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by

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**Public land for public good: leveraging city-owned property to create
affordable housing in Austin, Texas**

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Abstract

Public land for public good: leveraging city-owned property to create affordable housing in Austin, Texas

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In addition to reforming land use regulations, bolstering subsidies for affordable housing, and stabilizing rental housing, governments at all levels in the U.S. must devote greater attention and resources to underlooked policies to solve the housing crisis. One such policy is the comprehensive management and redevelopment of vacant or underutilized public land to create affordable housing. This Professional Report offers a case study of how the City of Austin manages and redevelops the land it owns, shows the potential of city-owned land in Austin to create affordable housing, and recommends policy and process improvements to maximize public benefits on city-owned land. This report finds that while increased political and financial support has led to substantial progress towards building more affordable housing on city-owned land, the City of Austin still fails to plan comprehensively for the land it owns and even lacks a basic understanding of its land assets. This report also estimates that the city of Austin holds over 10,000 acres of developable land. Even if the city only develops a small percentage of this land,

it could build tens of thousands of housing units, many of them affordable, along with other important community benefits like affordable day care centers, arts and culture venues, or retail space for small, locally-owned businesses. If the City of Austin adopts the planning practices, process improvements and policies recommended in this report, the city would be well-positioned to leverage its underutilized land to achieve its affordable housing production goals.

Table of Contents

List of Tables.....	7
List of Figures.....	8
Introduction.....	9
Chapter 1: Public Land as Affordable Housing Subsidy.....	15
Chapter 2: City-Owned Land Redevelopment in Austin.....	21
Chapter 3: City-Owned Property Inventory and Scenario Planning.....	40
Chapter 4: Recommendations.....	56
Conclusion.....	71
Bibliography.....	72

List of Tables

Table 1: Redevelopment projects with housing on city-owned land.....	23
Table 2: Properties owned by the City of Austin.....	42
Table 3: Developable city-owned properties.....	51
Table 4: Conservative scenario (2.5% of property area developed).....	54
Table 5: Moderate scenario (5% of property area developed).....	54
Table 6: Aggressive scenario (10 % of property area developed).....	54

List of Figures

Figure 1: A visual way to quantify costs of community benefits for redevelopment projects on city-owned land	16
Figure 2: City of Austin properties by size (acres).....	43
Figure 3: City of Austin properties by appraised value (2022).....	43
Figure 4: Number of city-owned properties by City Council district.....	44
Figure 5: Location of city-owned properties in relation to Interstate 35.....	44
Figure 6: Selection model.....	45
Figure 7: Map of developable city-owned properties.....	51
Figure 8: Developable city-owned properties by size (acres).....	52
Figure 9: Number of developable city-owned properties by City Council district.....	52
Figure 10: Location of developable properties in relation to Interstate 35.....	53
Figure 11: Unit yield analysis.....	55

Introduction

Many U.S. cities currently face a housing supply and affordability crisis. While its roots go back decades, the crisis has become particularly acute since the beginning of the Covid-19 pandemic. Austin is no longer the affordable haven it used to be. It is now one of the most expensive cities in the country outside of California or the Northeast (Sandoval, 2021). Median home sale prices in the city have increased 43 percent from pre-pandemic levels, rising from \$384,750 in January 2020 to \$550,000 in May 2023 (Austin Board of REALTORS®, 2020, 2023). Rents have increased 27 percent compared to before the pandemic, from an average of \$1,349 in 2019 to \$1,707 in 2022 (HousingWorks Austin, 2019, 2023).

Meanwhile, efforts by the City of Austin and other government entities to counter rising prices have been inadequate: developers have not been able to produce enough housing to meet demand, especially in high-demand areas, due in part to restrictive land use regulations and insufficient efforts to reform them; governments have not invested in subsidized housing to the extent needed; and policies to stabilize rental housing and prevent evictions have largely been preempted by the Texas State Legislature.

The stakes of the housing crisis in Austin are high. Lack of housing affordability is at the root of myriad social ills: residents of cities with high housing costs experience greater rates of housing cost burden, eviction, and homelessness – problems that themselves lead to increased negative physical and mental health outcomes, drug addiction, and incarceration (Desmond, 2016). Long-time residents of Austin, particularly persons of color, have been forced from their homes due to rising rents and property taxes or incentivized to sell due to higher property values, and lower- and middle-income residents can no longer afford rental or ownership homes in most of the city (Way et al., 2018).

Given the imperative to address these challenges, the city of Austin and other government entities must devote more attention and resources to underlooked policies that have the greatest potential to create new affordable and market-rate housing. This Professional Report studies and advocates for one such solution: the comprehensive management and redevelopment of real estate assets owned by the city of Austin to produce affordable housing and other community benefits. The report finds that the city of Austin owns over 33,000 acres of land valued at over \$10 billion – a wealth of public land resources that has gone mostly untapped. After applying various development restrictions to these properties, such as floodplains, proximity to highways, and current land use, this report estimates that approximately 10,000 acres of city-owned land is underutilized or otherwise developable. A scenario planning exercise shows that with this developable city-owned land, the city could build between 8,000 and 85,000 housing units – many of them affordable to low-income residents – depending on density and percentage of land developed. These findings represent the first known attempt to quantify the number of units that could be built on land owned by the city of Austin.

The potential of city-owned land to create affordable housing and other community benefits has been understood by policy makers and other city officials since at least the 1990's, when officials first proposed redeveloping the city-owned Robert Mueller Municipal Airport to create a mixed-use neighborhood with affordable housing. The initial success of Mueller, as well as the success of multiple projects on city-owned properties in Downtown in the early 2000s, showed officials and the community how projects on city-owned land could bring community benefits and meet goals around neighborhood revitalization. This report finds that the city, in partnership with private developers, has built or is in the process of building nine projects that

include housing¹ on city-owned land totalling 9,800 units, of which approximately 2,558 are affordable. Over the past approximately three years, the city has made substantial progress on building more affordable housing on city-owned land by allocating additional staff and creating more streamlined processes. This progress is in large part due to support from elected officials and unprecedented local investment in affordable housing². Proposed projects could bring an additional 3,091 units, many of them affordable.

Despite these advancements, this report finds that Council members and other city officials have still not given enough attention and resources to planning for city-owned land and redeveloping it with the goal of producing affordable housing. The city of Austin does not plan comprehensively for the land it owns; decisions around the use, acquisition and disposition of properties are made on an ad hoc basis, and there is little facilities planning, both within and across departments. The city does not even maintain a publicly-available inventory of city-owned properties – a failure in basic government transparency. This means that city officials – not to mention the general public – are only vaguely aware of how the city’s land is currently used, how it could be used in the future, and which properties have redevelopment potential. This research is a first step towards advancing understanding of city-owned land resources in Austin and their potential to create affordable housing.

Scope

This report focuses on focuses on the City of Austin’s efforts to redevelop its properties into affordable housing³ for several reasons. First, while many other government entities own

¹ Large-scale projects with single-development agreements (e.g. Mueller, Thomas C. Green Water Treatment Plant) are counted as one project

² Since 2018, city of Austin voters have approved \$900 million in funding for affordable housing: \$250 million in General Obligation bonds for affordable housing in 2018; \$300 million towards anti-displacement programs as part of the Project Connect ad valorem tax rate increase in 2020; and \$350 million in GO bonds for affordable housing in 2022.

³ This includes properties owned by the Austin Housing Finance Corporation.

land within the city⁴, the City of Austin is the largest public landowner by both number of parcels and total value, giving it the greatest potential to redevelop its land to create affordable housing. It also has more experience redeveloping its land to build affordable housing than other public landowners in Austin. Analyzing multiple entities would be challenging due to distinct political dynamics, public accountability structures, and institutional priorities and cultures. Time and resource constraints, as well as lack of access to internal data, also necessitated the focus on just one entity. Future research by others, however, should study all public landholders within the city of Austin or another geography, such as Travis County or the Austin-Round Rock Metropolitan Statistical Area. While all government entities have a direct stake in providing more affordable housing for their workforces, the especially acute hiring and retention problems faced by school districts in Austin gives them a particular impetus to provide housing affordable to teachers and staff.

Because of the author's interests, time constraints, and the pressing need for more affordable housing in Austin, this report largely does not discuss using publicly-owned land to create other community benefits, such as arts and culture venues, affordable day-care centers, or affordable retail space for local businesses. Redevelopment projects on publicly-owned land can, and should, provide a variety of community benefits. It is ultimately up to community members and elected officials to decide what to prioritize on each property. Those decisions, however, should be made according to robust planning and engagement; the status quo of ad hoc decision making should not persist if governments aim to maximize the potential of their properties to

⁴ It is worth mentioning housing or mixed-use projects with varying degrees of affordability have been built on land owned or sold by the State of Texas (The Triangle, The Grove), Travis County (Travis Flats), and the Capital Metropolitan Transportation Authority (Plaza Saltillo), as well as various local housing authorities, such as the Housing Authority of the City of Austin.

provide public goods. Lastly, discussion of acquisition or disposition of city-owned properties is largely outside the scope of the report.

Methodology

This Professional Report employs a case study methodology. Methods include interviews, analysis of media reports and government materials, Geographic Information Systems (GIS) and data analysis, and scenario planning. Each method is described in further detail below:

- 60-minute informal interviews were conducted with five experts asked to describe current practices around city-owned land redevelopment in Austin:
 - Patrick Russell, former Real Estate Development Manager for the Austin Housing Finance Corporation
 - Conor Kenny, principal at Capital A Housing, a local affordable housing development firm
 - Theresa Alvarez, CEO and President of the Austin Economic Development Corporation
 - Christine Maguire, Redevelopment Division Manager, city of Austin Economic Development Department
 - David Steinwedell, CEO and Founder, Affordable Central Texas, and Board Chair, Austin Economic Development Corporation
- Analysis of media reports and government materials such as City Council resolutions, memoranda, and public meetings to describe the history of city-owned land redevelopment in Austin and current practices
- Creation of a city-owned property database using Microsoft Excel and ArcGIS Pro

- Scenario planning using ArcGIS Pro and Microsoft Excel to show how much affordable housing could be built on city-owned land in Austin under varying land use intensities

Chapter Outline

Chapter 1 describes why publicly-owned land is such a valuable and underlooked tool for creating affordable housing, especially in an expensive city like Austin. The chapter also briefly describes findings in relevant academic and non-academic literature on public-land redevelopment and summarizes best practices. Chapter 2 gives a brief history of how the city of Austin has planned for and redeveloped its land since the 1990s, and then details how the City of Austin currently manages and redevelops its land. Chapter 3 shows the potential of city-owned land to create income-restricted affordable housing in Austin by developing an asset inventory and conducting a scenario planning exercise. Chapter 4 offers policy and process recommendations.

CHAPTER 1: Public land as subsidy for affordable housing

There is growing recognition among officials in expensive U.S. cities that using surplus or underutilized public land is a powerful tool to create affordable housing and other community benefits (Shroyer, 2019). This section explains, in general terms, how public land is redeveloped into affordable housing, and how governments in the U.S. plan (or, rather, fail to plan) for the land that they own. Much of the reason that public land is valuable to affordable housing providers comes down to land costs.

