

Real Estate Development and Contaminated Sites: Achieving Success in Today's Regulatory Environment

June 12-13, 2006

Holiday Inn Fisherman's Wharf, San Francisco, CA

200-Level Course

SPONSOR

US EPA, Office of Solid Waste and Emergency Response, Land Revitalization Office

ATTENDEES

Program staff, managers, and attorneys from EPA, states, tribes, and local government. The course may be of particular interest to staff from the waste, watershed, and community-based programs.

OVERVIEW

From 2002-2005, the Land Revitalization Office offered the 100-level course, *The Anatomy of a Real Estate Development: What Government Regluators Need to Know About Real Estate Development*, to EPA regional, state, local, and tribal representatives. The course provided knowledge of basic real estate principles and the redevelopment process and provided an introduction to the interaction of EPA regulator programs and the private real estate development process. The "Real Estate 200" course is an in-depth opportunity to learn how to redevelop a contaminated property. Participants will focus on how environmental cleanup costs, regulatory policies, and liability issues impact the real estate transaction and how these issues influence the making of a successful real estate deal. In addition, case studies will involve a "to-scale" planning exercise in order to help you understand issues surrounding the integration of cleanup and redevelopment.

INTRODUCTORY INTERNET SEMINAR ON MAY 9TH

The "Real Estate 100" training is *not* a prerequisite for the Real Estate 200 course; however, you may need to refresh your memory on real estate jargon and some finance basics. If so, we recommend that you participate in the Internet seminar, "Real Estate Finance Basics" from 1:00-3:00 pm EDT on May 9th. The training will be offered through EPA's Clu-In website (*www.cluin.org*). The streaming audio simulcast allows participants to listen to the audio portion of the seminar online while viewing the slides in your browser. A limited number of telephone lines will also be available for the audio portion, if preferred. Participants will be able to submit questions online for the presenters to answer during the seminar. Additional information will be posted on Clu-In soon, and registrants for Real Estate 200 will be notified by e-mail.

REGISTRATION

There is no registration fee to attend this course. However, all participants must register by visiting http://www.trainex.org/. Type "Real Estate" in the search box to locate the course (the first on the list). Use the password, RE200, to register. Be sure to select a workgroup in which to participate (Superfund, RCRA, or Brownfields). As the course is limited to 42 people, *please be sure to cancel your registration* on the website if you find you cannot attend to make space for others. If you have any questions or problems with registering, please contact Diane Dopkin at (301) 589-5318, extension 22.

LOCATION

The training will be held at the Holiday Inn Fisherman's Wharf 1300 Columbus Avenue • San Francisco, CA 94133 Phone: (415) 771-9000 • Fax: (415) 771-7006

http://www.holidayinn.fishermanswharf.ichotelsgroup.com/

For out-of-town participants that would like to stay at the Holiday Inn Fisherman's Wharf, rooms are being held at the government rate of \$130 (for the nights of June 11th and 12th), plus 14% state and local taxes. To make your reservation, please call (800) 942-7348. You must guarantee your reservation with a credit card. To get the \$130 room rate, you must make reservations by May 19, 2006. Please inform the reservations desk that you are with the *EPA Real Estate meeting*. Check-in time is after 3 pm, and check-out time is 12 pm. Rooms can be guaranteed for late arrival to your credit card. A guaranteed room reservation assures a room regardless of arrival time. Any guaranteed reservations not canceled before 6 pm the day prior to arrival will be billed to the credit card.

EPA's policy is to make reasonable accommodation to persons with disabilities wishing to participate in the Agency's programs and activities, pursuant to the Rehabilitation Act of 1979, 29 USC 791. Any request for accommodation should be made to the specified registration contact, preferably one month in advance of the registration deadline, so that EPA will have sufficient time to process the request.

Parking: For overnight guests, the hotel offers parking at the rate of \$32 per day plus prevailing taxes that are currently 14%, with in and out privileges.

Train Service: The San Francisco International Airport's BART station is located on the Departures/Ticketing Level (Level 3) of the International Terminal, on the Boarding Area G side of the terminal near the Berman Reflection Room (also accessible by riding the AirTrain to the Garage G/BART Station). Check fare prices for a trip on the Dublin/Pleasanton train to Embarcadero station.

After exiting the train at the Embarcadero station, from Market Street, turn slightly left onto Drumm St. Make a right onto Washington St, then a left onto The Embarcadero. Turn left onto North Point Street. Make a right on Columbus Ave.

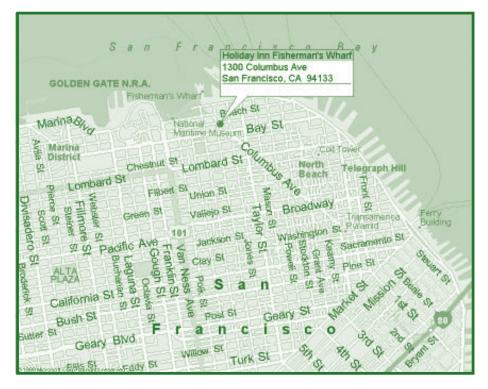
Taxi Service: Taxis are available on a first come, first serve basis from San Francisco International Airport. A taxi ride is about 40 minutes and will cost approximately \$45.

