

**CONSENT AND JOINDER BY MORTGAGEE**

**FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY** (the "Mortgagee") being the owner and holder of the Security Documents (as defined below) covering the property described in the Security Documents (the "Property"), does hereby agree to provide such consents or partial releases and other documents, in connection with the purchase and transfer of development rights pursuant to the City of Fort Lauderdale development code under the Purchase and Sale Agreement by and between Urban North LLC as seller (also known as "Borrower"), and Claridge Homes 3000 Waterside LP, a Florida limited partnership ("Claridge"), as purchaser, dated January 17, 2024 ("**Agreement**") and agrees to release the Transferable Development Rights ("TDR") as defined in the Agreement from the lien of the Security Documents at the time of the Closing under the Agreement, provided the lien and security interest in the remainder of the Property is not impaired and remains in full force and effect and provided the Borrower and any tenants on the Property continues to operate the businesses and maintains the Property.

The Security Documents shall include the following:

- a. Mortgage by Borrower in favor of Mortgagee, in recorded Instrument No. 116590962 of the Public Records of Broward County Florida; and
- b. Mortgage by Borrower in favor of Mortgagee, in recorded Instrument No. 114574421 of the Public Records of Broward County Florida.

IN WITNESS WHEREOF, these present have/has been executed as of the 14<sup>th</sup> day of May, 2024.

**WITNESSES:**

Ashley K. Dixon  
Print Name: Ashley K. Dixon  
Print Address: 101 NE 3rd Ave  
Ste. 2100 Fort Lauderdale FL 33301

Donna Verisco  
Print Name: Donna Verisco  
Print Address: 101 NE 3rd Ave  
Fort Lauderdale, FL

**FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY**, a body corporate and politic of the State of Florida created pursuant to Part III, Chapter 163

By: [Signature]  
Susan Grant, Acting Executive Director

**ATTEST:**

[Signature]  
David R. Soloman,  
CRA Secretary

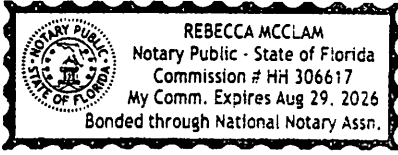


APPROVED AS TO FORM AND CORRECTNESS:  
[Signature]  
Thomas J. Ansbro, General Counsel  
[Signature]  
Lynn Solomon,  
Assistant General Counsel



STATE OF FLORIDA        )  
  )  
COUNTY OF Broward    )

The foregoing instrument was acknowledged before me this by means of  physical presence or  online, this 14<sup>th</sup> day of May, 2024, by Susan Grant, as Acting Executive Director of the Fort Lauderdale Community Redevelopment Agency.



[Handwritten Signature]  
\_\_\_\_\_  
Notary Public, State of Florida

[Handwritten Signature]  
Name of Notary Typed, Printed or Stamped

Personally Known  OR Produced Identification

Type of Identification Produced \_\_\_\_\_

## ROLL CALL

**Present** 5 - Vice Chair Steven Glassman, Commissioner Pam Beasley-Pittman, Commissioner Warren Sturman, Commissioner John C. Herbst, and Chair Dean J. Trantalis

## MOTIONS

**M-1**     24-0351             Motion Approving Minutes for March 19, 2024, Community Redevelopment Agency Board Meeting - (Commission Districts 2 and 3)

**APPROVED**

**Yea:** 4 - Vice Chair Glassman, Commissioner Beasley-Pittman, Commissioner Herbst and Chair Trantalis

**Not Present:** 1 - Commissioner Sturman

## RESOLUTIONS

**R-1**     24-0406             Resolution Approving Budget Amendment - Return Central City Community Redevelopment Agency Fund Balance for Reallocation - (Commission Districts 2 and 3)

**ADOPTED**

**Yea:** 5 - Vice Chair Glassman, Commissioner Beasley-Pittman, Commissioner Sturman, Commissioner Herbst and Chair Trantalis