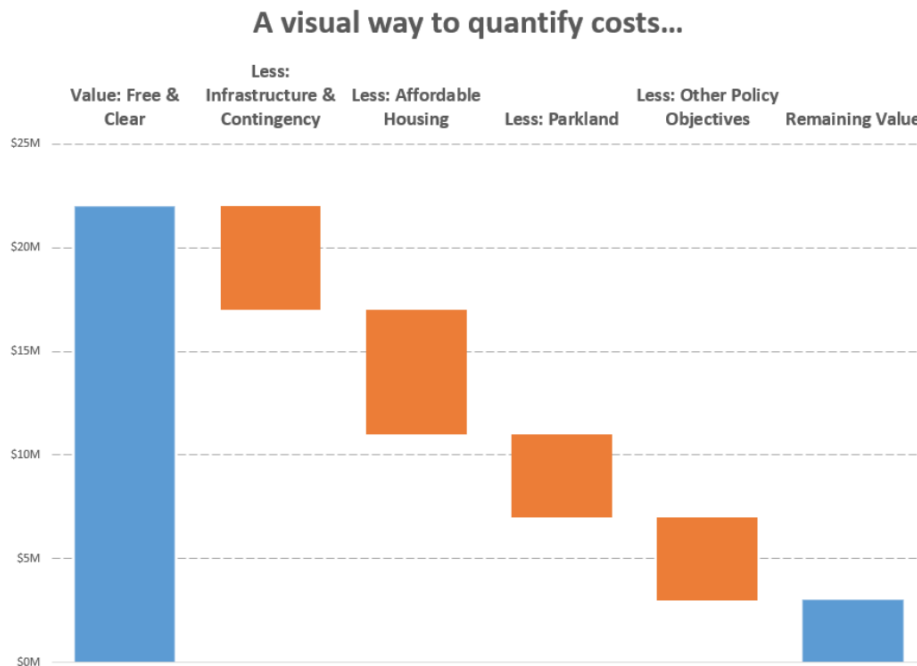
Land costs comprise a significant portion of a real estate project's Total Development Costs (TDC). Land values vary depending on a variety of factors, including location, development potential, and nearby disamenities (e.g., highways). All things equal, land is more expensive in amenity-rich areas, and projects in these areas spend a greater percentage of TDC on land than in amenity-poor areas (Hickey & Sturtevant, 2015, p. 5). When governments lease or sell land to developers at a discount or for free, governments can ask developers to provide community benefits in return. In amenity-rich areas, governments can ask more of developers because land values are higher. Developers are also able to provide deeper levels of affordability in higher-cost building types than otherwise feasible (Hickey & Sturtevant, 2015, pp. 3-4). Hickey & Sturtevant estimate for Washington, D.C. the percentages of housing units that could be made affordable given free land under three different real estate market and development scenarios:

- Mid-rise development in a weaker market: 14 percent of the units
- Mid-rise development in a moderately strong market: 25 percent of units
- High-rise development in a hot market: 33 percent of units

While these numbers are specific to the Washington, D.C. area, the general concept is still applicable to Austin. Because Austin is a strong real estate market with high population growth and a shortage of housing, public land holds much more value – and can deliver more community benefits – than public land in places with weaker real estate markets, like Rust Belt cities or even other less expensive Sun Belt cities. It is also important to note that within cities, the value of publicly-owned land varies substantially.

This dynamic enables real estate projects on city-owned land to provide more benefits than just affordable housing, of course. A presentation by Canally et al. (2018) shows how the city of Austin, in this case, thinks about deriving various types of community value from projects on city-owned land:

Figure 1: A visual way to quantify costs of community benefits for redevelopment projects on city-owned land



The chart also shows that offering multiple community benefits on a site is effectively a zero-sum tradeoff: including parkland or day care space in a project generally means less money in the project's budget for affordable housing, and vice versa.

Property tax exemptions also make publicly-owned land extremely valuable to developers. In Texas, affordable housing projects on public land can receive a full property tax exemption, while affordable housing projects on private land do not receive any exemption or abatement (Hegar, 2022). Property taxes decrease the number of affordable units or level of affordability developers can offer, and they can even make affordable housing development on private sites infeasible (C. Kenny, personal communication, February 16, 2023). Affordable housing projects may find it difficult to shoulder the annual costs of property taxes, in part because they have a much lower net operating income than market-rate development. Property taxes can even kill affordable housing deals (P. Russell, personal communication, February 13, 2023). Because property taxes are higher in Austin than in many other cities around the country, property tax abatement provides more relief for affordable housing developers than it does elsewhere (Jones, 2023).

In summary, the dual subsidies of free or discounted land and property tax exemptions reduce the need for additional subsidies and enable projects using additional subsidies to provide more affordable units with deeper affordability, especially in Austin and other high-property tax cities.

Public-private partnerships and lease vs. sell arrangements

The predominant development model for affordable housing projects on publicly-owned land in Austin and around the country is the Public-Private Partnership, or P3. The arrangement

involves the sale or lease of public land to a private entity (or entities) with stipulations made by the government entity about what can be built on the land. While public-private partnerships have been criticized as a sign of eroding government capacity and a shift towards privatism, among other criticisms, they have several advantages for affordable housing projects on public land. P3 arrangements allow governments to achieve development ambitions they would not be able to complete on their own (Sagalyn, 2007), and developers assume much of the risk inherent in real estate development, work at the speed and efficiency of the private market, and bring in-house development expertise that few government entities can match. While some jurisdictions have created social housing developers, namely Montgomery County, Maryland and Seattle, Washington, most governments favor leveraging the experience of existing developers instead of building that capacity from scratch. As one interviewee stated, “I think we wouldn't want to reinvent the wheel on that,” (T. Alvarez, personal communication, February 16, 2023).

In public-private development agreements on public land, governments choose between leasing and selling land to developers. Leasing public land, rather than selling it, has long been considered more advantageous because it allows cities to retain control over public assets and achieve planning goals: “Leasing empower(s) cities to use their position as owners of land assets to shape city development and finance public objectives” (Sagalyn, 1993). Lease and development agreements allow the city to guide the private development of public sites, generating long-lasting community benefits, while still maintaining control over the land at the end of the lease period. The main benefit of selling land, beyond the initial windfall of the sale price, is returning public property to tax rolls, leading to increased tax revenue for cities. Before the real estate boom of the 1980's, governments typically sold instead of leased public land in

part for this reason (Sagalyn, 1993). But selling land means the city gives up the powerful subsidy of property tax abatements and loses long-term control of the site.

Asset Management and Facility Planning

Before a government entity decides to redevelop a parcel of land that it owns, it must understand its current and future property needs. This practice of decision making related to the use, acquisition and disposition of real property is called asset management (Kaganova & McKellar, 2006, p. 2). Asset management, in this context, does not refer to the physical maintenance of properties, nor to financial asset management. While financial performance of properties is an important consideration in asset management, it should not be the only concern – particularly if governments want to leverage their properties to provide public goods.

The literature agrees that most cities do not manage their property assets well (Detter & Fölster, 2015; Hentschel & Kaganova, 2007; Kaganova & McKellar, 2006). Complete databases of public property assets are the exception, not the norm. Dedicated asset managers and comprehensive asset management plans are rare. Management of public property is often spread across different departments and entities – each of which have varied priorities that are more likely to dictate use than any sort of plan or the theoretical highest and best public use of property. And because governments do not pay property taxes, there is no direct financial cost to letting land sit vacant or underutilized, whereas property taxes incentivize private landowners to either make productive use of their land or sell it.

While there is some variation among authors about asset management techniques and considerations, these debates are not within the scope of this report. Overall, the literature emphasizes that cities must, at the very least, have an asset management plan, and it offers many practical techniques and considerations that governments can employ. The literature is largely

not interested in what exactly governments do with their land, only that governments plan well for the land they own and understand its value. Simons (1994) seems to have been the first urban planning academic to consider the issue. He was most concerned with bringing municipal asset management practices up to speed with corporate best practices, arguing that planners should be better trained in “real estate accounting, database management, market analysis, and finance” (p. 333). The subject also seems to have reached a general audience via Detter & Fölster, (2015). Their book argues that better public asset management with an eye toward financial performance could lead to huge financial boons for governments. Prewitt and Rogers (2022) make a similar argument.

Chapter 2: City-Owned Land Redevelopment in Austin

A Brief History of City-Owned Land Redevelopment in Austin

Though the idea of redeveloping city-owned land had long been floated by elected officials, it was not until the late 1990's that the city made its first forays into public-private redevelopment of city-owned land to provide housing and other community benefits. Much has been written about the decades-long redevelopment of the 700-acre Robert Mueller Municipal Airport, which at buildout could bring as many as 7,790 residential units, over 25 percent of them affordable. But at the same time, other less prominent but no less impactful public land redevelopment projects were also underway Downtown. The primary goal of these projects was to revitalize Downtown by bringing in more residents and a broader range of uses beyond offices and bars. Mayor Kirk Watson, for example, described a need for bringing in a “critical mass” of 2,000 residents to Downtown (Vanscoy, 1998)⁵.

The first city-owned property redeveloped into housing was a mixed-use development at 300 West Ave, the 2.8 acre site owned by Austin Energy called the Pole Yard. Though the squat 3- to 4-story building seems out of scale with the surrounding towers today⁶, city leaders at the time considered it “successful beyond our imagination,” (Canally et al., 2018). At the time, leaders weren't sure how much demand there would be for Downtown living. That project, together with other public-private projects on city-owned land along Second Street, namely the W Hotel and Residences and AMLI on 2nd, kick-started a wave of development in Downtown that has only accelerated in the time since.

⁵ In 2020, 16,755 lived in Downtown (Downtown Austin Alliance, 2020).

⁶ The Independent, Austin's second-tallest building as of this writing in August 2023, sits just across the street at 301 West Ave.

In the 2010's, the mixed-use redevelopments on the city-owned Seaholm Power Plant and the Thomas C. Green Water Treatment Plant sites completed the Second Street District transformation, accomplishing the goal of Downtown revitalization that Watson and others had envisioned. In contrast to Mueller's ambitious goal of 25 percent affordable housing, these projects included little to no affordable housing. In projects that did include affordable housing, the affordability periods were relatively short. In the late 2010's and early 2020's, redevelopment of city-owned land into affordable housing spread outside Mueller and Downtown to infill tracts around the city. The following table shows redevelopment projects with housing on city-owned land that have been completed, are underway, or are proposed.

Table 1: Redevelopment projects with housing on city-owned land

Name	Address	Status	Acres	Residential Units	Dwelling units per acre	Affordable units (est.)	Percent affordable	Lead entity	Use detail
Poleyard	300 West Ave	Complete	2.8	239	85	0	0.00%	-	6,600 sq ft retail
AMLI on 2nd (Block 22)	421 W 3rd St	Complete	1.72	231	134	0	0.00%	-	5,000 sq ft office, 41,000 sq ft retail
W Hotel and ACL Live (Block 22)	200 Lavaca St	Complete	1.72	165	96	0	0.00%	-	251 hotels rooms, 2,500-seat music venue, 35,000 sq ft office, 29,000 sq ft retail
Seaholm	222 West Ave	Complete	6.28	280	45	0	0.00%	-	136,000 sq ft office, 51,000 sq ft retail, 200,000 sq ft library
Thomas C. Green Water Treatment Plant	-	Complete	6.6	538	82	54	10.00%	-	243 hotel rooms, 430,000 sq ft office, 81,000 sq ft retail
Espero at Rutland	1934 Rutland Dr	Complete	2.15	171	80	171	100.00%	AHFC	
Mueller	-	Underway	700	7,790	11	1,948	25.00%	EDD	5.88 million sq ft of office and retail
Norman Crossing	3811 Tannehill Ln	Underway	9	188	21	188	100.00%	AHFC	Includes affordable homeownership units
The Libertad at Gardner	900 Gardner Rd	Underway	6	198	33	198	100.00%	AHFC	
Colony Park	-	Proposed	208	1,903	9	381	20.00%	EDD	230,000 sq ft of mixed-use office/institutional space, 130,000 sq ft of mixed-use retail space
Home	7211 N IH	Proposed	19	560	29	280	50.00%	EDD	Includes parks and open space, and neighborhood

Table 1, continued

Depot/Chrysler	35, 7309 N IH 35									commercial
Live + Make	1127 Tillery St	Proposed	1.8	66	37	66	100.00 %	AHFC		8500 sq ft of public art space
Seabrook Square	3515 Manor Rd	Proposed	3	262	87	262	100.00 %	AHFC		
Cairn Point	7205 Cameron Rd	Proposed	2.4	150	63	150	100.00 %	AHFC		
Pleasant Valley Phase 1	5900 S Pleasant Valley Rd	Proposed	2.5	100	40	100	100.00 %	AHFC		
Pleasant Valley Phase 2	5901 Drowsy Willow Tr	Proposed	2	50	25	50	100.00 %	AHFC		40-50 Austin CLT homes
Crestview Village	6909 Ryan Drive	Proposed	5.5	-	-	-	-	EDD		Failed proposal included 344 residential units, along with other amenities like park space, retail, and arts and culture space
Health South	1215 Red River St. and 606 E. 12th St.	Proposed	1.73	-	-	-	-	EDD		Failed proposal included two towers: one with 573 market-rate units, the other with 348 units (232 of those affordable)
Block 16	916-1928 E. 11th St	Proposed	1.1	-	-	-	-	AEDC		
Block 18	1100-1114 E. 11th St	Proposed	1	-	-	-	-	AEDC		
One Texas Center	505 Barton Springs Rd	Proposed	1.15	-	-	-	-	AEDC		
411 Chicon	411 Chicon St	Proposed	5.22	-	-	-	-	AEDC		

Table 1, continued

Fleet Services Site	1190 Hargrave St	Proposed	6.7	-	-	-	-	EDD	
Grove	2201 Grove Blvd	Proposed	18	-	-	-	-	AHFC	
4800 Bolm Road	4800 Bolm Rd	Proposed	6.1	-	-	-	-	EDD	

Total acres	Total units	Average du/acre	Total affordable units (est.)
1021	12,891	55	3,847

Who is involved?

