

## RESOLUTION NO. 22- (CRA)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AMENDMENT TO RESOLUTION NO. 19-08 (CRA) TO INCREASE THE FUNDING UNDER THE STREETScape ENHANCEMENT PROGRAM FROM \$340,374.87 TO \$490,374.87; APPROVING AN INCREASE IN RENTS ON A PORTION OF THE PROJECT; APPROVING A REDUCTION IN THE TOTAL SQUARE FOOTAGE SUBJECT TO THE RENT RESTRICTION; APPROVING THE SUCCESSOR DEVELOPER BY MERGER; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, 744-748 NW 5 AVE LLC, a Florida limited liability company, Bayit Investments, LLC, a Florida limited liability company, 710 NW 5th Avenue LLC, a Florida limited liability company, and 413 NW 7th Street, LLC, a Florida limited liability company (collectively referred to as the "Developer"), intends to renovate and repurpose approximately 60,000 square feet of commercial warehouse space located at 701-745 NW 5<sup>th</sup> Avenue, 710-726 NW 5<sup>th</sup> Avenue, 744-748 NW 5<sup>th</sup> Avenue, 413 NW 7<sup>th</sup> Street, and 405 NW 7<sup>th</sup> Street for leasing to businesses for office, retail, art galleries and other compatible uses permitted under the City of Fort Lauderdale Unified Land Development Regulations and to make certain improvements within NW 5<sup>th</sup> Avenue Right of Way (the "Project"); and

WHEREAS, the multiple owners of the Project have merged and the successor entity is Thrive Development Group LLC ; and

WHEREAS, pursuant to Resolution No. 19-08 passed on July 9, 2019, the CRA Board approved a \$2,500,000 CRA Development Incentive Program forgivable loan and a \$340,374.87 CRA Streetscape Enhancement Program forgivable loan; and

WHEREAS, The Development Incentive Program Agreement currently restricts the rents charged on thirty thousand (30,000) square feet of leasable area within the Project to \$17.00 per square foot, triple net, with an annual increase in rent not to exceed five percent (5%), for five (5) years following the first disbursement under the Development Incentive Program (the "Community Benefit"); and

WHEREAS, due to rising construction costs and rent restrictions currently imposed by the CRA, the Project is currently not economically viable; and

WHEREAS, the Developer is proposing the rent restriction be revised to limit rents charged to fifteen thousand (15,000) square feet of leasable area and to increase the rents to \$18.00 per square foot, triple net, with an average 5% yearly escalation for 5 years-beginning on the first tenant's lease commencement date; and

WHEREAS, the Developer is requesting an increase of \$150,000 under the Streetscape Enhancement Program to offset the increased cost projected for the streetscape improvements; and

WHEREAS, the CRA finds that the Project, as revised, is in furtherance of the NPF Plan and serves a public purpose and is in the best interest of all the parties hereto and the respective residents and citizens thereof.

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

SECTION 1. That the governing body of the Fort Lauderdale Community Redevelopment Agency hereby approves an increase in funding from \$340,374.87 to \$490,374.87 under the Streetscape Enhancement Program; approves a reduction in the square footage subject to rent restrictions; approves an increase in the rent restricted units from \$17.00 per square foot to \$18.00 per square foot; approves and accepts the successor, Thrive Development Group LLC and authorizes the Executive Director to execute such amendments to the Development Agreements for the Streetscape Enhancement Program and the Development Incentive Program and authorizes execution of any and all other documents or instruments necessary or incidental to consummation of the transaction (collectively, the "Loan Documents") without further action or approval of this body, in accordance with Resolution No. 19-08 (CRA) as amended by this Resolution.

SECTION 2. That execution of the Loan Documents shall be subject to the approval and consent of the CRA's General Counsel.

SECTION 3. That this Resolution shall be in full force and effect immediately upon and after its passage.

SECTION 4. That Resolution No. 19-08 (CRA) shall remain in full force and effect, subject to the amendments as provided herein.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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Chair  
DEAN J. TRANTALIS

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
General Counsel  
ALAIN E. BOILEAU

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

Heather Moraitis \_\_\_\_\_

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

Robert L. McKinzie \_\_\_\_\_

Ben Sorensen \_\_\_\_\_