Real Estate Development From Beginning to End

Moderators:
Frank H. Hackmann
Sonnenschein Nath & Rosenthal LLP
J. Wayne Oldroyd, AICP
City of Maryland Heights

Howard Paperner
Sole Practitioner
Laura Mirkin Radcliff
A.G. Edwards & Sons, Inc.
Deborah K. Rush
Thompson Coburn LLP
Norman Steinman
CCS Group, Inc.

This seminar is designed for attorneys, presidents, vice presidents, owners, lending professionals, project managers, real estate agents and brokers, business owners and managers, zoning board members, contractors, surveyors, architects, engineers, developers, planners, controllers, CFOs and accountants.

ST. LOUIS, MO
JULY 31, 2007

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Critical Issues on the Agenda

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8:00 AM – 8:30 AM  Registration

8:30 AM – 11:40 AM  Zoning Basics
— J. Wayne Oldroyd, AICP, and Howard Paperner
A. Enabling Legislation in Missouri
B. Local Government vs. Property Rights

Planning vs. Zoning
A. The Comprehensive Plan – Form and Approach
B. Guidance vs. Regulation
C. Linking Plan to Zoning Code to Plan Review

Zoning vs. Development
A. Zoning Codes – Classic Models to New Urbanism
B. Regulatory Processes: Rezoning, Conditional Use, Subdivision and Variances

Managing the Process and the People
A. Applications, Petitions and Procedures
B. Working with Planners
C. Public Input or NIMBYism

11:40 AM – 12:40 PM  Lunch (On Your Own)

12:40 PM – 2:00 PM  How Cities and Developers Can Both Benefit From Innovative Application of Development Tools
— Laura Mirkin Radcliff and Deborah K. Rush
A. Available Development Tools – Missouri
   1. Tax Increment Financing
   2. Transportation Development District and Community Improvement District
B. Available Development Tools – Illinois
   1. Tax Increment Financing
   2. Special Service Areas
   3. Special Business Districts
   4. Sales Tax Sharing Agreements
C. The Most Effective Tool for the Real Estate Development Project
D. Common Pitfalls

2:00 PM – 2:45 PM  Managing the Process
— Norman Steinman
A. Land Acquisition
B. Design
C. Construction

2:45 PM – 2:55 PM  Break

2:55 PM – 4:15 PM  Environmental (and Related) Issues Impacting Real Estate Development Projects
— Frank H. Hackmann
A. Assessing Liabilities
B. Common Pitfalls for the Unwary
C. Project: Start to Finish From an Environmental Perspective
   1. Site Selection, Prepurchase Due Diligence, and Wetlands and “Waters of United States”
   2. Potential Presence of Contaminants, Allocation of Cleanup Liability (If Any) and Liability Transfer Options
   3. State Voluntary Cleanup Programs – Pros/Cons

4:15 PM – 4:30 PM  Questions and Answers
— Frank H. Hackmann, J. Wayne Oldroyd, AICP, Howard Paperner, Laura Mirkin Radcliff, Deborah K. Rush and Norman Steinman

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Our Distinguished Faculty

Frank H. Hackmann is a partner with Sonnenschein Nath & Rosenthal LLP. Mr. Hackmann provides legal advice on a wide variety of environmental topics. Mr. Hackmann is listed in Who's Who In American Law and has been listed in The Best Lawyers in America for more than 10 consecutive years. He serves on the advisory board for Environmental Manager, was formerly on the advisory board for the Environmental Law Reporter, and is a frequent author on legal topics. Mr. Hackmann earned a B.S.Ch.E. degree from the University of Illinois at Urbana-Champaign and a J.D. degree from the Saint Louis University School of Law, where he was a member of the law journal.