There are three primary organizations involved in the redevelopment of city-owned land: the Austin Housing Finance Corporation (AHFC), the City of Austin’s Economic Development Department (EDD), and the Austin Economic Development Corporation (AEDC). While each of the three entities have been involved in completed, ongoing and/or proposed redevelopment projects on city-owned land, interviews with key staff suggest that decisions about which entity will take on redevelopment projects seem to be made internally and not according to any strict guidelines. Generally speaking, however, AHFC tends to lead on projects that are mainly or exclusively affordable housing, while EDD and AEDC generally lead on projects where a mix of uses and community benefits are proposed, not just housing, or where no housing is proposed (P. Russell, personal communication, February 13, 2023). The following sections briefly describe the mission and primary role of each organization.

Austin Housing Finance Corporation (AHFC)

The Austin Housing Finance Corporation was created in 1979 as “a public, nonprofit corporation and instrumentality of the City of Austin under the provisions of the Texas Housing Finance Corporation Act, Chapter 394, and Local Government Code” (*Austin Housing Finance Corporation* | *AustinTexas.Gov*, n.d.). AHFC’s mission is “to generate and implement strategic housing solutions for the benefit of low- and moderate-income residents of the City of Austin.” Its primary duties include running the Austin Community Land Trust, managing its affordable housing partnership program, which helps deliver projects on AHFC-owned land, issuing bonds for the financing of affordable housing, and administering HOME Investment Partnerships (HOME) and

Community Development Block Grant (CDBG) funds granted to the City by the U.S. Department of Housing and Urban Development (HUD) (*Austin Housing Finance Corporation* | *AustinTexas.Gov*, n.d.; P. Russell, personal communication, February 13, 2023).

EDD

The city's Economic Development Department's Redevelopment Division has been involved in or has been the lead entity for a number of affordable housing projects on city-owned land, including 6906 Ryan Drive, 906 E. St. Johns / 7211 N I-35 (Home Depot/Chrysler), and Colony Park. The department also works to prepare city-owned land for redevelopment by clearing issues to title and conducting environmental surveys for sites (C. Maguire, personal communication, February 13, 2023).

AEDC

The Austin Economic Development Corporation (AEDC) was created by the Austin City Council in 2020 as a public real estate developer in the mold of similar organizations elsewhere in the country, such as the New York City Economic Development Corporation and Invest Atlanta. The goal of the organization is to “(work) for purpose instead of profits” by developing real estate projects that generate community benefits (*AEDC*, n.d.). AEDC was created in part to get real estate decisions out of the political realm and to be able to carry out projects with the nimbleness of the private sector. So far, the organization has been mainly working to set up its internal practices, mission and vision. As of a February 2023 interview with AEDC CEO Theresa Alvarez,

the organization’s board had just approved its mission and equity statements. The AEDC has also been working on a Request for Proposals for the redevelopment of city-owned parcels on Block 16 and Block 18 on East 11th Street, which would include affordable housing, retail and cultural spaces. City Council in 2022 also tasked AEDC with redeveloping four additional parcels: One Texas Center at 505 Barton Springs Rd, 411 Chicon, 124 W. Eighth St., and 3002 Guadalupe. It hired its first real estate analyst in spring 2023.

Determining which properties to redevelop

Interviews with key stakeholders make it clear that the City of Austin does not have a standardized method of determining which properties to redevelop, and city-owned properties are only redeveloped on an ad hoc basis as opposed to according to goals set forth in a plan (Real Estate Council of Austin, 2016; P. Russell, personal communication, February 13, 2023; D. Steinwedell, personal communication, February 16, 2023). City staffers also often do not have – and cannot readily obtain – a full understanding of which parcels the city controls, which department controls them, and other important information about title, site features, environmental contamination, and future facilities needs.

“They don't even know what they have. I think there are different departments that know different things. But nobody's ever kind of taken them all together and said, ‘This is what we have.’... And then they've never done a matrix: this is what we need for this; this is what we want for that; this is what our long term plan is for these; and then this is all we have left.... There might be little pieces of that in different places, but there's not one comprehensive thing.” (D. Steinwedell, personal communication, February 16, 2023).

Departments that control land most often do not have a direct interest or a perceived stake in leveraging their property to build affordable housing. These departments are unlikely to forgo control of their land, given that they do not know what their future facilities needs will be. Risk taking by staffers at the city is also generally not rewarded (D. Steinwedell, personal communication, February 16, 2023). Entrepreneurial staff are the main drivers of affordable housing deals on city-owned land. These staff mainly come from the Austin Housing Finance Corporation, the Economic Development Department, as well as key staffers in the Financial Services. The following sections describe these dynamics in further detail.

Department facilities needs

Due to a lack of facilities planning, departments that do not have a direct interest in housing are hesitant to cede control of their properties because they do not know what their future facilities needs are (D. Steinwedell, personal communication, February 16, 2023). Sites slated for affordable housing development that are currently occupied by a department may take multiple years to make ready for development because the current user must find a new facility, which may mean purchasing land and building a new facility or leasing whole or part of an existing facility. As one interviewee remarked regarding a particular site, “Good luck getting control of the Fleet Services Site, because they don’t have anywhere to go” (D. Steinwedell, personal communication, February 16, 2023).

Entrepreneurial city staff

Departmental silos are a barrier to redevelopment of city-owned properties (C. Maguire, personal communication, February 13, 2023; P. Russell, personal communication, February 13, 2023; D. Steinwedell, personal communication, February 16, 2023). While the city has set up meetings intended to break down silos, assess facilities needs and redevelopment opportunities, interviewees said they are largely unproductive (P. Russell, personal communication, February 13, 2023; D. Steinwedell, personal communication, February 16, 2023). Russell highlighted the role of entrepreneurial staff in finding city-owned properties to redevelop. Because staffers have little direct incentive to identify properties to redevelop (especially those outside of AHFC and the EDD Redevelopment Division), staffers must take special initiative to find parcels that could be redeveloped, identify which departments control the parcel in question, and initiate conversations with staffers in that department.

Clear Title

Clear title is required for any redevelopment on city-owned land. Title has been a barrier to city-owned land redevelopment in Austin mainly due to the source of funds used to originally purchase a property. Ideally, the city would be able to transfer property AHFC, for example, for a negligible sum. But in practice this is not the case. If a property was bought using bonds, for example, the city's legal department advises that those bonds must be paid off by the buyer of the property, even if that buyer is AHFC. For this reason, AHFC bought the 6909 Ryan Drive for \$3,000,000 in order to take over the redevelopment from EDD (Swiatecki, 2023). Similarly, the Home Depot/Chrysler site

was bought using bonds originally approved by voters to purchase the site for a new police facility; in order to use the site for something other than its original intended use, the city had to pay off those bonds. Austin Energy properties also have certain restrictions, as do properties purchased through condemnation (C. Maguire, personal communication, February 13, 2023).

Environmental conditions

The physical conditions present on sites, such as floodplains and heritage trees, can have major impacts on development potential. A more important barrier to development, however, is environmental contamination (C. Maguire, personal communication, February 13, 2023). Many of the sites that have been redeveloped by the city or are proposed for development contain environmental hazards. In order to identify these hazards, the city, often with the help of consultants, conducts Phase 1 and 2 environmental assessments. These assessments can take time and often cost hundreds of thousand of dollars (C. Maguire, personal communication, February 13, 2023)

Due to these barriers to development, interviewees stated that many of the properties most suitable for redevelopment have already been found and either developed or placed in the development pipeline. Much of the challenge with finding additional properties going forward will be resolving the issues of departmental silos and interests, title, and environmental contamination.

What decisions drive how densely to build a site?

On most sites, if the city follows the principle of maximizing public benefit, projects would be as tall and dense as reasonably possible and desirable, given neighborhood context. But in practice, projects are often less dense than allowed by zoning. This is due in large part to construction costs, and to a lesser extent community input, site and zoning constraints, and other financial considerations.

In Austin, zoning is rarely a barrier to affordable housing development. Projects that make a majority of their units income-restricted affordable receive greater by-right entitlements through Affordability Unlocked, a policy adopted by the Austin City Council in 2019. The program grants additional height and density, reduction in minimum lot size, as well as waivers from parking and compatibility requirements for projects that make at least 50 percent of their units affordable to those making certain percentages of the median family income. But not all eligible affordable housing projects built since 2019 have used Affordability Unlocked. The city of Austin, AHFC and private partners have applied for and received multiple discretionary zoning changes for projects on city-owned land, perhaps signaling one or more of the following: Affordability Unlocked may not grant enough additional entitlements, particularly impervious cover (P. Russell, personal communication, February 13, 2023); the city and/or its partners believe a zoning change would enhance transparency and provide the public a greater say in the project; due to legal and/or political reasons, the city believes that it must develop the properties it owns under a zoning regime instead of as “unzoned” properties, like some of those owned by the State of Texas and the University of Texas at Austin.

Construction costs are a main driver of the height and density of affordable housing projects. Most affordable housing projects are between three and five stories in order to use

stick-frame construction, which is cheaper than construction types required for taller buildings (C. Kenny, personal communication, February 16, 2023). While neighborhood input shapes the scale of projects, interviewees stated that in their experience, NIMBYism has not been a major obstacle to affordable housing projects on city-owned land, nor has it resulted in significant design changes.

Procurement

Request for Qualifications (RFQ) and Request for Proposals (RFP) are standard government contract solicitation processes. AHFC, AEDC, and EDD use these processes to choose developer partners for projects on city owned land based on transparent, largely objective criteria.

AHFC has significantly changed its solicitation process over the past approximately three years (C. Kenny, personal communication, February 16, 2023; P. Russell, personal communication, February 13, 2023). There have been two main shifts. First, AHFC has become more proactive, moving from responding on a case-by-case basis to proposals initiated by developers to soliciting development proposals for particular sites. Second, AHFC has shifted from an RFP to an RFQ process to increase transparency and efficiency as well as save developers time and money. In past RFP solicitations, (e.g. Tillery, Gardner, Tannehill), AHFC left guidelines somewhat broad, leaving developers with more guesswork around what AHFC wanted to see on the site. This came with a cost. Developers had to spend approximately \$500,000 each on unit yield analyses and other pre-development work on their sites (P. Russell, personal communication, February 13, 2023).

