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May 2023 · Volume 19, Issue 3

NORTHEAST REAL ESTATE BUSINESS®

Connecting Real Estate in the Northeast

SPORTS-ANCHORED ENTERTAINMENT DISTRICTS GO WELL BEYOND ATHLETICS

A panel of owners and operators of these developments explains why programming and activation on a year-round, rather than seasonal basis, lies at the heart of every district's operating philosophy.

By Taylor Williams

As large-scale entertainment districts that are centered around professional sports teams pop up around the country, operators of these developments are realizing that their ability to draw traffic, generate revenue and deliver meaningful experiences goes well beyond the diamond, court or gridiron.

After all, the average professional sports season only lasts about six months — assuming the team qualifies for the postseason — and only half the games are played at home. Given the scope of these projects, in terms of their vast physical footprints and the tremendous manpower needed to operate the wide variety of concepts they house, it follows that sports-anchored entertainment districts cannot rely on athletics alone to be successful.

At the Entertainment Experience Evolution that took place in Los Angeles in early March, a panel of developers and operators with extensive experience in sports-anchored entertainment districts provided concrete examples of how to achieve this objective. Hosted by *Shopping Center Business*, the flagship publication of Atlanta-based France Media, the event drew more than 500 people in its eighth annual iteration.

The 'sports' panel at the Entertainment Experience Evolution conference, from left to right: Lauren Abernathy of Atlanta Braves Development Co.; John Moncke of The Kansas City Power & Light District; Drew Johnson of Marquee Development; Rob Hunden (moderator) of Hunden Strategic Partners; Michael Belot of Bucks Ventures & Development; Julie Brinkerhoff-Jacobs of Lifescapes International; and Todd Goldstein of AEG.

SEE SPORTS page 28

DEVELOPERS, INVESTORS MONITOR MAJOR PROPOSED REGULATORY CHANGE IN CONNECTICUT

The extent to which the revisions to the controversial Transfer Act can promote economic development without compromising human health or environmental safeguards is at the forefront of the issue.

By Samuel Haydock, director of business development and client care, BL Cos.

Connecticut's industrial past and subsequent decline has left the state dotted with abandoned factories and associated pollution — contaminated soil and groundwater, abandoned buildings, neighborhood blight.

The impact can be seen across the state. From urban centers like Waterbury and Bridgeport that have block after block of brownfields to rural communities such as Plainfield and New Milford where the town was developed around mills or factories that now sit vacant and dilapidated, the evidence is all around.

While Connecticut has led the way in recent years with significant funding for assessment and remediation of brownfields to jumpstart redevelopment, the state still suffers from its reputation for environmental regulations that thwart investment and growth.

How We Got Here

The main culprit is an environmental statute known as the Connecticut Transfer Act. Passed in 1985 as a "buyer beware" law to disclose the presence of pollution and protect buyers from unwittingly purchasing cleanup liability, the law has — whether fairly or unfairly — been blamed for the creation of brownfields and the lack of investment needed to revitalize them.

Ask any commercial real estate broker about the Transfer Act, and he or she will be quick to say it kills deals. They routinely hear from investors and developers, particularly those from other states, that they prefer to invest in and redevelop real estate in neighboring New England states because of the complexity and uncertainty of the Transfer Act. Even experienced, veteran developers who are not afraid of contaminated properties cite the cost and unpredictability of the Transfer Act as reasons for bypassing Connecticut.

The problems with the Transfer Act became apparent almost immediately after passage. Initial issues included a huge backlog of properties entered into

SEE CONNECTICUT page 30

INSIDE THIS ISSUE

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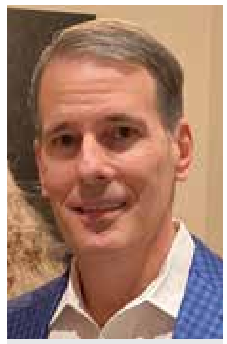
PUBLISHERS' NOTE

(BRICK-AND-MORTAR) RETAIL SEASON IS UPON US


Jerry France
Co-Publisher


Scott France
Co-Publisher

Summer is right around the corner, which means that many brick-and-mortar retailers, restaurants and entertainment operators across the country are gearing up for the busiest times of their fiscal years.

With three full years having passed since the onset of COVID-19, it's an appropriate time to observe and reflect on the resiliency that this asset class possesses. While some operators are still "right-sizing" their store formats, and many are grappling with rising costs of occupancy, there is no doubt that the sector has, generally speaking, survived the headwinds of recent years.

To that end, our front-page story looks at one subcategory of retail development that is exploding across major cities: sports-anchored entertainment districts.

Capitalizing on some combination of society's love for athletics, games, food, drink and live music, these developments are quickly establishing themselves as some of the most enticing, go-to destinations within the markets that they serve. The vibrancy of the surrounding real estate is further enhanced when the team plays well — and vice versa, according to some experts.

The popularity of sports-anchored entertainment districts is also noteworthy in that it reflects the industry's willingness to evolve, to go in new directions, to create new partnerships — all in the name of surviving a cutthroat world.

Elsewhere in these pages, readers can find retail-themed articles pertaining to property taxation guidelines for mall redevelopments and investments in quick-service restaurant facilities.

As always, we invite all readers to visit us at ICSC Las Vegas **(Booth 3354J)** to discuss anything from upcoming projects to economic speculation. We're confident that this year's show will feature analysis and networking activities that further reinforce the notion that brick-and-mortar retail is alive and well.

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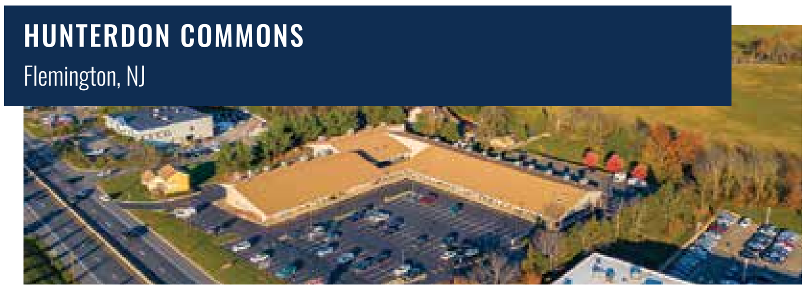
Derrick Dougherty 215.531.7026
Colin Reder 215.531.7057

HUNTERDON COMMONS
Flemington, NJ



$5,100,000 Type: Retail

Alan Cafiero 201.742.6118
Brent Hyldahl 201.742.6116

MORRIS TURNPIKE STRIP CENTER
Short Hills, NJ

$6,976,000 Type: Retail

Alan Cafiero 201.742.6118
David Cafiero 201.742.6115
Dean Matuszewicz 201.742.6144

WAWA
Pennsburg, PA

$5,675,806 Type: Net Leased

Dean Zang 202.536.3754
David Crotts 202.536.3757
Josh Ein 202.536.3726

BRANDYWINE PLAZA
Harrisburg, PA

$4,675,000 Type: Retail

Craig Dunkle 215.531.7046
Mher Vartanian 215.531.7083

CORPORATE DUNKIN' & MAVIS DISCOUNT TIRE GROUND
Whiting, NJ

$3,587,500 Type: Retail

Alan Cafiero 201.742.6118
Brent Hyldahl 201.742.6116
Seth Goldberg 201.742.6123

WALGREENS ANCHORED SHOPPING CENTER
Clinton, NJ

$6,180,000 Type: Retail

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Loans Recently Closed For Northeast Properties

PROPERTY	CLASS	MARKET	SIZE	AMOUNT	LENDER	ARRANGED BY
The Beacon	Multifamily	Jersey City	1,155 units	$257.2 million	Greystone	Cushman & Wakefield
The One	Multifamily	Jersey City	451 units	$153.6 million	NewPoint Real Estate Capital	Meridian Capital Group
23-10 42nd Road	Multifamily	Queens	240 units	$131 million	Corebridge Financial, PCCP	Walker & Dunlop
1245 Broadway	Office	Manhattan	200,000 square feet	$90 million	Deutsche Pfandbriefbank	Newmark
321 Main Street	Multifamily	Hackensack, N.J.	270 units	$62 million	Valley Bank, Fulton Bank	Northmarq
13-Property Portfolio	Multifamily	Bridgeport, Conn.	437 units	$28 million	KeyBank	Eastern Union
Alliance Health West Acres	Seniors housing	Brockton, Mass.	130 beds	$15 million	HUD	Lument

Avison Young, New Jersey


Stone

Avison Young announces the appointment of **Eric Stone** as managing director of the New Jersey office. He will take on the leadership role and focus on talent recruitment, client services and business development opportunities. Stone will also oversee and develop the firm's real estate services in New Jersey, collaborate with service line leaders and supervise daily operations. Stone, who has more than 30 years of industry experience, joined the firm as principal and regional director of real estate management services in late 2021.

CBRE, New York


Hartman

CBRE announces that **William Hartman** has joined the firm's advisory and transaction team in New York City as a vice chairman. Hartman specializes in life sciences landlord and tenant representation. Prior to CBRE, Hartman was an executive managing director at Cushman & Wakefield. Over his 33-year career, he has been involved in more than 15 million square feet of commercial leasing and sales transactions, turning his focus to life sciences in 2005. Since then, he has established himself as a leading national and international expert on the asset class.

CBRE

Cushman & Wakefield, Pennsylvania

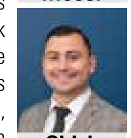

McGrath

Cushman & Wakefield has hired **Charles McGrath** as managing director of the Philadelphia office, where he will focus on growing the firm's capital markets platform across all asset classes in Pennsylvania, New Jersey, Delaware and Maryland. McGrath will provide capital markets expertise and services through every stage of the acquisition and sales processes, helping clients meet strategic, operational and financial goals for their real estate investments. He joins Cushman & Wakefield from MRP Realty.

CUSHMAN & WAKEFIELD

Greek Development, New Jersey


Moser


Chick

Greek Development, a New Jersey-based industrial developer, has promoted **Paul Moser** to director of construction and **Steven Chick** to preconstruction director. In this new capacity, Moser and Chick will work together to oversee the division, which serves Class A warehouse owners, developers and tenants. Both Moser and Chick joined Greek Development in 2017 after stints at RC Anderson and AmeriPod, respectively.

Larken Associates, New Jersey


Folco

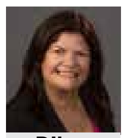
Larken Associates has hired **Josh Folco** as commercial property manager for its Central New Jersey commercial portfolio. In his new role, Folco will oversee 12 unique properties spanning over 1 million square feet within the portfolio. He brings more than 10 years of experience to the position, including a lengthy stint at Panagakos Development, a Massachusetts-based commercial leasing and development firm. Folco also previously served as a broker at New Jersey-based Alexander Anderson Real Estate Group.

Lendlease, New Jersey


Langdon

Multinational developer Lendlease has appointed **John Langdon** as operations director of life sciences construction for its Americas region. Based out of Lendlease's Princeton, New Jersey office, Langdon comes to Lendlease with over three decades of construction experience. In his new role, he will manage the operations of the life sciences construction business, implement plans and policies and offer technical and commercial support to the project teams. Most recently, he served as vice president of facilities and construction at Robert Wood Johnson Barnabas Health. Prior to that, he spent 22 years at Skanska USA.

Morgan Properties, Pennsylvania


Dikos

Industry veteran **Marina Dikos** has been appointed CFO of Morgan Properties. In this role, she will oversee accounting, budgetary, treasury, compliance and financial due diligence. She will also be responsible for the development of corporate accounting, human resources and risk management policies, as well as the implementation of financial controls and reporting across the company. Dikos succeeds Patrick O'Grady, who is retiring after 14 years with the company. Dikos previously served as Morgan Properties' senior vice president and chief accounting officer.

MORGAN PROPERTIES

Newmark, Pennsylvania


Gilchrist

Lauren Gilchrist has joined Newmark as executive vice president and market leader of the greater Philadelphia region. Gilchrist will oversee Newmark's full suite of service offerings for the region, including managing strategic planning, revenue growth, recruitment and business development. Prior to joining Newmark, Gilchrist was the managing director of research at Longfellow Real Estate Partners, where she directed research strategy, content creation and thought leadership and provided market research to drive project underwriting and execution. She has also worked as senior vice president of research at JLL.

Pierson Commercial, New Jersey


Medvin

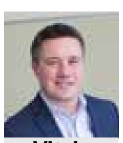

Starkman

Pierson Commercial, a retail brokerage and advisory services firm with offices in New Jersey and New York City, has named long-time team members **Gregg Medvin** and **Ryan Starkman** as executive vice president and vice president, respectively. Combined, Medvin and Starkman have been with the firm for 20 years and specialize in providing local, regional and national property owners, developers and tenants with a full range of acquisition, disposition and leasing services.

PROCON, New Hampshire

Architecture and engineering firm PROCON has named **Kimberly Cochran**, **Christopher Lizotte** and **Tracey Pelton** as new members of the company's leadership team. Combined, the trio has worked at PROCON for more than 24 years. Cochran is PROCON's new vice president and general counsel, bringing extensive knowledge and experience in construction law and risk management. Lizotte, known for award-winning designs for hotels, office buildings and manufacturing facilities, has been named vice president of architecture. Pelton has been appointed as vice president of marketing and business development after leading a total rebranding effort and streamlining all aspects of corporate communications.

Procopio Cos., Massachusetts


Vitale

The Procopio Cos. has promoted **Bryan Vitale** to senior vice president, strategy and investments. In his new role, Vitale will continue to oversee the acquisitions team and will take on additional responsibility for brand vision, investment strategy and corporate growth as Procopio expands its platform into new markets and across different asset classes. Vitale began his career at the company in 2018. Prior to that, he served as a member of the sales and design team at Halco Kitchen & Bath Showroom.

Rockland Trust, Massachusetts


O'Malley


Rizzo

Rockland Trust Co. has elevated **Kathryn O'Malley** and **James Rizzo** to the bank's executive leadership team. O'Malley is now senior vice president and chief credit officer at Rockland Trust, overseeing credit risk management, loan structuring, approval, appraisal and environmental risk mitigation for the organization. She joined the firm in September 2009. Rizzo recently assumed the title of chief commercial banking officer and is responsible for leading the company's commercial loan generation strategies.

