

Urban Redevelopment Authority of Pittsburgh

**Transit Revitalization Investment District Financing
Guidelines**

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Bill Peduto
Mayor
City of Pittsburgh

Robert Rubinstein
Acting Executive Director
Urban Redevelopment Authority of Pittsburgh

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PURPOSE

The Urban Redevelopment Authority (URA) Transit Revitalization Investment District (TRID) program is a highly effective tool for fostering large-scale redevelopment within the City of Pittsburgh that otherwise would not be financially feasible. TRIDs utilize future increased tax revenues generated by a designated district to pay for eligible costs of Transit Oriented Development (TOD) projects within the district, to enable the completion of projects that produce quality, full-time jobs for City residents, increase the City's tax base, leverage substantial private investment, improve the City's transit infrastructure, increase the quality and ridership of public transit within the City, and provide benefits to communities in the City. Transit Revitalization Investment Districts, however, are only to be used in projects where traditional private and public financing is insufficient for project completion, the projects will have positive impacts on the neighborhood in which it will be built and on the City of Pittsburgh, and the projects will complement existing commercial and residential development in the City. All projects utilizing Transit Revitalization Investment District funds are subject to the policies outlined below.

The *Urban Redevelopment Authority TRID Program Guidelines* have been created by the Urban Redevelopment Authority of Pittsburgh in order to provide an understanding of the policies and requirements for developments that are seeking to contribute to and utilize the benefits of TRID.

PROGRAM DESCRIPTION

The URA TRID Program exists pursuant to the Commonwealth of Pennsylvania Transit Revitalization Investment District Act¹ of March 26, 2003 as amended by Act 994 of 2004 (collectively, the Act). The Act provides an additional mechanism to a municipality to contribute to the economic development of its jurisdiction through the creation of a Transit Revitalization Investment District centered on an existing or planned transit stop or station. Within a TRID, all or a portion of the incremental real estate tax revenue generated by the development(s) in that District can be used to finance public or private improvements associated with transit oriented development. The incremental increase in real estate taxes resulting from developments and improvements within the district are used to repay debt that is unique for each project and/or pay the costs of the improvements on a pay as you go basis. However, the tax increment can also include any tax increase resulting from the increase in commercial activity as a result of the development including hotel, amusement and business privilege taxes, or other tax increases occurring within the district generally, if elected by the three taxing bodies.

DISCLAIMERS

These written guidelines are for informational purposes only and may or may not reflect current URA, City, County and School District policies and procedures in their entirety. The

¹ P.L. 1801, No. 238, 74 P.S. 4760, et seq.

URA Board of Directors reserves the right to waive any guidelines it deems appropriate to the extent permissible under the Act.

TRID CREATION AND LOCATION ^{2,3},

TRID Planning Study: The City of Pittsburgh Department of City Planning (DCP) or the URA will prepare a planning study in conjunction with the URA, the Port Authority of Allegheny County (PAAC) and other stakeholders for the proposed TRID that will define the TRID area, define and support the rationale for the TRID designation, and outline the projects that could utilize TRID funds.

TRID Counsel: Should the URA decide to propose a TRID to the City, County, and School District, legal counsel will be engaged by the URA. This expense shall be reimbursable to URA by the Management Entity upon closing of TRID financing from the proceeds of that financing. The Applicant is also encouraged to retain separate TRID Counsel during the TRID process.

TRID Management Entity: As required by the 2004 enabling legislation. There are currently purposed changes to the TRID legislation under Senate Bill 1210. If the legislation changes, a Management Entity will be formed to manage TRID activities that adheres to the revised enabling legislation.

TRID Implementation Plan: Per the Guidelines and other requirements contained herein, the TRID Implementation Plan will relate to the underlying goals of the TRID Planning Study and include:

- Background on the development area
- Descriptions of presently known project applicant(s)
- Description of the proposed development(s)
- Description of the boundaries of the TRID
- Estimated costs of the proposed development(s) (including public infrastructure)
- Economic and fiscal impact of the TRID study's proposed development(s), assuming full implementation (during construction and at build out)
- Improvements to be financed with TRID proceeds
- TRID amount
- Pledged parcels within the TRID
- Current assessed value and tax base
- Projected assessed value
- Projected pledged revenue
- Provisions for insufficient TRID revenues and excess tax increment

² See, generally, Chapter 3 and Section 901

³ The outlined procedure relates to new requested TRIDs, or an amendment to an existing TRID District, such as the removal of a pledged or unpledged parcel, or other related actions.