With 3515 Manor Rd, AHFC decided to move to an RFQ process. AHFC, with the help of consultants, did a lot of the pre-development work, including a unit yield analysis, conceptual building massings, and environmental surveys. The streamlined process, along with more staff, has seen more interest from developers and more closings per year – from around one to around four. “The tables have turned – we are seeing this significant increase in volume in our partnership program” (P. Russell, personal communication, February 13, 2023). The RFQ process also gives developers more flexibility so they are not as locked into what they originally proposed if the finances of the deal change due to unforeseen factors:

“The moment in time that you respond to an RFQ is so early compared to the actual closing, what we're seeing and evaluating never matches reality. Developments always change, financing changes, capital stack changes, things arise, construction materials change, like everything changes. And we don't think it's fair to pick a proposal that's amazing and then get to closing two years later, and it's completely different compared to what was originally presented. That's not fair to the other respondents” (P. Russell, personal communication, February 13, 2023)

Facility planning

Facility planning, the process of determining how much land, office, warehouse and other physical spaces the city’s various departments will need in the future, is an integral piece of asset management for the city. Before any redevelopment project on a city-owned parcel can happen, the city must determine which department claims control of the land, and if that department needs the land now or in the future.

The city does not maintain a publicly-available dataset of which properties are controlled by which departments, though one may exist internally. There are also currently no standardized practices around how departments decide which properties are necessary to support their operations and which properties are surplus and could be redeveloped. Ideally, the city would develop such a process, perhaps through a decision tree model that is common across all departments. “I think if we had a common flowchart or decision tree that all the departments including utilities stem off of, it would save a lot of time and effort and help Council make better decisions in real time,” (C. Maguire, personal communication, February 13, 2023).

Community engagement

There are few formalized processes for community engagement in the context of redevelopment projects on city-owned land. The amount of community engagement varies from project to project, and people in a variety of positions do engagement work, including city staffers, Council members and their staffers, developers, and consultants. City staffers engage the community typically in the earlier phases of a project through surveys, open houses, videos, community meetings, and individual outreach. These staffers usually work for the Economic Development Department (EDD) or the Austin Housing Finance Corporation (AHFC). Once the city selects a developer through the RFQ/RFP process, developers will often assist in community engagement or largely take it over, either with their own staff members or by hiring consultants in land use, affordable housing development, and/or community engagement. Hiring land use or community engagement consultants seems especially common for projects that need discretionary approval from elected officials, like a rezoning or a letter of support for Low Income Housing Tax Credits.

Much engagement in public land redevelopment seems to be informal contact with nearby residents, through emails, phone calls, teleconferences, or in-person visits. Practitioners likely identify these community stakeholders early in the process and categorize them, either formally or informally, based on their levels of interest and their power to affect the project. Representatives from neighborhood associations and Neighborhood Plan Contact Teams seem to be the groups practitioners engage with most often. Based on the authors' observations, as well as local news reports and academic literature around community input around housing and zoning, these groups typically oppose new development in general and multifamily housing in particular (Einstein et al., 2018, 2019). They often take adversarial positions vis a vis developers and engagement practitioners, air long lists of concerns, and attempt to delay or halt projects using a variety of legal, political and procedural tactics. Of course not all neighborhood groups oppose development or are adversarial; plenty in Austin do support development and others oppose projects as leverage in real negotiations with developers to extract the most community benefit from projects. Engagement professionals must know the players in neighborhood-scale housing politics, and engage those residents early and often to address concerns and stymie opposition. More detailed recommendations on community engagement best practices can be found in Chapter 4.

The role of City Council and Council members

City Council plays a central role in redevelopment projects on city-owned land. At multiple points in the development process, Council members are the decision makers on public-private real estate deals on city-owned land (they also, as mentioned before, serve as the board of the Austin Housing Finance Corporation). Council members have been the catalysts for many of the real estate projects on city-owned land, from Mayor Kirk Watson's role in the initial

Downtown redevelopments to former Council Member (now Congressman) Greg Casar’s role in spearheading the St. John’s Home Depot/Chrysler redevelopment.

Beyond Council’s duties to approve legislative items related to affordable housing development on city-owned land, such as development contracts, lease agreements, and rezonings, the role of Council has been contested. Interviewees stated that while Council should be involved during the redevelopment process, Council members have at times negatively interfered with ongoing deals by requesting or mandating too many community benefits from projects, sometimes late in the process (P. Russell, personal communication, February 13, 2023; D. Steinwedell, personal communication, February 16, 2023). “The push for community benefits should be driven by the staff that are in the weeds negotiating these deals, because we’re the ones on the front lines that are seeing and absorbing and working with all the constraints as they arise,” (P. Russell, personal communication, February 13, 2023).

In fall 2022, City Council had a series of discussions on this dynamic, as well as best practices around public land use more generally. Former Council Member Kathie Tovo prompted the discussions through a resolution (later to become a set of resolutions) aimed at clarifying and harmonizing existing practices around city-owned land redevelopment. These resolutions covered a wide range of city real estate matters, including (Lee, 2022b):

- “Establishing goals for redevelopment and public-private partnerships on city-owned land, and when and how Council and community members should be involved
- Designating the Austin Economic Development Corporation as a partner organization on redevelopment projects on city-owned land
- Putting in place a consistent strategy for leasing city-owned facilities

- Creating a parking management plan for city garages that increases revenue for the city and aligns with climate and mobility goals”

Over the course of these discussions, significant disagreements arose between Tovo and other Council members over the role of Council and how prescriptive Council should be on redevelopment projects on city-owned land. Tovo took the more prescriptive approach; for example, her resolution said that the city should set a goal of having at least 85 percent of residential units affordable on city-owned land. Others, like former Mayor Steve Adler, preferred giving staffers more leeway with the understanding that they would try to maximize public benefits on every redevelopment project. Due to these concerns, Tovo’s final version of the resolution failed to pass in December. Tovo also expressed similar preferences during a Council discussion on a resolution to study city-owned property owned by the Fleet Services Department for affordable housing in which she moved (unsuccessfully) to preempt consideration of market-rate housing on the site (Clifton, 2022).

In April, city staffers responded to Council resolutions from the previous fall in the form of a brief memo, which included plans to review city-owned land redevelopment practices (Holt-Rabb et al., 2023).

“The Economic Development Department (EDD) is conducting an independent, consultant-led review of past City redevelopments and their impacts including a quantitative and qualitative analysis of equitable outcomes, community benefits, and neighborhood impacts. The independent consultant has been engaging stakeholders – including current and past partners, key community leaders, the AEDC, and ULI - through various meetings, interviews, and focus groups. The consultant will synthesize this engagement in combination with data analysis and best practice research to formulate

recommendations regarding City redevelopment of land. EDD will share with Council the recommendations for process improvements based on this review and consultant's report by Fall 2023.”

Turmoil in the market

In the weeks leading up to the publication of this report, the risk inherent in real estate deals on city-owned land was made apparent when two high-profile projects fell through: HealthSouth and Ryan Drive. Developer Aspen Heights Partners withdrew from an Exclusive Negotiating Agreement (ENA) on the HealthSouth project, and on the Ryan Drive project, the city withdrew from the ENA. Both projects had been in the works for years. The drawn out timelines of each project show how government inertia, political and community influence, and real estate risks impact the city's ability to deliver community benefits on city-owned sites. The question going forward for these sites and others who may fall victim to challenging market conditions becomes: should the city move forward with projects that are more expensive and therefore cannot provide as many community benefits as before, or should it wait until construction costs and interest rates fall so that projects pencil with a higher level of community benefits?

CHAPTER 3: City-Owned Property Inventory and Scenario Planning

What properties does the city of Austin own, and what characteristics do these properties have (e.g., size, appraised value, current land use, etc)? It may seem like a question that could be (and should be) easily answered by a publicly-accessible, regularly-updated dataset in both spatial and non-spatial formats. But the city of Austin keeps no such dataset, at least not one that is publicly-available. This has spurred the author to attempt to piece together a dataset of properties owned by the City of Austin from multiple sources. The following paragraphs describe the process to produce this dataset and the dataset's limitations.

There are two datasets on the city of Austin's Open Data Portal that describe city-owned properties. The first, "City of Austin Owned Parcels," seems promising but contains limited information. While it does have a seemingly complete list of 3,993 city-owned properties, it only contains spatial coordinate features and fails to provide essential fields such as address, size, appraised value, or property ID. The second is "City Of Austin Properties handled by the Office of Real Estate Services." This is also a spatial dataset, but like "City of Austin Owned Parcels," it does not contain essential fields. It also only includes 1350 properties – or about $\frac{1}{3}$ of the number of properties likely owned by the city. Though the dataset could serve as a good proxy for which properties the city views as having development potential, the dataset may also contain properties that the city of Austin leases. Therefore, the author chose to use other datasets in this analysis. The author also submitted a public information request to the city of Austin but was only provided a link to the Open Data Portal.

The two datasets that have been most useful to this report are Land Database 2021, a spatial and non-spatial dataset available on the Open Data Portal that describes every property in

the city of Austin in detail and is updated every five years, and non-spatial datasets from the Travis and Williamson Central Appraisal districts, which were obtained via webpage download and public information request. To combine these datasets, the author conducted a Spatial Join (Intersects) of Land Database 2021 parcels with parcels owned by the city of Austin according to the appraisal districts. This method proved the best way to get important information about city-owned properties not available from just appraisal district data, including land use category, current use (e.g. Barton Springs, Austin City Hall, Treaty Oak, etc.), Council district, location in relation to I-35, among others.

Asset Inventory

The table below shows the number of properties owned by the city of Austin⁷⁸⁹¹⁰¹¹, their total size in acres, and total appraised value.

⁷ Includes properties owned by the Austin Housing Finance Corporation. While AHFC is a legally separate entity from the city of Austin, it works hand in hand with the city on affordable housing projects on city-owned land, often serving as the lead government entity. AHFC's staff also nominally work for the City of Austin Housing Department, and the Austin City Council serves as its board of directors.

⁸ Includes unsold lots in Mueller

⁹ Some single uses (e.g. libraries, parks) appear as multiple adjacent parcels.

¹⁰ Only includes properties within Austin's Full Purpose Jurisdiction. The City of Austin owns properties in both Hays and Williamson Counties outside the Austin city limits, including in Kyle, Buda, Manchaca, unincorporated Hays County, Leander, Liberty Hill, Cedar Park, Round Rock, and unincorporated Williamson County (source: Hays Central Appraisal District, Williamson Central Appraisal District). The city may also own properties elsewhere. Properties outside of Austin's Full Purpose Jurisdiction are not included here because the city does not have a mandate to provide affordable housing for non-Austin residents. If these properties are ever deemed surplus, the city could still offer a right of first refusal to nonprofit developers to build affordable housing, thereby furthering the region's affordable housing goals.

¹¹ The only other similar research is a white paper by the Real Estate Council of Austin. The paper finds that in 2016, public-sector jurisdictions owned at least 6,154 separate parcels of land, worth \$15,014,344,320. According to RECA, the city of Austin owned 3,412 of those parcels, with a value of \$6,380,144,748 (that figure includes "unsold lots at Mueller, Seaholm, etc. and parcels owned by AHFC"). The white paper is no longer available on RECA's website, though it is available at this link:

http://www.austinmonitor.com/wp-content/uploads/2016/10/RECA_Public_Land_White_Paper.pdf

Table 2: Properties owned by the City of Austin¹²

Number of properties	3,776
Total acreage	33,153 acres
Total appraised value (2022)	\$10,294,494,649

The following charts show city-owned properties broken down by size, appraised value, City Council district, and location east or west of Interstate 35. The distinction between East and West of Interstate 35 is important because the highway marks the line of segregation between wealthier, whiter neighborhoods in the West and lower-income neighborhoods of color. Though the highway was not in place when the city’s 1928 Master Plan forced Black and Hispanic residents to relocate east of East Avenue, the highway solidified that barrier and today remains a stark racial and socioeconomic dividing line in the city. The city should take advantage of opportunities to build affordable housing on city-owned land anywhere in the city, but especially in high-opportunity areas West of I-35 where land is more expensive and other barriers to affordable housing development, such as zoning and neighborhood opposition, may be higher.

