

Social Media Development = Real Estate Development

BY CASEY PIPES, ESQ., CRE, AND KIRK MATTEI, ESQ.

SOCIAL MEDIA HAS COME A LONG WAY IN THE PAST 10 years. What started as an online social network for a college campus quickly moved mainstream. In the early years, social media could be ignored by real estate developers as a place best suited for vacation photo sharing. That has all changed. Today, social media is a constant source of news, information and public commentary. Social media focuses and drives public opinion, and it has become the biggest influencer of traditional news outlets while, almost simultaneously, rendering them less relevant. Like it or not, social media is here to stay, and it is already changing the way we all do business in the land use and development side of the real estate world. If you don't already know what we are talking about, consider this your wake-up call.

Social media is the modern-day battleground for controversial real estate development projects. Social media provides one long public hearing about real estate projects that starts when the first whiff of a project becomes known and continues indefinitely thereafter. The public hearing battles occur daily; the real estate developer is either gaining or losing ground to the opposition forces with each click of the mouse or tap on a smart phone. Public opinion is being formed, shared and communicated constantly.

By better understanding social media, you can greatly enhance your ability to get your real estate project not only approved, but approved with better public support. The public support you generate in the land-use and development process will easily carry over to the post-development phase when the project is being leased, operated or re-sold. An effective social media campaign is now an essential piece of all controversial real estate development projects.

21ST CENTURY NOT IN MY BACK YARD (NIMBY) OPPOSITION

Social media seems custom made for the grassroots community group (or single person) who is opposed to a real estate project. For real estate developers, it

About the Authors



Casey Pipes, Esq., CRE, is a shareholder and the president of the law firm of Helmsing, Leach, Herlong, Newman & Rouse, P.C. in Mobile, Alabama. A large part of Casey's legal practice has focused on real estate and land valuation litigation and the land use entitlements process. Casey is the past Chairman of American Bar Association Section of Litigation's Condemnation, Zoning, and Land Use Committee and the past Chairman of

the American Bar Association Real Property, Trust and Estate Section's Condemnation Committee. Casey has been a member of The Counselors of Real Estate since 2013.



Kirk Mattei, Esq., is an associate at the law firm of Helmsing, Leach, Herlong, Newman & Rouse, P.C. in Mobile, Alabama. Kirk has worked on several different real estate entitlement assignments, in which an active social media campaign was developed and successfully employed. Like most Millennials, Kirk knows more about social media than most people who

are age-eligible for inclusion in The Counselors of Real Estate.

is a problem only the internet could create. In the past, a member of the public who is opposed to a project could go speak at a public hearing and then maybe give an interview to a news reporter who is sympathetic to their position. Beyond writing some emails or letters and speaking at a public hearing, this person's opposition would be largely unheard by the public. Now, that same person creates a Facebook page, posts questionably accurate criticisms of the proposed development, uploads a YouTube video of something that was shot on their smartphone, and soon the Facebook page gathers more "likes" than a Kardashian's selfie. The YouTube video goes viral (at a local level). The local media starts reporting because this is looking more and more like news (or at least like controversy). For a total capital investment of around \$0, this single person has set in motion a

Social Media Development = Real Estate Development

snowball rolling quickly down a steep hill.

Seemingly overnight there is an organized, synchronized, and ever-growing opposition group that already has the ear of the local media and the local political leaders. The opposition can now share talking points, coordinate attendance and speakers at public meetings, petition your potential tenants, threaten boycotts and blast emails daily to all the decision makers. If the real estate developer and his team are still waiting for the planning commission or city council public hearing to make their case for the project, it may be too late. Public and political opinion on the project has already been decided. The developer may have lost the war before realizing that the first battle had already begun.

Yes, there has always been NIMBY opposition to most major real estate developments, but 21st Century opposition looks a whole lot different. The NIMBY voice has now been amplified to a level that could never have previously been imagined. Thankfully, the very same social media tools that embolden, facilitate and enable those opposed to real estate developments can also be used, offensively and defensively, by the land use and development team to help secure positive public opinion and public support for a project. Public support is the bedrock for political support, and in some projects and in some communities you need both. Below are some of the ways social media sites can be used as part of a social media campaign during the land use and development entitlement projects by the real estate development team.

Facebook — It is 13 years old, and it has over 1.1 billion daily users. What else do you need to know? Facebook is the “go to” and “must use” social media site for building a network, sharing information and influencing public opinion. After creating a Facebook profile, users are able to “friend” other users, post “status updates” and share pictures, videos and any other internet news content. In the context of the land use and development process, Facebook users can share favorable (or unfavorable) news articles and their own opinions, while organizing into groups (favorable or unfavorable) to further spread and share information that helps convey their opinions and gather support for their opinions. It may, in some cases, be beneficial for a developer to create their own Facebook page to push out positive news and accurate

information about their project to help generate positive interest and public support. In a controversial project, however, creating your own page may simply paint a social media target directly on your head. The best approach is likely to monitor Facebook and post corrections and rebuttals to the opposition to help contain and influence the public conversation. Even when public opinion may be largely against a project, a small group of people (or even an individual user) can have a high profile impact by making thoughtful comments and targeted rebuttals to critical posts. Correcting misinformation, giving accurate information and providing a different perspective can help contain a run-away Facebook opposition group. Also, by following along in the public conversation, you will not be surprised by the opposition’s email blasts, organized protests and other activity.

Twitter — Launched in 2006, Twitter is a social networking and micro blogging site. Users (including the President of the United States) can send and read “tweets” of information that are limited in size to 140 characters. There are more than 200 million Twitter users who send out more than 400 million tweets per day, and this social media platform is growing faster than just about any other. Twitter provides a faster paced environment for distributing concise messaging. Twitter also allows users to reach beyond their existing “Facebook friends” and existing social media network, which is invaluable when you are trying to reach new people. News reporters and other members of traditional media have also embraced Twitter as both a rapid source for getting scoop and a vehicle for distributing online stories. In the internet era where news reporters value “clicks” more than anything else, Twitter has become a cornerstone of modern media. Because of this, developers can effectively use Twitter as a way to communicate with reporters, quickly distribute press releases, link to other stores and keep up with the media’s narrative around a project. The most basic limitation regarding tweet size is also its greatest asset. Keep it short. Keep it simple. Boil the message down to one bite-size portion. “Great mtg today with mayor & traffic engineers to discuss fixes for downtown traffic problems as part of Blue Sky Apartment Project.” You do not have the space to say much else, and you may not want to say anything else about the meeting anyway!

Social Media Development = Real Estate Development

YouTube.com — YouTube is now the second-largest search engine on the web, and it has only been around since 2006. There are more than 1 billion visitors a month to the site. YouTube is where videos and animated presentations get uploaded for public view to live on indefinitely. If you have a project that calls for any type of animation presentation or video, you need to post it on YouTube. The beauty of this site is that the video does not need to be studio quality. Walk around the dilapidated existing structure with your smart phone to show how bad the status quo of your site is and post it. Post a video or animation of your proposed project in the same place. Post an interview with the developer's architect or engineer. Give people a video image of how your project will fit in with the trees, existing buildings and neighborhood. Share links to your videos via Twitter. To see how this tool is being used now, go to YouTube.com and type "redevelopment" in the search bar and click on whatever looks interesting.

Change.org — The online petition site, Change.org, can be a tremendous tool to gather, quantify and communicate public opinion directly to the decision makers. Change.org allows users to create petitions targeting a specific issue with an identified goal. Thousands of petitions have succeeded via Change.org. President Obama granted clemency to a woman serving a life sentence, and the cartoon series Family Guy brought a character back to life in response to online petitions started on this site. Both public and private real estate projects have been killed (or saved) by petitions started on this site. While this tool is better suited to those opposing a project (opposition being a stronger emotion than support), it may be helpful to a developer as a countermeasure. The beauty of the online petition is that you get to state the issue in your terms. While the opposition may start a petition to oppose a project because of traffic (or storm water, parking, etc.), developers may want to start their own petition to the very same people to support the project because of the jobs, tax revenue, or blight created by the status quo. To see how this social media tool is being used today, go to Change.org and type "apartments" or "redevelopment" in the search bar. You may be surprised to see that a project in your own town is already the subject of an online petition!

Neighborhood sites — A more recent trend is the proliferation of neighborhood-specific social media. Nextdoor.com, FrontPorchForum.com and Everyblock.com are some of the more popular ones in this category. If your project is in an area of the country with an active neighborhood-specific social media site, you must find a way to join in that conversation. Unlike Facebook where anyone can sign up, in these neighborhood sites only people residing in those neighborhoods are supposed to be part of the conversation. Users are immediately grouped together with all of their neighbors. There is rarely, if ever, an option for a "corporate" account, so you need to identify your supporters in the neighborhood early on and have them keep up with the social media commentary on these sites and keep you in the loop. You must have these same local, credible users push back against negative and misleading posts on these sites.

NextGreatBigThing.com — No, this is not another social media site (as of the posting of this article), but it is a reminder that the social media outlets and sites mentioned above have only been around for about 10 years or less. If you are reading this article in print format, then this article is already out of date. There will always be the next big thing in social media. Stay up on the current technology and the current trends where the public is choosing to communicate and interact on social media. Wherever that activity is occurring, that is where you need to be.

CREATING A SOCIAL MEDIA CAMPAIGN

With these social media tools in mind, the first step to identifying how social media can help you (or not hurt you) in a particular situation is to identify your goals and objectives in close concert with someone who knows more about social media than you do (read, someone younger than you). Dedicate sufficient resources to monitor and track all social media activity. There are tools to help with the broader social media sites such as Hootsuite.com, SproutSocial.com, Trackur.com, Tweetdeck, Buffer.com, Socialmention and others. For neighborhood sites, you need to rely on those in the neighborhood who are aligned with you. Sign up for the tweets and electronic updates from your opposition group. You must always be listening to the social media chatter.

Social Media Development = Real Estate Development

Someone (or a very small group) should be tasked with actively posting updates and tweets about progress and the benefits of the project on all available and relevant social media platforms. Do not over-review the posts and updates since they need to be rapid and timely. If you tweet about a meeting with the Mayor a day after the opposition group already tweeted about the same meeting, you are in last place. Find out the schedules of the newspaper and TV reporters who are covering the story and be sure to time your tweets and updates around their schedules to help them report your information timely and accurately. Explore and experiment with current and emerging social media to be sure you stay on top of

the trending and popular ways to communicate and engage with the public.

There is an online conversation going on right now concerning just about every real estate project that has at least one person opposed to it (or at least one Millennial opposed to it). If the real estate developer is not contributing to and monitoring the online conversations in real time, then the forces who are opposed to the project can continue to organize, grow and influence others unchecked, to the point where it may be too late. The 21st Century “public hearing” is taking place right now, online, and it is time for the developer to speak. Speak up! ■