**R-2**     24-0421             Resolution Approving the Partial Release of Fort Lauderdale Community Redevelopment Agency Mortgages as to Development Rights Only Under the Purchase and Sale Agreement between Urban North, LLC and Claridge Homes 3000 Waterside LP, Authorizing the Executive Director to Execute Any and All Related Instruments, and Delegating Authority to the Executive Director to Take Certain Actions - (Commission District 2)

**ADOPTED**

**Yea:** 5 - Vice Chair Glassman, Commissioner Beasley-Pittman, Commissioner Sturman, Commissioner Herbst and Chair Trantalis

## PUBLIC HEARINGS



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**CRA BOARD MEETING**

**#24-0421**

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**TO:** CRA Chairman & Board of Commissioners  
Fort Lauderdale Community Redevelopment Agency

**FROM:** Greg Chavarria, CRA Executive Director

**DATE:** May 7, 2024

**TITLE:** Resolution Approving the Partial Release of Fort Lauderdale Community Redevelopment Agency Mortgages as to Development Rights Only Under the Purchase and Sale Agreement between Urban North, LLC and Claridge Homes 3000 Waterside LP, Authorizing the Executive Director to Execute Any and All Related Instruments, and Delegating Authority to the Executive Director to Take Certain Actions - **(Commission District 2)**

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**Recommendation**

Staff recommends the Community Redevelopment Agency (CRA) Board of Commissioners pass a Resolution approving the partial release of Fort Lauderdale Community Redevelopment Agency mortgages as to development rights only under the Purchase and Sale Agreement between Urban North LLC and Claridge Homes 3000 Waterside LP, authorize the Executive Director to execute any and all related instruments, and delegate authority to the Executive Director to take certain actions.

**Background**

On April 9, 2019, the CRA Board of Commissioners approved a CRA Property and Business Investment Improvement Program forgivable loan in the amount of \$225,000 to Patio Bar and Pizza, LLC. In addition, there is a \$50,000 CRA Façade Program forgivable loan for improvements to Progresso Plaza. The loans are secured by two CRA forgivable mortgages on the property at 901 Progresso Drive (Progresso Plaza), forgiven 5 years after the property received its Certificate of Occupancy, which occurred on June 16, 2022. Progresso Plaza has a Historic Landmark designation by the City of Fort Lauderdale. The property owner is Urban North, LLC, whose manager is Jay Adams. A location map, Broward County Property Appraiser information for the property, and photos are attached as Exhibit 1. The business will continue to operate on the site and the lien of the mortgage is in effect on the remainder of the property.

The property owner is requesting that the CRA approve a Partial Release of Fort Lauderdale Community Redevelopment Agency Mortgage as to the development rights on the property because the owner is selling the development rights to Claridge Homes 3000 Waterside LP under a Transfer of Development Rights Purchase and Sale Agreement (Exhibit 2). Mr. Adams is committed to maintaining the integrity of the current

two-story historic structure for the benefit of the community. Progresso Plaza is one of the few remaining large commercial buildings from the 1925-26 “Boom” in Fort Lauderdale. The 12,314 square foot plaza sits on a 13,427 square foot site zoned NWRAC-MUne (Northwest Regional Activity Center Mixed Use North East), which allows for high rise development.

On March 16, 2021, the City of Fort Lauderdale approved Ordinance NO C-21-10 (Exhibit 3), adopting a Transfer of Development Rights Program to preserve and protect locally designated historic landmarks, landmark sites, archeological sites and contributing properties in historic districts by creating a process that permits the sale and transfer of unused development to a receiving site. The program is managed by the City's Development Services Department. Historic Landmark Progresso Plaza received its Certificate of Eligibility for Transfer of Development Rights for floor area on March 15, 2024 and for density on October 27, 2022 (Exhibit 4).