¹² Source: Travis Central Appraisal District, Williamson Central Appraisal District, and Land Database 2021 (<https://data.austintexas.gov/Housing-and-Real-Estate/Land-Database-2021/kk8y-6cmt>)

Figure 2¹³¹⁴: City of Austin properties by size (acres)

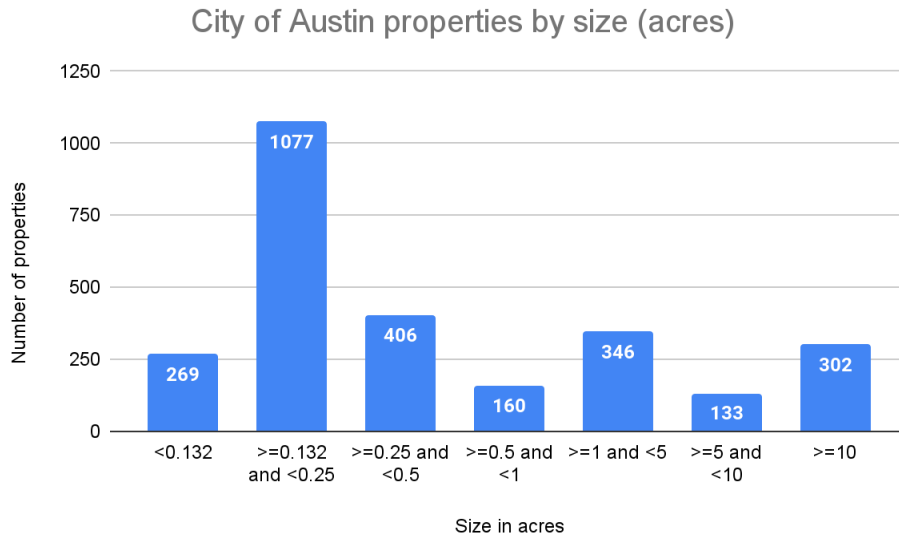
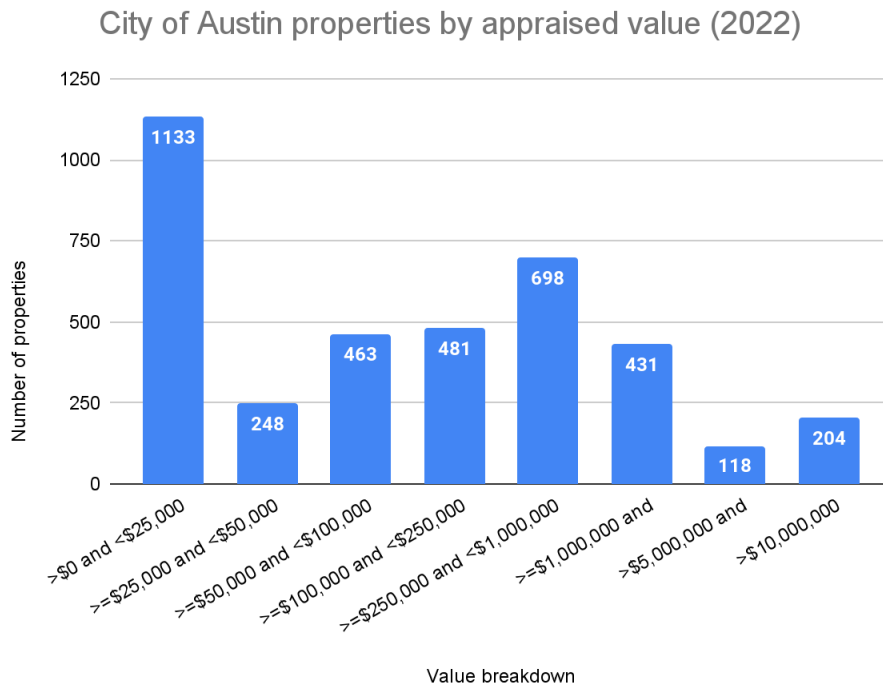


Figure 3: City of Austin properties by appraised value (2022)



¹³ 0.132 acres is approximately equal to the 5,750 sq ft minimum lot size in single-family zoning districts in the city of Austin (though there are efforts to reduce the minimum lot size to 2,500 sq ft or less at the time of writing in August 2023).

¹⁴ It is surprising that nearly a third of all properties are valued at less than \$25,000. This could mean they are either a) small b) undervalued or c) undevelopable for a variety of reasons, such as location within a floodplain.

Figure 4¹⁵: Number of city-owned properties by City Council district

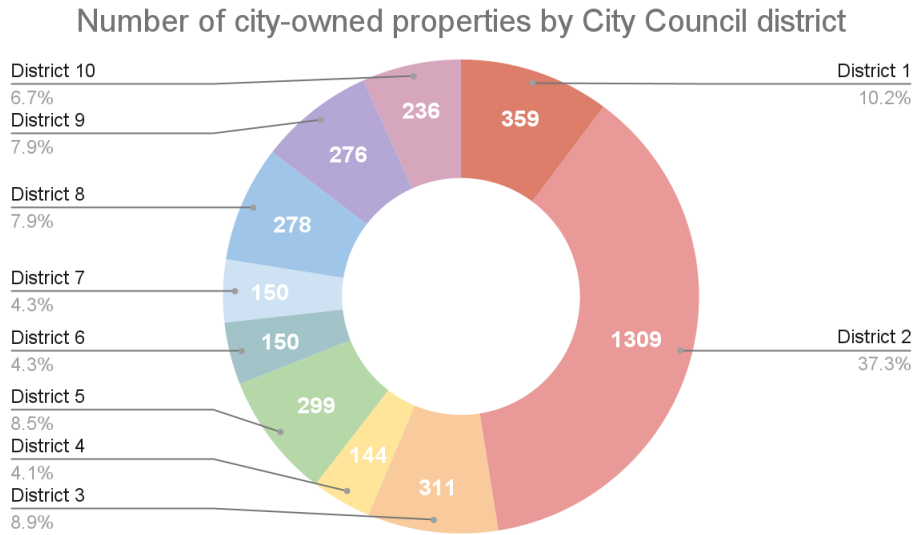
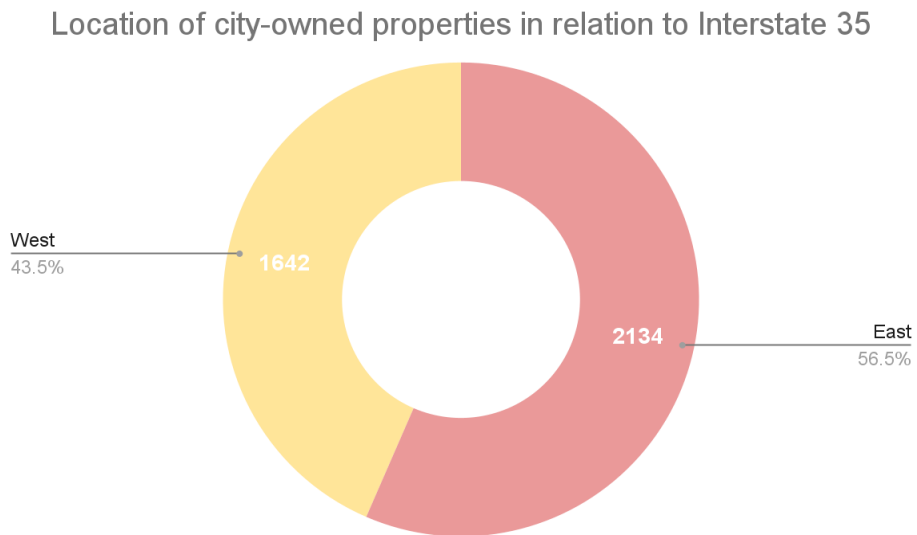


Figure 5: Location of city-owned properties in relation to Interstate 35

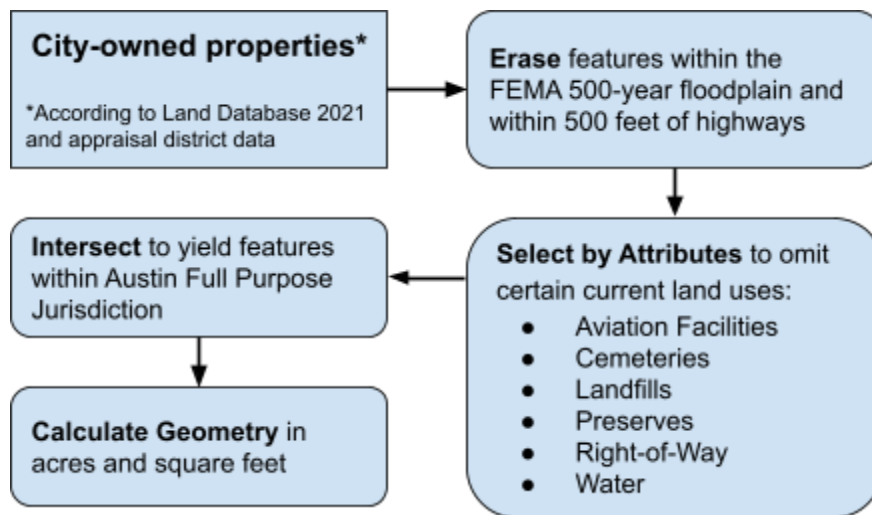


¹⁵ See Appendix for map of Austin City Council Districts

Selection Model

This scenario planning exercise uses a GIS selection model to show which city-owned properties could be redeveloped. The following sections describe the methodology of the selection model, the limitations of the exercise, and other factors that more comprehensive analyses should take into consideration. The selection model takes the city-owned property database compiled by the author and puts a number of development constraints on the properties to yield developable tracts:

Figure 6: Selection model



Limitations and other considerations

Parks, open spaces and golf courses

The city's parks are some of its most important public assets; much of this land, therefore, should not be developed into affordable housing. Nevertheless, the city should

analyze existing park spaces and future park needs with a goal of identifying pieces of underutilized parkland across the city that could be redeveloped without substantially affecting parks and park goers. After all, not all park space contains recreational assets or flourishing native plant and wildlife habitats. Parks contain parking lots, for example, that could be downsized or made into parking structures to make room for housing.

Recreational desires also change over time – perhaps the parks around Lady Bird Lake have too many baseball fields, for example. Developing parks into housing and other uses is not radical. Kirk Watson during his 2022 mayoral campaign floated developing a large portion of the park surrounding Lake Walter E. Long to create the next Mueller, with thousands of new homes and the biggest park in Austin (Clark-Madison, 2022). For these reasons, parks are included as developable land with the understanding that only a tiny fraction of parkland could ever conceivably be redeveloped into affordable housing.

Public golf courses, on the other hand, are some of the best large-scale redevelopment opportunities for the city. Golf courses have been redeveloped or proposed for redevelopment in numerous cities (Schneider, 2022). In Austin, there are perennial calls (and steadfast opposition) to the idea of redeveloping Lions Municipal Golf Course, which is owned by the University of Texas. Golf course redevelopments are also the best opportunities for creating European-style “Ecodistricts¹⁶,” where dense mixed-use, transit-oriented development is co-located with copious parks, lakes and otherwise natural/open space.

¹⁶ See, for example, the Clichy Batignolles Ecodistrict in Paris, France

Incompatible co-location of uses

Some existing uses may be compatible with housing, like libraries or rec centers. These existing uses would be excellent candidates on which to build affordable housing, either as a separate building on excess land or as part of a mixed-use project with the existing use placed on the ground-floor of the new building. Other current uses, like EMS or Fire stations, may not be well suited for co-location with homes, due, in this example, to noise pollution. This report, however, does not presume the incompatibility of any uses, except the ones in the exclusion criteria in the selection model. Determining whether certain uses are incompatible with residential use is beyond the scope of this report, and the author encourages the city to explore creative solutions to co-locating uses in mixed-use projects.

Floodplains

Floodplains do not necessarily render a site undevelopable¹⁷. The Land Development Code allows buildings within a floodplain, as long as “the finished floor elevation of a proposed building is at least two feet above the 100-year floodplain” (CHAPTER 25-7. DRAINAGE, n.d.). However, building in a floodplain may add costs to development and could in some cases render projects financially infeasible, especially affordable housing projects. And because climate change is likely to bring more intense floods, it is becoming less and less prudent to build housing in a floodplain. It also may be harder to get such buildings insured, even if they meet local building regulations.

