limit (as % of MFI)*	
				Requirements	Owner	Rental
Downtown Density Bonus (DDB)	Density Bonus	Central Business District	Increased maximum height and floor-to-area ratio (FAR)	10% of residential bonus area	120%	80%
East Riverside Corridor (ERC) Development Bonus	Density Bonus	East Riverside Corridor Regulating District	Increased maximum height, FAR, and modification to compatibility standards	FAR, and modification to		60%
Micro-Unit Density Bonus	Density Bonus	Applies to multifamily use in Transit Oriented Development Districts or along Core Transit Corridors when units are 500 square feet or less	Waiver of minimum site area requirements and reduction in off-street parking requirements	10% of total units	80%	50%
North Burnet Gateway (NBG) Development Bonus	Density Bonus	North Burnet Gateway Regulating District	Increased maximum height and FAR	10% of bonus area	80%	60%
Planned Unit Development (PUD) Density Bonus	Density Bonus	Planned Unit Developments where the proposed land use exceeds base entitlements	Increased maximum height, FAR, and building coverage	10% of bonus area (rental) and 5% of bonus area (ownership)	80%	60%
Rainey Street Density Bonus	Density Bonus	Rainey Street Subdistrict	Waiver of maximum height up to 8:1 FAR	5% of total residential area	80%	80%
S.M.A.R.T. Housing	Fee Waivers & Development Incentives	Citywide	Permit, inspection, and Capital Recovery fee waivers At least 10% total units		80%	80%
S.M.A.R.T. Housing Greenfield Single-Family Density Bonus	Density Bonus	SF-2 & SF-3 zoning districts on lots 3 acres or greater	Site may be developed under SF-4A zoning district standards	10% of total units	80% and 100%	60%
S.M.A.R.T. Housing Greenfield Multi-Family Density Bonus	Density Bonus	Undeveloped lots with MF-2 through MF-5 zoning	Site may be developed under MF-6 zoning district standards	10% of total units	80% and 100%	60%
Transit Oriented Development (TOD) Development Bonus	Density Bonus	Plaza Saltillo, Crestview, and MLK Transit Oriented Development Districts	Increased maximum height, FAR, and modification to compatibility standards	At least 10% of total area	80%	50% and/or 60%
University Neighborhood Overlay (UNO) Density Bonus (Pre 2/24/14)	Density Bonus	University Neighborhood Overlay District, On or Before February 24, 2014	Increased maximum height, FAR, and modification to compatibility and parking standards	At least 10% of total units	65% and/or 80%	65% and/or 80%
University Neighborhood Overlay (UNO) Density Bonus (Post 2/24/14)	Density Bonus	University Neighborhood Overlay District, After February 24, 2014	Increased maximum height, FAR, and modification to compatibility and parking standards	At least 10% of total area	50% and/or 60%	50% and/or 60%
Vertical Mixed Use (VMU)	Density Bonus	Vertical Mixed Use and Mixed Use Combining Districts	Relaxed site area requirements, setbacks, and parking requirements, and waiver of FAR	irements, setbacks, 10% of total arking requirements, units		60% or 80%

27 City of Austin Neighborhood Housing and Community Development Department, *City of Austin Affordable Housing Development Incentive Policy Overview* <u>https://austintexas.gov/sites/default/files/files/Housing/Developer_Incentive_Matrix_02072019.pdf</u>

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Policy	Affordability Period		Fee-in-Lieu Rate	Year Adopted	Most Recent Amendment	Original Ordinance	Land Development Code			
	Owner	Rental					Reference			
Downtown Density Bonus (DDB)	99 years	40 years	\$3 to \$10 per gross bonus square foot for residential projects only. No fee for non- residential projects.	2013		Ordinance No. 20130627-105	<u>§ 25-2-586</u>			
East Riverside Corridor (ERC) Development Bonus	99 years	40 years	\$1 per gross bonus square foot for buildings over 90 ft. (no in-lieu option under 90')	2013		<u>Regulating</u> <u>Plan</u>	<u>§ 25-2-149</u>			
Micro-Unit Density Bonus	99 years	40 years	None	2014		Ordinance No. 20141211-228	<u>§ 25-2-780</u>			
North Burnet Gateway (NBG) Development Bonus	99 years	40 years	\$7 per gross bonus square foot	2009		Ordinance No. 20090312-035	<u>§ 25-2-148</u>			
Planned Unit Development (PUD) Density Bonus	99 years	40 years	\$7 per gross bonus square foot	2008	<u>Ordinance No.</u> 20131003-096	Ordinance No. 20080618-098	<u>§ 25-2-</u> Subchapter B <u>Article 2.5</u>			
Rainey Street Density Bonus	none	none	None	2005	Ordinance No. 20140227-054	Ordinance No. 20050407-063	<u>§ 25-2-739</u>			
S.M.A.R.T. Housing	1 year	5 years	None	2007	Ordinance No. 20071129-100	Ordinance No. 20141106-124	<u>§ 25-1 Article</u> <u>15.2</u>			
S.M.A.R.T. Housing Greenfield Single-Family Density Bonus	1 year	5 years	None	2008		Ordinance No. 20080131-132	<u>§ 25-2-566</u>			
S.M.A.R.T. Housing Greenfield Multi-Family Density Bonus	99 years	40 years	None	2008		Ordinance No. 20080131-132	<u>§ 25-2-567</u>			
Transit Oriented Development (TOD) Development Bonus	99 years	40 years	\$12 per gross bonus square foot	2009		Ordinance No. 200902012- 070	<u>§ 25-2</u> Subchapter C <u>Article 3.10</u>			
University Neighborhood Overlay (UNO) Density Bonus (Pre 2/24/14)	15 years	15 years	None		Ordinance No. 20140213-056	<u>Ordinance No.</u> 040902-58	§ 25-2			
	15 years	15 years	\$0.50 per net rentable square foot	2004			Subchapter C Article 3.09			
University Neighborhood Overlay (UNO) Density Bonus (Post 2/24/14)	40 years	40 years	\$1 per net rentable square foot for	2014		Ordinance				
	40 years	40 years	residential use or \$2 per net rentable square foot for hotel use		<u>20140213-056</u>	<u>§ 25-2</u> Subchapter C Article 3.09				
Vertical Mixed Use (VMU)	99 years	40 years	None (Fee amount for commercial space above ground floor pending)	2010	Ordinance No. 20130606-088	<u>Ordinance No.</u> 20100408-049	<u>§ 25-2-</u> Subchapter E <u>Article 4.3</u>			
DISCLAIMER: The City of Austin Neighborhood Housing and Community Development Department makes reasonable efforts to ensure the information contained herein is accurate and current. However, this document is not intended to provide a comprehensive summary of all										

information contained herein is accurate and current. However, this document is not intended to provide a comprehensive summary of all policy/program requirements. Interested parties should refer to the appropriate sections (referenced herein) of the Land Development Code and Regulating Plans for further details.

*MFI = Median Family Income. See http://www.austintexas.gov/page/income-limits for more information.



<u>Appendix C – Map of High Frequency Service²⁸</u>



²⁸ Capital Metro, *High Frequency Transit Routes,* <u>https://capmetro.org/uploadedFiles/New2016/Plan_Your_Trip/Schedules_and_Maps/high-frequency-system-map.pdf</u>



<u>Appendix D – Intersections Recommended for TOD</u>

These intersections have the frequency of multiple routes to support Transit Oriented Development.

- 1. Norwood Park
- 2. Mueller Area
 - a. 51st Street / Berkman Drive
 - b. 51st Street / Manor Road
 - c. Manor Road / Berkman Drive
 - d. Berkman Drive / Briarcliff Blvd
- 3. Midtown
 - a. Burnet Road / West Koenig Lane
 - b. Lamar Blvd / West Koenig Lane
- 4. University
 - a. Dean Keeton / Guadalupe
 - b. Dean Keeton / San Jacinto
 - c. Dean Keeton / Red River
- 5. Arts District
 - a. Springdale Road / Oaks Springs Drive
 - b. Springdale Road / Goodwin Street
 - c. Springdale Road / Airport Blvd
- 6. Govalle
 - a. Pleasant Valley Road / East 7th Street
 - b. Pleasant Valley Road / East Cesar Chavez Street
 - c. Shady Lane / East 7th Street to East Cesar Chavez
- 7. Riverside
 - a. Riverside Drive / Burton Drive
 - b. Riverside Drive / Pleasant Valley Road
 - c. Riverside Drive / Grove Blvd
- 8. Oltorf
 - a. Oltorf Street / Parker Lane
 - b. Oltorf Street / Pleasant Valley Road
 - c. Oltorf Street / South Congress Avenue
 - d. Oltorf Street / South First Street
 - e. Oltorf Street / South Lamar Blvd

- 9. Westgate
 - a. South Lamar Blvd / Victory Drive
 - b. Menchaca Road / Ben White Blvd
 - c. Pack Saddle Pass / Ben White Blvd
 - d. Brodie Oaks Shopping Centers
 - e. Westgate Mall
- 10. South Austin
 - a. Stassney / South First Street
 - b. Stassney / South Congress Avenue
 - c. Stassney / Pleasant Valley Road
 - d. William Cannon / South First Street
 - e. William Cannon / South Congress Avenue
 - f. William Cannon / Bluff Springs Road
 - g. William Cannon / Pleasant Valley Road



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