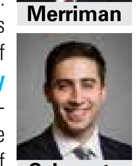
Savills, New York


Ogden

Savills announces that **Jennifer Ogden** has joined the firm as a corporate managing director. Ogden, a veteran of the commercial real estate industry, is a former senior director at Avison Young. Prior to joining Avison Young, Ogden held senior roles at Cushman & Wakefield and CBRE. Before entering commercial real estate, she spent a decade working in the finance sector as a banker and high-yield analyst.

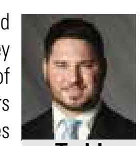
Simone Development, New York


Merriman


Schwartz

Simone Development Cos. has appointed two real estate industry veterans to senior positions in its construction and leasing departments. **Roger Merriman** is Simone's new senior vice president of construction, and **Jeremy Schwartz** is now the company's director of leasing. These executives possess years of experience in the commercial real estate industry and have worked with leading companies in the Tri-State area.

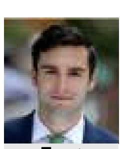
SIOR, New Jersey


Todd

Chris Todd has been named secretary of the New Jersey Chapter of the Society of Industrial & Office Realtors (SIOR). Todd currently serves as vice president at NAI James E. Hanson. Since joining the firm in 2013, he has helped negotiate 125 industrial sales and leases spanning 5.4 million square feet and $615 million in value. He brings extensive experience and understanding of the Northern New Jersey market to the new position.

SIOR

SRS Real Estate Partners, New York


Fant

Kyle Fant has been promoted to senior vice president for the New York capital markets team at SRS Real Estate Partners. He joined SRS in 2017 along with his partner, Britt Raymond, to spearhead the New York City office for the national net lease group and accelerate growth across the East Coast. Fant has eight years of experience in investment sales of net lease retail, medical and industrial properties across the country. Since joining SRS, Fant has transacted over $1 billion of net lease assets throughout 28 different states.

The STRO Cos., New Jersey


Pandolfo

Jeff Pandolfo has been appointed as COO of The STRO Cos., a New Jersey-based investment firm. He brings 20 years of industry experience and joins after serving as managing director of asset management for TSCG Investors, where he was responsible for management of the firm's investment portfolio. Pandolfo has also held senior positions at L + M Development Partners and Extell Development Co.

Veris Residential, New Jersey

Veris Residential (NYSE: VRE), a multifamily developer formerly known as Mack-Cali Corp., announces the appointment of two new independent directors, **Ronald Dickerman** and **Stephanie Williams**, to the company's board of directors. Dickerman serves as president of Madison International Realty, which he founded in 2002, and has more than 35 years of industry experience. Williams serves as president and partner of The Bozzuto Cos., where she handles strategic performance, economic value creation and day-to-day operations. She has more than 20 years of industry experience.

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NEWMARK ARRANGES $248 MILLION REFINANCING FOR MANHATTAN APARTMENT TOWER

NEW YORK CITY — Newmark has arranged the $248 million refinancing of The Biltmore, a 51-story apartment tower in Manhattan's Midtown West neighborhood. The borrower was a partnership between institutional investment firm BentallGreenOak and locally based developer Slate Property Group. Built in 2003, The Biltmore consists of 464 apartments and 47,397 square feet of commercial space. Units feature studio, one- and two-bedroom floor plans with quartz countertops, custom cabinetry and individual washers and dryers. Amenities include a fitness center with a yoga studio; rooftop terrace with entertainment areas; library with private conference rooms; communal dining room; and a game lounge. The Biltmore's commercial space houses an array of food-and-beverage purveyors, convenience-oriented retailers, boutique fitness concepts and a medical office user. The property recently underwent a renovation that upgraded the lobby, amenity spaces and elevator systems. Ownership plans to use a portion of the newly issued proceeds to fund further capital improvements. Jordan Roeschlaub, Dustin Stolly, Nick Scribani and Chris Kramer of Newmark arranged the financing through two New York City-based firms, Square Mile Capital and Clarion Partners.

WALKER & DUNLOP ARRANGES CONSTRUCTION FINANCING FOR $146 MILLION LOGISTICS CENTER IN QUEENS

NEW YORK CITY — Walker & Dunlop's capital markets team has arranged $94 million in construction financing for the development of College Point Logistics Center in the College Point neighborhood of Queens, just across Flushing Bay from LaGuardia International Airport. A joint venture between Wildflower Ltd. and Drake Real Estate Partners is developing the project, with construction costs estimated at $146 million. College Point Logistics Center will be a ground-up warehouse and structured parking facility. The property will feature 81,000 square feet of rentable industrial space, as well as 160,000 square feet of enclosed parking across two floors and 68,000 square feet of surface-level parking. Wildflower designed the project with ground-floor warehouse space and multi-story parking to maximize the project's efficiency and meet the needs of modern industrial and logistics tenants. Development of the facility is scheduled for completion in the second quarter of 2024. Jonathan Schwartz, Aaron Appel, Mo Beler, Ari Hirt and Triston Stegall led the Walker & Dunlop team in securing the floating-rate loan on behalf of the joint venture.

College Point Logistics Center is located alongside the Whitestone Expressway, providing direct access to both LaGuardia International Airport and John F. Kennedy International Airport, as well as the New York and Atlantic Railways and the Red Hook Container Terminal.

TRIANGLE EQUITIES COMPLETES $136 MILLION RECAPITALIZATION OF QUEENS INDUSTRIAL FACILITY

NEW YORK CITY — New York-based investment and development firm Triangle Equities has completed the $136 million recapitalization of Terminal Logistics Center, a 184,747-square-foot industrial facility located in the Jamaica area of Queens. The recapitalization includes a $75 million loan from H.I.G. Realty Credit Partners and $61 million in new equity from Goldman Sachs Asset Management and Triangle Equities itself. Geoff Goldstein, Max Herzog, Andrew Scandalios, Rob Hinckley, Tyler Peck and Nicco Lupo of JLL represented the joint venture between Goldman Sachs and Triangle Equities in the transaction. Terminal Logistics Center offers immediate proximity to JFK International Airport and features 36-foot clear heights and multiple levels of truck courts with parking for up to 53 trailers. Construction began in 2020, and the facility is expected to be available for occupancy by the end of the second quarter.

CBRE BROKERS $112 MILLION SALE OF SHOPPING CENTER IN WHITE PLAINS

WHITE PLAINS, N.Y. — CBRE has brokered the sale of The Source, a 262,000-square-foot shopping center located north of New York City in White Plains. According to *The Wall Street Journal*, the sales price was $112 million, and the seller was UBS Realty Investors. Whole Foods Market anchors the center, which is situated adjacent to Westchester Mall. Other tenants include Dick's Sporting Goods, Raymour & Flanigan, The Cheesecake Factory and the New York State Department of Motor Vehicles. Jeffrey Dunne, David Gavin, Steve Bardsley and Travis Langer of CBRE represented the seller in the transaction. The buyer was Houston-based development and investment firm Hines. The Source was 99 percent leased at the time of sale, with food products provider Danone also leasing the top floor of the property for its U.S. headquarters.

The new equity for Terminal Logistics Center replaces the initial $87 million in construction financing supplied by CIT Bank and the equity investment supplied by Triangle's original partners, Township Capital and a pension fund advised by L&B Realty Advisors.

AFFINIUS CAPITAL PROVIDES $110 MILLION REFINANCING OF MANHATTAN'S ARLO MIDTOWN HOTEL

NEW YORK CITY — Affinius Capital, which is a partnership between San Antonio-based USAA Real Estate and Square Mile Capital Management, has provided a $110 million loan for the refinancing of the 488-room Arlo Midtown hotel in Manhattan. The boutique hotel is located on 38th Street between Eighth and Ninth avenues, adjacent to Times Square, and offers both traditional guestrooms and suites, as well as several onsite food-and-beverage options. The borrower was Quadrum Global, a development and investment firm with offices in New York City and Miami.

DEUTSCHE BANK PROVIDES $77.4 MILLION ACQUISITION LOAN FOR MANHATTAN MULTIFAMILY COMPLEX

NEW YORK CITY — Deutsche Bank Wealth Management has provided a $77.4 million acquisition loan for The Collection at Mercedes House, a 162-unit multifamily complex in Manhattan. The property's one-, two- and three-bedroom units occupy the 22nd through 32nd floors of the building at 540 W. 54th St., which is known as Mercedes House. Residents have access to The Mercedes Club, an 80,000-square-foot amenity center that houses a full-service health club, resident lounges and workspaces, a day spa, outdoor pool and a specialty grocery store. Gideon Gil, Lauren Kaufman and Dale Braverman of Cushman & Wakefield, along with Meridian Capital's Rael Gervis and Elliott Kunstlinger, arranged the loan on behalf of the borrower, a partnership between Empire Capital Holdings and Namdar Realty Group.

DURST ORGANIZATION COMPLETES LEASE-UP OF 70-STORY APARTMENT TOWER IN QUEENS

NEW YORK CITY — The Durst Organization has completed the lease-up of SVEN, a 70-story apartment tower in Queens. Designed by Handel Architects, the building is the borough's second tallest and houses 958 units, including 288 income-restricted residences, as well as 50,000 square feet of amenities. Leasing began in January 2021, and the building's market-rate residences are now fully occupied. Finback Brewery will also open a microbrewery and taproom at SVEN later this year. Information on starting rents was not disclosed.

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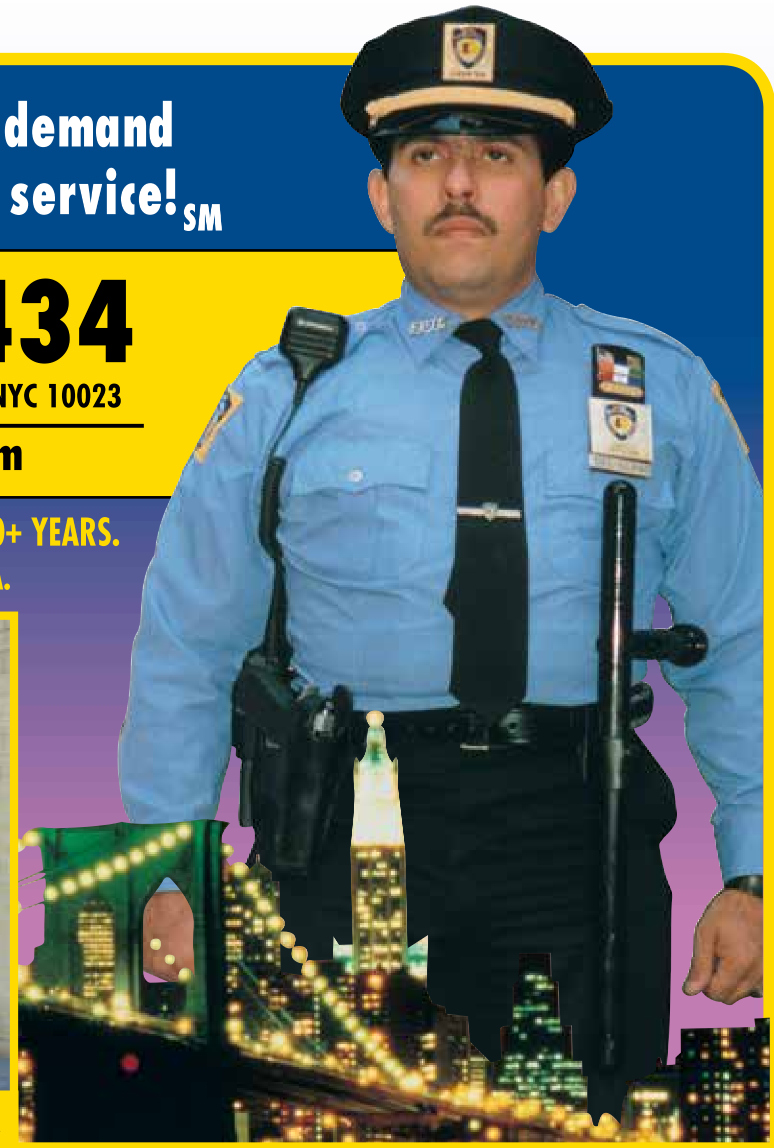

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MANHATTAN MINI STORAGE UNDERWAY ON 1,200-UNIT REDEVELOPMENT PROJECT ON UPPER EAST SIDE

NEW YORK CITY — Manhattan Mini Storage is underway on a self-storage redevelopment project on the Upper West Side that will add 1,200 units to the local supply. The company, which is owned by Missouri-based developer and operator StorageMart, plans to redevelop the site of the former CMX Cinema into a six-story self-storage building that offers 65,000 net rentable square feet of space. The project, which is slated for a 2024 completion, will also function as an addition to Manhattan Mini Storage's existing facility at 420 E. 62nd St.

ATKINS COS., DENHOLTZ PROPERTIES ACQUIRE 490,000 SF HEALTHCARE FACILITY IN CHAPPAQUA

CHAPPAQUA, N.Y. — A partnership between two New Jersey-based firms, Atkins Cos. and Denholtz Properties, has acquired Medical Offices at Chappaqua Crossing, a 490,000-square-foot healthcare complex located about 30 miles north of Manhattan. The sales price was $40 million. Northwell Health's Northern Westchester Hospital anchors the 59-acre facility, which is located within a larger mixed-use development. Jeffrey Dunne, David Gavin, Steve Bardsley and Travis Langer of CBRE represented the seller, a joint venture between Summit Development and Crestline Investors, in the transaction.

CUSHMAN & WAKEFIELD ARRANGES SALE OF TWO RETAIL CENTERS TOTALING 416,544 SF NEAR BUFFALO

HAMBURG, N.Y. — Cushman & Wakefield has arranged the sale of two adjacent retail centers totaling 416,544 square feet in Hamburg, a southern suburb of Buffalo. The first center, BJ's Plaza, is anchored by BJ's Wholesale Club and was fully leased to 10 tenants at the time of sale. Home Depot anchors the second property, McKinley Milestrip, which was 94 percent leased to 20 tenants at the time of sale. The centers comprise 176,045 and 240,499 square feet, respectively. Gary Gabriel, David Bernhaut, Brian Whitmer, Frank DiTommaso and Max Helfman of Cushman & Wakefield, in association with Ben Borruso of Pyramid Brokerage Co., represented the seller, a joint venture between DRA Advisors and DLC Management Corp. New York City-based Northpath Investments acquired the properties for an undisclosed price.

Pictured is an aerial shot of BJ's Plaza, a 176,045-square-foot shopping center located on the southern outskirts of Buffalo. The property is fully leased to 10 tenants.

GREEN COURTE BUYS TWO MANUFACTURED HOUSING COMMUNITIES TOTALING 341 SITES IN ROCHESTER

ROCHESTER, N.Y. — Chicago-based investment firm Green Courte Partners has purchased East Avenue and Forest Lawn, two manufactured housing communities totaling 341 sites in the upstate New York city of Rochester. The transaction effectively serves as an expansion of the neighboring property, Penfield Farms, which totals 375 sites. Associated Bank provided an undisclosed amount of acquisition financing for Greene Court Partners, which plans to use a portion of the proceeds to fund capital improvements. The seller was not disclosed.

Iron Horse Labs will be located within blocks of several of New York City's major academic and medical institutions, including Rockefeller University, Weill Cornell, Mount Sinai, Memorial Sloan Kettering, NYC Health + Hospitals and the Hospital for Special Surgery.

LINCOLN EQUITIES BREAKS GROUND ON 220,000 SF SPEC INDUSTRIAL PROJECT IN VALLEY COTTAGE

VALLEY COTTAGE, N.Y. — Lincoln Equities has broken ground on a 220,000-square-foot speculative industrial project in Valley Cottage, about 30 miles north of Manhattan. The warehouse and distribution center will be situated on a 23-acre site within Executive Park. Building features will include a clear height of 36 feet, 34 loading docks, two drive-in doors, 41 trailer stalls and parking for 123 cars. Completion is scheduled for the third quarter. JLL has been tapped as the leasing agent. According to the development team, the project represents the first speculative logistics facility to be built in Rockland County since 2009.

LIGHTSTONE COMPLETES 216-ROOM MOXY HOTEL IN BROOKLYN

NEW YORK CITY — New York City-based development and investment firm Lightstone has completed the 216-room Moxy Hotel in Brooklyn's Williamsburg neighborhood. Moxy is part of the Marriott family of brands. Designed by Stonehill Taylor with interiors by BASILE Studio, the boutique establishment houses four food-and-beverage concepts, including a fine dining restaurant and a rooftop bar. Other amenities include a fitness center, coworking spaces and meeting and event rooms. Rates start at $179 per night.

ELEVATE RESEARCH PROPERTIES TO OPEN 200,000 SF LIFE SCIENCES FACILITY IN MANHATTAN

NEW YORK CITY — Elevate Research Properties, the life sciences subsidiary of locally based investment and development firm Taconic Partners, will open a 200,000-square-foot facility at 309 E. 94th St. on Manhattan's Upper West Side. The facility will be named Iron Horse Labs after Yankees legend Lou Gehrig. Taconic Partners is developing the property, which will house both lab and research and development space, as well as multiple loading bays and outdoor terraces, in partnership with Nuveen Real Estate and Flatiron Equities. Iron Horse Labs is expected to open in mid- to late-2025.

IPA NEGOTIATES SALE OF 153,151 SF SHOPPING CENTER IN YORKTOWN HEIGHTS

YORKTOWN HEIGHTS, N.Y. — Institutional Property Advisors (IPA), a division of Marcus & Millichap, has negotiated the sale of The Shoppes at Jefferson Valley Mall, a 153,151-square-foot shopping center in Yorktown Heights. Built in 1983, the center is located about 40 miles north of Manhattan on a 12-acre site that is adjacent to Jefferson Valley Mall. Formerly anchored by Sears and now anchored by 24 Hour Fitness, the property was 24 percent leased at the time of sale and thus offers redevelopment opportunities. Joseph French Jr. and Kodi Traver of IPA represented the undisclosed seller and procured the buyer, a New York-based private investor, in the transaction.

LAW FIRM SIGNS 157,808 SF OFFICE LEASE IN MIDTOWN MANHATTAN

NEW YORK CITY — Washington, D.C.-based law firm Venable LLP has signed a 157,808-square-foot office lease at 151 West 42nd Street in Midtown Manhattan. The lease term is 15 years, and the deal represents a consolidation from the firm's previous two offices at 1270 and 1290 Avenue of the Americas. About 270 people will work in the new office, which spans the 48th through 52nd floors, as well as space on the concourse level. Newmark represented Venable in the lease negotiations. The Durst Organization owns the building

BOLD CHARTER PLANS 81,590 SF SCHOOL IN THE BRONX

NEW YORK CITY — BOLD Charter School will open an 81,590-square-foot facility in the Crotona East Park neighborhood of The Bronx. BOLD Charter has entered into a leasehold condominium arrangement with the landowner, an entity doing business as 1472 Boston Partners LLC, which will construct the eight-story building. This structure allows the nonprofit educational organization to take advantage of its tax-exempt status by committing to leasing the land for a minimum of 30 years; the leasehold term in this case is 39 years. The school will be able to support roughly 800 students in grades K through 8 and will feature 27 classrooms, a gym and a rooftop play area. Lindsay Ornstein, Stephen Powers and Casey Noel of OPEN Impact Real Estate, along with Thomas Hines of Transwestern, represented BOLD Charter School in the leasehold condominium negotiations. Nick Zweig of Locations CRE represented the landowner. The school is expected to open in time for the 2025-2026 academic year.

GXO LOGISTICS SIGNS 611,000 SF INDUSTRIAL LEASE IN SOUTH BRUNSWICK

SOUTH BRUNSWICK, N.J. — GXO Logistics has signed a 611,000-square-foot industrial lease in South Brunswick, located in Middlesex County. The third-party freight company will occupy the entirety of the building at 301-321 Herrod Blvd., which sits on a 40-acre site. Dave Saltzman of Lee & Associates represented the tenant in the lease negotiations. Marc Petrella of KBC Advisors represented the landlord, Link Properties, which will implement various capital improvements to the property prior to GXO moving in. These upgrades will include renovating the office space, providing new LED lighting and adding new dock doors. Link Properties will also reseal and re-stripe all warehouse floors and outside paved areas, including parking lots and truck courts.

MEYER, IPS TOP OUT 400,000 SF LIFE SCIENCES PROJECT IN HOPEWELL

HOPEWELL, N.J. — A development team that includes Philadelphia-based architecture firm Meyer and IPS Integrated Project Services has topped out a 400,000-square-foot life sciences project in Hopewell, a suburb of Trenton. The manufacturing and research facility is a build-to-suit for BeiGene, a global biotech firm that develops cancer medicines. The site spans 42 acres within the Princeton West Innovation Campus. Full completion is slated for 2024.

G.S. WILCOX ARRANGES $90 MILLION PERMANENT LOAN FOR APARTMENT COMMUNITY IN UNION

UNION, N.J. — Locally based financial intermediary G.S. Wilcox & Co. has arranged a $90 million permanent loan for Sol at Vermella Union in Northern New Jersey. The 309-unit apartment community, which is part of the larger Vermella Union mixed-use development, offers studio, one-, two- and three-bedroom units. Amenities include a pool, fitness center, children's play area, outdoor grilling and dining stations and a rooftop terrace. Gretchen Wilcox and David Fryer of G.S. Wilcox arranged the seven-year loan through an undisclosed direct lender on behalf of the borrower, Russo Development.

HALPERN REAL ESTATE TOPS OUT 337-UNIT MULTIFAMILY PROJECT IN JERSEY CITY

JERSEY CITY, N.J. — Locally based developer Halpern Real Estate Ventures has topped out a six-story, 337-unit multifamily project located at 49 Fisk St. in Jersey City's West Side neighborhood. Designed by Minno & Wasko Architects & Planners, the property will feature studio, one- and two-bedroom units and roughly 50,000 square feet of indoor and outdoor amenity space. Other project partners include JRM Construction Management and The Corcoran Group, which is marketing the property for lease. Completion is slated for the fourth quarter.

ACCURATE BREAKS GROUND ON 325-UNIT APARTMENT COMMUNITY IN PARSIPPANY

PARSIPPANY, N.J. — New Jersey-based developer Accurate has broken ground on a 325-unit apartment community in Parsippany, located in the northern part of the Garden State. The site at 100 Cherry Hill Road spans 26 acres, and the development will feature two four-story buildings with 162 and 163 units. Residences will come in studio, one-, two- and three-bedroom floor plans, and amenities will include a pool, courtyard, fitness center, resident clubhouse and a tech lounge. Twenty percent (65) of the units will be subject to income restrictions. Minno & Wasko Architects & Planners is designing the project. Full completion of both buildings is slated for the first quarter of 2024.

CODA LOGISTICS & DISTRIBUTION SIGNS 321,765 SF INDUSTRIAL LEASE IN LINDEN

LINDEN, N.J. — CODA Logistics & Distribution, a third-party provider of freight services, has signed a 321,765-square-foot industrial lease in the Northern New Jersey of Linden. The company will occupy the entirety of CenterPoint at Linden, a speculative development by Chicago-based CenterPoint Properties that is slated for an August completion. Building features include a clear height of 40 feet, 62 loading doors and parking for 89 trailers and 240 cars. Michael Kimmel of KBC Advisors represented CODA Logistics & Distribution in the lease negotiations.

Residents at Accurate's new project at 100 Cherry Hill Road will enjoy proximity to Waterview Marketplace, Parsippany's newest shopping center, where Whole Foods Market, HomeSense, Ulta Beauty, Old Navy, Shake Shack and other brand-name retailers have opened up shop.

KRE GROUP BREAKS GROUND ON 239-UNIT MULTIFAMILY PROJECT IN EAST HANOVER

EAST HANOVER, N.J. — Locally based developer KRE Group has broken ground on Valley View Park, a 239-unit multifamily project in East Hanover, about 30 miles west of Manhattan. The property will consist of five four-story buildings. Units will come in one- and two-bedroom formats, and 34 residences will be subject to income restrictions. The amenity package will comprise a pool, fitness center, clubhouse, indoor and outdoor children's play areas, outdoor grilling and dining stations, a gaming lawn, dog park and walking trails. A tentative completion date was not disclosed.

The grand opening of Ivy & Green, a 221-unit apartment complex in Hackensack, was punctuated by certain incentives, including up to two months of free rent. Monthly rates start in the $2,300s for a one-bedroom apartment at the property.

HORNROCK PROPERTIES BEGINS LEASING 221-UNIT APARTMENT COMPLEX IN HACKENSACK

HACKENSACK, N.J. — Locally based developer Hornrock Properties has begun leasing Ivy & Green, a 221-unit apartment complex in the Northern New Jersey community of Hackensack. Designed by Minno & Wasko Architects & Planners, the six-story building houses studio, one- and two-bedroom units. Amenities include coworking spaces, private conference rooms, a gaming lounge, speakeasy bar, demonstration kitchen, theater and music studio, a children's playroom, fitness center, pet spa and package lockers. Monthly rents start in the $2300s. A second phase of Ivy & Green totaling 168 units is also in the development pipeline.

DELTA EQUITY MANAGEMENT REFINANCES 195,723 SF INDUSTRIAL PROPERTY IN BAYONNE

BAYONNE, N.J. — Locally based development and investment firm Delta Equity Management has refinanced Harborview Logistics & Distribution Center, a 195,723-square-foot industrial property located in the Northern New Jersey community of Bayonne. The property features a clear height of 40 feet, 46 loading doors, 32 trailer parking spaces and 149 car parking spaces. Jon Mikula and Michael Lachs of JLL arranged the fixed-rate loan through Lincoln Financial Group. At the time of the loan closing, Harborview Logistics & Distribution Center was fully leased to HD Supply, an affiliate of The Home Depot.

JLL ARRANGES $39 MILLION ACQUISITION LOAN FOR TETERBORO INDUSTRIAL PROPERTY

TETERBORO, N.J. — JLL has arranged a $39 million acquisition loan for a 221,448-square-foot warehouse and distribution center in the Northern New Jersey community of Teterboro. Building features include a clear height of 22 feet, 15 dock-high doors, 11 drive-in doors, 95 parking spaces and 15 trailer parking spaces. Michael Klein, John Rose, Jon Mikula and Ryan Carroll of JLL arranged the fixed-rate loan through insurance giant Nationwide on behalf of the borrower, a joint venture between local developer The Hampshire Cos. and Atlanta-based Invesco Real Estate. The property was fully leased to Fashion Logistics at the time of sale.

HAMPSHIRE COS., INVESCO TO DEVELOP 187,530 SF INDUSTRIAL FACILITY IN BOGOTA, RIDGEFIELD PARK

BOGOTA AND RIDGEFIELD PARK, N.J. — A joint venture between locally based developer The Hampshire Cos. and Atlanta-based Invesco Real Estate will develop a 187,530-square-foot industrial facility in the Northern New Jersey communities of Bogota and Ridgefield Park. The site at 30 Cross St. spans 11.7 acres, and the building will feature a clear height of 36 feet, 21 dock-high doors and 268 automobile parking spaces. Michael Klein, John Rose, Jon Mikula and Ryan Carroll of JLL arranged $34.5 million in floating-rate construction financing through Texas Capital Bank on behalf of the joint venture. A tentative completion date was not disclosed.

Woodmont Liberty at Independence, a 120-unit multifamily complex by Woodmont Properties, is located at the northeast corner of County Route 517 and Bilby Road in Warren County.

JMF PROPERTIES OPENS 125-UNIT APARTMENT COMPLEX IN MORRIS PLAINS

MORRIS PLAINS, N.J. — Locally based developer JMF Properties has opened The American, a 125-unit apartment complex in the Northern New Jersey community of Morris Plains. Residences come in one- and two-bedroom floor plans with a maximum size of 1,300 square feet. Amenities include a fitness center, coffee bar, conference rooms, a theater, golf simulator, billiards room and outdoor grilling and dining stations. Rents start at $2,775 per month for a one-bedroom unit.