A copy of the Consent and Joinder by the CRA, as Mortgagee to the sale of development rights on Progresso Plaza, is attached as Exhibit 5. The Resolution is attached as Exhibit 6.

#### Consistency with the NPF CRA Community Redevelopment Plan

The Northwest-Progresso-Flagler Heights (NPF) CRA Community Redevelopment Plan promotes programs and projects that will have a positive impact on neighborhood residents within the NPF CRA. The Redevelopment Program will assist in providing incentives as inducements to stimulate development to upgrade and replace incompatible land uses and blighting conditions affecting the area, enhance the overall environment, improve the quality of life, and attract sound business and commercial development that provide employment and job opportunities. A major component of the redevelopment strategy for the NPF CRA is the revitalization of neighborhoods. Per the CRA plan, the CRA will establish incentive programs to address redevelopment obstacles. The CRA Program identifies strategic objectives, goals and measurements that include targeting and attracting businesses, retail uses and industries to establish a presence in the redevelopment area. In addition, it calls for investing in development projects that promote public private partnerships and investment in the redevelopment area.

#### Resource Impact

There is no fiscal impact associated with this action.

#### Strategic Connections

This item is a FY 2024 Commission Priority, advancing the Economic Development & Housing Accessibility initiatives.

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Business Growth and Support Focus Area, Goal 6: Build a diverse and attractive economy
- The Public Places Focus Area, Goal 5: Build a beautiful and welcoming community



This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Community*

This item supports the Advance Fort Lauderdale 2040 Comprehensive Plan, specifically advancing:

- The Neighborhood Enhancement Focus Area
- The Future Land Use Element
- Goal 2: Sustainable Development: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatibility of uses.

**Attachments**

Exhibit 1 - Location Map, Broward County Property Appraiser Information, and Photos

Exhibit 2 - Transfer of Development Rights Purchase and Sale Agreement

Exhibit 3 - Ordinance No C-21-10

Exhibit 4 - Transfer of Development Rights Certificates of Eligibility

Exhibit 5 - Consent And Joinder By Mortgagee

Exhibit 6 - Resolution

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Prepared by: Bob Wojcik, AICP, CRA Housing and Economic Development Manager  
Clarence Woods, CRA Manager

CRA Executive Director: Greg Chavarria

RESOLUTION NO. 24- (CRA)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY APPROVING A PARTIAL RELEASE OF LIEN OF TRANSFERABLE DEVELOPMENT RIGHTS IN FAVOR OF URBAN NORTH LLC; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL RELATED INSTRUMENTS; DELEGATING AUTHORITY TO THE EXECUTIVE DIRECTOR TO TAKE CERTAIN ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, the Fort Lauderdale Community Redevelopment Agency ("CRA"), an agency authorized under Chapter 163, Part III of the Florida Statutes, was created to eliminate "slum and blight" and to stimulate community redevelopment; and

WHEREAS, Urban North LLC granted two mortgages on real property located at 901 Progresso Drive, Fort Lauderdale, Florida (the "Property") to the CRA to secure a forgivable loan to Patio Bar and Pizza LLC ("Tenant") under the Property Business and Investment Improvement Program and a forgivable loan to Urban North LLC; and

WHEREAS, the Property has a historic designation and is eligible to convey development rights to third parties under the City of Fort Lauderdale Transfer of Development Rights Ordinance (C-21-10); and

WHEREAS, Urban North LLC has entered into a Purchase and Sale Agreement (the "Agreement") with Claridge Homes 3000 Waterside LP to sell unused development rights including units and square footage; and

WHEREAS, as a condition to closing on the development rights, all lien holders must consent and agree to release the lien of their mortgage.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY:

SECTION 1. That the Recitals set forth above are true and correct and incorporated herein by this reference.

SECTION 2. That the Fort Lauderdale Community Redevelopment Agency hereby approves the Joinder and Consent, in substantially the form attached to Commission Agenda Memorandum #24-0421, and approves the release of the lien of any and all CRA mortgages as



to development rights only provided all rights, title and interest of the CRA remain in full force and effect as to the remainder of the Property and provided the release does not impair the CRA liens on the remainder of the Property and provided the Tenant and/or Urban North LLC continues to operate and maintain the businesses on the Property.

SECTION 3. That the governing body of the Fort Lauderdale Community Redevelopment Agency hereby authorizes execution of the Joinder and Consent, in substantially the form attached to Commission Agenda Memorandum #24-0421, and any and all other documents or instruments, without further action or approval of this body. Subject to the conditions stated herein, the Executive Director or his designee is delegated authority to negotiate additional terms and conditions, modify the terms, take further actions, and make such further determinations he deems advisable in furtherance of the goals and objectives of the CRA Redevelopment Plan and to execute all instruments and documents necessary or incidental to consummation of transfer of the development rights, including execution of a partial release of any and all CRA mortgages encumbering the Property.

SECTION 4. That the office of the General Counsel shall review and approve as to form all documents prior to their execution by the Executive Director.

SECTION 5. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Chair  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
CRA Secretary  
DAVID R. SOLOMAN

Dean J. Trantalis \_\_\_\_\_

John C. Herbst \_\_\_\_\_

APPROVED AS TO FORM  
AND CORRECTNESS:

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General Counsel  
THOMAS J. ANSBRO

Steven Glassman \_\_\_\_\_

Pamela Beasley-Pittman \_\_\_\_\_

Warren Sturman \_\_\_\_\_



COMMISSION AGENDA ITEM DOCUMENT ROUTING FORM

Today's Date: 5.13.24 RUSH

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DOCUMENT TITLE: Partial Release of CRA Mortgages as to Development Rights Only Under the Purchase and Sale Agreement between Urban North, LLC and Claridge Homes 3000 Waterside LP

COMM. MTG. DATE: 5/7/2024 CAM #: 24-0421 ITEM #: R-2 CAM attached: [X] YES [ ] NO

Routing Origin: CAO Router Name/Ext: Erica K./6088 Action Summary attached: [X] YES [ ] NO

CIP FUNDED: [ ] YES [ ] NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, or real.

1) Dept: Router Name/Ext: # of originals routed: 1 Date to CAO:

2) City Attorney's Office: Documents to be signed/routed? [X] YES [ ] NO # of originals attached: 1

Is attached Granicus document Final? [X] YES [ ] NO Approved as to Form: [X] YES [ ] NO

Date to CCO: 5.13.24 Lynn Solomon Attorney's Name LS Initials

3) City Clerk's Office: # of originals: 1 Routed to: Donna V./Aimee L./CMO Date: 05/13/24

4) City Manager's Office: CMO LOG #: 149/23 Document received from:

Assigned to: SUSAN GRANT, ACTING CITY MANAGER [ ] ANTHONY FARJARDO SUSAN GRANT, as ACTING CRA Executive Director [ ] LARUA REECE [ ]

[ ] APPROVED FOR SUSAN GRANT SIGNATURE [ ] N/A FOR SUSAN GRANT TO SIGN

PER ACM: L. Reece (Initial/Date) PER ACM: S. Grant (Initial/Date)

[ ] PENDING APPROVAL (See comments below)

Comments/Questions:

Forward \_\_\_ originals to [ ] Mayor [X] CCO Date: 5/14/24

5) Mayor/CRA Chairman: Please sign as indicated. Forward \_\_\_ originals to CCO for attestation/City seal (as applicable) Date:

6) City Clerk: Forward \_\_\_ originals to CAO for FINAL APPROVAL Date:

7) CAO forwards \_\_\_ originals to CCO Date:

8) City Clerk: Scan original and forwards 2 original to: Erica Keiper/ xt. 6088

Attach \_\_\_ certified Reso# [ ] YES [ ] NO Original Route form to: Erica K./6088