DRIVING DIRECTIONS

From East Bay/Oakland Bay Bridge: Follow I-80 East across the Bay Bridge. Make a left onto Harrison St. Turn left onto The Embarcadero. Turn Left onto North Point St. Make a right on Columbus Ave. The hotel's entrance will be on the right.

From South Bay/San Francisco International Airport: Take US-101 North. Exit on Mission St/US 101-North toward Van Ness/GG Bridge. Continue to end of Van Ness Avenue and turn right onto North Point St/N Point St. Turn left onto Columbus Avenue. The hotel's entrance will be on the left.

From North Bay/Golden Gate Bridge: Follow 101 South toward San Francisco across the Golden Gate Bridge. Take 280 East, which turns into King St. Turn left onto The Embarcadero. Turn Left onto North Point St. Make a right on Columbus Ave. The hotel's entrance will be on the right.



PRESENTERS

Barry Hersh

Brownfields Redeveloper Vita Nuova LLC and Associate Director Steven L. Newman Real Estate Institute

Joshua Kahr

Real Estate Finance and Marketing Consultant Professor of Real Estate, New York University

COURSE AGENDA

Michael B. Taylor Brownfields Redevelopment Consultant, President Vita Nuova LLC

Day 1 Monday	8:30-9:00	Registration and Light Refreshments
	9:00-9:15	Overview: Purpose and Goals of Course
June 12	9:15-10:30	Module I: Seed Capital to Cashing Out: How Finance drives the Development Deal
		Real Estate 100 revisited
		The deal structure
		Sources and uses schedule
		Financing phases
	10 20 10 15	Environmental impact on financing the deal
	10:30-10:45	Break
	10:45-12:15	Module II: Market Analysis: How the Pros and Locals Decide what to build
		Types of developers/development
		What is a market analysis? Different kinds of studies
		Market data
		What drives demand?
		Supply influences
		Real estate life cycle
		Case study: Midville Enterprise Market Analysis
	12:15-1:15	Lunch
	1:15-1:30	Introduce Breakout Cases
	1:30-3:00	Module III: Planning and Zoning: Control at the Local Level
		Tasks required before the site plan is developed
		Zoning analysis-what is regulated locally?
		Site plan documentation and the approval process
		Special permits and approvals
		Local boards and agencies
		Examples of well planned sites
	2 00 2 15	Case study: Midville Enterprise Zoning
	3:00-3:15	Break
	3:15-3:30	Group Exercise #1: Dealbreakers
		Every developer needs to consider the upside and downside of purchasing any
		property. Participants will work together to explore the potential "deal breakers", including environmental cleanup, regulatory policy, and liability issues. They will
		formulate initial strategies for addressing deal breakers. As an example, participants
		will consider such issues as Bona Fide Prospective Purchaser (BFPP), windfall lien,
		uncontrolled costs, financial responsibility, as well as other issues based on the
		individual program.
	3:30-5:00	Group Exercise #2: Planning a Redevelopment
		In this exercise, participants get to plan their development in a "to-scale" exercise.
		This allows them to use the finance, market analysis, and planning knowledge they
		have gained. Groups are provided with three potential development schemes and are
		asked to pick one or develop a modified version of one. The goal is to create the most
		valuable design that can be achieved. Seek to integrate environmental cleanup into
		redevelopment schemes. Model alternatives to assess the impact of cleanup on
		development using spreadsheets provided.

Day 2 Tuesday June 13	8:30-8:45 8:45-9:45	Coffee and registration Module IV: Risk Analysis: How the developer identifies and controls risk Risk management approach
		Which risks concern developers? Risks and the redevelopment cycle: Short, medium and long-term risks Risk allocation Risk transfer
	9:45:10:00	Break
	10:00-12:00	Group Exercise #3: Integrating Cleanup and Redevelopment/Cashing Out Based on the previous exercise, develop a preferred scheme and cleanup approach that maximizes the sustainability of the redevelopment. Once completed, the group discusses their plan for addressing short, medium and long-term risk issues as part of the deal completion phase of the project. This includes paying for cleanup, addressing risk and regulatory hurdles, and defining strategies for ensuring long-term sustainability of the cleanup.
	12:00-1:15	Lunch
	1:15-2:15	Module V: Small, Large, Tough and Ugly
		Strategies for concerted public/private partnership for site reuse
		Economic development strategies
		Reuse options for small sites Difficult sites
		Public funding strategies for marginal and upside-down properties
		Use of EPA, state and local programs to leverage sites
	2:15-2:45	Groups finalize their property development matrix
	2:45-3:00	Break
	3:00-4:15	Groups present property matrix
	4:15-5:00	Wrap-up: Final Issues