

**TOOLS AND TECHNIQUES FOR FACILITATING
EFFECTIVE TOD VALUE CAPTURE
A WHITE PAPER**

JULY 2009

**PREPARED FOR:
THE REGIONAL
TRANSPORTATION
AUTHORITY**



**PREPARED BY:
HNTB CORPORATION**



TABLE OF CONTENTS

1 Introduction 2

2 Value Capture: What Is It and Why Pursue It? 2

3 Current RTA TOD Activities 3

 3.1 Strategic Plan 3

 3.2 Planning Programs: TOD Planning 3

 3.3 Moving Towards TOD Implementation 3

4 Study Methodology 4

 4.1 Data Collection and Analysis 4

 4.2 Overview of Research Findings 6

 4.3 Summary of Key Research Findings 6

5 Preliminary Suggestions for Further Research and Consideration 8

 5.1 Planning Framework Initiatives..... 8

 5.2 Funding Tools and Approaches 8

 5.3 Administrative / Organizational Activities 10

TABLE OF FIGURES

Table 1: Summary of Results 5

PREPARED BY:

HNTB Corporation

Regional Transportation Authority (RTA)

Members of the RTA Regional Transit-Oriented Development (TOD) Working Group

- Center for Neighborhood Technology (CNT)
- Chicago Metropolitan Agency for Planning (CMAP)
- Chicago Transit Authority (CTA)
- City of Chicago Department of Environment (DOE)
- City of Chicago Department of Zoning and Land Use Planning (DZLUP)
- Illinois Department of Transportation, Division of Public and Intermodal Transportation (IDOT-DPIT)
- Metra
- Metropolitan Planning Council (MPC)
- Pace

1 INTRODUCTION

Real estate development experts have long recognized that land within walking distance of transit stations benefits from a land value premium derived from proximity to the station. Property owners in proximity to stations can realize enhanced real estate premiums directly attributable to a large-scale public investment in transit service. As transit agencies from around the country explore financial options to meet operating and capital programs in the face of decreasing public sources of funds, several have employed a variety of tools and techniques to capture a portion of this land value premium for reinvestment within the transit system.

The objective of the research presented in this white paper is to identify the best practices of transit agencies from around the country that have sought to capture enhanced land values resulting from the introduction of transit service and leverage it for investment in the transit system. The focus was to identify both the range of value capture techniques under development, as well as those successfully applied in locations throughout the United States.

This paper identifies preliminary suggestions that hold the greatest promise of transferability to and adaptation by the RTA and its service boards. Preliminary suggestions are principally based on similarities in transit agency and system operations in Northeastern Illinois, as well as regulatory context. Direct transferability is unlikely, but those that have strong potential have been identified, and preliminary ideas to modify these value capture strategies within the RTA's operating and regulatory framework have been outlined, should the RTA Board be interested in pursuing any of the approaches.

While the white paper offers a number of useful ideas and mechanisms that the RTA could employ, it is just a start. The RTA would have to conduct significant research and investigation in the policy and operational environments to begin to understand their full potential. The real value of the white paper is that it begins to open up the dialogue about value capture possibilities that the RTA could consider.

2 VALUE CAPTURE: WHAT IS IT AND WHY PURSUE IT?

It is widely recognized and accepted that the introduction of transit services, particularly those that deliver service on fixed guideways, will increase the value of land near station locations. Land value premiums in excess of thirty percent near commuter rail transit have been observed.¹ In this paper, value capture is defined broadly as a means by which the increment of increased land value resulting from transit investment is “captured” by some means for use by the transit agency.

Value capture strategies should be pursued because they enable transit agencies to benefit from the financial benefits that result from their investment in transit infrastructure and service. In addition to direct financial benefits, value capture strategies such as joint development and transit-oriented development can create environments that encourage transit use and increase farebox return.

While value capture at the local community level has long been established using redevelopment and reinvestment finance tools, value capture techniques for the benefit of transit agency programs is relatively new. The focus of this paper is the exploration of value capture strategies that create the means for the RTA and its service boards to financially benefit from enhanced land values or real estate development attraction. While exploring such tools, we are mindful of the complexities of local redevelopment finance and taxation protocols and methods. Any future steps that result in the use of value capture techniques at the transit agency level will require regional dialogue and consideration of tax policies and implications.

For purposes of the white paper, value capture approaches are characterized into three different categories and defined below.

- **Joint Development** is the use of agency-owned land (or agency-acquired land) for real estate development purposes, and is undertaken with a private sector partner through either land sale or lease.
- **Transit-Oriented Development (TOD)** is the development of privately-owned land typically within one-half

¹ Cervero, Robert, et al. “Transit-Oriented Development on the United States: Experiences, Challenges, and Prospects,” Transit Cooperative Research Program Report 102, Transportation Research Board, Washington, D.C.: 2004, p. 161.

mile of a transit station in such a way that the density, diversity, and design of development is dependant upon and encourages transit use.

- **Agency Funding Initiatives** are techniques that a transit agency can use to either 1) capture the increases in the value of privately-owned property that results from its proximity to transit, or 2) generally apply a form of impact fee to properties in the vicinity of transit that generally benefit from its presence. These revenues are returned directly to the transit organization to fund capital and operating and maintenance costs, or are split with the host municipality according to a pre-determined formula.

3 CURRENT RTA TOD ACTIVITIES

Within its five-year strategic plan and through its Community Planning program, the RTA discusses and addresses the importance of TOD to community and transit system ridership development. This white paper is an extension of the RTA's exploration of the role of TOD in the region's operations. A brief summary of the Moving Beyond Congestion Strategic Plan Policy and current TOD programs are provided below.

3.1 Strategic Plan

The five-year strategic plan, Moving Beyond Congestion, explicitly recognizes the importance of encouraging transit supportive land use patterns:

*"It is important to continue to promote TOD so that these new developments can be better served by transit. TOD includes good urban design that provides a pedestrian friendly environment with convenient access to transit, a mix of land uses, and higher densities or concentrations of development...It is important to continue to encourage and expand the use of TOD and smart growth principles in the region."*¹

In addition to supporting land use patterns that encourage transit use, the Strategic Plan specifically states that "The system must integrate funding with transit-oriented development (TOD)."²

Within the Strategic Plan, the RTA acknowledges that while it has been on the forefront of TOD planning in northeastern Illinois, there are transit agencies around the country whose TOD activities provide valuable case studies and experiences. The two transit agencies mentioned within the Strategic Plan, Oakland's BART and Portland's TriMet, were among the agencies included in our best practice research.

3.2 Planning Programs: TOD Planning

In support of the strategic plan, the RTA has engaged in TOD planning activities through its Community and Subregional Planning programs. These programs provide funding and planning assistance to local governments for projects that benefit both the local area and the regional transit system. The creation of station area/TOD plans and TOD guidelines are among the eligible projects, and provide an opportunity for the RTA to engage in local land use planning efforts that support transit-oriented development. Through these programs, the RTA seeks projects that are consistent with the vision and four primary goals of its Strategic Plan: provide transportation options and mobility, ensure financial viability, enhance livability and economic vitality, and demonstrate value. The RTA partners with the service boards in these planning studies.

3.3 Moving Towards TOD Implementation

While the financial support of transit-supportive land use planning is an important first step in the implementation of the TOD goals laid out in the five-year strategic plan, the RTA is also at the beginning stages of becoming more directly involved with supporting implementation of these TOD plans. The RTA is specifically working with the Regional TOD Working Group to investigate opportunities to increase TOD in the region. Activities will be focused around the results of a recent survey exploring implementation needs submitted by communities that have completed a TOD study.

¹ Regional Transportation Authority, "Moving Beyond Congestion: 2007 – The Year of Decision: Regional Transportation Strategic Plan, Final Report," February 8, 2007, p. 49.

² Regional Transportation Authority, "Moving Beyond Congestion: 2007 – The Year of Decision: Regional Transportation Strategic Plan, Final Report," February 8, 2007, p. 58.

While the Strategic Plan supports TOD and the RTA is completing TOD studies at the local level through the Community and Subregional Planning programs, the RTA may also elect to actively engage in leveraging its internal resources to catalyze transit-supportive development as a means to provide new revenue for itself and/or its service boards. The unique structure of the RTA, as the oversight and governing body of three service boards, distinguishes it from the organizational models of most other U.S. transit agencies and organizations. This structure provides the RTA with the opportunity to consider pursuing a coordinated approach to value capture strategies across mode types and the region.