- Other financial details of the TRID
- Estimated non-project costs
- Maps of the TRID
- Proposed changes to all applicable local plans, ordinances and codes
- Description of Management Entity and participating public entities
- Statement on community engagement
- Statement of proposed method for relocation (if applicable)
- TRID establishment date
- Duration of TRID

Resolution to Participate: The taxing bodies will by ordinance or resolution, agree to participate in or opt out of the TRID. Such ordinance or resolution will be adopted and a copy of the ordinance or resolution must be delivered to the governing body creating the district prior to or on the date on which the public hearing is held⁴.

Public Meeting: The City and the PAAC shall jointly conduct at least one public meeting in the TRID area to review the proposed joint development plan and its related public improvements prior to implementation. This meeting is in addition to the TRID Planning Study.

TRID Creation: The City will adopt an ordinance which accomplishes the following:

- Describes the boundaries of the TRID
- Creates the TRID as of a given date
- Assigns a name to the TRID
- Contains findings in accordance with the Act, including:
 - The TRID included vacant, underutilized, or potentially redevelopable land
 - The TRID area is formed by a minimum 1/8 mile radius and maximum 1/2 mile radius around a railroad transit, light rail, busway or similar transit stop or location. TRID designation may also include planned transit stops or locations.
 - The TRID boundaries may be expanded or reduced based on local circumstances such as local economic development and planning goals, community character, property boundary and scale variations but only when: (i) authorized by the governing body or bodies of the affected jurisdiction or jurisdictions in cooperation with the pertinent public transportation agency; and (ii) the rationale for the boundaries is supported by the findings of the required TRID planning study.
 - The TRID Plan conforms to the Neighborhood Master Plan, if any.
 - The TRID Plan will afford maximum opportunity for the rehabilitation of TRID projects by private enterprise.
- Establishes a Management Entity

Cooperation Agreement: A Cooperation Agreement between the URA, the affected taxing bodies, and the PAAC will be executed before closing of the TRID that includes a description of

⁴ See Section 302

the TRID Management Entity. It takes approximately 8-10 weeks for this document to be fully executed.

Collection of TRID Increment: Over the course of the predesignated term, the Management Entity will collect the proceeds from generated increment in the TRID as designated by the resolution creating the TRID. These funds will be deposited into a trustee account.

Termination: A TRID District will terminate when the positive tax increments are no longer allocable to the TRID District or the City, by resolution, dissolves the TRID District, providing no bonds or notes for the District remain outstanding⁵.

TRID PUBLIC PROJECT FUNDS APPLICATION PROCESS

No formal TRID application exists for public TRID projects. All public agencies should contact the URA directly to begin the process for project approval.

TRID PRIVATE PROJECT FUNDS APPLICATION PROCESS:

TRID Private Application:

Applications for TRID funding will be accepted by the URA for private sector developments. Applicants for funds will prepare and submit a TRID Private Application to the URA for consideration. This application will include:

- A written narrative of the proposed development or improvement as well as a preliminary site plan and rendering
- A summary of the financing sources and proposed private and public improvements
- An estimate of the amount of TRID request and a justification for TRID assistance are also to be provided.
 - Justification should reference how the applicant's project supports the goals of the TRID Planning Study.
- Economic and fiscal impact of the proposed development(s)
- Employment impact of the proposed development(s)
- Contribution of the project towards Transit Oriented Development
- An indemnification letter (a form of which is attached to the application)
- A schedule/timeline for the proposed development
- An application fee

TRID URA Review: TRID Private Applications will be evaluated by the URA to determine project eligibility. In addition to these guidelines, the applicant is expected to comply with any TRID

⁵ See Section 6930.8

Policy or Guideline adopted by Allegheny County, the City of Pittsburgh, and the Pittsburgh Public School Board.

Community Engagement: Applicants are expected to coordinate with local community groups regarding support for their project.

Economic Impact Study: If the project is deemed eligible, the URA will engage a consultant at the Applicant's expense to perform an Economic Impact Study and Underwriting Analysis which will estimate the anticipated impact of the development including the private investment, job creation and fiscal impacts. This expense shall be reimbursable to Applicant upon closing of TRID financing from the proceeds of that financing.

Financial Advisor: While the URA serves in the role of a conduit which enables the Applicant to take advantage of the TRID financing structure permitted by the Act, the URA is not responsible for securing the financing and its credit is not pledged as security for the financing. It is the responsibility of each applicant to work with the URA to identify (1) the nature of the financing (whether a bank loan, bond issue or some other type of financing) and (2) the specific provider of the financing (the bank, bond purchaser, underwriter or some other type of provider). At the URA's discretion, a financial advisor may be solicited by the URA at the Applicant's expense. This expense shall be reimbursable to Applicant upon closing of TRID financing from the proceeds of that financing.