¹⁷ In the city of Austin, the more binding regulation may be Critical Water Quality Zones, which prohibit development within 50 feet of the centerline of certain waterways, like streams, creeks, and rivers.

Therefore, the author opted to exclude properties or portions of properties that sit within the FEMA 500-year floodplain from the scenario planning exercise.

Site contamination

While remediating contaminated sites to residential development standards adds to the time and cost of building, it is not an insurmountable barrier to development. This factor, therefore, is not considered in the scenario planning exercise.

Utility lines, easements and other public infrastructure

Utility lines and easements may make it more difficult to develop property by decreasing the buildable area of a site and/or forcing the developer to incur costs for utility relocation. These barriers could render sites completely undevelopable. Analyzing utility lines and easements, however, is beyond the scope of this report. While there are likely some utility line tracts included in the selection model, the author chose to keep properties with the “Utility” land use description, given the history of the city redeveloping (or planning to redevelop) properties controlled by Austin Energy (e.g. 300 West Ave, 3423 Ryan Drive).

Highways

Research shows that living or working near a highway can cause serious adverse health effects (Environmental Protection Agency, 2014). This report, therefore, recommends against siting affordable housing within 500 feet of highways and excludes such properties or portions of properties in the selection model. Highways, in this report,

are defined as Level 5 Streets in the City of Austin Transportation Criteria Manual¹⁸ (*SECTION 2 - STREET CROSS SECTIONS | Transportation Criteria Manual | Austin, TX | Municode Library, n.d.*).

Clean title

Having clean title to a property is a requisite for any development, as discussed in Chapter 2, but delving into the title of any given property is beyond the scope of this analysis.

Zoning

Analyzing how zoning impacts the redevelopment potential of city-owned properties is largely beyond the scope of this report. As discussed previously, Affordability Unlocked generally allows dense development, with buildings up to 90 feet on multifamily, mixed-use or commercial sites, meaning that zoning does not overly constrain affordable projects.

Historic Properties

Properties zoned historic are unlikely candidates for redevelopment, except perhaps as adaptive reuse. Historic zoning puts a number of restrictions on properties, including placing approval of development proposals under the purview of the Historic Landmark Commission. Nevertheless, this report includes properties zoned historic.

There are few such properties, for one, and it is possible that parts of these sites could be

¹⁸ These include Interstate 35, U.S. Highway 290, U.S. Highway 183, MoPac Expressway, State Highway 130, State Highway 71, State Highway 45, Loop 360, and Farm to Market Road 620

developed without detracting from the integrity of the historic structure. Further site-by-site analysis is needed.

Airport Overlay Zone

The Airport Overlay Zone (AOZ) surrounds the Austin Bergstrom International Airport and extends along airplane approach paths. The overlay limits certain uses, including residential uses, that would be particularly unsafe to locate in proximity to noise and air pollution hazards from aircraft. The overlay would have been an exclusion criterion, but the author was unable to find a publicly-available GIS map. While the City does own some land within the zone, not being able to account for the AOZ has little impact on this analysis, since much of the city-owned property in the AOZ is already excluded due to its location within a floodplain.

Developable properties

The table and map below shows city-owned properties¹⁹ deemed developable, according to the selection model. The following figures categorize these properties by size, City Council District, and location east or west of Interstate 35.

¹⁹ Appraisal values are not available for these properties; many are only sections of parcels deemed developable according to the criteria outlined earlier in the chapter

Table 3: Developable city-owned properties

		Percent of all city-owned properties
Developable properties	1,617	43%
Developable area	10,074 acres	30%

Figure 7: Map of developable city-owned properties

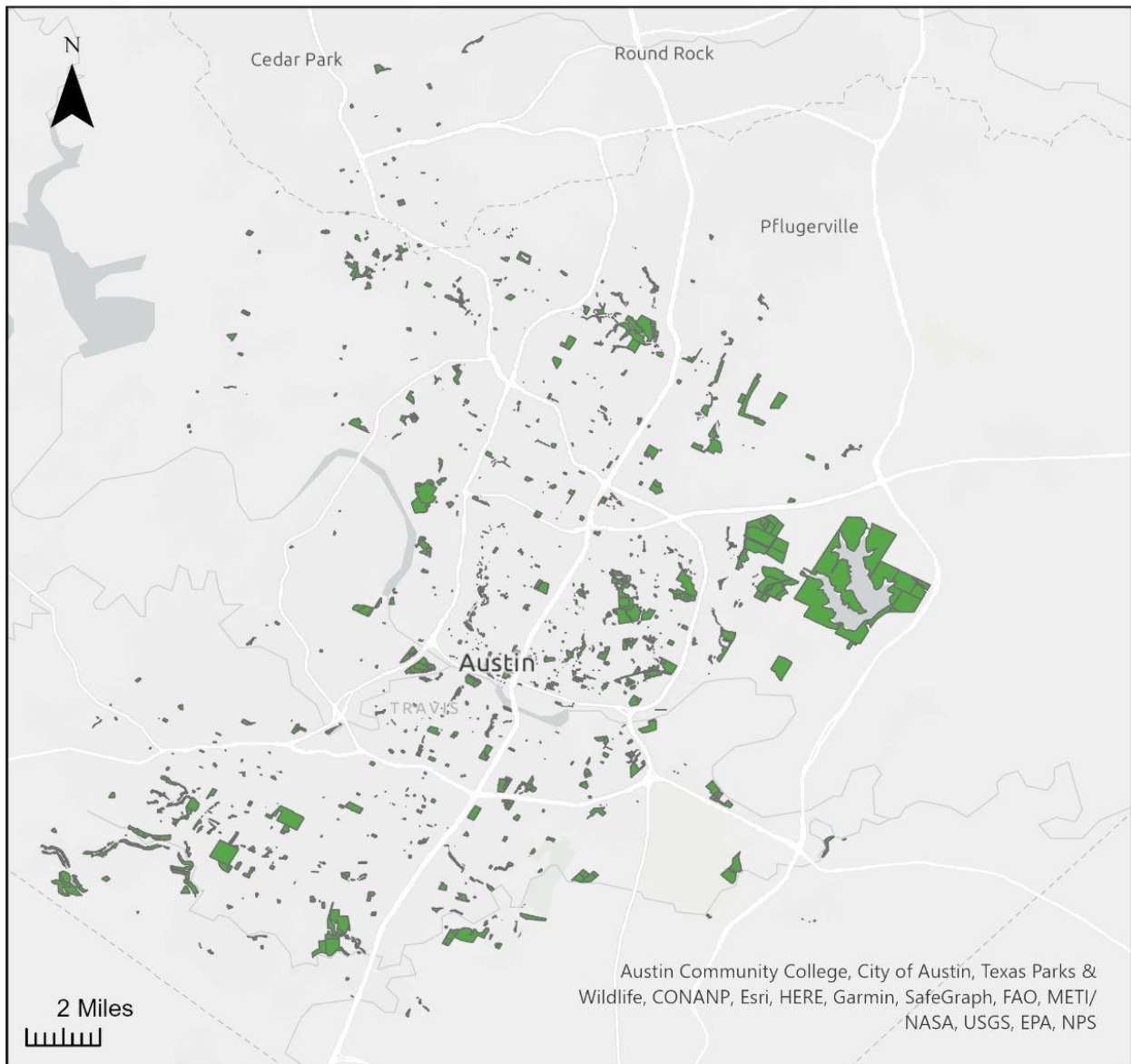


Figure 8: Developable city-owned properties by size (acres)

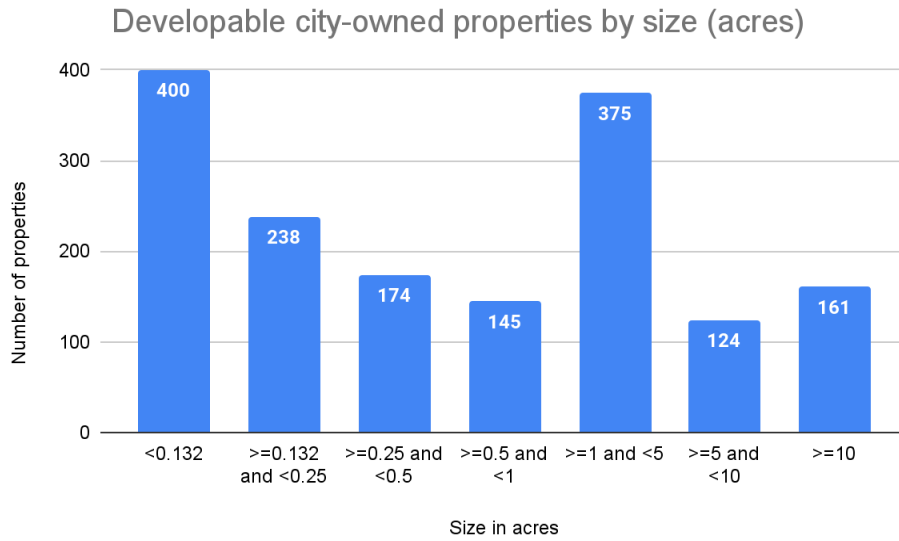


Figure 9: Number of developable city-owned properties by City Council district

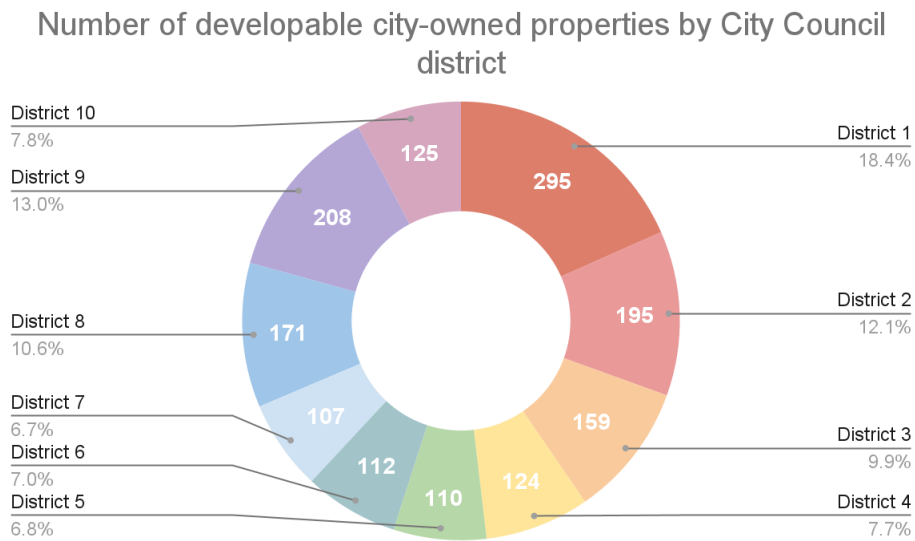
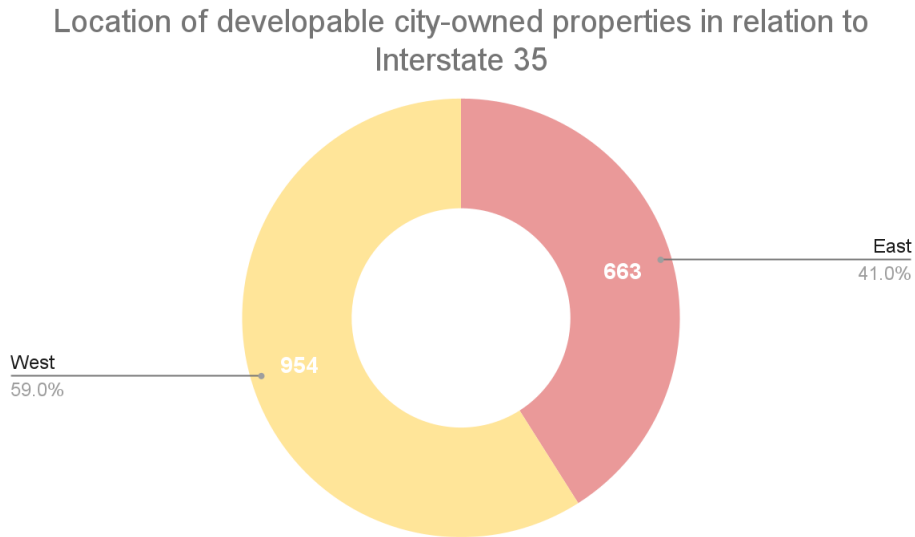


Figure 10: Location of developable properties in relation to Interstate 35



Unit yield analysis

The unit yield analysis shows how many affordable units could be built on developable properties at varying densities. It is likely that many developable properties are, in reality, unsuitable for development into affordable housing. And on properties that may be suitable, significant barriers to development may exist. Taking these into account in any detailed way is beyond the scope of this report, so in order to adjust for properties that are unsuitable for development or have significant barriers, the exercise models three different scenarios based on percentage of developable property redeveloped into affordable housing:

- Conservative: 2.5% of property area developed
- Moderate: 5% of property area developed
- Aggressive: 10% of property area developed

For each of these scenarios, the analysis shows the number of units that could be built at three levels of density:

- Low density: 35 dwelling units/acre

- Medium density: 60 dwelling units/acre
- High density: 85 dwelling units/acre

Dwelling units per acre were chosen according to a review of du/acre for existing affordable housing projects in Austin, as well from sources describing the density of various housing typologies (Bengford, 2017; Parolek, n.d.).

