



COMMUNITY REDEVELOPMENT AGENCY BOARD MEETING OF: July 8, 2025

OLD BUSINESS

AGENDA ITEM 14.F

SUBJECT:

Discussion and Consideration of a Note and Mortgage Modification Agreement and Permit Status for the Boynton Beach Office Condominium, LLC Project Located at 1102-1110 N. Federal Highway

SUMMARY:

A Purchase and Development Agreement (PDA) was entered into on January 12, 2021, between the CRA and the Boynton Beach Office Condominium, LLC for the properties located at 1110 & 1102 N. Federal Highway (see Attachments I & II). The project consists of a local radio station and a professional engineering/surveyor's office.

Pursuant to paragraph 20(b) of the PDA, the CRA provided Boynton Beach Office Condominium, LLC a Second Note and Mortgage in the amount of \$42,100 bearing no interest. The Note was to be repaid by Boynton Beach Office Condominium, LLC if the property was sold to an unrelated third party within 5 years from the date of closing (see Attachments III & IV). This condition was to ensure the project was built and occupied by the original purchaser, Boynton Beach Office Condominium, LLC, for a minimum of 5 years.

On January 14, 2022, the CRA received a confirmation letter of funding being held in escrow by the law firm of Assouline & Berlowe as construction funding for the project (see Attachment V).

In accordance with paragraph 21(a) of the PDA, Boynton Beach Office Condominium, LLC submitted its application for site plan approval on September 10, 2021. Site plan approval was received on February 18, 2022 (see Attachment VI). The closing of the property took place on March 17, 2022 (see Attachment VII), within 30 days of site plan approval, as required under paragraph 5(a) of the PDA.

Per the PDA once Boynton Beach Office Condominium, LLC provided proof of financing and received site plan approval it had 90 days to submit its permit application to the City. Proof of permit application submittals (site and building permits) was provided on May 18, 2022 (see Attachment VII). Since the submittal of the permit applications on May 18, 2022, the site plan permit CSIT-2022.05.3753 has been through 5 review cycles and building permit COMB-2022.09.6933 has been through 6 review cycles. The review cycles show that on June 27, 2024 both permits were abandoned due to lack of activity for 6 months. The permits were resubmitted and reopened on July 16, 2024 (see Attachments VIII & IX). To date no permits have been issued for the project.

The Certificate of Occupancy must be obtained within 24 months of the permit being issued pursuant to paragraph 21(e) of the PDA. The date in which the Note and Mortgage will be forgiven, if the property is not sold to an unrelated third party, is March 17, 2027. Due to the extended period of time in the permitting process, CRA staff is requesting a revision be made to the Note and Mortgage in which the Note and Mortgage would be forgiven 5 years after the Certificate of Occupancy is obtained and the property has not been sold to an unrelated third party (see Attachment X).

FISCAL IMPACT:

FY 2025-2026 Budget, Project Fund, Line Item 02-58400-444, \$50,000

CRA PLAN/PROJECT/PROGRAM:

2016 Boynton Beach Community Redevelopment Plan, Federal Highway District

CRA BOARD OPTIONS:

1. Approve the Note and Mortgage Modification Agreement and allow the Chair to execute the agreement with final approval by legal.
2. Do not approve the Note and Mortgage Modification Agreement.
3. Other direction as determined by the CRA Board.

ATTACHMENTS:

Description

- [Attachment I - Location Map of 1102-1110 N. Federal Highway](#)
- [Attachment II - Purchase and Development Agreement](#)
- [Attachment III - Fully Executed Promissory Note](#)
- [Attachment IV - Recorded CRA Mortgage](#)
- [Attachment V - Proof of Funds Letter](#)
- [Attachment VI - Site Plan Approval -1110-1102 N Fed Hwy](#)
- [Attachment VII - Proof of Permit Submittal - SAGES Project Status](#)
- [Attachment VIII - 6.24.25 History of Permit Review Cycles CSIT 2022.05.3753](#)
- [Attachment IX - 6.24.25 History of Permit Review Cycles COMB-2022.09.6933](#)
- [Attachment X - Note and Mortgage Modification Agreement](#)