4 STUDY METHODOLOGY

The research undertaken for this study explored: 1) value capture strategies developed and/or utilized by transit agencies around the country, 2) considerations of whether the strategy may be applicable to northeastern Illinois, and 3) if so, how implementation of these strategies may be achieved, if so desired. The first step of this process was to identify candidate transit agencies and to explore their organizational structure, operating characteristics, and experiences in engaging in value capture strategies.

4.1 Data Collection and Analysis

An initial list of candidate transit agencies, developed in conjunction with RTA staff, were identified for potential inclusion in the analysis based on their size, character of operations, and administration of/participation in transit-oriented and joint development activities. Based on preliminary research, HNTB identified nine agencies from this list that are most actively engaged in TOD, joint development activities, and agency funding initiatives. While the goal is to identify best practices that could potentially be utilized by the RTA, it is also important to evaluate activities that may not necessarily best fit the RTA, yet are practices of merit being considered and/or implemented by other agencies. Selected agencies included a combination of mature and newer transit systems, larger and smaller agencies, and varying degrees of involvement in value capture strategies. This approach sought to help ensure that the most successful and the most relevant value capture strategies were included for evaluation.

The nine organizations are:

- Atlanta, GA: MARTA
- Boston, MA: MBTA
- Charlotte, NC: CATS
- Denver, CO: RTD
- New Jersey: NJ TRANSIT
- Oakland, CA: BART
- Portland, OR: TriMet
- San Francisco, CA: Muni
- Washington, D.C.: WMATA

A uniform structure was developed for organizing the relevant information collected for analysis. The format calls attention to key points of comparison that are particularly relevant to the research. Working collaboratively with RTA staff, the following information was selected for reporting:

Background

- System Characteristics
- Statistical Data
- Asset Control and Management
- Station Area Amenities
- Governance Structure
- Financial Information

Value-Capture Activities

- Enabling Legislation for / and Transit-Oriented Development Program(s)

TABLE 1: SUMMARY OF RESULTS

Development Activities	Transit Agencies									
	MARTA Atlanta, GA	MBTA Boston, MA	CATS Charlotte, NC	RTD Denver, CO	NJ New Jersey	TriMet Portland, OR	Muni San Francisco, CA	BART Oakland, CA	WMATA Washington, DC	RTA Chicago, IL
Pre-Design and Transit-Oriented Development										
Transit-supportive planning assistance	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Local / regional infrastructure financing	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Joint Development										
In-House Asset Management	✓		✓	✓	✓	✓	✓	✓	✓	✓
Out-Sourced Asset Management		✓								
Land acquisition for development purposes (not transit operations)						✓		✓		
Agency Funding Initiatives										
Impact Fees		✓				✓				
TAD / TIF	✓			✓		✓				✓
Local Improvement / Assessment Districts						✓				
Special Development Charge						✓			✓	
Tax						✓				

- Title, Year Started, Intent
- Typical Participating Station Area Development Profile
- Lead Agency and Participating Entities
- Enabling Legislation
- Funding Sources
- Use of Value Capture Strategy
 - Type and Description
 - Outcomes of Value Capture Strategy
 - Enabling Legislation for Value Capture Strategy
- Program Outcomes and Assessment

Data was collected through research and phone interviews with representatives from each of the transit agencies. The RTA's Regional TOD Working Group was consulted for feedback at key steps during the research process, including a presentation of the research findings to the Working Group. This meeting provided an opportunity for the Working Group members to review transit agency best practice research and to provide input on which aspects of the findings should be clarified or further researched. Working Group members also learned about value capture strategies and development activities through an "expert panel" discussion by four of the case study transit agencies/organizations: Atlanta BeltLine, Inc, (Atlanta, GA), RTD (Denver, CO), TriMet (Portland, OR), and Muni (San Francisco, CA).

4.2 Overview of Research Findings

All nine agencies evaluated engage in some form of transit-oriented and joint development activity, ranging from station area planning to maintaining a professionally-managed real estate portfolio and actively seeking partnerships with private developers. Few agencies engage in agency funding initiatives. The following table (Table 1) summarizes the results of the research discussed above, and key findings are described following the table. Further information and detail on each agency and their experiences in pursuing value capture strategies can be provided upon request.

4.3 Summary of Key Research Findings

Metropolitan Atlanta Regional Transit Authority: MARTA (Atlanta, GA) MARTA is participating in the planning of an economic development and infrastructure investment project called the BeltLine Program that will be financed through a Tax Allocation District (TAD). TADs are the statutory mechanism to create Tax Increment Finance (TIF) districts in the state of Georgia. The BeltLine is centered on the construction of a rail line that will operate as part of the MARTA system and catalyze the redevelopment and reconnection of the 45 urban neighborhoods that it will serve. Part of the TAD funding will be programmed for capital costs associated with the construction of transit infrastructure.

- **Value Capture Benefit:** *Rail transit service within this corridor, and corresponding infrastructure investment and economic development, would not be possible without the TAD.*

Massachusetts Bay Transportation Authority: MBTA (Boston, MA) The MBTA's decision to contract with Transit Realty Associates for out-sourced real estate management has tripled the number of property sales transactions and created a property inventory database for tracking assets through a GIS application. TRA projects have generated over \$200 million through sales and leases, \$13 million of which is annual recurring revenues through ground leases, a figure which is expected to climb to \$20 million due to projects now coming online.

- **Value Capture Benefit:** *The out-sourcing of real estate management activities has dramatically increased the amount of revenue generated by MBTA-owned property.*

Regional Transportation District: RTD (Denver, CO) The RTD has very clear joint development policies and guidelines, which help define the role of stakeholders in the development process. The City and County of Denver also developed a TOD station area development typology, which is designed to support future TOD through an analysis of existing and projected station area conditions. The State of Colorado has legislatively

authorized the levying of impact fees by cities and counties, although they have not yet been used to fund transit capital investments.

- **Value Capture Benefit:** *The creation of TOD station area development typologies and the legislative passage of transit-supportive regulatory tools, such as impact fees, will create an environment that encourages future TOD and joint development opportunities.*

Bay Area Rapid Transit District: BART (Oakland, CA) The character and scale of communities within BART's extensive service area varies greatly, and planning and development activities must be sensitive to context. BART maintains approximately 47,000 parking spaces, of which 85 to 90 percent are used. Until recently, all parking at suburban BART stations was free, and developers had to provide one-for-one replacement parking. A new parking policy allows for flexibility based on station area and community development type. One planning effort, AccessBART, looks by line and corridor at existing assets to determine parking needs and growth centers based on population projections.

- **Value Capture Benefit:** *Parking policy has a direct and immediate impact on station area land use and development planning. A flexible policy provides context-sensitive solutions for a service area that covers a variety of communities with unique land use patterns and development densities.*

Tri-County Metropolitan Transportation District of Oregon: TriMet (Portland, OR) The MAX Airport Red Line was constructed as part of a public-private partnership that exchanged exclusive station area development rights for capital construction funding. The agency is also partnering with institutions to explore additional public-private partnerships to help fund the construction of the MAX Green Line. The agency also engaged in land acquisition for future TOD as part of the MAX Yellow Line construction. The planning efforts of TriMet are supported by Metro, the region's MPO, which is the first MPO in the country to use Federal Transit Administration (FTA) funding to engage in TOD implementation. Metro's TOD Implementation Program pursues the growth vision laid out in the region's 2040 Growth Concept through site control, financial participation, and other joint development tools. TriMet also engages in a number of agency funding initiatives, including TIFs, local improvement/assessment districts, pay-roll/self-employment taxes, and systems development charges.

- **Value Capture Benefit:** *TriMet's activities in pursuing innovative project funding strategies (public-private partnerships, agency funding initiatives) and comprehensive planning strategies (with Metro) has reduced the agency's reliance on public funding for capital construction projects, which subsequently reduces overall project cost and increases local control over project planning.*

San Francisco Municipal Railway: Muni (San Francisco, CA) The San Francisco Transit Impact Development Fee (TIDF), originally passed by the City Council in 1981 and expanded in 2004, was the only development impact fee in the country that is devoted entirely to public transit capital and operations costs. The items revenues can be used to fund include, but are not limited to, (1) capital and operating and maintenance costs associated with new routes, expanded routes, or increased service on existing routes, (2) capital or operating costs required to increase service on existing routes, and (3) related overhead costs. Millions of dollars have been generated since the passage of the original ordinance.

- **Value Capture Benefit:** *Transit-specific impact fees can generate revenue to fund both capital and operating and maintenance costs.*

Washington Metropolitan Area Transit Authority: WMATA (Washington, D.C.) The agency was the first to hire in-house real estate professionals to organize its real estate portfolio in a way to leverage joint development opportunities. The transit system has been a catalyst for redevelopment at a number of well-known stations in the Washington, D.C. area; the DC Office of Planning recently released a report that identified tens of billions of dollars worth of development that has occurred within a 10-minute walk of Metro stations within Washington, D.C.

- **Value Capture Benefit:** *In-house joint development programs can be successful when supported by a dedicated professional staff.*

5 PRELIMINARY SUGGESTIONS FOR FURTHER RESEARCH AND CONSIDERATION

As previously mentioned, the RTA's oversight function allows it to more effectively coordinate value capture strategies across service lines and at a regional level than can be accomplished by a single transit agency. Three categories of value capture practices that hold promise for adaptation and potential application by the RTA within a regional and multi-service line context: 1) planning framework initiatives, 2) funding tools and approaches, and 3) administrative / organizational activities. These practices expand upon the RTA's unique organizational assets and could move the agency more directly into implementation.

5.1 Planning Framework Initiatives

1. **Creation of station area, corridor, and regional transit-oriented development typologies:** A system of station development typologies support a planning framework that align with a station area's development potentials (existing and future land uses, access and circulation patterns, etc.) with a future development vision for the station area based on pre-determined categories of station area types.

Benefit to the RTA: The creation of development typologies for station areas, corridors, and the region would enable the RTA to guide development planning and implementation in a coordinated and cohesive manner. The CTA is in the process of working with the City of Chicago and neighborhood interests to create station area development typologies, and the South Suburban Mayors and Managers Association in Chicago's southwestern suburbs are developing station area and corridor-based typologies, a study funded by the Community Planning program. Coordination of typology development among the three service boards would enable the RTA and host communities to undertake more efficient planning and implementation activities than when these activities are conducted through a more localized approach. Rather than engaging in entirely new planning activities at each station area throughout multiple communities, the development typology can provide directed guidance that can be modified to fit the unique needs of each station area and community.

Example Agencies: RTD: Denver, CO

Key RTA Considerations:

- The RTA should identify roles and responsibilities as it works with the service boards, CMAP, and communities to create these typologies.
- The RTA may consider whether these typologies could be used as a "master plan" to guide the pursuit of joint development and non-transit-related funding programs.
- The planning and administrative activities required to support the creation of these typologies will require additional internal funding.
- The RTA should consider how station area typologies would relate to the comprehensive plans for each community, and whether adoption into their respective comprehensive plans would require a level of inter-governmental coordination that has yet to be defined and may be difficult to accomplish.

5.2 Funding Tools and Approaches

2. **Transit-specific Tax Increment Financing Districts (TIF) or Special Service Areas (SSA):¹** Rather than designating TIF or SSA funding to a number of different infrastructure improvement projects within each district, the funds generated through a transit-specific TIF / SSA would go directly to the RTA for transit system reinvestment.

Benefit to the RTA: The creation of transit-specific TIFs or SSAs could generate a non-farebox revenue stream that captures increased real estate value that is generated by its proximity to transit. The RTA could explore the creation of "TIF corridors," particularly along planned transit lines, to provide capital funding support for system improvements. Illinois law does not allow the use of TIF funding for operating and maintenance costs (5).

¹ Tax Increment Financing (TIF) is a community reinvestment financing tool. In Illinois, communities legislatively define TIF districts in blighted areas that are struggling to attract investment, freeze property tax rates at existing levels for 23 years, and then direct the increment of increased tax revenue accrued during this time towards public infrastructure improvements within the district boundaries. These public improvements then catalyze private sector redevelopment, which then improves property values and increases property tax revenues. TIFs apply to all properties within the district. SSAs (Special Service Areas) are geographic districts formed by contiguous property owners that voluntarily assess a localized property tax levy. This type of levy is typically undertaken by commercial/retail districts, and the proceeds are typically directed towards the provision of security services, marketing and branding campaigns, and small-scale capital improvements.

Example Agencies: MARTA: Atlanta, GA; MBTA: Boston, MA; BART: Oakland, CA; TriMet: Portland, OR

Key RTA Considerations:

- RTA coordination with communities will be essential to the passage of legislation to enable these funding tools.
- A procedure and mechanism for the collection and distribution of revenue among the service boards would need to be developed by the RTA.
- The operating characteristics of each service board (rail versus bus) must be taken into consideration when developing these funding tools.
- If the use of transit-specific TIFs is evaluated moving forward, the RTA should explore whether corridors could be mapped along existing and/or planned transit corridors to precisely capture land value increases due to proximity to transit.

3. **Transit-specific impact fees:**¹ A transit-specific impact fee would defray the costs associated with increased ridership rates and capital investments necessitated to serve new development near transit.

Benefits to the RTA: The creation of transit-specific impact fee districts would generate a non-farebox revenue stream that captures increased real estate value, which is generated by its proximity to transit. For over 25 years, Muni has engaged in a unique value capture strategy: the San Francisco Transit Impact Development Fee (TIDF). This ordinance, originally passed by the City Council in 1981 and expanded in 2004, was the only development impact fee in the country that was devoted entirely to public transit capital and operations costs. A similar impact fee in the Chicagoland region could accrue millions of dollars of annual revenue for reinvestment in the RTA and service boards.

Example Agencies: RTD: Denver, CO; Muni: San Francisco, CA

Key RTA Considerations:

- RTA coordination with communities will be essential to the passage of legislation to enable this funding tool.
- A procedure and mechanism for the collection and distribution of revenue among the service boards would need to be developed by the RTA.
- The relevant requirements and restrictions related to the imposition of impact fees, and any that specifically apply to transit, should be explored.
- The operating characteristics of each service board (rail versus bus) should be taken into consideration when developing this funding tool.

4. **Real Estate Acquisition:** Transit agencies have purchased land abutting the transit system right-of-way in excess of what is needed to support transit services and landbanked it in anticipation of future development opportunities.

Benefits to the RTA: Strategic real estate acquisition by either the RTA or service boards could serve two purposes: (1) supporting construction activity on new lines / extensions and (2) creating a land bank for future joint development opportunities. An initial investment by the RTA could result in joint development projects that provide sustainable sources of revenue generation and guarantee transit-supportive development patterns within the transit-served areas.

Example Agencies: TriMet: Portland, OR; WMATA: Washington, D.C.

Key RTA Considerations:

- As the RTA plans for the construction of new lines and extension of existing lines, it may, as TriMet did, consider strategic acquisition of excess property to support construction activity. These parcels can then transition to transit-supportive joint development projects.

¹ Impact fees are assessed by communities on newly developed or redeveloped property as a means to offset the cost of new capital improvements or increased levels of public services that are directly attributable to the new development or redevelopment. They are typically assessed according to a pre-determined formula.

- The RTA Act may need to be modified in order to enable both the sale and purchase of land to facilitate joint development and transit-oriented development opportunities.
5. **Public-private partnerships (P3s):** This type of partnership, used in Atlanta, Denver and Portland, can help defray the capital costs of new transit system construction by financially engaging private sector and institutional partners. Typically, these private sector partners contribute financially to the capital costs of construction in return either for the provision of service to their institution or in exchange for development rights at new stations. In Atlanta, the new BeltLine rail transit line and supporting infrastructure will be funded as part of a larger economic development and redevelopment project; in Denver, the Denver International Airport, in exchange for the provision of rail transit service, may fund the capital construction of an airport-serving light rail station; in Portland, Portland State University has made contributions to the capital costs of the new Green Line, which will serve the university.

Benefits to the RTA: As the RTA considers the construction of new service routes or the extension of existing routes, the agency may consider partnering financially with private-sector entities and any institutional anchors that may be served by the new service for assistance with capital costs. The RTA would benefit from increased ridership and subsequent farebox returns without having to make an upfront capital investment.

Example Agencies: MARTA: Atlanta, GA; RTD: Denver, CO; TriMet: Portland, OR

Key RTA Considerations:

- The participation of private sector and institutional partners is critical; the RTA should identify potential partnership opportunities.
- The RTA must determine whether the proceeds of the P3 would be directed exclusively towards capital costs, or whether this revenue could also support operating and maintenance costs.
- The potential for development on service board-owned or agency-assembled land should be explored.
- Any potential legal conflicts associated with pursuing this type of public-private partnership should be researched and avoided.

5.3 Administrative / Organizational Activities

6. **Management of Real Estate Assets:** Transit agencies may work with in-house and out-sourced real estate management professionals to ensure maximum return on their real estate portfolios. Effective real estate management can be a challenge for transit agencies, as it includes a professional skill set that typically falls outside of the agencies’ area of expertise. While the CTA has recently become engaged in this process, additional levels of efficiency and benefits could be derived from coordinated efforts among all three service boards.

Benefits to the RTA: The coordination of real estate acquisition for the three service boards could result in increased non-farebox revenue streams for the RTA and service boards. The MBTA benefited from large increases in return on its real estate portfolio after management functions were shifted to a third-party contractor that specialized in real estate management.

Example Agencies: MBTA: Boston, MA; WMATA: Washington, D.C.

Key RTA Considerations:

- The RTA would need to consider whether this function is best accomplished as an internal department, like WMATA in Washington, D.C., or through an external contractor, as done by the MBTA in Boston.
- The scope and organization of the asset management group would need to be determined with special consideration given to the needs of each service board.
- Legislative authority is likely needed for this program to be outsourced and managed through the RTA. While the RTA is legally enabled to manage its own real or personal property and enter into lease and sale agreements, the RTA Act does not specifically enable the Authority to transfer this power to a third party

acting on its behalf. Should the Board be interested in pursuing out-sourced real estate asset management, it should work with appropriate legal professionals to determine what, if any, changes to the RTA Act must be made to enable this activity.

- The service boards should integrate any external real estate asset management with their internal long-term strategic planning and transit service planning.
 - A mechanism to distribute revenues from land sales and leases to the appropriate service board must be developed. Consideration must be given to whether the RTA would retain a portion of the revenues for program administration.
7. **Joint development to generate non-farebox revenue stream:** Joint development is the use of agency-owned land (or agency-acquired land) for development purposes, and is undertaken with a private sector partner through either ground sale or lease. This strategy has already been used at various locations throughout Chicago, including Metra's Millennium Station and Lake Cook Road Station, and the CTA Red Line's Howard Station, but could potentially be pursued at additional station areas throughout the RTA service area.

Benefits to the RTA: In contrast to P3s, joint development can produce a stable revenue stream that could be used for capital or operating and maintenance costs system-wide. In addition to non-farebox revenue, joint development, by its design and function, increases ridership, which increases farebox return. Joint development is also an opportunity for the RTA and service boards to work with developers on specific station area infrastructure improvements, such as improved access and circulation patterns, new wayfinding and signage, etc.

Example Agencies: MARTA: Atlanta, GA; MBTA: Boston, MA; CATS: Charlotte, NC; RTD; Denver, CO; NJ TRANSIT: New Jersey; BART: Oakland, CA; TriMet: Portland, OR; Muni: San Francisco, CA; WMATA: Washington, D.C.

Key RTA Considerations:

- The RTA should work with the service boards operating bus routes (CTA and Pace) to coordinate future BRT service with strategic station area planning to ensure maximum joint development opportunities.
- If a separate department within the RTA is created to manage real estate assets, a procedure for coordinating joint development planning activities with both that department and with the service boards should be created.
- The program could be structured so that revenue from joint development activities can be used for both capital and operating and maintenance costs.
- Any existing legal restrictions as to the types of development that can be pursued through joint development (ie. residential, commercial, office, etc.) should be identified and potentially addressed.