Table 4: Conservative scenario (2.5% of property area developed)

Conservative scenario (2.5% of property area developed)	
Low density (35 du/acre)	8,815
Medium density (60 du/acre)	15,112
High density (85 du/acre)	21,408

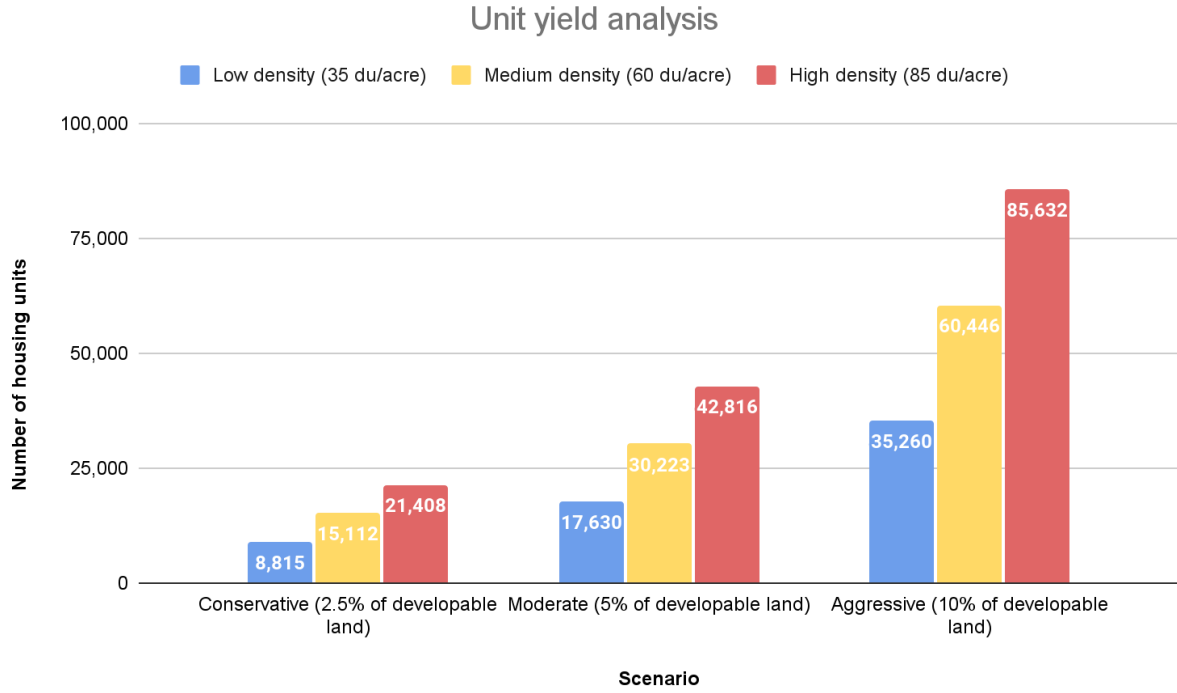
Table 5: Moderate scenario (5% of property area developed)

Moderate scenario (5% of property area developed)	
Low density (35 du/acre)	17,630
Medium density (60 du/acre)	30,223
High density (85 du/acre)	42,816

Table 6: Aggressive scenario (10% of property area developed)

Aggressive scenario (10% of property area developed)	
Low density (35 du/acre)	35,260
Medium density (60 du/acre)	60,446
High density (85 du/acre)	85,632

Figure 11: Unit yield analysis



CHAPTER 4: Recommendations

Austin Plan for Public Land

The primary recommendation of this report is to create a Plan for Public Land, a document that would chart the path for current and future use of all public land in Austin. At a high level, the plan should accomplish the following:

- Create an asset inventory for all publicly-owned land in the chosen geography
- Create a facilities plan to determine the real property needs of each entity and department
- Identify all potential redevelopment sites, list barriers to redevelopment for each property (e.g. title, environmental hazards, current use, etc.), and create a prioritization matrix that would lead to a transparent redevelopment pipeline, allowing citizens to hold governments to account
- Identify opportunities for collaboration between government entities
- Convene a summit of public landowners to raise awareness among the public, media, and elected officials about the potential for publicly-owned land to deliver community benefits and to help coordinate intergovernmental planning efforts.
- Identify a “North Star” to guide efforts – for example, public land should be prioritized for affordable housing over other community benefits

The report acknowledges that lack of funding and political will, as well as the complex task of coordination with numerous government bodies, could make such a plan infeasible. The Austin Economic Development Corporation, as a quasi-governmental entity that can partner and accept funding from any government body in the city, would be best positioned to complete this work.

The following sections detail these and other recommendations that the city of Austin, AEDC, AHFC, and other public landowners could implement either as part of such a plan or through individual efforts. Though some of the recommendations below may refer to a specific government entity, many apply to all public landowners.

Conduct an asset inventory

Public landowners in Austin should conduct an asset inventory to fully understand which properties they own and the potential of those properties to create public goods. The AEDC would be best positioned to lead this work and coordinate between government entities. While the city of Austin or other individual government entities could conduct this work on their own, coordinating between all public landowners would likely yield better results. If public landowners own adjacent parcels, they could collaborate on a single redevelopment project that yields more community benefit than separate projects. Due to the necessity of this work, AEDC should pursue all available grant opportunities and/or request funds from the city of Austin or other government entities to complete this work as soon as possible.

A promising grant opportunity is the Putting Assets to Work Incubator, launched by the Government Finance Officers Association (GFOA) in 2022. The grant helps jurisdictions assess their property inventories for their potential to generate revenue and provide community benefits. So far, Atlanta, Georgia; Annapolis and Anne Arundel County, Maryland; Chattanooga, Tennessee; Cleveland, Ohio; Harris County, Texas; Lancaster, California; and Salt Lake County, Utah have participated (AEDC applied during the first cycle but did not receive an award). In 2023, GFOA will offer grants to five more jurisdictions; Austin could be eligible for \$190,000.

Create a facilities plan

The city of Austin should devote more resources to expanding its facilities planning efforts through a comprehensive city facilities plan. The facilities plan, which could be undertaken as a discrete effort or as part of the Plan for Public Land, would create a standardized assessment for all departments to understand how the properties they control fit with long term facility needs, as well as a decision tree model for departments to evaluate the redevelopment potential of their land. To the greatest extent possible, the city should co-locate compatible facilities, including affordable housing, in order to maximize the efficiency of public facilities and community benefits across the city's limited public land assets.

Improve transparency

It is a basic matter of transparency for any government entity to show which properties it owns in an accessible way. And taxpayers have a unique interest in knowing which properties governments own; in a sense, taxpayers are the collective owners of these properties. The fact that this report was not able to document the number of city-owned properties with certainty points to the city of Austin's failure in this regard. The city should remedy this situation as soon as possible by posting a reliable dataset of all city-owned properties with relevant fields, such as those found in Land Database 2021. This dataset should be updated regularly. There should also be a regularly-updated dataset of redevelopment projects on city-owned land to show the community where public land resources and affordable housing bond money is being put to use.

Lease, don't sell

To the greatest extent possible, public land should remain in public hands in perpetuity, so future generations can also benefit from the public goods made possible by the land. While this is de facto standard practice for the city, it should be further solidified through formal mechanisms, such as by City Council resolution or ordinance. It is beyond the scope of this report to suggest scenarios in which selling land could be preferable to leasing, but the city should only consider selling land after very careful cost-benefit analysis that properly discounts the loss in public benefits in the long run versus the immediate financial benefit to the city through the sale of land. The city should also weigh tradeoffs between ongoing revenue from lease payments against the community benefits provided through lower or effectively free lease payments. Generally speaking, the higher the lease payment for public land, the less community benefits the city is able to require as part of a redevelopment deal.

Give right of first refusal of surplus land to affordable housing developers

If the city does decide to sell its land after a careful cost-benefit analysis, it should offer the right of first refusal to affordable housing developers (Way et al., 2018). An example of such a policy from elsewhere is the state of California's Surplus Land Act, which requires local governments to offer right of first refusal for sale or lease of city-owned properties to affordable housing developers. Had an affordable housing developer been able to purchase or lease a defunct park maintenance facility recently sold to Oracle, there could have been considerable amounts of affordable housing on the site instead of proposed office space. It is worth noting that such a policy could constrain a city's ability to make deals for city-owned property that also provide important community benefits beyond housing – the city plans to use money from the

Oracle deal to buy parkland on the Colorado river that might otherwise remain private land (Swiatecki, 2021). The city should also revisit its policy that directs 40 percent of future tax revenue from sold city-owned sites to the city's Affordable Housing Trust Fund to consider increasing this percentage to ensure that even if city-owned property is not used for affordable housing (as in the Oracle case), it will still significantly contribute to the city's affordable housing stock.

Distance financial decisions from politics

“Eliminating political influence from government real estate decisions is like removing sand from a beach” (Hentschel & Utter, 2006, p. 176).

The influence of City Council members on redevelopment projects has had positive and negative outcomes. While Council members are important catalysts and champions for projects, they have at times mandated too many community benefits, putting the financial viability of projects at risk and extending project timelines. It is possible that in these instances Council members had the good intention of maximizing public benefits on valuable sites. But no matter the intentions, mandating fair wage requirements or affordable childcare space on top of affordable housing, for example, could hamper a project's financial viability or reduce the amount of other community benefits that projects can provide (P. Russell, personal communication, February 13, 2023). City staffers must educate elected officials on these tradeoffs. They must also disabuse any members of the common perception that the real estate projects generate so much money that they can absorb many different community benefit

requirements. In reality, real estate projects – especially affordable housing projects – are delicate financial balancing acts. Elected officials should especially not saddle projects with requirements late in the development process, when finances are nearly finalized

Giving Council members wide discretion over community benefit offerings in projects also leaves open the possibility that members could intentionally kill an entire project by asking for too many community benefits. While opposing affordable housing projects has become politically unpalatable within the last several years, removing these political risks is not possible since Council has the legal authority to approve, amend or deny agreements with developers on city-owned land. One way to mitigate this risk is to make opposing affordable housing projects politically unthinkable. Having a Plan for Public Land could help further solidify this norm and reduce the risk of ward politics. Sustained pressure from community advocates for the city to build affordable housing on its land in all parts of the city would also help.

Maximize public benefits without constraining projects

One of the Uprooted Report’s recommendations regarding the use of publicly-owned land is to set “a clear and enforceable city policy regarding the minimum level of affordable housing that must be included on redeveloped city land that is suitable to residential development” (Way et al., 2018, p. 87). While this is a good recommendation in theory, it could have unintended consequences. Mandating a certain percentage of affordable units or levels of affordability across all developments on city-owned land could create unnecessary constraints. Not all sites and not all projects can achieve the same levels of affordability. Set the bar too high, and some projects won’t be able to meet the requirements, especially when interest rates and construction costs are high. Creating hard-and-fast rules around affordability ties the hands of staffers who are in the

weeds of the deals, and who are already working to maximize community benefits while ensuring a financially viable development (P. Russell, personal communication, February 13, 2023).

Prioritization matrix

The city should create a prioritization matrix for properties with redevelopment potential. It is beyond the scope of this report to propose how the city should prioritize redevelopment projects in detail, but the city should follow a few general guidelines:

- Start with the properties that have the fewest barriers to affordable housing development
- Prioritize projects that will have the biggest impact, which will usually mean larger sites
- Tie the matrix to community priorities set forth in the Plan for Public Land

Leverage economies of scale

Smaller infill sites, like those around the size of single-family lots, have rarely been considered for redevelopment. The city should pursue development on these properties going forward, as long as it maximizes the public benefit on each property. It is a poor use of public resources to build one new single-family home on a lot when the city could build more units through Affordability Unlocked, which allows multi-unit, “missing-middle” projects with affordability components on single-family lots.

A particularly egregious example of the city spending inordinate public resources to build one single-family home is the so-called “Battle for 3000 Funston Street” (McGlinchy, 2021). Neighbors in the wealthy Bryker Woods neighborhood successfully sued to block the home from being built because it violated minimum lot size requirements in deed restrictions; had the home

been built it could have costing the city around half a million dollars – an exorbitantly high per-unit cost. Recommending whether to buy existing single-family homes (or apartments for that matter) and make them affordable is beyond the scope of this report, though the city has spent considerable money doing so in recent years²⁰²¹.

Think urban

There are likely many existing city facilities that would be excellent candidates for redevelopment that could maintain or improve the existing use while also adding affordable housing or other uses. Libraries are prime examples. At a cursory glance, many city libraries are single-story buildings surrounded by surface parking. Take the Henry Terrazas Branch of the Austin Public Library at 1105 E Cesar Chavez St, for example. The library sits on approximately 1.5 acres, around two thirds of which is surface parking. The site is in an urban context, on a CapMetro bus route, and a quarter mile from Downtown and a future light rail station. Just the surface parking lots could be developed into a mixed-use project with affordable housing that maintains the existing library use, or the entire site could be redeveloped, creating even more affordable housing as well as a larger, up-to-date library.

Redevelopment projects on city-owned land should minimize off-street parking as much as possible. Residents in affordable units are less likely to own cars, and parking significantly increases the cost of building. If parking is deemed necessary, it should be structured where possible and financially feasible, especially in more urban locations. To date, some projects on

²⁰ The city already has done this through the Austin Community Land Trust (ACLT), run by the AHFC. ACLT has bought 24 scatter-site single-family homes (McGlinchy, 2022a). But as of November 2022, none of the homes found buyers, mainly due to the inability of income-qualified applicants to obtain a mortgage (McGlinchy, 2022b). The program also has a preference policy for people displaced from their neighborhoods.

²¹ In 2023, AHFC in partnership with Affordable Central Texas bought several existing apartment communities along the initial planned Project Connect light rail line. The properties have 234 total units and were bought for \$34.9 million, of which AHFC contributed \$14.9 million in 2018 General Obligation Bond dollars (Jackson, 2023).

city-owned land have not been built with urban typologies despite being in the city's urban core. The proposed redevelopment of the St. Johns Home Depot and Chrysler site, for example, includes exclusively surface parking for its 560 residential units and retail customers, meaning a large portion of the site is dedicated to parking. The development should have had a more urban footprint. The HealthSouth project provides another example. Before the project fell through, the parking was slated to be parked according to market requirements (Lee, 2022a), which for towers in Downtown Austin usually means at least several floors of podium-style parking. Unless it would have jeopardized the entire project, the city should have negotiated a lower parking ratio to help meet the city's mode share goals and support existing and planned transit investments.

Create clear roles for AHFC, AEDC, and EDD

Entities working on public land redevelopment projects should clarify their roles. This report recommends that both AEDC and EDD should lead or play a significant role in larger-scale projects, mixed-use projects, and projects that involve cultural spaces, while AHFC should lead projects that exclusively or mainly include housing. For mixed-use projects, any of the three entities can play subordinate roles, as long as their specific tasks are clear and not redundant. In the long run, it may be more efficient to choose a single entity for which redevelopment of public land is its sole mission. While AEDC has this mission, it is still a nascent organization that must first build in-house capacity and a track record.

Community engagement

As part of the Plan for Public Land or a discrete effort, the city and other local governments should gather feedback on the types of uses community members would like to see

on underutilized or vacant public land. While various forms of community engagement should occur, one effort could involve surveying residents about their priorities for public land use in general. The survey could ask community members to rate how much they value various possible uses of publicly-owned (affordable housing, libraries, day care, music venues, etc.) on a scale (from not important to very important, for example). It could also gauge residents' opinions on co-locating some types of uses. The survey would not be a substitute for project-specific community engagement; rather, it would be one piece of information used to make decisions about which uses to pursue on redevelopment sites, alongside project-by-project internal and external stakeholder engagement and plans like the Imagine Austin Comprehensive Plan, Strategic Housing Blueprint, or the Climate Equity Plan. The survey should also inform community members about the asset inventory as well as show how past or current redevelopment projects on city-owned land provided community benefits.

For specific pieces of city-owned land identified for redevelopment, city staffers must first engage internal stakeholders to identify barriers and assess department facilities' needs. Staffers should also engage elected officials early and often throughout the project. If the project includes housing, the city should conduct a unit yield analysis, which considers factors like zoning, environmental features, and financing constraints to determine how many units could be built on the site.

Having collected this information, the city can set the parameters for development that they can then bring to the community for further refining. Particularly in housing projects, it is important to show the community what the project will look like through basic architectural massings or rendering, created either in house or via a contractor, as AHFC did with 3515 Manor Rd and 5900 S Pleasant Valley. The city should also provide a target unit count, referring to the

unit yield analysis. These parameters should only be minimally negotiable, and should be justified using plans like the Strategic Housing Blueprint as well as the principle of maximizing community benefit from precious public land resources. Setting parameters not only provides transparency by showing community members where their feedback can have the most impact but also insulates the project from opposition from nearby residents. Practitioners should also emphasize that plans are always subject to change because of uncertainty around interest rates, construction costs, and housing demand.

While community engagement practitioners should acknowledge and address all concerns from nearby residents, they should not let community feedback alter the project so much that it deviates from the principle of maximizing public benefit or from goals outlined in adopted plans. The development team should only consider altering the project's parameters to avoid jeopardizing the support of stakeholders with the power to kill the project entirely, namely the elected official whose district the project is in.

Having undertaken numerous engagement initiatives around public land redevelopment, the city should be well positioned to standardize engagement processes for future projects, define roles for different types of engagement practitioners, and improve transparency and communication with the public. Because public land is a public good, it is imperative that citizens have a say in what happens on public land. Knowing that residents near proposed development sites are the most likely to participate in engagement processes, and that some of these residents are also likely to oppose new development, practitioners should target their efforts towards these stakeholders to ensure that they are best positioned to provide constructive feedback.

Regularly observe best practices from peer cities

Officials and staffers from the city, AHFC, and AEDC should regularly monitor best practices from peer cities and evaluate their applicability to Austin's context. These entities should not only observe other cities' actions through news reports, conferences, or other mediums, but also proactively schedule roundtables and conferences. AEDC would be particularly suited to lead these efforts.

Increase allowable impervious cover for Affordability Unlocked projects

While Affordability Unlocked grants many additional entitlements to most properties, including height, minimum lot size, and floor-area ratio, it does not grant additional impervious cover. The City Council should amend Affordability Unlocked to increase the allowable impervious cover so that projects, especially in single-family and lower-density multifamily zoning districts, can become more feasible to build. Even a 25 percent increase in impervious cover for these projects could have a meaningful impact (P. Russell, personal communication, February 13, 2023). This change could come with additional flood mitigation requirements, if needed.

Exempt affordable housing on city-owned land from the Save Our Springs Ordinance

Only 5 percent of the affordable units built in the city are west of Mopac (McGlinchy, 2021). The Save Our Springs Ordinance, which voters approved in 1992 to protect Barton Springs from runoff pollution, is the main reason for this geographic inequity²² (P. Russell, personal communication, February 13, 2023). The rule has strict impervious cover requirements: sites are limited to between 15 to 25 percent impervious cover, depending on where in the Barton

²² Lack of available land at prices that affordable housing developments can afford is another reason

Creek Watershed the site lies. Because the city owns land in the SOS zone that cannot realistically be developed under the current ordinance, the City Council should amend the SOS ordinance to exempt affordable housing on city-owned land (This could also be accomplished by allowing Affordability Unlocked to supersede SOS on city-owned properties). While the Council could perhaps go a step further and exempt all affordable housing projects west of Mopac from the ordinance, beginning with an exemption for affordable housing projects on city-owned land could be more politically viable. While the environmental impacts of either policy should be considered, they are likely negligible. But if there are environmental impacts, policymakers should weigh these impacts against the benefits of allowing more housing in wealthy, high-opportunity areas, thereby reducing economic and racial segregation in the city.

Dedicate more staff resources to public land redevelopment efforts and reward staff

To continue to ramp up the scale of redevelopment efforts on city-owned land, the city should continue to hire more staff. Every additional full-time staffer means more RFQs and deal closings per year. To roughly quantify the impact of this investment, for AHFC at least, each new staffer yields one more deal closing per year (P. Russell, personal communication, February 13, 2023). The city should also explore the feasibility of allowing city staff to share in the developer fees for projects on city-owned land in order to add incentive to close deals and seek out new deals. Even relatively small bonuses subtracted from the developer fee (perhaps between \$5,000 to \$15,000) could provide this incentive. Bonuses could also draw more qualified and talented candidates from the private sector to work for the city.

Create goals for how many parcels to redevelop each year

Another recommendation from The Uprooted Report is creating a goal for how many parcels to develop per year (Way et al., 2018). Neither that report, nor this one, recommends a specific target number. While the target may be limited by outside forces, such as construction costs, interest rates, and the availability of additional government funding, the city should nonetheless set aggressive goals. In setting this target, the city should consider the benefits of rapid development of parcels in the near- to medium term versus spreading projects out over the long term. Once projects are built, they will hopefully be able to contribute to the city's housing stock in perpetuity. We also know that the city is in a dire housing crisis now, and as many units as possible are needed to meet this need.

Increase land acquisitions

With Austin's projected growth, land is unlikely to get less expensive in the foreseeable future. In light of this trend, the city should devote more resources to buying underutilized land that would be ready or close to ready to develop into affordable housing. To support this work, the city should create a land banking plan with a goal of purchasing an annual number of properties (or area of land), and hire at least one staff member to conduct this work. Funding for this work is already available through Project Connect anti-displacement funds and the 2022 affordable housing general obligation bond. More funding should be dedicated to this purpose going forward.

Create a new position tasked with coordinating among departments

In order to break down inter-department silos and politics, The Uprooted Report recommends “creating a new city position that reports directly to the city manager and who would regularly assess opportunities for developing affordable housing on public land and kick-start the redevelopment process” (Way et al., 2018, p. 87). This position has still not been created, though entrepreneurial staff often play this role in an unofficial capacity (P. Russell, personal communication, February 13, 2023).

Conclusion

If the city of Austin and other government entities in the city follow the recommendations of this report, Austin could gain tens of thousands of income-restricted affordable housing units, significantly contributing to solving the city's housing crisis and reaching affordable housing production goals. While this report focuses on how the City of Austin manages and redevelops the land it owns and recommends Austin-focused policy and process improvements, cities and other jurisdictions across the country can use this report as a case study and draw insights for how they could leverage their public land assets for public good. If this scenario planning exercise were extended to cities across the country, it would likely show the potential for cities to create many hundreds of thousands of units, a sum so great that it could significantly ameliorate the housing crisis facing so many cities.

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