SIGNATURE ACQUISITIONS BUYS 120,623 SF OFFICE BUILDING IN WARREN

WARREN, N.J. — Locally based investment firm Signature Acquisitions has purchased a 120,623-square-foot office building located in the Northern New Jersey community of Warren. The sale included an 8,250-square-foot retail pad site. The four-story, newly renovated building is situated within Independence Boulevard, a five-building, 650,000-square-foot park. Amenities include a fitness center, game room, lounge and conference facilities. Frank DiTommaso, David Bernhaut, Andy Merin, Gary Gabriel and Will Gerlin of Cushman & Wakefield represented the seller, American Equity Partners, in the transaction.

WOODMONT PROPERTIES BEGINS LEASING 120-UNIT MULTIFAMILY PROJECT IN INDEPENDENCE

INDEPENDENCE, N.J. — New Jersey-based developer Woodmont Properties has begun leasing Woodmont Liberty at Independence, a 120-unit multifamily project that is located on an 11-acre site about 60 miles west of Manhattan. The property offers one- and two-bedroom units that are furnished with custom-designed kitchens, walk-in closets, keyless entry mechanisms, individual washers and dryers and private balconies/patios. Amenities include a pool, outdoor grilling and dining areas, a fitness center with yoga and spin studios, game room, conference center, dedicated storage rooms, package handling system and a dog park. The first move-ins began in April. Rents start at $2,440 per month for a one-bedroom apartment.

GLOBAL INTERACTIVE LOGISTICS SIGNS 115,000 SF INDUSTRIAL LEASE IN SECAUCUS

SECAUCUS, N.J. — Third-party warehousing and freight firm Global Interactive Logistics (GIL) has signed a 115,000-square-foot industrial lease in the Northern New Jersey community of Secaucus. The multi-tenant facility at 1000 New County Road was built on 25.5 acres in 1968 and totals 525,224 square feet. Conor Dolan, Jeff Babikian, Nick Klacik and Kevin Dudley of CBRE represented GIL in the lease negotiations. Larry Schiffenhaus and Tom Monahan, also with CBRE, represented the landlord, Prologis.

FIELDS GRADE, SLOKKER GROUP BEGIN LEASING 109-UNIT APARTMENT BUILDING IN RAHWAY

RAHWAY, N.J. — A partnership between developers Fields Grade and The Slokker Group has begun leasing a 109-unit apartment building in the Northern New Jersey community of Rahway. The building is the second at The Mint, a development in the downtown area, the first phase of which consisted of 116 units that were delivered in 2020. The new building rises six stories and offers studio, one- and two-bedroom units, as well as Class A amenities. Rents start at $2,095 per month for a studio apartment.

GILBANE DEVELOPMENT SELLS 100,925 SF OFFICE BUILDING IN PRINCETON

PRINCETON, N.J. — Rhode Island-based Gilbane Development Co. has sold Crossroads Corporate Center, a 100,925-square-foot office building in Princeton. The three-story building was constructed on 45 acres in 1991 and has been renovated multiple times over the ensuing years. Jeremy Neuer, Jose Cruz, Kevin O'Hearn, Thomas Romano, J.B. Bruno and Jason Lundy of JLL represented Gilbane in the transaction. A joint venture led by Simone Realty purchased Crossroads Corporate Center for an undisclosed price.

AVISON YOUNG ARRANGES $14 MILLION SALE OF MEDICAL OFFICE BUILDING IN WASHINGTON TOWNSHIP

WASHINGTON TOWNSHIP, N.J. — Avison Young has arranged the $14 million sale of a 70,140-square-foot medical office building located in the Southern New Jersey community of Washington Township. The two-story building sits directly across the street from the Jefferson Hospital Washington Township campus. Gordon MAB Associates sold the building to New Jersey-based Atkins Cos., which plans to implement a capital improvement program. Scott Martin, Jim Kornick, Michael Wilson and Erik Foster of Avison Young represented both parties in the transaction.

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PITTSBURGH INTERNATIONAL AIRPORT UNVEILS NEXT PHASE OF $1.4 BILLION REDEVELOPMENT

PITTSBURGH — Pittsburgh International Airport has unveiled designs for the next phase of its $1.4 billion redevelopment. The latest stage of the project will center around a passenger tunnel/bridge that connects the existing hub of the airport with the new terminal that is under construction. The development team broke ground on the new, 700,000-square-foot terminal in October 2021 and expects to complete the project in 2025. The new terminal will consolidate ticketing, security checkpoints and baggage claim operations and offer a multi-modal complex with a 3,300-space parking garage, rental car facilities, parking lots and roadways.

PRESBYTERIAN SENIOR LIVING AGREES TO ACQUIRE 532-UNIT COMMUNITY IN DOYLESTOWN

DOYLESTOWN, PA. — Presbyterian Senior Living (PSL) has entered into a non-binding letter of intent to acquire Pine Run Retirement Community, a 532-unit continuing care retirement community (CCRC) in Doylestown, about 25 miles north of Philadelphia. Pine Run includes 272 independent living cottages and 24 apartments on a 43-acre campus. The development is home to Pine Run Health Center, which offers rehabilitation services and 90 skilled nursing beds; a 40-bed memory care neighborhood on the top floor known as The Garden; and an intimate setting for palliative services known as The Willows. If the deal closes, PSL will assume ownership of Pine Run from Doylestown Hospital. PSL intends to continue operating Pine Run as a CCRC.

GOTHAM, BRANDYWINE NEAR COMPLETION OF 326-UNIT MULTIFAMILY PROJECT IN PHILADELPHIA

PHILADELPHIA — A partnership between New York City-based developer The Gotham Organization and locally based REIT Brandywine Realty Trust is nearing completion of Avira, a 326-unit multifamily project in Philadelphia. Residences will be constructed atop the 570,000-square-foot mixed-use building at 3025 JFK Blvd. within Brandywine's Schuylkill Yards development. Units will come in studio, one- and two-bedroom floor plans and will be housed within the top 18 floors of the building. The property already includes 29,000 square feet of indoor and outdoor amenity space, 9,000 square feet of retail space, 200,000 square feet of office and life sciences space, 120 structured parking spaces and a 7,500-square-foot park. The first residences are expected to be available for occupancy this summer.

Located adjacent to Amtrak's 30th Street Station, Schuylkill Yards will ultimately consist of 6.5 acres of parks, 1.5 million square feet of residential space, 3.9 million square feet of life sciences and office space and 65,000 square feet of experiential retail space.

BUCCINI/POLLIN ACQUIRES 271,678 SF OFFICE BUILDING IN CONSHOHOCKEN

CONSHOHOCKEN, PA. — The Buccini/Pollin Group, a development and investment firm with offices in Maryland and Delaware, has acquired One Tower Bridge, a 271,678-square-foot office building in the northern Philadelphia suburb of Conshohocken. Designed by Skidmore, Owings & Merrill and completed in 1989, the 15-story, riverfront building offers a fitness center, outdoor terrace and a multi-purpose room. One Tower Bridge was 92 percent leased at the time of sale, with Morgan Stanley serving as the anchor tenant. Buccini/Pollin plans to invest $9 million in capital improvements to the building. The seller and sales price were not disclosed.

Franklin Square offers a neighborhood feel with commercial shops that are intermingled with loft-style apartments, a rooftop terrace, three-story townhomes and garden-style apartments.

MARCUS & MILLICHAP BROKERS SALE OF 268-UNIT SELF-STORAGE FACILITY IN HANOVER

HANOVER, PA. — Marcus & Millichap has brokered the sale of Hanover Self Storage, a 238-unit facility located about 115 miles west of Philadelphia. The property spans 32,150 net rentable square feet and includes 10 outdoor parking spaces. Gabriel Coe, Brett Hatcher and Nathan Coe of Marcus & Millichap represented the seller, a limited liability company, in the transaction. Sean Beuche of Marcus & Millichap assisted in closing the deal as the broker of record. Additional terms of sale were not disclosed.

FRIEDMAN REAL ESTATE NEGOTIATES SALE OF 150,000 SF RETAIL PROPERTY IN PITTSBURGH

PITTSBURGH — Friedman Real Estate, a brokerage firm with five offices across the country, has negotiated the sale of a 150,000-square-foot retail property in Pittsburgh. The property, which is located within Washington Crown Center Mall and formerly housed a Macy's department store, was fully occupied at the time of sale by M@C Discount, which specializes in reselling returned retail items. Steven Silverman of Friedman Real Estate represented the undisclosed buyer in the transaction. Additional terms of sale were not disclosed.

BURKENTINE OPENS 134-UNIT MULTIFAMILY COMPLEX IN NEW FREEDOM

NEW FREEDOM, PA. — Burkentine, a Pennsylvania-based residential developer, has opened Franklin Square, a 134-unit multifamily complex in New Freedom, located along the Maryland-Pennsylvania border. Franklin Square consists of 62 for-rent townhomes with one- to four-bedroom floor plans and 72 garden-style apartments, all on a six-acre site. Vortex Brewing Co. anchors the complex's retail component. Information on starting rents was not disclosed.

JLL BROKERS SALE OF 124,262 SF SHOPPING CENTER IN NEW BRITAIN

NEW BRITAIN, PA. — JLL has brokered the sale of Town Center of New Britain, a 124,262-square-foot shopping center located on the northern outskirts of Philadelphia. Giant Food anchors the center, which was built in 1990 and renovated in 2002. At the time of sale, Town Center of New Britain was 91 percent leased, and other tenants include Rite Aid, Dollar Tree, Verizon Wireless and AutoZone. Christopher Munley, Jim Galbally and Colin Behr of JLL represented the seller, Federal Realty Investment Trust, in the transaction. Milbrook Properties acquired the asset for an undisclosed price.

SCOPE COMMERCIAL NEGOTIATES $9.3 MILLION SALE OF MULTIFAMILY PROPERTY IN PHILADELPHIA

PHILADELPHIA — Regional brokerage firm Scope Commercial Real Estate has negotiated the $9.3 million sale of The Yellowjacket, a 24-unit multifamily property in Philadelphia's Fishtown neighborhood. The complex houses one- and two-bedroom units and amenities such as a fitness center and a rooftop deck, as well as 5,000 square feet of ground-floor retail space. Phil Sharrow and Fahd Malik of Scope Commercial represented the seller, a local developer that is nearing completion of the project, in the all-cash transaction. The duo also procured the buyer, a family office that purchased the asset via a 1031 exchange.

HARBOR GROUP, CAMMEBY'S ACQUIRE 932-UNIT APARTMENT COMMUNITY IN MANCHESTER

MANCHESTER, CONN. — A joint venture between Virginia-based investment firm Harbor Group International and Cammeby's International Group has acquired The Pavilions, a 932-unit apartment community in Manchester, an eastern suburb of Hartford. Built in phases between 1990 and 1992, the property offers one-, two- and three-bedroom units. The amenity package comprises multiple pools, fitness centers, resident lounges and tennis courts, as well as outdoor grilling and dining areas, a sand volleyball court and a dog park. The new ownership plans to invest $21.2 million in upgrades to unit interiors, common areas, amenity spaces and building exteriors.

LANDMARK PROPERTIES, MANULIFE TO DEVELOP 890-BED STUDENT HOUSING PROJECT NEAR UCONN

STORRS, CONN. — A joint venture between Georgia-based Landmark Properties and Manulife Investment Management will develop The Standard at Four Corners, an 890-bed student housing project that will be located near the University of Connecticut in Storrs. The project will offer studio, one-, two- and three-bedroom units and amenities such as a pool, study lounges, a fitness center, computer lab and gaming lounge. The community will also feature 14,500 square feet of ground-floor retail space. Completion is slated for August 2025.

NEWMARK ARRANGES $79.2 MILLION SALE OF INDUSTRIAL PROPERTY IN BRISTOL

BRISTOL, CONN. — Newmark has arranged the $79.2 million sale of Bristol Logistics Center, a 1.1 million-square-foot industrial property in Connecticut. The rail-served site spans 179 acres and formerly housed a General Motors manufacturing plant. Treetop Development acquired the property from an entity doing business as Bristol Center LLC. Jeff Fishman, Cory Gubner and Alex Haendler of Newmark brokered the deal. At the time of sale, Bristol Logistics Center was 93 percent leased to three tenants: Firestone, Clark Dietrich and Arett Sales.

CBRE ARRANGES $48.6 MILLION SALE OF RESERVE41 APARTMENTS IN NORWALK

NORWALK, CONN. — CBRE has arranged the $48.6 million sale of Reserve41, a 164-unit apartment community located in the southern coastal Connecticut city of Norwalk. Built in 1959 and renovated between 2018 and 2020, the property offers one-, two- and three-bedroom units. Amenities include a pool, playground and landscaped outdoor spaces. Jeff Dunne, Eric Apfel and Stuart MacKenzie of CBRE represented the seller, a partnership led by Connecticut-based real estate investment firm Belpointe, in the transaction. The trio also procured the buyer, New Jersey-based Yellowstone Property Group.

FNRP BUYS 259,104 SF SHOPPING CENTER IN WEST HARTFORD

WEST HARTFORD, CONN. — New Jersey-based investment firm First National Realty Partners (FNRP) has purchased Bishops Corner, a 259,104-square-foot retail center located in West Hartford, roughly five miles outside of the state capital. Tenants at the center, which is anchored by a 59,000-square-foot Target, include Marshalls, HomeGoods, The Paper Store, Mattress Firm, Orangetheory Fitness, AT&T, Bank of America, TD Bank, Noodles & Co., GNC, Subway and Massage Envy. Paul Penman of Newmark represented the undisclosed seller in the transaction.

MERION REALTY PARTNERS BUYS 246-UNIT APARTMENT COMMUNITY IN MILFORD

MILFORD, CONN. — Pennsylvania-based investment firm Merion Realty Partners has purchased Halstead Milford, a 246-unit apartment community located in southern coastal Connecticut. Virginia-based REIT AvalonBay Communities originally developed the three-story, garden-style property in 2004. Amenities at Halstead Milford include a pool, fitness center, coworking space, game room, outdoor grilling and dining areas and a leasing office. Simon Butler, Biria St. John, Jeff Dunne, John McLaughlin, Eric Apfel, Stuart MacKenzie and Brian Bowler of CBRE represented the seller, an affiliate of The DSF Group, in the transaction. The team also procured Merion Realty Partners as the buyer. The sales price was not disclosed.

IPA BROKERS SALE OF 196,802 SF SHOPPING CENTER IN GROTON

GROTON, CONN. — Institutional Property Advisors (IPA), a division of Marcus & Millichap, has brokered the sale of Groton Square, a 196,802-square-foot shopping center in southeastern Connecticut. Grocer Stop & Shop, along with Kohl's, anchors the center, which was built in phases on 18 acres between 1983 and 1989. Other tenants include Panera, Xfinity, PhysicianOne Urgent Care, CosmoProf, Verizon and Moe's Southwest Grill. Jim Koury of IPA represented the buyer and seller, both of which requested anonymity, in the transaction.

URBY NEARS COMPLETION OF 176-UNIT APARTMENT COMPLEX IN STAMFORD

STAMFORD, CONN. — Urby, a joint venture between Ironstate Development and Brookfield Properties, is nearing completion of a 176-unit apartment complex in Stamford, located in the southern coastal part of Connecticut. Designed by Concrete Amsterdam, the project represents the latest phase of Stamford Urby, a development that will ultimately consist of 641 units across 11 buildings. Residences are available in studio, one- and two-bedroom formats, with rents starting at approximately $2,000 per month for a studio. Amenities include a pool, outdoor grilling and dining areas, a fitness center, dog park, central courtyard and a coworking lounge. The first move-ins began in February.

CONTINENTAL TO UNDERTAKE 172-UNIT MULTIFAMILY REDEVELOPMENT IN WEST HARTFORD

WEST HARTFORD, CONN. — New York-based investment and development firm Continental Properties will undertake a 172-unit multifamily redevelopment project in West Hartford. The site at 950 Trout Brook Drive previously housed a children's museum and preschool. John Cafasso and Ian Hunt of Colliers represented the seller, Kingswood Oxford School, in the disposition of the land. The new apartment community will offer one-, two- and three-bedroom units and amenities such as a pool, dog park, coworking space and a rooftop lounge. Continental Properties, which purchased the site for $10.5 million, has received the necessary approvals and is underway on preliminary sitework.

CORNERSTONE PROPERTIES SELLS SHOPPING CENTER IN ELLINGTON FOR $27.7 MILLION

ELLINGTON, CONN. — An affiliate of Connecticut-based Cornerstone Properties has sold Valley Farms Shopping Center, a 99,936-square-foot retail property in Ellington, a northeastern suburb of Hartford, for $27.7 million. Big Y World Class Market anchors the center, which was originally built in 2007 on a 30-acre site that has land for potential expansion. Tom Boyle of locally based brokerage firm Chozick Realty represented the seller and procured the undisclosed buyer in the transaction.

BERKELEY INVESTMENTS MOVES FORWARD WITH 176 LINCOLN MIXED-USE PROJECT IN BOSTON

BOSTON — Boston-based investment and development firm Berkeley Investments has received approval from the Boston Planning & Development Agency to move forward with development of its 176 Lincoln mixed-use project in the state capital's Allston neighborhood. Plans call for Class A lab and research and development (R&D) space, offices and apartment units. Designed by CBT, 176 Lincoln will be built on a five-acre site with two acres of landscaped open space. The two main commercial buildings will include 720,000 square feet of lab, R&D and office space. The project will also include onsite housing, including 252 apartment units with 10 live-work units for artists. The project will be situated within immediate proximity to Harvard's recently completed Paulson School of Engineering & Applied Sciences, the Harvard Business School and Harvard's recently expanded academic and cultural facilities, such as the Harvard Innovation Labs. The expanding Harvard presence in Allston is establishing a new cluster for innovation and research in greater Boston, according to Berkeley. As a transit-oriented development, 176 Lincoln aims to attract a highly educated regional workforce with walkable proximity to the MBTA Boston Landing train stop, as well as convenient access to the Massachusetts Turnpike (I-90) Allston interchange. In addition, the City of Boston and the Commonwealth of Massachusetts are actively planning a major highway/multi-modal transportation project along the turnpike that will transform an area formerly used as a railyard and increase public transit options while opening over 100 acres of land for future development. Berkeley expects that the 176 Lincoln project will achieve LEED Gold certification and is designing it as a 100 percent electrical residential building, resulting in a 90 percent reduction in fossil fuel use. Berkeley expects to break ground on the property in 2024 and complete construction in 2028.

SKANSKA USA RECEIVES ZONING APPROVAL FOR 1.7 MILLION SF LONGWOOD PLACE MIXED-USE REDEVELOPMENT IN BOSTON

BOSTON — Developer Skanska USA has received approval from the Boston Zoning Commission for the redevelopment of a 5.8-acre site that currently houses Simmons University's residential campus into a 1.7 million-square-foot mixed-use destination. The Boston Planning & Development Agency approved Skanska's plans for the overall development, named Longwood Place, earlier this year. Global architecture firm Sasaki designed the transit-served project, which will feature five buildings that will house life sciences, office, retail and restaurant space, as well as apartments. In addition, Longwood Place will feature 2.6 acres of open green space and approximately 15,000 square feet of indoor community space. Located at 305 Brookline Ave. in Boston's Longwood neighborhood, Longwood Place will be situated a half-mile from Fenway Park, home ballpark of the Boston Red Sox. Nearby institutions include Simmons University, Emmanuel College, Northeastern University, Boston Children's Hospital, Beth Israel Deaconess Medical Center, Harvard Medical School and the Boston Museum of Fine Arts. As part of the master plan of Longwood Place, the development team plans to invest $12 million toward infrastructural improvements, including new bus stops, upgraded crosswalks, new signalized pedestrian crossing, two Bluebike stations and a new, elevated bike lane along Brookline Avenue. With zoning approval secured, Skanska USA plans to commence building design later this year. The Simmons University residential campus on the site will be folded into the school's multi-phase One Simmons campus consolidation plan.

The 176 Lincoln project will rise on a five-acre site that will incorporate two acres of landscaped open space. The project will create an 'innovation village,' combining workplaces for research with housing for the region's growing population, along with creative spaces for artists and public gathering places to promote collaboration and chance encounters.

According to the Longwood Place development team, Boston's Longwood Medical District, which has long been home to esteemed academic and healthcare institutions, has historically lacked adequate public space and connections to surrounding neighborhoods.

MASSDEVELOPMENT ISSUES $151.7 MILLION IN BOND FINANCING FOR AFFORDABLE HOUSING PROJECTS NEAR BOSTON

BOSTON — MassDevelopment, Massachusetts' state development finance agency and land bank, has issued $151.7 million in tax-exempt bonds to public housing authorities in the Boston suburbs of Brookline, Cambridge, Framingham and Medford. The proceeds will be used to renovate and preserve 368 units of housing for families, seniors, individuals living with disabilities and people experiencing homelessness. Additionally, the bonds will be used to create 46 new affordable apartments and to upgrade common areas, infrastructure, safety systems and landscaping. Brookline Housing Authority will use $40 million in proceeds to renovate the Sussman House Apartments in the southwest Boston suburb of Brookline. The community is a 100-unit complex that was built in 1969. Renovations include installing a new roof, windows and exterior cladding system; replacing the central heating and cooling system; upgrading elevators and unit interiors; and adding a new community room. Cambridge Housing Authority will use $21 million in proceeds to renovate and expand its building at 116 Norfolk St. in Cambridge, which is located across the Charles River from Boston. The property, which was built in 1920, will be converted from 38 single-room units into studio apartments with their own kitchens and full bathrooms. Additionally, the project calls for 24 new studio apartments to be constructed. Medford Housing Authority will use $68 million in proceeds to renovate the Saltonstall Building in Medford, which is five miles northwest of Boston. Built in 1968, the property is a 200-unit, 11-story affordable housing facility for seniors and individuals living with disabilities. Renovations include updated building interiors, as well as the replacement of plumbing, electrical and ventilation systems. Medford Housing Authority will also add 22 new one-bedroom units to the existing building. Framingham Housing Authority will use $22 million in proceeds to renovate Carlson Crossing West in Framington, located 20 miles west of Boston. Constructed in the 1950s, the community includes 68 units of affordable housing across 17 buildings. Renovations will focus on addressing building and energy code issues, as well as upgrading the property's infrastructure. In addition to the tax-exempt bond funding from the state, the properties received a total of $135.3 million in federal Low-Income Housing Tax Credit (LIHTC) equity.

ALEXANDRIA REAL ESTATE EQUITIES SELLS STAKE IN $700 MILLION LIFE SCIENCES FACILITY IN BOSTON

BOSTON — California-based REIT Alexandria Real Estate Equities (NYSE: ARE) has sold a stake in a $700 million life sciences facility located at 15 Necco St. in Boston's Seaport District. The percentage of the interest, which was sold to a U.S. affiliate of Japanese developer Mori Trust Co., was not disclosed. Alexandria is developing the 346,000-square-foot facility in partnership with National Development as a build-to-suit for pharmaceutical giant Eli Lilly & Co. The facility will house retail and restaurant space on the ground floor and a terrace with green spaces and flexible workstations on the rooftop. Construction began in early 2022, and the development team expects to complete the project before the end of the year. Robert Griffin, Edward Maher, Matthew Pullen, Samantha Hallowell, Alex Foshay and William Sleeper of Newmark structured the recapitalization.

BIOMED REALTY TOPS OUT 497,000 SF LIFE SCIENCES, OFFICE PROJECT IN SOMERVILLE

SOMERVILLE, MASS. — BioMed Realty, a San Diego-based subsidiary of Blackstone, has topped out Phase I of Assembly Innovation Park, a project in the Boston suburb of Somerville that will add 497,000 square feet of life sciences and office space to the local supply. The development will ultimately consist of three buildings and include retail space and open green space. Perkins & Will designed Assembly Innovation Park, and John Moriarty & Associates is serving as the general contractor. Vertical construction on the $514 million first phase began in August of last year, and full completion is scheduled for next year.

PARTNERSHIP BREAKS GROUND ON FINAL PHASE OF MIXED-INCOME REDEVELOPMENT IN BOSTON

BOSTON — A partnership between the Preservation of Affordable Housing (POAH), the Boston Housing Authority (BHA), the City of Boston and Madison Park Development Corp. has broken ground on the third and final phase of a mixed-income redevelopment project in the city's Lower Roxbury neighborhood. Known as Flat 9 at Whittier, the final phase will deliver 172 affordable housing units and 9,000 square feet of commercial space in a 13-story building to the site of the former Whittier Street Apartments. Phases I and II of the redevelopment, which will ultimately house 300 residences that will be subject to a range of income restrictions, were completed in 2020 and 2021, respectively.

CHESTNUT HILL REALTY TO DEVELOP 250-UNIT MIXED-INCOME RESIDENTIAL COMMUNITY IN BOSTON

BOSTON — Locally based developer Chestnut Hill Realty Corp. will build Puddingstone at Chestnut Hill, a 250-unit mixed-income residential community that will be located at 201 Sherman Road in Boston's Brookline area. The unit mix will consist of 90 one-bedrooms, 135 two-bedrooms and 25 three-bedrooms, with 50 residences designated as affordable housing for renters earning up to 30 or 50 percent of the area median income. Chestnut Hill will also construct a total of 377 parking spaces through a two-story deck and surface lots. MassDevelopment provided $126 million in both taxable and tax-exempt bonds for the project. A tentative completion date was not disclosed.

ATLANTIC CAPITAL PARTNERS NEGOTIATES $70 MILLION SALE OF METRO BOSTON RETAIL PORTFOLIO

BOSTON — Atlantic Capital Partners, a division of Boston-based Atlantic Realty, has negotiated the $70 million sale of a portfolio of four grocery-anchored retail assets in Massachusetts and Rhode Island. The properties, all of which are master-leased to regional operator Stop & Shop, total 272,542 square feet and are located in the Massachusetts communities of Framingham, Malden and Swampscott, with the fourth in Bristol, R.I. Justin Smith, Chris Peterson and Sam Koonce of Atlantic Capital Partners represented the buyer and seller, both of which requested anonymity, in the transaction.

In addition to the tax-exempt and taxable bonds, MassDevelopment assisted the Massachusetts Department of Housing & Community Development with the approval of federal Low-Income Housing Tax Credits for Puddingstone at Chestnut Hill in Boston. This subsidy will provide approximately $12.6 million in equity for the project.

FANTINI & GORGA ARRANGES $30.6 MILLION ACQUISITION LOAN FOR MULTIFAMILY PROPERTY IN WAKEFIELD

WAKEFIELD, MASS. — Locally based mortgage banking firm Fantini & Gorga has arranged a $30.6 million acquisition loan for Wakefield Vista, a 114-unit multifamily property located on the northern outskirts of Boston. Built in 2011-2012, the complex consists of two residential buildings and a clubhouse on a 4.2-acre site. Casimir Groblewski and Colin Monahan of Fantini & Gorga arranged the loan through an undisclosed, Massachusetts-based lender. The borrower was an also an undisclosed, Massachusetts-based entity.

SEAMAN DICARLO COMPLETES RENOVATION PROJECT AT 229-BED HOSPITAL IN WINCHESTER

WINCHESTER, MASS. — General contractor Seaman DiCarlo has completed the renovation of the radiology oncology department at Winchester Hospital, a 229-bed facility located on the northwestern outskirts of Boston. The hospital is part of the Beth Israel Lahey healthcare system. Locally based design firm Margulies Perruzzi served as the project architect and has now completed 28 collaborations with Beth Israel Lahey, including eight at Winchester Hospital.

2LIFE COMMUNITIES BREAKS GROUND ON 174-UNIT SENIORS HOUSING PROJECT IN NEWTON

NEWTON, MASS. — Locally based owner-operator 2Life Communities has broken ground on Opus Newton, a seniors housing project that will be located on the western outskirts of Boston. The site is situated adjacent to 2Life's Coleman House on the Jewish Community Center Greater Boston campus. Construction is slated for a summer 2025 completion. According to the developer, 95 percent of the residences are already preleased.

SASAKI OPENS 64,000 SF OFFICE HEADQUARTERS IN DOWNTOWN BOSTON

BOSTON — Global architecture and design firm Sasaki has opened its new, 64,000-square-foot office headquarters at 110 Chauncy St. in downtown Boston. The space spans seven of the building's eight floors. Sasaki, which signed a 16-year lease in 2021 to relocate from the western suburb of Watertown, also redesigned the building's lobby, retail space and entrance. MC Real Estate Partners owns 110 Chauncy Street, which was originally constructed in the 1890s.

CONDYNE CAPITAL UNDERWAY ON 60,000 SF INDUSTRIAL PROJECT IN NORTON

NORTON, MASS. — Locally based developer Condyne Capital Partners is underway on vertical construction of a 60,000-square-foot industrial project in Norton, located about 40 miles south of Boston. The building is situated within Bluestar Business Park. Polar Design Build is handling design and construction of the project, which will feature a clear height of 32 feet, 17 dock doors, one drive-in ramp and 14 trailer parking spaces. Completion is slated for the fourth quarter.

Pictured is Sasaki's new headquarters building at 110 Chauncy St. in downtown Boston. Each of the architecture firm's seven floors has a unique combination of small, intermediate and large conference rooms that are outfitted with video conferencing technology for hybrid meetings, as well as integrated technologies like touchscreen monitors at all workstations.

QUICK-SERVICE RESTAURANTS REPRESENT A TASTY OPTION FOR NORTHEAST INVESTORS

Because the corporate offices of these restaurants often guarantee their leases, and because many are also in expansion mode, QSRs are catching investors' eyes.

By Tom Georges of Northmarq

When the U.S. economy reported annualized growth of 2.6 percent in gross domestic product (GDP) in the third quarter of 2022, it avoided a third consecutive quarter of negative growth. The repeat of the same 2.6 percent of growth in the fourth quarter of 2022 was another positive indication of an economy recovering from the effects of the pandemic.

However, this positive news is easily tempered by the fact that the growth was greatly affected by trade and inventory numbers, which were skewed as a result of world events like the war in Ukraine. But the news of growth is welcomed in an economy that has been starved for positive trends.

Compounding the economic caution in the absence of sustained economic growth, of course, is the strain that inflation continues to inflict on all Americans. In response to 40-year inflationary highs, the Federal Reserve has been forced to react with its main inflation-countering tool: raising interest rates.

Tom Georges
Investment Sales Broker, Northmarq

In early March, the Fed raised short-term rates to their highest level since January 2008. At least one additional rate hike is anticipated in the coming months, although signals suggest we'll see increases in smaller increments going forward.

Still, amid all the turmoil and uncertainty, several quick service restaurant (QSR) operators continue to roll out expansion plans and report better-than-expected sales and earnings.

In February, Restaurant Brands International (NYSE: QSR) reported fourth-quarter revenue numbers that exceeded analyst's expectations. With same-store sales growth from the Burger King, Popeyes, Tim Hortons and Firehouse Subs brands.

Northmarq recently arranged the sale of this Burger King in Bradford, Pennsylvania, for sale. As more QSRs target the markets of the Northeast for penetration and expansion, investment demand for single-tenant, net-leased assets that house these users is expected to increase.

At the same time, Yum Brands (NYSE: YUM) also reported that same-store sales for its Taco Bell and KFC restaurants that were higher than anticipated, citing popularity for "premium" menu items with consumers.

McDonald's (NYSE: MCD) also recently reported an increase in same-store sales, pointing to a strong consumer appetite for budget fast food versus more expensive dining options.

As a result of the sustained strength of the brands like the ones mentioned above, as well as others, QSRs continue to be a very popular option for many net-lease investors looking for conservative and predictable investments in the $1 to $4 million price range.

As an illustration of this current level of investment demand and pricing, Northmarq recently represented a client in the acquisition of a newly constructed Burger King located outside of Philadelphia in Southern New Jersey. The fast-food chain had recently relocated to the area.

With a guarantee from a 29-unit franchisee, the triple-net lease had nearly 20 years of initial term remaining with rental increases every five years. The all-cash buyer used the acquisition as a 1031 exchange replacement property, and at approximately $3 million, the acquisition cap rate was in the mid 5-percent range.

A different 1031 exchange client of Northmarq's that required a conservative level of financing also closed on a Pennsylvania Burger King that has over 20 years of initial term remaining. The lease is guaranteed by Carrols Restaurant Group — Burger King's largest franchisee with over 1,000 locations — and also has regular rental increases baked in.

Across the Northeast, real estate investors seeking QSR assets will see supply continue to rise as more and more brands target the region for expansion and growth.

Bojangles, for example, has announced long-term plans to open nearly 250 new locations over the next several years and will enter the New Jersey market for the first time. Panda Express and Krystal have also identified New Jersey as a target growth market, while Rhode Island is on the map for Checkers and Rally's.

Dunkin' has opened new stores in Pennsylvania in recent months, while Sonic has grown in Connecticut. Chick-fil-A is also continuing its aggressive growth in New York and New Jersey.

Raising Cane's has plans for expansion in New Jersey and Massachusetts, while a flagship 8,000-square-foot location that promises to be the largest restaurant in New York City's Times Square is slated for a late spring/early summer opening

Investors pursuing stable cash flow investments should consider these opportunities across the region. Those moving equity through 1031 exchanges toward single-tenant net lease assets realize that these are reliable investments that hold value with little to no management involvement. For these reasons, growth across the QSR sector will provide a variety of investments for buyers to consider.

Tom Georges is a vice president and investment sales broker at Northmarq. Prior to the company's acquisition of Stan Johnson Co., he served as a director in the New York office of the Tulsa-based brokerage firm, which specializes in net-lease retail deals. To see Northmarq's complete *Top 100 Tenant Expansion Trends* report, email him at tgeorges@northmarq.com.

WHAT ARE THE MOST COMMON LEGAL DISPUTES FACING COMMERCIAL REAL ESTATE IN 2023?

Economic uncertainty and chaos can be perfect breeding grounds for fraudulent activity.

By Dylan Newton and Michael Horn of Archer Law

Interest rates are increasing at their fastest pace in more than 40 years, and the country sits on the brink of a recession. Economic experts predict that the recent turmoil that began with record inflation coming out of the COVID-19 pandemic will create the perfect landscape for commercial real estate fraud and property disputes.

In fact, the number of lawsuits filed involving property disputes and fraud is expected to increase significantly this year. And with rate hikes, inflation and slowed economic growth projected throughout 2023, commercial property owners and investors must brace for a flood of litigation.

In addition, rising interest rates have also made obtaining financing more difficult than ever, adding an extra level of complexity in resolving disputes over deals that require heavy financing.

Below are a few common disputes that real estate stakeholders should be aware of as a result of recent economic sluggishness, as well as potential solutions to help protect investors.

Breach of Contracts

Soaring interest rates have caused countless would-be buyers to suddenly get "cold feet" and back out of deals. This phenomenon has been compounded by valuation swings in the market, causing many buyers to experience a sudden change of heart during the critical discovery and due diligence phases of transactions.

While some would-be buyers have a sound legal basis for backing out of a deal, many do so in plain violation of their contractual obligations.

In the coming months, investors should expect an uptick in the number of lawsuits seeking the forced transfer of properties. Investors must take extra care to examine contracts before the closing date, paying particularly close attention to those provisions governing cancellation of the contract.

Many of these cases will involve emergency applications for injunctive relief, which is a very quick and effective tool. However, it is critical that investors act quickly, because these types of cases often move on an expedited basis.

Real Estate Fraud

According to various experts, real estate fraud has risen by more than 22 percent in the months immediately following the Federal Reserve's progressive interest rate hikes.

This comes as no surprise given that uncertainty and turmoil caused by an economic downturn have always served as the perfect camouflage for fraudsters to prey on unsuspecting victims.

Dylan Newton
Attorney,
Archer Law

Michael Horn
Partner,
Archer Law

Scams in commercial transactions often involve getting victims to enter into the sale or acquisition of a property by misrepresenting important financial information or the property's condition before the deal is finalized.

One of the most frustrating aspects of real estate fraud is that illegal conduct is often hidden very well. Luckily, there are steps that investors can take to avoid being victimized.

For example, investors should take extra care to ensure that the due diligence provisions in their contract of sale provide sufficient protection. A qualified attorney should also conduct an in-depth review of the provisions before agreeing to any transaction.

In addition, buyers should be extremely reluctant to waive any inspections or examinations of the property, a practice that gained traction during the competitive market in the wake of COVID-19. If the seller continues to push for such a waiver during the negotiation process, that's a red flag.

If an investor believes that he or she has been the victim of fraud, it is critical to act immediately before any relevant evidence is destroyed. The investor should first seek out knowledgeable legal counsel that can assist with issuing "litigation hold" notices to prevent the fraudster from destroying evidence.

Additionally, the buyer should make sure to preserve all documents pertaining to the fraud or communications with the fraudulent party. These documents will be vital for proving that a misrepresentation was made or that fraud occurred.

Shareholder Disputes

Rising interest rates may also lead to an increased number of disputes between co-owners of commercial real estate. Historically, financial distress has provided the perfect landscape for a project partner to take advantage of an unsuspecting co-owner by squeezing him or her out of a lucrative investment.

For instance, the partner will often point to a sharp decline in profits as a pretext for arguing that fraud, negligence or a breach of fiduciary duties has occurred and that a forced sale of the property or court-appointed receivership is needed. As such, investors should be prepared for a surge of shareholder disputes and partition action in the coming months.

Unfortunately, the forced sale of a property or the appointment of a receiver by the court could be devastating to the profitability of an investment property. To avoid a catastrophic dispute, co-owners must take preemptive measures to protect themselves.

For starters, investors must make sure they have the correct entity documents, such as limited liability company or corporate bylaws and membership or operating agreements, from the onset of the relationship to clearly outline the rights and obligations of individual partners.

If there are no entity documents, it is important to work closely with an attorney to review the relevant statutes to understand the rights of each shareholder. Partnership disputes are complex, and it's vital to protect yourself and your assets by collaborating with an attorney and experts who are experienced with commercial disputes.

In summation, commercial real estate players must anticipate a flood of lawsuits in 2023. However, if they arm themselves with information regarding the types of disputes to expect, how to prepare and how to react to a lawsuit, they will be in a better position to weather the storm.

Dylan Newton is an attorney in Archer's business litigation group who represents clients in a variety of commercial litigation and business disputes. Michael Horn is a partner at Archer who specializes in general litigation with an emphasis on commercial litigation, UCC claims, contractual disputes, real estate litigation, products liability litigation, insurance coverage disputes and environmental litigation. Both practice in Archer's Hackensack and New York City offices.

WHAT ARE THE MOST IMPORTANT PROPERTY TAX IMPLICATIONS FOR MALLS?

Legal covenants often cause excessive property taxation for mall owners that are looking to redevelop.

By Morris Ellison of Womble Bond Dickinson LLP

The repurposing of malls and anchor stores is a popular topic in community development circles, but legal restrictions make redevelopment extremely difficult.

Often locked into their original use by covenants, malls and anchor stores are often grossly overvalued for property tax purposes.

Primarily for this reason, when pursuing a redevelopment, taxpayers should ensure the properties are fairly assessed and taxed.

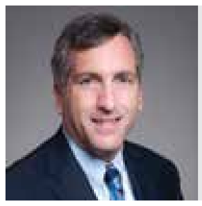
Debilitating Obsolescence

It is difficult to overstate the plight of malls and department store anchors. Gone are the halcyon days when the mall was everyone's shopping destination. There is even a website, www.deadmalls.com, devoted to failed malls.

Credit ratings of most anchor store operators have fallen below investment grade. Commentators usually blame the retail apocalypse on e-commerce and shifting consumer spending habits.

COVID-19 exacerbated these trends and mall foot traffic has been slow to recover. Some chains, including Neiman Marcus and J.C. Penney, have filed for bankruptcy.

E-commerce volume surged in 2020 and 2021 before tapering in 2022. To date, e-commerce and brick-and-mortar sales have not yet reached equilibrium.



Morris Ellison
Partner,
Womble Bond Dickinson LLP

One in five American malls have fully closed and remain "zombies" without a redevelopment plan, estimates Green Street Advisors, a commercial real estate analytics firm. A December 2022 article from *The Wall Street Journal* that detailed the "long death" of the White Plains Mall noted there is no shortage of dying malls. The article observed that converting enclosed shopping centers to other uses remains a "difficult feat." Repurposing, while much-discussed, has not really happened.

The question is why. The answer relates, at least in part, to legal challenges inherent in changing the property's use.

Tied Hands

Any property valuation begins with a "highest and best use" analysis. A basic assumption about real estate holds that the price a buyer will pay reflects that buyer's conclusions about the asset's most profitable use. Competitive forces within the local market shape highest and best use, but that use must reflect practical and legal restrictions.

Many people incorrectly assume that governmental requirements pose the only legal restrictions on use. Zoning ordinances may impose barriers. Owners of neighboring properties may also object to redevelopment proposals.

Zoning limitations pale in comparison to restrictions in recorded easements and unrecorded operating agreements between mall owners and anchor department stores. While zoning may permit non-retail uses, private agreements generally do not.

Malls would be economically unfeasible without department stores and inline stores that symbiotically drive traffic to each other. Generally, anchors own their pads and inline tenants lease space from the mall owner. A typical mall is subject to two levels of private restrictions designed in an earlier time period to promote the efficient functioning of the mall for retail stores.

Recorded operating restrictions or restrictive easement agreements (REAs) impact the entire mall and its anchors and are generally binding for 40 years or longer. Typically, substantive amendments to the REA require the consent of all parties, and their economic interests are not always aligned.

Unrecorded operating agreements govern the relationship between individual anchors and the mall owner. Terms typically address tenancy, hours of operation, required years of operation under a specified trade name and the size of each anchor and the mall. Operating agreements also generally restrict the size and construction of improvements on the anchor pad and regulate usage.

A simple example involves anchors using stores as a delivery point for e-commerce, a concept known as buy online, pick up in store (BOPIS). Many REAs and operating agreements severely limit implementation of this concept.

But what if the mall's highest and best use is no longer retail? E-commerce and changed consumer practices undermine the REAs' and operating agreements' ability to ensure the property's success. But those private agreements are focused on preserving retail usage.

The common party to these agreements is the mall owner, making it the logical purchaser when an anchor looks to sell. The potential economic return on any proposed redevelopment must be sufficient to encourage an entrepreneur to take the redevelopment risk for the mall and/or anchors.

Legal risk escalates economic risk. For example, owners of some anchor properties seek conversions to multifamily or industrial use as salvation from the "retail apocalypse." Even if they overcome zoning objections, attempts to change REAs and unrecorded operating agreement restrictions may require unanimous consent among owners with competing economic interests.

The anchor pad may not even be worth its unimproved land value since its use is restricted to retail under the REAs and operating agreements.

Property Tax Implications

While mall owners and anchors struggle to remain viable in the changed retail environment, ad valorem property taxes pose an immediate challenge. Most states value property as what a willing buyer would pay to a willing seller, but the glory of malls and anchors before e-commerce generally encourage high property tax valuations.

Assessors performing an income-based assessment seldom recognize how anchor chains' plunging credit ratings affect value. The sales-comparison approach is equally challenging, as anchor property transaction volume has plummeted since 2006.

Most sales involve a change to non-retail use and thereby require unanimous consent. Consent is easier to obtain when the new use increases foot traffic to the remaining inline tenants and anchors, but it is easy to envision anchors holding the process hostage in an attempt to force the purchase of their failing stores.

REAs and unrecorded operating covenants make calculation of an anchor's value extremely difficult. They also call into question the comparability of previous transactions to repurpose anchors in the same mall, since those anchors may have agreed to one specific new use but may object to another.

REAs and operating agreements often hamstring mall and anchor redevelopment. Most were signed before e-commerce and did not envision retail losing its vitality. The parties to these covenants often have divergent economic interests and perspectives, and the natural party to lead redevelopment — the mall owner — must overcome these hurdles.

In the short term, however, owners should address highest and best use with assessors to reduce property tax burdens until their zombies can be brought back to life.

Morris Ellison is a partner in the Charleston, South Carolina, office of law firm Womble Bond Dickinson (US) LLP, the South Carolina member of American Property Tax Counsel, the national affiliation of property tax attorneys. He can be reached at mellison@wbd-us.com.

OUTSOURCING OF PROPERTY TAX ASSESSMENT, COLLECTION FUNCTIONS RAISES PROBLEMS

While some of these hindrances are to be expected in the aftermath of a global pandemic, local officials and lawmakers could also do more to make the process more efficient.

By Elliott Pollack, Esq., of Pullman & Comley LLC

Although COVID-19 resulted in the pumping of significant dollars from the federal government into municipal and county budgets, generally speaking, property tax assessment offices remain understaffed and undertrained.

Many assessors recognize these realities and are successful in convincing local leaders to appropriate funds to retain independent contractors to perform various assessment and collection functions. The theory is that these expenditures are non-recurring and are preferable to staffing assessment offices on a full-time permanent basis.

As an example, Connecticut assessors almost always contract with certified revaluation companies to perform statutorily required, community-wide revaluations every five years. They contract with these companies because they simply lack the personnel to do the work themselves.

In addition, reliance on outside contractors can, to some degree, insulate municipal staff from angry property owners who are unhappy with their new assessments.

Common Complications

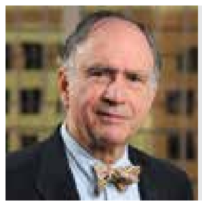
Another perhaps unplanned benefit to retaining outside contractors is that unless communications with the contractors can be made promptly after new assessments are published, property owners are compelled to resort to judicial remedies to challenge their values — at least in Connecticut.

Since court proceedings tend not to conclude for a year or more, localities obtain the benefit of the use of interest-free excess tax dollars while the case is pending and even if it resolves after a trial.

Some Connecticut judges, for reasons not well understood, are reluctant to award judgment interest to the prevailing property owner on its tax overpayments. This occurs even though the municipality is entitled to and charges interest at 18 percent annually for nonpayment or under payment of tax levies.

Another problem frequently arises from outside contractors' work in revaluation. This issue involves the tendency to rely on a cost-based methodology to determine market value, even when an income-producing property would most likely transact on the basis of an income approach, either direct capitalization or discounted cash flow.

Even taking into account the possible wisdom of the cost approach in valuing newly constructed property — as attorney Steven Schneider pointed out in his



Elliott Pollack
Member Attorney, Pullman & Comley LLC

tax article in the January/February 2023 issue of *Northeast Real Estate Business* — many newly constructed properties cost far more to build than is warranted by their completed values in the marketplace.

This is due to build-to-suit or other individualized arrangements that are designed to carry out owners' or tenants' business objectives as opposed to maximizing real estate value per se for a particular owner or tenant.

Good examples might be Chick-fil-A or Walgreens stores, which are designed to promote a brand rather than to turn a real estate profit.

Tax professionals who have practiced in the property assessment world for any length of time can probably recount a number of stories about botched assessments, tax billings or defective notices.

Case in Point

Recently, this writer learned of a major gaffe by a tax collector halfway around the world at a famous landmark: The Taj Mahal in Agra, India.

Built by the Mughal Emperor Akbar as a memorial to his beloved wife, the exquisite building has enjoyed various property tax exemptions under Mughal, British and Indian law for almost four centuries; it remains exempt today.

It must have been with great shock that the administrators of the Taj Mahal reacted to a recent notice they received from the City of Agra stating that a large amount of real estate taxes on the historical wonder remained delinquent.

On investigation, it turned out that a private company to whom various administrative functions had been delegated by the city was the culprit. Although the problem was dealt with rather promptly, the zaniness associated with such a big assessment blunder deserves to be recognized in a book of flubs.

This brings us, finally, to an important lesson. Every communication from the assessor in a given jurisdiction must be read promptly upon receipt and carefully processed. Many communications can appear to be innocuous formalities. On closer reading, however, they may be material to an owner's valuation and may require action within a very tight time period.

To this point, members of our law firm's tax and valuation department occasionally find that the person in the owner's organization designated to receive notices from the assessor does not have sufficient background or training to deal with assessment issues. Occasionally, that individual has departed the company and the assessment letter or email language languishes on his or her desk until it's too late to act.

A result, a number of communications also are re-routed bureaucratically to someone whom the recipient thinks is the proper person to deal with the issue. Often, significant time is lost, appeal periods can be overlooked and significant monetary losses can be sustained which are not recoverable.

The lessons to be learned are:

- Staff your assessment/tax facilities with competent knowledgeable individuals;
- Impose a reasonable degree of redundancy on the monitoring of communications to avoid notices "falling between the cracks";
- Access the municipality's website on a periodic basis to be certain that you don't miss something important; in some cities, actual notice of required actions is not legally required.

Pullman & Comley is a full-service law firm with offices in Bridgeport, Hartford, Stamford and Waterbury, Connecticut, as well as in White Plains, New York, and Springfield, Massachusetts.

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HOW TO LEVERAGE PROPTECH, AI TO SUPPORT COMMERCIAL LEASING, MANAGEMENT

Now established as integral parts of certain real estate operations, these features will only become more customized and advanced with time.

By Kul Wadhwa of BeyondView

It has been widely reported that commercial leasing and office occupancy have struggled since the onset of COVID-19, with headlines including terms like "zombie," "apocalypse," "urban doom loop" and even "epic crash" routinely making the rounds.

As employers, landlords and commercial real estate professionals all grapple with fully remote and hybrid work routines, proptech and its application of artificial intelligence (AI) can prove to be essential tools in accelerating commercial leasing activity and supporting property management.

Simply put, digital twin technology looks amazing, is cost-effective and saves time. For real estate professionals looking to streamline processes, digital twin technology eliminates the need for multiple service providers, facilitates a streamlined decision-making process and is more visually appealing than other proptech on the market.

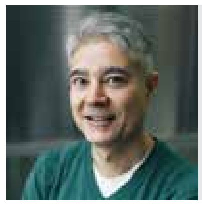
In dealing with an uncertain economy, deploying new technologies offers smart, versatile troubleshooting platforms, all while allowing for significant savings. And this relatively new digital offering will only get better with time.

Real estate's use of digital twins is the property technology of the future. Digital twins provide an exact digital representation of a physical object and can be developed from various data sources. In applying this technology to real estate, digital twins can be produced from floor plans, blueprints, CAD models, scans and even off-the-shelf digital pictures. In addition, digital twins utilize both AI and machine learning to create the exact virtual version of a space.

Through unbridled innovation, digital twins present a stunning visual experience for its users. From high-definition renderings to white boxing unfinished locations, reimaging spaces and creating life-like virtual walkthroughs, the next-level visuals provided can be used by brokers, prospective tenants and property managers alike.

Virtually touring the digital representation of spaces via a gaming-like experience can accelerate the commercial leasing cycle. For offices or retail spaces that are not yet complete or ready for occupancy, digital twins allow leasing to proceed in earnest, as prospective tenants need not be creative geniuses to imagine what a space will look like.

The digital twin presented will demonstrate the unfinished space's potential look and feel. Furthermore, compared to traditional offerings such as CAD drawings or renderings, by utilizing AI, digital twin visuals are produced at a fraction of the time and cost.



Kul Wadhwa
Founder & CEO, BeyondView

In addition to the high-quality imaging produced, the digital representations are accessible from desktops or tablet devices. As old physical limitations are lifted, prospective tenants, property managers and leasing agents spread across multiple locations or even time zones can easily log on, view virtual spaces and collaborate in real time.

Further, multiple software downloads are eliminated as select platforms integrate built-in communication tools that can be opened from web browsers.

For example, a broker or leasing agent based in San Francisco could show multiple commercial properties under construction in Japan to a prospective tenant headquartered in New York City without having to get on a plane. As the tenant may be undecided about the space's eventual use, by simply clicking a button, the white boxed version is digitally transformed into a retail, corporate office or restaurant space.

This newfound ability to leverage AI and digital twins to digitally reimagine spaces — without added costs — is a game-changing advancement.

Commercial real estate's digital twin and machine learning applications are not limited to leasing. In fact, the live asset that is produced by AI is a visualization of data that is of paramount importance to property managers and building owners. And this data, which is continuously updated within the digital twin, is then applied to scenario planning and financial analysis, as well as facility and asset management.

Data that is expected to guide corporate real estate decisions is often presented in a manner that is difficult to understand, and previous software solutions may only further complicate matters. By leveraging digital twin technology, data that is easily understood and accessible is stored within a user-friendly hub of information.

This building-specific database offers decision makers real-time access to all relevant information about a building and its inner workings that is both intuitive and contextualized. Property managers can readily retrieve building information and easily reimagine spaces' potential uses.

With overall market uncertainty looming and office leasing facing a reckoning of sorts, real estate professionals must apply new technologies in order to achieve success. Particularly with regard to commercial leasing and effective property management, proptech and digital twin technology will prove to be necessities moving forward in terms of saving time and money.

Kul Wadhwa is the CEO and founder of BeyondView, a data-driven technology platform that provides interactive and digital commercial real estate solutions.

HOW MULTIFAMILY OWNERS, MANAGERS CAN EXCEED RENTERS' EXPECTATIONS ON AMENITIES

The consumer preferences that drive the inclusion of certain amenities in new projects are fickle and inconsistent across markets, but the industry is developing ways to stay ahead of those shifts.

By Dan Flamini of Morgan Properties

In a fast-paced, post-pandemic world, the amenities and services that renters expect in multifamily communities are constantly changing. Owners and managers must anticipate what residents will ask for next in order to stay competitive.

Channeling Residents

There is no crystal ball that allows multifamily owners to foresee what amenities and services future residents will seek when searching for a new home, but there are a few ways in which developers and managers can make sure they're keeping up with the trends.

Although focused on a different customer, sectors such as office and hotel are often ahead of the curve when it comes to meeting the shifting demands of their clientele.

Multifamily owners and operators should keep a close eye on what industry leaders in these sectors are doing, such as installing pickleball courts and providing open workspaces, and find ways to duplicate those experiences at their own communities.

These specific examples have helped Morgan Properties to provide residents with the balance they seek — an active lifestyle that supports the new normal of work-from-home life. For example, in response to resident demand, we recently began installing outdoor fitness equipment that focuses on body weight and gravity resistance.

This unique approach to a standard amenity gives residents the option to enjoy a healthy workout outdoors with nature versus a traditional indoor fitness center. It represents a solution that supports the need for both physical and mental health enhancements.

Dan Flamini
Area Vice President, Morgan Properties

Once we identify an amenity or service of interest, we typically beta test it at a group of properties with a few important questions in mind:

- Does it provide a true benefit to the resident?
- Does it solve a problem that residents could not resolve easily on their own?
- Can we manage it efficiently?

The key to providing top-notch amenities and services is to test them with smaller groups, listen to resident feedback and adapt to meet evolving residents' needs. With so many new apartments coming to market, multifamily owners and managers with older vintage communities must continue to incorporate modern offerings to maintain current and future residents' interest.

Looking Ahead

One of the hottest amenities right now is smart access technology, which allows residents to complete tasks like unlocking their doors or adjusting their thermostats directly from their phones no matter where they are. As a result of more advanced in-unit and mobile technology, residents have a reduced need for dated community spaces like business centers.

Instead, renters are seeking inviting coworking areas with high-speed internet connectivity. Across Morgan Properties' portfolio, we have found that residents do not always want to work in their apartments and are interested in opportunities to interact socially with their neighbors during the workday.

As a result, residents commonly work in our clubhouses, where they can sit in a private nook or share a table with friends. We are designing these unique spaces specifically with these needs in mind.

To meet demand for more communal amenities and flexible spaces, developers are also retrofitting underutilized spaces like old laundry rooms to provide new offerings such as expanded fitness centers, yoga rooms and storage areas. Even though these areas are sometimes smaller than traditional amenity spaces, they add value for residents who want the convenience.

Other strategies involve adding or updating additional outdoor fitness amenities, including bike-share stations, spacious dog parks, pickleball and tennis courts, bocce ball courts, putting greens and pools. To encourage outdoor events and gatherings, developers and managers can provide residents with fire pits and grilling stations. Coming out of the pandemic, we know that residents want to be outside more, and these amenities prove to be popular with many residents during the warmer months.