Issuance of Debt: The Management Entity will issue the TRID obligations. While the Management Entity serves in the role of a conduit which enables an Applicant to take advantage of the TRID financing structure permitted by the Act, **the Management Entity is not responsible for securing the financing and its credit is not pledged as security for the financing.** It is the responsibility of an Applicant to identify (1) the nature of the financing (whether a bank loan, bond issue or some other type of financing) and (2) the specific provider of the financing (the bank, bond purchaser, underwriter or some other type of provider).

Jobs Reporting for Private Developments: *For the duration of the TRID*, applicants receiving proceeds for private development must submit an annual update on jobs within the development and must provide up to date job information upon the Management Entity or the URA's request. Upon the completion of the project, the applicant will have five years to meet its pre-development employment goals. If TRID funds are used in the private development, any shortfall in actual versus estimated jobs may result in monetary damages that would be specified in the Funding Agreement. For a blank copy of the report, see Appendix B.

Post Development/Annual Report by Applicants: *For single project developments that utilize TRID financing*, a post development report shall be provided by the developer after the development has been completed. *For developers executing multiple developments over time with TRID financing*, annual update reports will be provided by the developer, as additional development occurs. These annual reports shall be provided by the developer no later than the 1st of October, giving a detailed status report on the development outlined in the TRID Project Application. (Sample for both types of reports is included as Appendix C).

FINANCIAL TERMS

Participation or Diversion: In order to permit the taxing bodies to realize some immediate benefit from the development and to divert only that portion of the tax increment which is necessary to support a proposed project, the affected taxing bodies will be requested to participate in the TRID by pledging a limited percentage of the anticipated tax increment to the TRID. The rate of participation, or diversion rate, is one factor that will determine the amount of assistance that can be provided to a project. Another factor affecting the amount of TRID financing is the anticipated incremental assessed value of the proposed development(s) and other increases in assessed value within the TRID. The Participation or Diversion rate which is established for a project will depend upon the anticipated impact of the project and will be set after the URA is satisfied that the applicant has exhausted attempts at securing other funding (see further discussion in the fourth bullet point on page 9 in the “Specific Requirements” section).

Term: The term of any and all borrowing shall be at maximum the remaining length of the TRID designation. Any debt obligations financed with the tax increments must be retired within this time period.

Interest Rate: The interest rate is dependent upon the conditions of the capital and/or financial markets and the credit enhancement, if any, provided for debt obligations.

Security & Debt Service: Applicants wishing to fund their project through the issuance of a bond will be required to execute a minimum payment agreement with guarantor of sufficient net worth that will serve as security for a TRID financing. (Minimum Payment Agreements may not be required in cases of self financing.) Letters of credit, bond insurance or some other acceptable form of credit enhancement may be required as additional security for the obligation. TRID Bonds/Notes will not be supported by general obligations of the City, the URA, or the Management Entity. Other taxing bodies may choose to support the bond issue, although this should not be expected.

Pay as you Go: TRID General District Improvement Projects requesting TRID may be funded directly through the TRID trustee account.

Taxable and Tax-Exempt Issues: The improvements financed with the proceeds of a TRID Bond may be publicly owned. If publicly owned and considered to be public improvements (benefiting more than one property owner), the project may qualify for tax-exempt financing.

Fees: Various fees apply for deliverables throughout the process. Appendix A that outlines the fees incurred.

POLICY REQUIREMENTS

The following section outlines the requirements governing the TRID Program. ‘General Requirements’ are those of the Act. ‘Specific Requirements’ are those which govern City sponsored TRID projects. ‘Evaluation Requirements’ are requirements addressed through the TRID Private Application. ‘Specific Requirements’ and ‘Evaluation Requirements’ will be enforced by the Management Entity of each specific TRID approved. It is the responsibility of an applicant to identify any change in requirements as dictated by the applicable Management Entity.

GENERAL REQUIREMENTS

TRIDs may include any geographic area of a municipality or municipalities, including vacant, underutilized or potentially redevelopable land, within an area generally formed by a minimum radius of one-eighth mile, not to exceed a radius of one-half mile, from a railroad, transit, light rail, busway or similar transit stop or station or stop location. TRID designation may also include new station locations proposed in conjunction with a planned public transportation service.