J. Wayne Oldroyd, AICP, is currently the director of community development in the City of Maryland Heights, where he manages all building and development, subdivision review, zoning administration and code enforcement programs in the city. In his role as city planner, Mr. Oldroyd is also responsible for the preparation of the comprehensive plan. Prior to moving to St. Louis in 1997, he was president of Environmental Planning and Design Group and served both municipal and land development clients in the New Jersey and Philadelphia region for over 20 years. As an adjunct professor at Rutgers University, he developed and taught outreach education programs for municipal officials, and has continued that role at the University of Missouri-St. Louis. Mr. Oldroyd is a member of the American Institute of Certified Planners. Mr. Oldroyd currently serves as president of the Missouri Chapter of the American Planning Association.

Howard Paperner’s practice is in the areas of municipal law, environmental law, real estate, zoning, planning and land use, and civil rights. He earned his B.A. degree from the University of Missouri-St. Louis and his J.D. degree from the University of Missouri-Kansas City. Additionally, Mr. Paperner has authored numerous articles for the Missouri Municipal Review, including “Taxpayer Lawsuits, A New Day in Missouri,” “What Part of No Didn’t You Understand? Things Your City Attorney Tried to Tell You,” “Council Staff Relations, Are They Good for You?” and “The Demise of the Common Enemy Rule, or, Does My Engineer Sound Better Than Yours?” He was an adjunct assistant professor in the administration of justice department of the University of Missouri in St. Louis, Missouri.

Laura Mirkin Radcliff is a managing director in the Public Finance Department of the St. Louis based financial services firm A.G. Edwards & Sons, Inc. During her career Ms. Radcliff has served as an investment banker on more than 300 bond issues with a total par amount in excess of $15.9 billion. With a background in urban planning and economic development, Ms. Radcliff’s primary investment banking focus is on economic development finance. She has served as the lead investment banker for tax increment financing and other development district financings throughout the country and is currently working on the second TIF transaction to be approved in the state of North Carolina under the state’s newly created TIF statutes. Ms. Radcliff has lectured extensively on the topic of development financing to a wide range of audiences. She currently serves as a member of the steering committee of the Tax Increment Financing Coalition, the only national organization for professionals and organizations working in the tax increment finance industry. Ms. Radcliff holds a B.S. degree in urban planning from Michigan State University and an M.P.A. degree from Princeton University.

Deborah K. Rush is a partner at the law firm of Thompson Coburn LLP. Thompson Coburn has one of the largest public finance practices in the St. Louis metropolitan area. Ms. Rush concentrates her practice in the areas of public-private real estate development and public finance. She has extensive experience representing municipalities, underwriters, developers and lenders. Ms. Rush received her B.S. degree from the University of Missouri-Columbia; her M.B.A. degree from St. Louis University; and her J.D. degree from Washington University School of Law, where she graduated in the top 5 percent of her class, was a member of the Order of the Coif and was an editor of the Washington University Law Quarterly.

Norman Steinman is a principal with CCS Group, Inc. His accomplishments in land acquisition and development have been the result of a unique combination of an architecture degree and a career as a real estate developer, site acquisition expert and entitlement/zoning expert. This broad knowledge base resulted in the expeditious and cost-effective assemblage of land for numerous employers and clients. Mr. Steinman’s responsibilities at CCS Group, Inc., include project management, land acquisition, zoning and entitlement, as well as consulting. From 1984 to 1993 he was the vice president of commercial development with Paragon Group and from 1994 to 2000, Mr. Steinman was with The Steinman Partnership. He earned a B.Arch. degree from the University of Kansas and is a licensed real estate broker in the state of Missouri.

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Learning Objectives:

- The attendee will be able to review applications, petitions and procedures.
- The attendee will be able to identify available development tools in Missouri and Illinois.
- The attendee will be able to discuss common pitfalls of the unwary.
ST. LOUIS, MO
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Real Estate Development From Beginning to End

In One Day You'll Learn To:

- Distinguish the interweaving relationship between the comprehensive plan and zoning code
- Assess the role of the plan in the development process and get ahead
- Evaluate emerging trends in planning and zoning techniques
- Understand the environmental (and related) issues impacting real estate development projects

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