Pictured is the fitness center at The Kingsley, a 99-unit apartment complex in the Northern New Jersey community of Fairfield by BNE Real Estate Group. As renters' expectations about amenities elevate and shift toward health and wellness, these facilities are becoming symbols of the evolution.

New Areas of Opportunity

Everything in 2023 is about convenience, and there is still a lot of opportunity with smart technology.

Residents want the ability to control surveillance systems, appliances and HVAC systems at their fingertips. Apartment owners and managers should seek ways to incorporate emerging technologies that provide residents with a sense of control no matter where they are into their communities.

Renters are also interested in re-engaging in social events post-pandemic. Residents who moved in shortly before or during the pandemic had few opportunities to meet their neighbors.

Now, residents are looking for a renewed sense of community. Morgan Properties brings these people together by bringing in mobile food trucks, hosting game nights and teaching outdoor fitness classes with certified instructors.

While not a new concept, apartment cleaning services are also gaining popularity. Following the pandemic, residents are traveling more frequently and are interested in cleaning services that can maintain their units while they're away.

Resident desires, particularly with regard to amenities, are constantly evolving. But apartment owners and managers who prioritize listening to their residents as they explore new combinations of amenities and services will have greater success with both renter retention and meeting the expectations of future residents.

Morgan Properties is a multifamily developer based in the Philadelphia area.

Pictured is a bike sharing station at Mews at Annandale, one of Morgan Properties' apartment communities in New Jersey. The presence of this amenity reflects a larger, COVID-driven shift among renters for features and services that promote a connection to nature.

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SPORTS from page 1

Rob Hunden, president and CEO of Hunden Strategic Advisors, a Chicago-based consulting firm for destination-style commercial projects, moderated the discussion.

Pioneering Examples

John Moncke, a former executive at professional soccer club Sporting Kansas City who now serves as president of The Kansas City Power & Light District, was the first panelist to share insights and experiences on the subject. The Cordish Cos., the Maryland-based owner-operator known for the entertainment districts of Major League Baseball's St. Louis Cardinals and Texas Rangers, also developed The Kansas City Power & Light District.

Moncke's analysis began with a simple premise that is commonly known among landlords: the experiences that properties create are driven by third-party operators. "That can be a pain point for a lot of landlords, which led us to want to control the experience and control our own concepts," he said. "To do that, we have to be able to merge and blur the lines between the stadium experience and the development around it."

The Kansas City Power & Light District has embraced the "live-work-play" mentality that defines true mixed-use developments. In addition to multiple apartment buildings that are situated

Pictured is a sports bar within Texas Live!, the entertainment district that surrounds Globe Life Field in Arlington, which is the home of the Texas Rangers. These sports-anchored entertainment districts are growing in popularity across all professional leagues, and not just for the crowds and energy they create on gameday.

along the KC Streetcar Line, the downtown development features a coworking concept called Spark that offers an alternative to the existing office buildings.

The various retail stores, restaurants and entertainment venues — including a 1.5 million-square-foot Hard Rock Casino & Hotel — culminate at KC Live! This centerpiece of the district spans a full city block and houses 14 smaller entertainment venues, a central stage with 40-foot screens for Chiefs' watch parties and numerous flexible spaces for organized parties and events.

Other panelists would go on to echo the importance of smaller entertainment venues — from theaters to concert halls to activated green spaces — in keeping a district popping during athletic downtimes.

Lauren Abernathy, vice president of marketing for the Atlanta Braves Development Co., spoke to this trend at length, using The Battery Atlanta as an exemplary model. The owner of the Braves, Liberty Media Corp., developed the 2.2 million-square-foot mixed-use destination around Truist Park, the team's ballpark in Cobb County that opened in 2017.

"For 81 days of the year, we're a sports venue, but we're equally interested in how we use The Battery outside of sports," Abernathy said. "For those days, we embrace the pillars of wellness, family and music. We do group outdoor yoga classes, pop-up bars, camps for kids during the summer, farmers markets and traditional holiday events. We also have a 150,000-square-foot space for corporate events."

Abernathy, who also added that Braves manager Brian Snitker lights the Christmas tree to reinforce the sports connection during the offseason, later cited the 4,000-seat Coca-Cola Roxy Theater as a critical piece of The Battery's non-sports appeal. "It's a general admission venue with mezzanine space that does about 150 events per year," she said. "Those events are built on people having dinner before or drinks afterward, and it works out wonderfully for performers who want to do limited capacity, smaller shows."

Drew Johnson, director of development at Marquee Development, elaborated on the potential for non-sports-themed events at his company's flagship development, Gallagher Way, located just outside Wrigley Field in Chicago. Johnson reiterated that Gallagher Way's branding and identity hinge on the Cubs — the team's 100,000-square-foot front office facility is located onsite, as is 100,000 square feet of food-and-beverage space that is leased to local operators — before circling back to the non-sports usage.

"We have a 30,000-square-foot public plaza where we host movie nights every Wednesday during the summer when the Cubs aren't in town," he said. "We also host about 200 non-gameday events per year, including our Winter Festival, which drew more than 500,000 people to Wrigley Field in the offseason. That was a major accomplishment for us."

Following the success of Gallagher Way, Marquee Development formed a joint venture with Houston-based real estate giant Hines on North Loop Green in Minneapolis. Situated adjacent to Target Field, home of the Minnesota Twins, North Loop Green consists of 350,000 square feet of office space, 350 market-rate apartments, 17,000 square feet of retail and restaurant space and a one-acre park. The company also recently partnered with soccer club FC Cincinnati to design and build a mixed-use destination that will be located on an 8.5-acre site just outside of TQL Stadium.

Newer Examples

Las Vegas is the undisputed king of entertainment, and Sin City has long since embraced sports as part of its allure, from legalized gambling on games to hosting primetime boxing bouts and marquee events like the Final Four. But the city only recently landed its first professional sports teams — the NFL's Raiders and the NHL's Golden Knights — making it something of a newcomer to the world of sports-anchored entertainment districts.

Panelist Julie Brinkerhoff-Jacobs, president of California-based landscape design firm Lifescapes International, has worked on projects in Las Vegas for decades, including with magnate Steve Wynn on his famed Mirage casino and hotel. However, it's only been in recent months that an opportunity to develop a sports-themed district on the Las Vegas Strip has arisen. The project, known as All Net Resort & Arena, is led by former basketball player and businessman Jackie Robinson.

"The property spans about 27 acres and has about 450,000 square feet of retail, restaurant and entertainment space as well as three hotels, all on the Las Vegas Strip," explains Brinkerhoff-Jacobs. "Steve Wynn introduced us to Jackie, who he was recruiting to UNLV, and now we're working on this project."

All Net is situated between two major casino resorts — The Sahara and Fontainebleu Las Vegas — and will have the capacity to seat about 23,000 spectators. Although progress has been stymied numerous times since the project was originally announced in 2013, vertical construction is now expected to begin this fall, putting the arena on track for a late 2025 completion.

Panelist Michael Belot, a senior vice president with the NBA's Milwaukee Bucks, also shared insights on a relatively new sports-anchored development: The Deer District. The 30-acre district surrounds Fiserv Forum and features an array of local retail and restaurant operators with distinctly geographic- and sports-themed designs and products.

"As a newcomer to the game, we certainly learned very quickly just how important our programming is," said Belot, who like Abernathy with the Braves, holds an executive position with the real estate development and operations arm of the team. "We can operate independently and attract people regardless of what's going on in the arena, from Bloody Mary festivals to Christmas events to fitness classes."

Some phases of development at The Deer District are still ongoing, and a new hotel will open at the site later this year. The team has also partnered with concert promoters LiveNation and Frank Productions on the development of two new music venues. Construction began in April, and Belot projects that both of those facilities will allow The Deer District to host between 125 to 150 new music events on an annual basis.

Summarizing the Takeaway

Moderator Hunden wrapped up this segment of the dialogue by reiterating the importance of ancillary events and programming in establishing sports-anchored districts as legitimate destinations that draw people in during all times of the year.

"In terms of non-major-sporting events, all of you have to make your bread and butter with smaller activations throughout the year," he said. "Identifying the secret sauce, experiencing a learning curve and figuring out how to keep these developments busy when it's offseason is what it's all about."

"Sometimes you think you know what the secret to activating a development is and what will work for your property, but you're not going to get it right every time," said Abernathy. "With the marketing and the tenanting of the space, everything has to coexist around whatever the elephant in the room is, which for us is sports. But ultimately, it's not about filling the space so much as it is extending the stay."

"With these entertainment districts, we want to be able to control our own destiny," concurred panelist Todd Goldstein, chief revenue officer of Anschutz Entertainment Group, which owns the Crypto.com arena (formerly known as the Staples Center) in downtown Los Angeles. The company launched the L.A. Live! entertainment district that surrounds the arena in 2007, when both the NBA's Los Angeles teams played there (beginning with the 2024-2025 season, the Clippers will play in a newly constructed arena in Inglewood).

"We've spent billions on these teams and their venues, but you also want people to come when the team isn't in session," Goldstein continued. " By controlling the look, feel and event lineup at the property, and by integrating sponsors and brands into these districts, you create huge energy and momentum and joy. And as often as not, the teams win titles too." ■

CONNECTICUT from page 1

the Connecticut Department of Energy & Environmental Protection (CTDEEP) Property Transfer Program. This was exacerbated by insufficient agency staff and the absence of uniform cleanup standards.

The act immediately created an uneven playing field for real estate owners and business, as only certain types of properties — dry-cleaners, auto repair shops, furniture strippers and properties where hazardous waste was generated — that are defined as establishments are subject to the provisions of the law.

Even worse, the act is only triggered by transfer of a business or real estate, which had the unintended impact of leaving many commercial and industrial properties vacant and abandoned. Legislative fixes have included the passage of the Remediation Standard Regulations (RSRs) in 1996 and the implementation of the Licensed Environmental Professional (LEP) program, as well as annual tweaks to the statute itself to try and make it more user-friendly.

New Developments

In recent years, the calls by property owners, brokers, the business community and municipal and state economic development entities to eliminate the Transfer Act have grown, and even leaders at the CTDEEP recognized it was time for change.

In 2019, Public Act 19-75 modified the Transfer Act to provide businesses that are not routine generators of hazardous waste with an exemption from the requirement to file under the Transfer Act.

This exemption centered around one-time generation of hazardous waste or the production of hazardous waste that was associated with closing a facility or shutting down a business.

Samuel Haydock
BL Cos.

In 2020, Public Act 20-09 made additional revisions designed to keep properties or businesses that don't meet the definition of an establishment from having to meet obligations under the Transfer Act. This was accomplished by clarifying the investigation and remediation requirements for multi-tenant and industrial condominium properties.

The changes require investigation and remediation — if necessary — of just the portions of multi-tenant properties and industrial condominiums that are occupied or utilized by the establishment.

The classic example is the sale of a dry-cleaning business in a shopping center. Prior to the passage of Public Act 20-09, the sale of a dry-cleaning business would have triggered a full investigation of all potential release areas at the shopping center, not just those associated with the dry-cleaning business. Now, the investigation and potential remediation are limited to potential release areas from the dry-cleaning business only.

More importantly, Public Act 20-09 also set in motion the development of a new set of release-based remediation regulations, which upon passage will result in the sunset of the Transfer Act. The new regulations will apply to both new and historical releases discovered at a property. The requirement for certain properties to be investigated and potentially remediated simply based on the sale of a business or real estate will be eliminated.

Development of the new release-based remediation regulations has been underway through a stakeholder engagement process that has been ongoing for 30 months. Stakeholders engaged in the process include LEPs, environmental attorneys, property owners, real estate brokers, environmental advocates and CTDEEP staff.

The stakeholder engagement process has identified an effective framework for the new regulations that will begin with discovery of a release and move through reporting requirements, characterization requirements, immediate response actions, cleanup, monitoring and closure.

As part of the process, 10 subcommittees, two ad-hoc teams and two drafting teams have provided advice and feedback on these topics as well as other complicated and contentious issues.

These include how to handle releases at residential properties; complications caused by the presence of urban fill that contains regulated compounds unrelated to a specific release; the use of non-LEPs to close lower risk releases; and the increased use of risk assessment as a tool to close releases, to name a few.

Looking Ahead

While there is general agreement on the overall framework and the substantive topics within the regulatory changes, the devil will be in the details.

After 30 months of the advice and feedback process, CTDEEP has not released any written drafts for any portions of the new regulations. The agency hopes to have draft regulations for review and comment by the fourth quarter of 2023, with possible adoption in 2024.

However, significant work remains to be done to finalize and pass the proposed release-based remediation regulations. Not only must the regulations themselves be drafted and accepted by the stakeholders and ultimately the Connecticut Legislature, but as many as 20 to 30 additional regulations and statutes may also require revision.

Amid the effort to eliminate the Transfer Act, CTDEEP has been busy with other initiatives, including revisions to the RSRs and the environmental land use restriction process; the development of new spill reporting regulations; revisions to the underground storage tank (UST regulations); and a more conservative position regarding the "applicability" of these regulations to properties with pollution.

While some of these changes and revisions have been helpful and necessary, the "applicability" issue represents a significant departure from over 20 years of implementation of the RSRs and raises concern about the direction of the new regulatory framework.

While the existing regulatory framework that is largely driven by the Transfer Act is unpopular and often blamed for the lack of investment in Connecticut, the jury is out on whether the new regulatory framework without the Transfer Act will be better or worse.

There is little doubt that the new framework will be protective of human health and the environment. The question is whether it will create a workable scenario for practitioners and allow for predictability in costs and time frames for cleanup releases. This is critical for attracting developers and allowing for continued investment in Connecticut's towns and cities.

For property owners and real estate investors in Connecticut, staying informed on the development of the proposed regulations, participating in public meetings and discussing concerns with legislators is paramount.

In the meantime, while the transition plays out, property owners and investors should work with knowledgeable and experienced environmental consultants who are tracking the transition and can advise on real estate transactions and other environmental matters. ■

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