Tax revenues generated within a TRID shall be generated to completion and future maintenance of the specific and necessary improvements designated in the comprehensive plan amendment and TRID planning study. Proposed real estate development or redevelopment may trigger additional needs for transit improvements and community facility improvements or support facilities, and shall be accommodated through pertinent amendments of the TRID planning study and county, multimunicipal or local municipal comprehensive plan.

SPECIFIC REQUIREMENTS

For TRIDs sponsored by the URA the following requirements will govern the URA’s participation:

- TRID projects are primarily transit related public infrastructure improvements. Eligible projects can also include commercial, industrial, and residential developments that meet the goals of Transit Oriented Development within the district. Any costs associated with the development of these projects are eligible to be financed with TRID including capital costs (construction, rehabilitation, demolition, acquisition of land, buildings and machinery), financing costs, professional services, administrative costs, relocation, organizational costs and costs associated with the creation and implementation of the TRID project.
- All developments must comply with all applicable local plans, ordinances and codes per the requirements of the Act.
- Commercial/Industrial developments must leverage private investment, create and sustain jobs for City residents, generate positive economic impacts for the City and

generate sufficient tax revenue to offset increased municipal infrastructure and service costs.

- Residential developments must increase housing options available to City residents, bring new residents into the City, balance an increase in new residents with tax revenue to support additional service requirements (both municipal and educational), and/or increase home ownership in the City by providing affordable housing opportunities.
- TRID projects must adhere to the goals of the TRID planning study. If projects support said goals but propose development or TRID support not described in the planning study, the study and relevant city/neighborhood comprehensive plans must be amended to include the new project proposal.
- Priority will be given to projects that use TRID revenues to support public infrastructure⁶ improvements necessary to facilitate private investment that benefits the public where project economics are unable to secure or support the necessary financing to undertake such improvements⁷.
- The diversion of incremental property tax revenues will only be to the extent necessary to make developments as proposed by the TRID planning study viable.
- For TRID Projects, an applicant must include a plan to involve certified minority and woman business enterprises in a percentage of the overall net project costs, including pre-construction costs, design, construction, procurement and post-construction.
- An applicant must include a plan to incorporate sustainable best practices into all aspects of the project from site preparation through construction and operation of buildings and site infrastructure.
- Project applicants are encouraged to engage local community groups, whether incorporated or not, to participate in the evaluation of proposed developments. Where applicable, meetings will be held to provide the opportunity for community groups to interact directly with project applicants.
- An applicant may be required to enter into a Funding and/or Development Agreement with the Management Entity whereby the Management Entity agrees to finance improvements constructed by the applicant and the applicant agrees to incorporate project elements required by the Management Entity.
- Applicant is required to provide the necessary documentation of site control.

EVALUATION REQUIREMENTS

As described above, applicants must submit a completed TRID Private Application that includes an indemnification letter, application fee, predevelopment expense deposit, and transit development account deposit to the Management Entity prior to consideration of a TRID project. The form will provide the Management Entity with the information necessary to

⁶ For purposes of this document, “public infrastructure” will be generally defined as those publicly owned and dedicated structures and facilities on which the continuance and growth of a community depend, including, but not strictly limited to, streets, roadways, road surfaces, bridges, tunnels, easements, right-of-ways, structured public parking facilities, public sanitary and storm water sewers, curbs, sidewalks, public water/power/cable conduits and public drainage structures. Privately owned infrastructure that serves the public interest will also be considered.

⁷ TRID revenues may also be used for district-wide improvements, including but not limit to a revolving loan fund for residential façade improvements.

determine the eligibility of the development and establish terms for the structure of the proposed TRID project. The requirements of the submission include agreement to fund a development impact analysis and underwriting analysis upon completion of initial review of the form.

In general, the following criteria will be used to complete this evaluation:

Contribution to Transit Oriented Development: Projects will be evaluated on their contribution toward the best practices of TOD neighborhood development, including:

- Maximize Location Efficiency
- Build a mix of housing choices and complimentary uses
- Create walkable spaces
- Maximize transit station connectivity and visibility
- Design streets for all users
- Manage parking effectively
- Capture the value of transit

Economic and fiscal impact of the new development. The number, type, and wages of the employment to be created, impact on competition and neighboring businesses and projected tax revenue.

Demonstration of need for TRID Funding. An applicant must submit a signed affidavit to the TRID Private Application certifying that the project cannot proceed without TRID funding and provide supporting documentation justifying the need for and the amount of financing requested. The amount of public infrastructure required to facilitate the development must be provided. Applicants may be required to provide a justification based on profit, return on investment or other measure deemed appropriate.

Adherence to TRID Planning Study: The extent to which the proposed development furthers the plans and goals of the TRID Planning Study.

Value added. The extent to which the development will add value to the local economy and avoid shifting of resources within the City. Also, applicants must quantify the extent to which the development satisfies an unmet demand for a product or service in the region.

Development location. The development must be consistent with the goals and objectives outlined in the PLANPGH Comprehensive Plan (when approved), and all applicable local plans, ordinances and codes. Developments demonstrating greater levels of accessibility to public transportation facilities will be given higher priority.

Private applicant experience. The ability of the applicant to undertake and complete the project, provide the guarantees or credit enhancements necessary to support the requested financing and the risk associated with the overall development of the project (i.e. amount of pre-leased space, the market feasibility of the project) will also be considered. The

Management Entity will also consider whether the Applicant would be able to secure additional funding for the Project should there be cost overruns or if additional phases of the Project are contemplated.

Certified Minority or Women Business Enterprise (MBE/WBE) Participation. Preference will be given to Applicants that are MBE/WBE certified in the Commonwealth or use MBE/WBE certified subcontractors in the construction of the Project.

Project's Demand Upon City Services. The Applicant should provide information detailing how it will offset the increased demand for City services such as utilities, public safety, and public works required for its Project as well as the impact on the Pittsburgh Public School District.

Locally or Domestically Sourced Materials. Preference will be given to Applicants whose Project plans involve the use of local or domestically sourced materials.

Other relevant criteria. Additional development criteria will be considered at the discretion of the Management Entity.

Appendix A

Fee Schedule

TRID Fee Schedule

Fees Incurred During the TRID Project Process	
TRID Private Application Fee	\$7,500, non-refundable
Financial Advisor (if needed)	Determined based on consultant responses and scope
Impact and Underwriting Study	Determined based on consultant responses and scope
Bond Counsel (if needed)	Determined based on consultant responses and scope

Financing Issuance Costs	
Management Entity Debt Issuance Fee (Payable at closing)	1% of issuance amount
Bond Counsel (if needed) (First annual fee payable at closing)	Determined based on consultant responses and scope
Trustee Fee (Issuance & Annual) Bond Counsel	Determined based on fee schedule of URA's current TRID Trustee Determined based on consultant responses and scope
Trustee Fee (Issuance & Annual)	Determined based on fee schedule of URA's current TRID Trustee
Project Transit Development Account* Initial Payment Only (Not Capped)	\$25,000

Management Entity Yearly Administration Fee	
Initial Payment	
Annual Payment	\$50,000, from TRID proceeds

NOTES:

- Payment of any fee does not guarantee project approval by the URA.
- The fees notated above are standard fees, but may be subject to change for a nonstandard request.
- Application will not be accepted or reviewed until Application Fee is received.
- All above fees can be reimbursed at TRID closing using TRID proceeds
- Depending on other costs or services related to specific TRID projects, other fees may be applicable.
- In the event of a URA initiated TRID, all policies and fees may not apply.

*Additional pre-development payments will be made by applicant as "Transit Development Account" reaches \$10,000 or less. This account will be used by the URA to fund the above "Fees Incurred during the TRID Process" as needed.

Appendix B
Annual Jobs Report

TRID Projects Annual Jobs Report*

* Total number of full-time employees plus number of employees on part-time schedules converted to a full-time basis.

Date:

Years after build-out:

Projected Employment

Full Time Equivalent Jobs*			
	Created	Retained	Total
Construction (if known)			
After Build Out			
Retail			
Manufacturing			
Office/Management			
Other (please identify):			
Total			
Total number of jobs:			
Number of jobs considered high-tech:			

Actual Employment as of: _____

Full Time Equivalent Jobs*				
	Created	Retained	Total	# Jobs filled by City residents
Construction (if known)				
After Build Out				
Retail				
Manufacturing				
Office/Management				
Other (please identify):				
Total				
Total number of jobs:				
Number of jobs considered high-tech:				

Please comment on any discrepancies between projected and actual employment numbers and provide reasoning for those discrepancies.

Appendix C
Post Development/Annual Report Template

**Urban Redevelopment Authority of Pittsburgh
TRID Projects Post Development/Annual Report Template**

Total Project Costs listed by Use: (include private development costs & infrastructure costs beyond TRID)
Final Sources of Funds:
Total Square Feet Developed (by product type):
If Different then Projections within approved TRID Plan Please Explain:
Current Vacancy Rate (by product type):
Planned Future Developmental & Cost (include available acreage):
Additional Comments:

