

AGENDA

Community Redevelopment Area Advisory Board

Thursday, March 4, 2021 | 3:00 PM – 5:00 PM

A. Financial Update & Project Tracker*

B. Housekeeping

C. Action Items

- i. Old Business
 - i. Meeting Minutes January 7, 2021 (Pg. 5-6)
- ii. New Business
 - i. Science, Technology, Engineering, Mathematics and Manufacturing Incentive Program (STEMM) (Pg. 7-15)
 - ii. Encouraging Growth Development & Expansion Incentive Program (EDGE) (Pg. 16-26)
 - iii. 103 West 7th Street Disposition (Pg 27-36)

D. Discussion Items

- i. Mortgage Subordination (Pg 37-43)

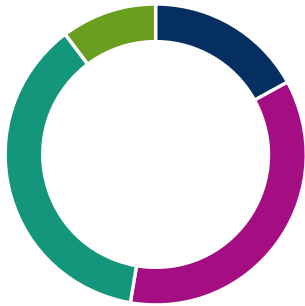
E. Adjourn

* For Information

NEXT REGULAR MEETING:

Thursday, April 1, 2021 3:00 - 5:00 PM – TBD

Downtown Fund



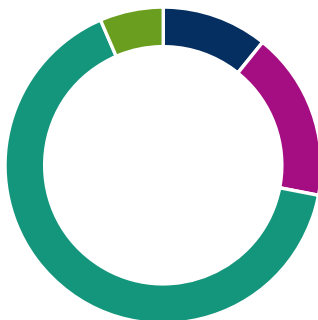
■ Available	\$655,187
■ Expenses	\$1,374,907
■ Encumbrances	\$1,427,487
■ Grant Allocations	\$395,000

Dixieland Fund



■ Available	\$398,079
■ Expenses	\$57,904
■ Encumbrances	\$742,858
■ Grant Allocations	\$200,000

Midtown Fund



■ Available	\$780,665
■ Expenses	\$1,243,832
■ Encumbrances	\$4,726,734
■ Grant Allocations	\$468,187

LAKELAND CRA

COMMUNITY REDEVELOPMENT AGENCY

PROGRAM PROGRESSION REPORT



STATUS KEY	
RISKS / ROADBLOCKS	
POTENTIAL RISKS	
ON TRACK	

Grants/Programs	Status	Awards	Notes
Alley Vacating	ON TRACK	1	Downtown to Facilitate 313 N. Mass Development
Affordable Housing Partnerships	ON TRACK	4	Providence Reserve Seniors- Construction Underway; Twin Lakes Phase II Midtown Lofts-70+ Units Vermont Ave Apartments- 16 Units
Design Assistance	ON TRACK	3	Mary's Bagels; Robinson-Kyles
Down Payment Assistance	ON TRACK	0	Underway; Housing Administered
Façade and Site	ON TRACK	1	Robinson-Kyles; Krazy Kombucha
Fix-It Up	ON TRACK	0	Underway; Housing Administered
Food Related	ON TRACK	1	Krazy Kombucha
Infill- New Construction	ON TRACK	18	Affordable Housing Land Bank Awarded
Infill Adaptive Reuse	ON TRACK	5	Coney Funeral Home; Robinson-Kyles; The RecRoom; Mary's Bagels; Krazy Kombucha
Murals	ON TRACK	0	Staff to Implement Dixieland Art Infusion Program
Downtown Second Floor Renovations	ON TRACK	0	\$50,000 Allocation

LAKELAND CRA

COMMUNITY REDEVELOPMENT AGENCY

PROJECT PROGRESSION REPORT



STATUS KEY
RISKS / ROADBLOCKS
POTENTIAL RISKS
ON TRACK

Project	Status	Phase	Funding Allocated	Notes
114 E. Parker	ON TRACK	Pre-Construction	\$1,300,000.00	Pre-Construction Phase
Lake Parker Art Path	ON TRACK	Closeout	\$820,000.00	Construction Complete Signage Underway
Five Points Roundabout	POTENTIAL RISKS	Construction	\$175,000.00	Cul De Sac Under Construction Complete Roundabout Design Phase 30% Complete
Robson Neighborhood Septic to Sewer	ON TRACK	Planning	\$50,000.00	Partnership with Housing Division
Tapatios	ON TRACK	Construction	\$340,000.00	Complete
Mirrorton	ON TRACK	Construction	\$970,000.00	50% Complete
N. Massachusetts Ave Development Agreement	ON TRACK	Agreement in Place		Developer Due Diligence
Providence Rd	ON TRACK	Design	\$1,100,000.00	DRMP Designing Project
W. 14th Street Sidewalk & Pedestrian Enhancements	ON TRACK	Construction	\$280,000.00	25% Complete
South Florida Road Diet	ON TRACK	Test Phase	\$350,000.00	Staff Drafting Art Infusion Guidelines
Central Avenue Pedestrian Improvements	ON TRACK	Preliminary	\$75,000.00	Design
N. Kentucky Parking Improvements	ON TRACK	Construction Phase	\$250,000.00	Site Preparation Initiated

**Community Redevelopment Area Advisory Board
Meeting Minutes
Thursday January 7, 2021
3:00 – 5:00 PM
Virtual Meeting**

Attendance

Board Members: Pastor Edward Lake (Chair), Brandon Eady (Vice-Chair), Frank Lansford, Commissioner Stephanie Madden, Zelda Abram, Harry Bryant, Cliff Wiley and Brian Goding

Absent: Dean Boring, Brian Waller and Cory Petcoff

Staff: Alis Drumgo, Terrilyn Bostwick, Iyanna Jones, Damaris Stull, D’Ariel Reed and Heisel Ortiz

Guests: Jonathan Rodriguez, Denise Gilmore, Frank Kendrick, Mark Dornstauder, Jerrod Simpson and Brian Rewis

Packets

- Meeting Minutes dated November 5, 2020
- Financial Update
- Project Progression Report
- Memo- Mary’s Bagel Café- Grant Request

Housekeeping

Alis Drumgo noted that there will be open seats in the Advisory Board in the middle of the year. Alis Drumgo will be renominating Brandon Eady and Harry Bryant to serve an additional three year term.

Action Items – Old Business

Financial Update & Project Tracker

Alis Drumgo opened with greetings. Alis Drumgo noted carryover of funds from fiscal year 2020 are available in all three districts for infill grants and infrastructure grants. CRA Staff continues working to complete the Dixieland Art Infusion guidelines. The Robinson-Kyles renovation project is moving along as planned. 114 E Parker project was approved before the City Commission, and Staff is finalizing contractual agreements. A modest groundbreaking will take place in February.

Meeting Minutes Dated November 5, 2020

Pastor Eddie Lake motion approval of minutes and Brian Goding seconded the motion which was approved uniaminously.

Action Items – New Business

Mary’s Bagel Café- Grant Request

D'Ariel Reed presented on Mary's Bagel Café grant request. Denise Gilmore (Applicant) born and raised in the subject property, has several years of experience in the food service industry and is requesting CRA funding to expand her cinnamon bun business. The proposed project will be located in southwest corner of N. Florida Ave. and 8th street, across from Lakeland Regional Health. Through the Design Assistance grant, John Kirk (Straughn Trout Architects) produced a conceptual rendering of the new 1,800 sq. ft. building. Administratively, Staff approved Infill Adaptive Reuse grant for up to \$75,000. New construction is ineligible for the Façade and Site grant. On behalf of the Applicant, Staff is requesting additional \$15,000 through the infill grant funds.

The designated site is Type 1 roadway per city's land development code, and the comprehensive plan requires access to development sites, with cross access and service roads to adjacent properties, when improvements are made along the US-98 North corridor. Therefore, a cross access agreement, between subject property and CRA-owned property to the south, is required. The alley between the properties will need to be improved to accommodate the incoming project, and Staff requests Board approval to cover design and construction cost

Staff recommends approval of \$107,000 total reimbursement towards Infill Adaptive Reuse Grant funds to be disbursed in progress payments, providing the lending agency and CRA Staff review and approve invoices. Staff also recommends approval of \$64,200 for off-site improvement of the ally.

Denise Gilmore expressed excitement towards project. Denise Gilmore stated the property was inherited from her grandfather and grandmother, which dates back to 1925.

Commissioner Stephanie Madden moved to approve, Brandon Eady seconded the motion which passed unanimously.

Discussion Items

Alis Drumgo introduced new CRA staff member Heisel Ortiz.

Adjourned at 3:19PM

Next Meeting, Thursday, February 4, 2021 3:00 PM.

Pastor Eddie Lake, Chairman

Date



228 S MASSACHUSETTS AVE
LAKELAND, FLORIDA 33801
863.834.6011

Memo

To: CRA Advisory Board
From: Alis Drumgo, CRA Manager
Date: March 4, 2021
Re: Science, Technology, Engineering, Mathematics & Manufacturing
Incentive & Job Creation Incentive Pilot Program

Background

In 2016, Tindale Oliver completed an Economic Development Strategy for East Main District, a target area of Midtown CRA. The firm recommended several strategies for implementation. Many of the strategies proposed were long term planning efforts involving land acquisition, transportation enhancements and zoning amendments.

As short-term goals, Staff specifically marketed the existing Midtown CRA incentives including Design Assistance, Façade and Site Improvement Matching Grants and Tax Increment Financing. The Food-Related Services Incentive Program, available only in Dixieland, was also made available in the East Main District.

In addition, the strategic plan suggested a significant incentive to convince businesses to relocate to the district. Staff recommended a job creation incentive pilot program available only to companies creating new jobs within East Main District. The highlights of the pilot program include:

- \$5,000 incentives for each newly created full-time job, and up to \$2,500 for each job relocated from elsewhere in Polk County
- Required creation of a minimum of five (5) jobs with incentives for up to a maximum of 210 jobs

- The award is paid in arrears for the entire calendar year upon certification of the positions being filled for the entire calendar year. Payments for the grant are in lump sum annually over a five (5) year term.

Since target marketing began in East Main District, Staff has administered a dozen Design Assistance, Façade, & Site and Infill Reuse Grants. However, there have been no Food-Related Incentives awarded, and there has been only one award for the Job-Related Incentive. Annually since 2018, Colorado Boxed Beef has received \$210,000, and the CRA’s obligation will be completed in 2022.

Big Picture & Intersecting Ideologies

City Commission

The City of Lakeland’s 2021 Strategic Plan focuses on eight key Strategic Target Areas (TA) chosen by the Commission. The plan details direction of resources to meet the objectives set forth. The City Commissioners held extensive conversations regarding Economic Opportunity Goals, so Lakeland can attract and retain a creative, talented, educated, and technically qualified workforce. The following Economic Development Initiatives overlap with Community Redevelopment activities.

Prioritized Initiatives:

- Increase the average wage necessary for incoming businesses to receive incentives
 - Revise City Incentives that are locally controlled to a wage that is determined by City Commission
 - Revise CRA Job Creation Incentive to align with the City’s wage and job type
- Leverage City resources to gain high-wage jobs with increased focus on supporting education

CRA Advisory Board

At its October 2020 retreat, the CRA Advisory Board echoed similar statements regarding economic development incentives and business support within the redevelopment area. Some of the themes included:

- Loosening restrictions in redevelopment areas to support more businesses, owner/operators and entrepreneurial ventures
- Attract more job opportunities with higher wages to the neediest areas of the redevelopment areas

The intersection of the Advisory Board recommendations and City Commission’s Strategic Plan provided the direction for Staff to realign the Job-Related Incentives to better support creation of jobs in areas of need and focus on additional business support.

Alignment

The City intends to offer a Manufacturing/Research and Development program as one component of an Economic Development Infrastructure Incentive which will focus on generating higher wage jobs, in the manufacturing and research and development sectors, for those businesses are locating or

expanding in the City of Lakeland. The eligible businesses must be located outside of the redevelopment area.

To meet the direction of the Commission while also focusing on the increased needs within the Midtown CRA, Staff is proposing an Economic Development Infrastructure Incentive focused on Science, Technology, Engineering, Mathematics and Manufacturing (STEMM) Incentive Program specific to recruitment of incoming or expanding businesses. Adopting the grant allows for expanded use throughout the Midtown CRA, and it does not limit opportunities within the East Main District. The incentive is subject to the following requirements:

Program Eligibility

Program is available to expanding and new STEM and manufacturing companies that are located in or plan to relocate to the City of Lakeland's Midtown CRA. All positions created must be permanent full-time jobs. Government and nontax-paying entities are ineligible. To be eligible, applicants must meet one of the three criteria listed below:

- Create a minimum of 10 new jobs paying 150% average wage (\$65,048) of Polk County
- Create a minimum of 25 new jobs paying 125% average wage (\$54,206) of Polk County
- Create a minimum of 50 new jobs paying 115% average wage (\$49,870) of Polk County
- Must make a minimum capital investment of \$2.5 million

Note, the average wage is approximately \$43,365 according to the Florida Department of Economic Opportunity

Eligible Improvements

- Permitting Fee Reimbursement
- Mitigate Water and Wastewater Impact Fees
- Relocation of Water, Wastewater and Electric Transmission Lines
- Infrastructure Improvements
- Electric Transformers and Dual Feeds
- Transportation and Traffic Improvements

Funding & Distribution

- The maximum available incentive per project shall be \$150,000
- The incentive shall be distributed on a first-come first-serve basis to qualified applicants submitting a complete application
- Once the incentive fund's annual distribution has been depleted, no additional projects shall be funded until the incentive is replenished in the next fiscal year, unless specific discretion is provided by the City Commission
- Unencumbered dollars within this incentive fund shall rollover annually.
- The carryover balance of the incentive fund shall not exceed \$400,000 prior to October 1st of the current fiscal year.
- This grant is usable concurrent with other CRA grants except for Tax Increment Financing (TIF)

Staff Recommendation

- The adoption of the STEMM incentive with wage thresholds presented which will be applicable throughout the Midtown CRA
- Reallocation \$150,000 of the East Main District Job-Related Incentive funds commencing in fiscal year 2022 which will be reflected in the Capital Improvement Plan
- Sunset of the Job-Related Pilot Incentive

Attachments

Existing Job-Related Incentive

Economic Development Infrastructure Incentive (STEMM Incentive Program)

Economic Development Infrastructure Incentive Program

Science, Technology, Engineering Mathematics & Manufacturing (STEMM) Incentive

The Economic Development Infrastructure Incentive Program supports the development of both new and expanding economic development projects that advance the science, technology, engineering & mathematics (STEM) and manufacturing base within the City of Lakeland's Midtown CRA. Assistance may be provided to qualified projects through electric, water and wastewater utility extensions and relocations, transportation infrastructure development and/or utility impact fee reimbursements.

Application

- Completed and signed application
- Support documentation from the Lakeland Chamber or LEDC
- Project description and schedule
- Description, job title and salary for each position created
- Description of the specific assistance that has been requested
- Estimate of cost for the infrastructure improvements requested

Program Eligibility

The Economic Development Infrastructure Incentive Program is available to expanding and new STEM and manufacturing companies that are located in or plan to relocate to the City of Lakeland's Midtown CRA. All positions created must be full-time jobs. Government and nontax-paying entities are ineligible. To be eligible, applicants must meet one of the three criteria listed below.

- Create a minimum of 10 new jobs paying 150% average wage of Polk County
- Create a minimum of 25 new jobs paying 125% average wage of Polk County
- Create a minimum of 50 new jobs paying 115% average wage of Polk County
- Must make a minimum capital investment of \$2.5 million

Eligible Improvements

- Permitting Fee Reimbursement
- Mitigate Water and Wastewater Impact Fees
- Relocation of Water, Wastewater and Electric Transmission Lines
- Infrastructure Improvements
- Electric Transformers and Dual Feeds
- Transportation and Traffic Improvements

Funding & Distribution

- The maximum available incentive per project shall be \$150,000.
- The incentive shall be distributed on a first-come first-serve basis to qualified applicants submitting a complete application.
- Once the incentive fund's annual distribution has been depleted, no additional projects shall be funded until the incentive is replenished in the next fiscal year, unless specific discretion is provided by the City Commission.
- Unencumbered dollars within this incentive fund shall rollover annually.
- The carryover balance of the incentive fund shall not exceed \$400,000 prior to October 1st of the current fiscal year.
- This grant is usable concurrent with other CRA grants except for Tax Increment Financing (TIF)

Process

Qualified applicants must schedule an appointment with CRA staff prior to preparing an application for submittal. The CRA office is located on the 3rd floor of City Hall at 228 S. Massachusetts Avenue. Appointments can be made by calling (863) 834-5200. Applications will be accepted on a first come first served basis and incentive funds shall be awarded after recommendation of the CRA Advisory Board and with the execution of an approved Agreement in the form of a Resolution adopted by the Lakeland City Commission. CRA staff will review the application for completeness against the review criteria. Incentive funds will be reimbursed to qualified and approved projects in one payment after proof of Building Permit and Certificate of Occupancy.

Job Creation Incentive Pilot Program

Intent

It is the intent of the Community Redevelopment Area (CRA) Advisory Board, under Chapter 163, Part III of the Florida Statutes, to provide financial assistance to companies wishing to create new jobs within the East Main Street District (District) of the Midtown CRA. This incentive is available to companies already located within the District and to companies which are relocating to expand, consolidate, or diversify their product. The CRA believes that the Program will be a useful tool to recommend the District over other locations being considered. It is further the intent of this program to encourage the redevelopment of vacant commercial properties and/or the renovation of neglected commercial properties both of which constitute a blight to the District in the Midtown CRA.

Eligibility

Companies within the District (Exhibit A) or moving to the District which are creating a minimum of five new full-time jobs are eligible for the incentive. Governmental entities and not-for-profit entities are not eligible.

Program

The incentive will award up to \$5,000 for each newly created, previously “unfilled” job and up to \$2,500 for each full-time job new to the District which was previously filled but located elsewhere within Polk County. A minimum number of five and a maximum of 210 jobs per Applicant are eligible for the incentive. The award will be paid out over a five-year period with a maximum payment of \$1,000 per year, per full-time job being performed in the District for the entire calendar year. It is important to note that companies with multiple locations must verify that the new jobs being created are performed within the District. The annual funding of the award would be subject to the company submitting, within 90 days of December 31 each full calendar year following the Grant award, an accounting of each new job, the employee name, SSN, location of job, salary, and job description in each year of the five-year period following the award. The award will expire after the five full calendar years following the year of the granting of the Award regardless of whether the company has submitted for funding in each of the five-years.

Eligible Jobs

All new full-time (40 hours per week) jobs are eligible for the program regardless of salary level or hourly pay up to a maximum of 210 jobs.

Process

Qualified Applicants must send a Letter of Application to the CRA stating the company name, type of business, current location within the District or proposed location within the District, number of full-time jobs company currently has within the District (if any), number of new full-time jobs being proposed within the District, and an estimated start date for the eligible jobs. The CRA office is located in the Community Development Department on the second floor of City Hall at 228 South Massachusetts Avenue, Lakeland, Florida 33801. Questions regarding the program or a request for an appointment may be made by calling (863) 834-6011. Applications will be accepted on a rolling basis and grants will be awarded on a first-come, first-served basis.

Within ten (10) business days of receipt of the Letter of Application, the CRA Staff will review the request for completeness. A conference may be held with the Applicant to discuss any deficiencies or questions regarding the request. At this time, the CRA may request that the Applicant provide additional information. CRA Staff will present the request to the CRA Advisory Board at its next regularly scheduled meeting. The Applicant or its representative should attend this meeting to answer any questions the Advisory Board may have. Once an application for the incentive is recommended for approval by the Advisory Board, Staff will work with the City Attorney’s office to prepare a contract which will be subject to approval by the City Commission.

Funding Criteria

Upon approval and execution of a contract with the Grantee by the City Commission, the Grantee will be required to submit within 90 days of December 31 of the first full calendar year following the award and each year thereafter for a total of five-years the following information:

- Florida Department of Revenue UCT-6 Filings for the year for all full-time jobs at the Grantee's District location
- Job Title and Job Description for each eligible full-time job
- Employee name, SSN, salary/wage for each of those jobs (In some cases a single job may have had more than one person filling a single position within a single year. All employees must be associated with an eligible job which will have been staffed for the entire year to be funded.)

Disbursement of Funds

Upon verification of the submitted information each year, the CRA will fund the annual allotment for the grant. Verification may require access to and review of company payroll records. The maximum number of jobs to be counted by an Applicant will be established in the initial Letter of Application and that maximum will hold for the five-years of reimbursement under the contract. If the number of jobs is less than the initial projected number, the reimbursement will be established by the actual number of new jobs verified as having been created and staffed. That number may be less than the original projection during the five-year period, but never more than the original projection.

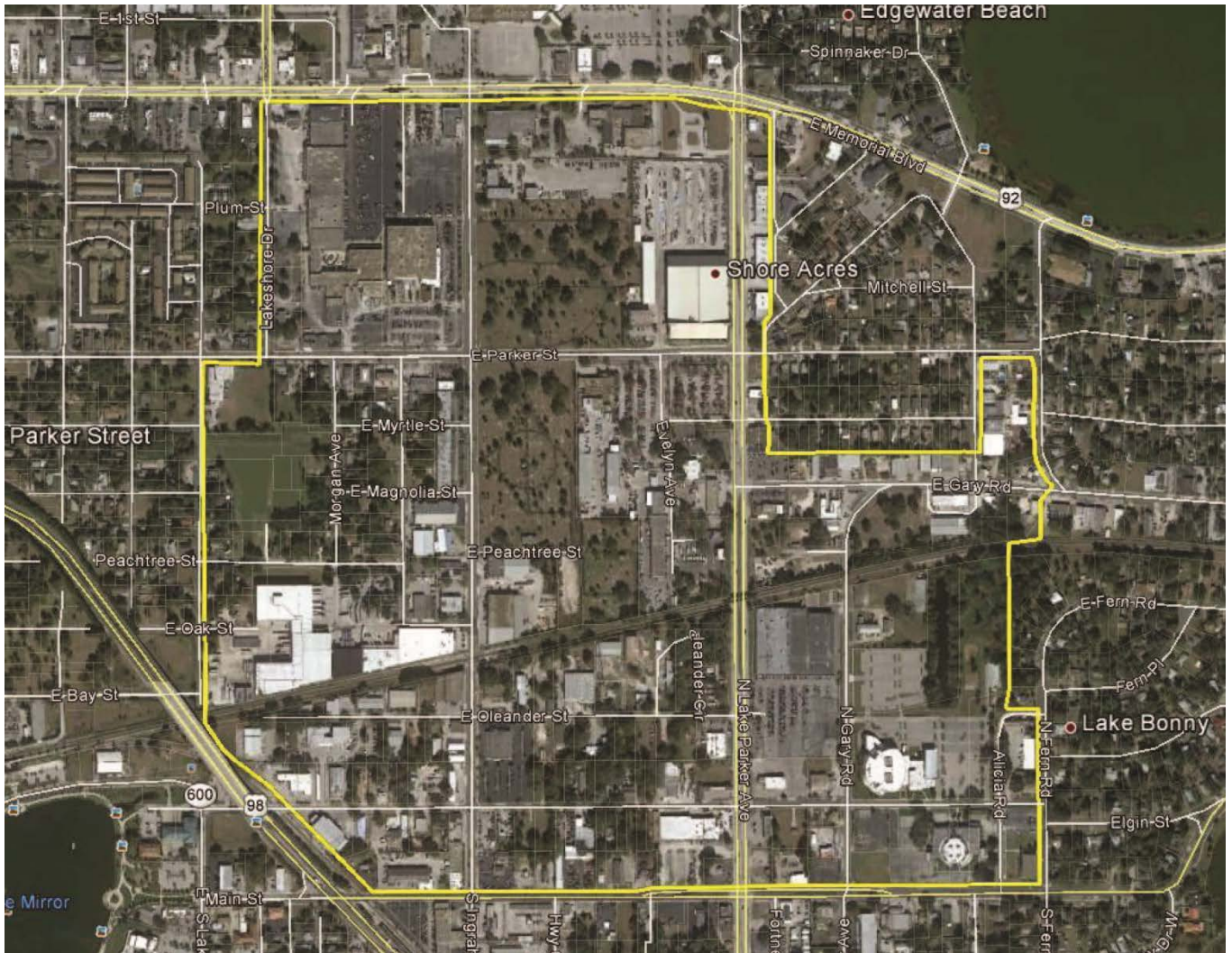
Expiration of Grant Award

The award will expire after the five full calendar years following the year of the granting of the Award regardless of whether the Grantee has submitted for funding in each of the five-years.

Available Assistance

The CRA Advisory Board will set the amount of assistance available for the fiscal year in its Annual Budget. The standard maximum grant contribution per Company is set at \$5,000 per new job, payable in equal installments over five-years as long as the jobs continue to be staffed in the District location. The CRA Advisory Board may raise or lower this amount at any time upon a majority vote of its members. Grants will be awarded on a first-come first-served basis, and the CRA Advisory Board reserves the right to reevaluate the program and revise as needed in three years from the creation of the program in FY 2016.

Exhibit A





228 S MASSACHUSETTS AVE
LAKELAND, FLORIDA 33801
863.834.6011

Memo

To: CRA Advisory Board
From: Alis Drumgo, CRA Manager
Date: March 4, 2021
Re: Encouraging Development Growth & Expansion (EDGE) Incentive Program & Food Related Services Incentive Program

Background

In 2011, the Food Related Services Incentive Program was revised and reintroduced in Dixieland. The program offers up to \$15,000 dollar for dollar matching funds to attract food-related businesses to the Dixieland CRA. The target businesses include;

- Sit-Down Restaurants
- Grocery Stores
- Mobile Food Establishments
- Cafes
- Health & Produce Markets

Approved uses of grant funding are:

- Electrical/ Plumbing upgrades
- Installation of attached fixtures
- Grease traps
- Utility connections
- Venting systems
- Sprinkler systems
- Solid Waste and recycling management

- Mechanical, Electrical and Plumbing engineering services (not to exceed 20% of the grant total)

In 2016, the program was expanded to include the East Main District which is a target area of the Midtown CRA. Overall, the program has attracted Born & Bread Bakehouse, Patriot Coffee, Nineteen61, D’Lucas and Hillcrest Coffee. However, there have been no program incentives awarded in the East Main District.

Retreat Focus

CRA Advisory Board

At its October 2020 retreat, the CRA Advisory Board asked Staff to consider additional economic development incentives and business support within the redevelopment areas. Staff intends to adjust the ratio of existing incentives in Dixieland and Midtown CRAs. In addition, Staff is proposing a revision to the existing Food-Related Services Incentive to address the Board requests. Some of the themes brought forth included:

- Loosening restrictions in redevelopment areas to support small businesses, owner/operators and entrepreneurial ventures
- Provide funding for businesses that want to grow in place, but do not have the capital required to engage in other CRA Incentives.

Alignment

Requests from the Advisory Board also align with the City’s intent to offer an Encouraging Development Growth & Expansion Program (EDGE) for expanding small and mid-sized manufacturers that use innovative technology. The grant is also geared toward food related businesses and caps out at \$10,000. The eligible businesses must be located outside of the redevelopment area.

To align with the City’s direction while also focusing on the increased needs within the redevelopment areas, Staff is proposing an EDGE Incentive focused on Science, Technology, Engineering, Mathematics and Manufacturing (STEMM) & Food-Related Service Incentive Program specific to recruitment of incoming or expanding businesses that meet the requirements. Adopting the grant allows for expanded use throughout the Dixieland, Downtown and Midtown CRA. The incentive is subject to the following requirements:

Program Eligibility

- Small and mid-sized manufactures that use innovative technology to make and improve customizable products and/or processes that drive the economy for customers
- Businesses that are food related ventures, such as sit-down restaurants, coffee/tea shops, bakeries, commissary kitchens, grocery store, produce market, micro-brewery, distillery, health food store or other specialty food store
- Businesses that are STEM related such as medical, research, development, engineering, nanotechnology and biotechnology
- Financial assistance is intended for the rehabilitation and restoration of existing properties only.
- Project must be within a designated CRA

- Drive through facilities, convenience stores with motor vehicle fuel sales, bars, lounges and nontax-paying entities are ineligible

Eligible Improvements

- Electric, water and wastewater utility connections
- Installed and attached features, including grease traps, backflow preventers, venting systems and fire sprinkler systems
- Solid waste and recycling management
- Engineering services for electrical, mechanical and plumbing services (not to exceed 20% of the grant total)

The following items are specifically ineligible for the program

- Equipment that is not attached or affixed to the building/structure
- Furniture
- Interior design fees
- New construction

Fund & Distribution

- The maximum available matching grant per project shall be \$25,000
- The incentive shall be distributed on a first-come first-serve basis to qualified applicants submitting a completed application
- Matching funds shall be provided to the applicant after proof of Certificate of Occupancy has been provided
- Once the incentive funds annual distribution has been depleted, no additional projects shall be funded until the incentive is replenished in the next fiscal year
- Unencumbered dollars within this incentive fund shall rollover annually
- This grant is usable concurrent with other CRA grants (where applicable) except for Tax Increment Financing (TIF)
- Once a reimbursement check has been issued, no further documents/funding requests will be considered

Staff Recommendation

- The adoption of the EDGE incentive with funds being available at a \$25,000 dollar-for-dollar match across all three Community Redevelopment Areas
- Program to be funded from the Small Project Assistance line item in the Capital Improvement Plan established within each District
- Sunset of the Food-Related Services Incentive

Attachments

Existing Food-Related Services Incentive

Economic Development Growth and Expansion Incentive Program (EDGE Incentive Program)

Encouraging Development Growth & Expansion Program (EDGE)

The Economic Development Growth and Expansion Program (EDGE) Program supports the development of new and expanding science, technology, engineering & mathematics (STEM), manufacturing and food service-related businesses that are located within CRA boundaries through a \$25,000 dollar-for-dollar matching grant. Assistance may be provided to qualified projects through electric, water and wastewater utility connections and upgrades, installation of attached fixtures, grease traps, backflow preventers, venting systems, sprinkler systems, solid waste and recycling management and engineering services for electrical, mechanical and plumbing services.

Application

- Completed and signed application
- Notarized letter from property owner
- Project description and schedule
- Support documentation from a local small business resource such as, the Lakeland Chamber, the Lakeland CRA, Catapult or the LEDC
- Description of the specific assistance that has been requested

Estimate of cost for the infrastructure improvements requested Program Eligibility

- Small and mid-sized manufactures that use innovative technology to make and improve customizable products and/or processes that drive the economy for customers.
- Businesses that are food related ventures, such as sit-down restaurants, coffee/tea shops, bakeries, commissary kitchens, grocery store, produce market, micro-brewery, distillery, health food store or other specialty food store.
- Businesses that are STEM related such as medical, research, development, engineering, nanotechnology and biotechnology.
- Financial assistance is intended for the rehabilitation and restoration of existing properties only.
- Project must be within a designated CRA.
- Drive through facilities, convenience stores with motor vehicle fuel sales, bars, lounges and nontax-paying entities are ineligible.

Eligible Improvements

- Electric, water and wastewater utility connections
- Installed and attached features, including grease traps, backflow preventers, venting systems and fire sprinkler systems
- Solid waste and recycling management
- Engineering services for electrical, mechanical and plumbing services (not to exceed 20% of the grant total)

The following items are specifically ineligible for the program

- Equipment that is not attached or affixed to the building/structure

- Furniture
- Interior design fees
- New construction

Improvements must be consistent with the City of Lakeland’s Land Development Regulations and Engineering Standards. Grant fund’s may not be used to correct code violations or to bring a structure up to current code.

Applicant is responsible for obtaining or having obtained all required local and state approvals and permitting for the work to be completed.

As a condition of approval, the Applicant will agree that improvements made using these funds will stay in place a minimum of five (5) years. If improvements are replaced within five (5) years of construction completion, the grant recipient must pay a pro rata portion of the grant proceeds invested in the project for the number of months remaining.

Once a grant for any property has been awarded, businesses occupying the property and the building owner cannot reapply for another grant for the same location for a five (5) year period.

Funding & Distribution

- The maximum available matching grant per project shall be \$25,000.
- The incentive shall be distributed on a first-come first-serve basis to qualified applicants submitting a completed application.
- Matching funds shall be provided to the applicant after proof of Certificate of Occupancy has been provided.
- Once the incentive funds annual distribution has been depleted, no additional projects shall be funded until the incentive is replenished in the next fiscal year.
- Unencumbered dollars within this incentive fund shall rollover annually.
- This grant is usable concurrent with other CRA grants except for Tax Increment Financing (TIF).
- Once a reimbursement check has been issued, no further documents/funding requests will be considered.

Process

Qualified applicants must schedule an appointment with CRA staff prior to preparing an application for submittal. The CRA office is located on the 3rd floor of City Hall at 228 S. Massachusetts Avenue. Appointments can be made by calling (863) 834-5200. Applications will be accepted on a first come first served basis. City staff will review the application for completeness against the review criteria. All documentation must be submitted as a complete package. A letter of acceptance will be provided to applicants that successfully meet the criteria of the program. Incentive funds will be reimbursed to qualified and approved projects in one payment after proof of Building Permit and Certificate of Occupancy.

FOOD-RELATED SERVICES INCENTIVE PROGRAM **(DIXIELAND & MIDTOWN)**

Program

The Food-Related Services Incentive Program offers up to \$15,000 in dollar-for-dollar matching funds to assist in establishing food-related businesses in the Dixieland Community Redevelopment Area and East Main Street District. Matching funds are a grant that can be used to offset the cost of eligible lease-hold improvements necessary to establish and operate a food service or restaurant business.

Application

1. A completed and signed application
2. Notarized letter from property owner
3. Food-related service resume(s)
4. Conceptual business plan
5. Proposed site plan
6. Project Schedule
7. Three (3) cost estimates
8. All the above documentation must be submitted as one complete packet

Eligibility Requirements

1. Eligible businesses are food-related ventures such as sit-down restaurants, coffee/tea shops, bakeries, commissary kitchens, mobile food establishments, grocery stores, produce markets, micro-breweries, distilleries, health food stores and other specialty food stores.
2. All properties within the Dixieland CRA and East Main Street District are eligible. Special preference will be given to preselected properties in Dixieland that are identified on Exhibit A.
3. Drive through facilities, convenience stores with motor vehicle fuel sales, bars, lounges and related entertainment uses are not eligible for the food-related services incentive.
4. Governmental entities and not-for-profit entities are not eligible, with exception for those paying property taxes.
5. Grants are intended for rehabilitation and restoration of existing properties only.
6. Property must pay all taxes

Eligible Improvements

The Food-Related Services Incentive Program is for leasehold improvements to an existing property in order to make it functional for a food-service business. Funds may not be used for normal maintenance or repair. Specific improvements for which grant funds may be used include, but are not limited to:

- Electrical/ Plumbing upgrades
- Installation of attached fixtures
- Grease traps
- Utility connections
- Venting systems
- Sprinkler systems
- Solid Waste and recycling management
- Mechanical, Electrical and Plumbing engineering services (not to exceed 20% of the grant total)

- Monitoring man-hole system installation

The following items are specifically ineligible for the program:

- Equipment (not attached/affixed to building/structure)
- Furniture
- Interior design fees
- New construction is ineligible.

Improvements must be consistent with the City of Lakeland's Land Development Regulations and Engineering Standards. Any improvements visible to the exterior in Dixieland CRA must comply with the Dixieland CRA Commercial Corridor Design Guidelines. Grant funds may not be used to correct code violations or to bring structures up to code.

As a condition of approval, the Applicant will agree that improvements made using these funds will stay in place a minimum of five (5) years. If improvements are replaced within five (5) years of construction completion, the grant recipient must pay a pro rata portion of the grant proceeds invested in the project for the number of months remaining.

Applicant is responsible for obtaining or having obtained all required local and state approvals and permitting for work undertaken.

Once a grant for any property has been awarded, businesses occupying that property or the building owner cannot reapply for another grant for the same location for a five (5) year period.

Applicant agrees to allow the LCRA to photograph the project for use in future publications.

Process

Qualified applicants must schedule an appointment with the LCRA staff prior to preparing an application for submittal. The LCRA office is located on the third floor of City Hall at 228 South Massachusetts Avenue, Lakeland, Florida 33801. Appointments may be made by calling (863) 834-5200. Applications will be accepted on a rolling basis and grants will be awarded on a first-come, first-served basis.

CRA staff will review the application for completeness. A post-application submittal conference will be held with the Applicant to discuss any deficiencies or issues with the application. At this time, the CRA may request that the Applicant provide additional information.

CRA staff will review the completed application against the review criteria.

The reimbursement payment will be awarded in one payment after proof of building permits and Certificate of Occupancy.

***Once reimbursement check has been issued, no further documents will be considered as the process has since closed.**

All documentation necessary for disbursement of funds must be provided to the CRA within thirty (30) days of issuance of occupancy certificate.

Selection Criteria

CRA staff will review completed applications against review criteria and will state his/her findings in a recommendation to the applicant.[±]

Applications that score below 60 points will be recommended for denial. Applicants that are denied for this program may appeal their request to the CRA Advisory Board at its next regularly scheduled meeting. The CRA Advisory Board will determine by super majority vote that an appealed application is approved or denied without conditions. The applicant will be notified in writing of the Board's decision within five (5) business days of the Board meeting.

Applicants are advised that grant funds are provided at the sole discretion of the CRA Advisory Board and the findings stated in the recommendation do not create an entitlement to funding.

*Please refer to Exhibit C for scoring criteria.

Exhibit A: Dixieland CRA Boundary Map

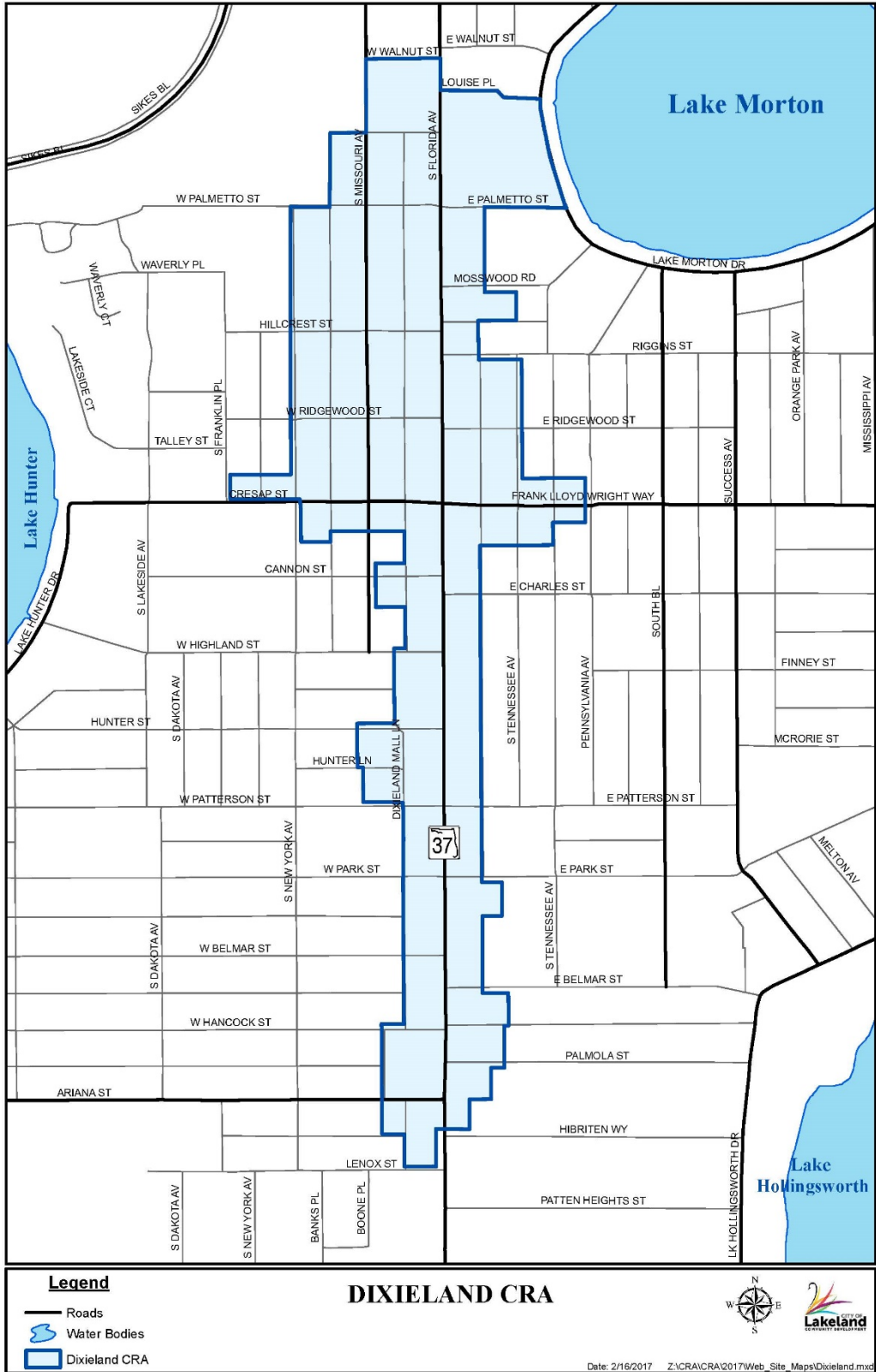


Exhibit B: East Main Street District (Midtown CRA)

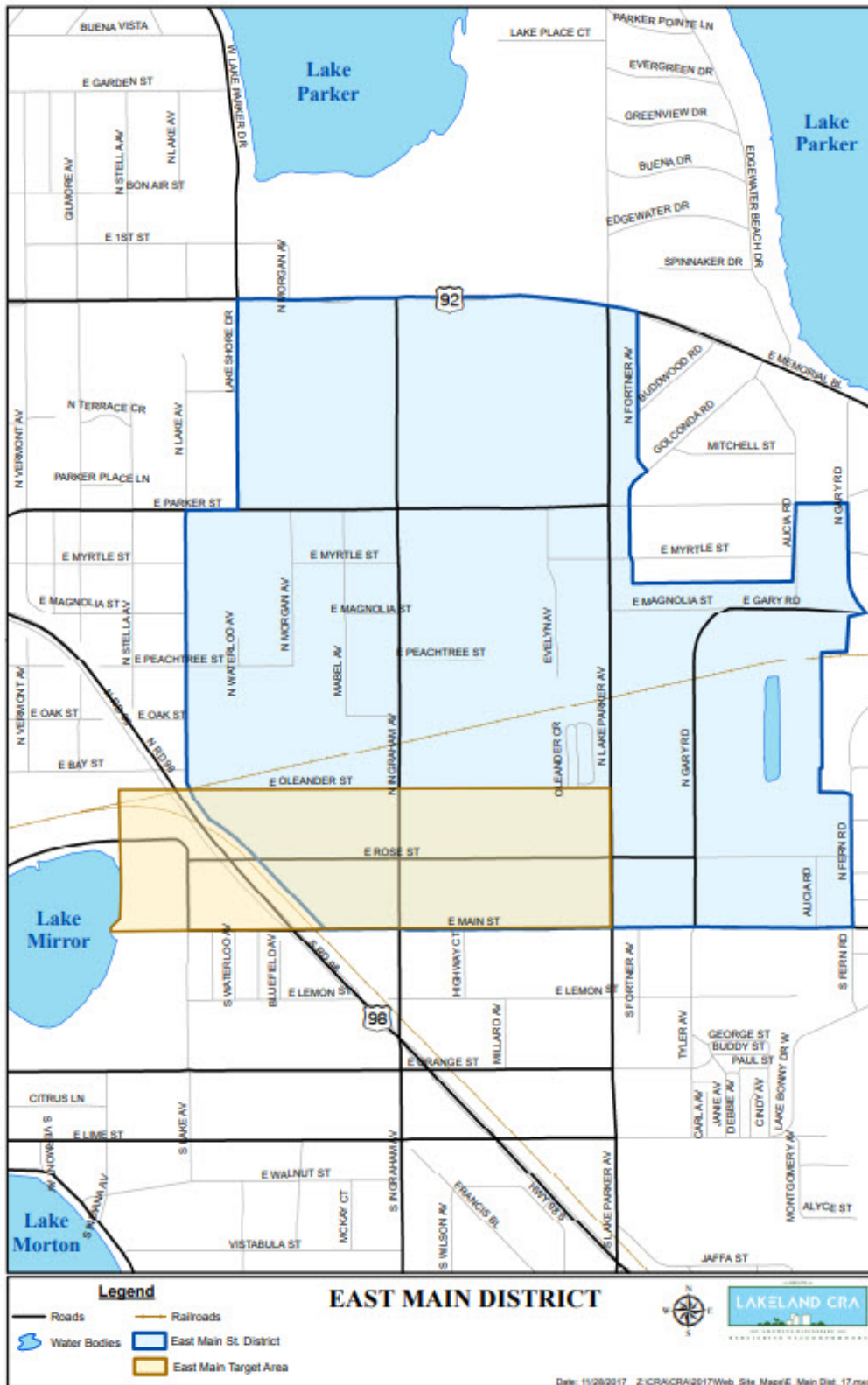


Exhibit C: Scoring Criteria

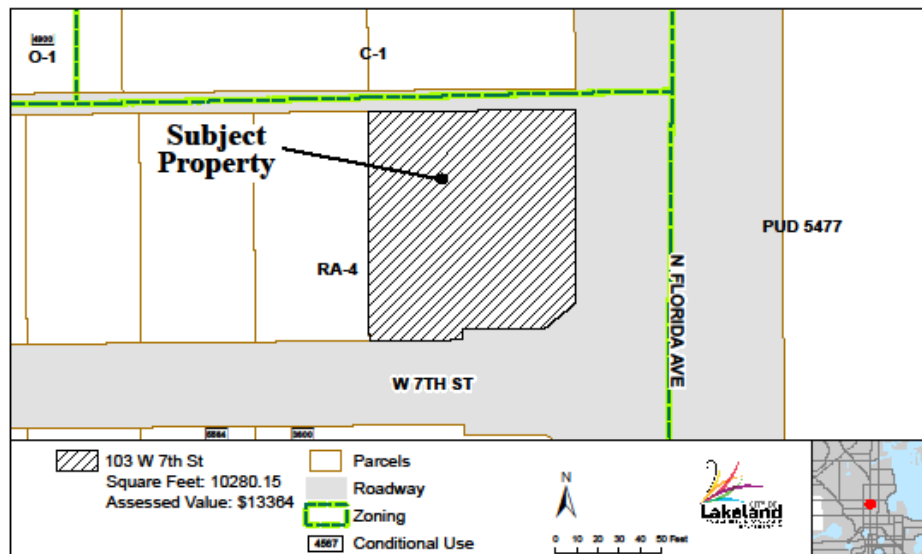
Scoring Criteria	
CRITERIA	POINTS
<u>Private Contribution</u>	<u>20 points total</u>
Less than \$10,000	10
Between \$10,000 and \$50,000	15
Between \$50,000 and \$100,000	20
More than \$100,000	10
<u>Type of Business</u>	<u>45 points total</u>
Bakery	10
Commissary Kitchen	15
Market	20
Restaurant: seating capacity 30-49	25
Restaurant: seating capacity 50+	15
Restaurant: Take out only	10
<u>New Business</u>	<u>20</u>
Relocation	15
2nd Location	10
<u>Food-Related Experience</u>	<u>15 points total</u>
0-3 years	5
3-6 years	10
7 years or more	15
<u>Extra Points</u>	<u>20 points total</u>
Open for Dinner	5
Open on Sundays	5
Outdoor Seating	10
<u>Bonus Points</u>	
Located in East Main District	10
	100 points total

Memo

To: CRA Advisory Board
 From: D’Ariel Reed, CRA Project Manager
 Date: March 4, 2021
 Re: 103 West 7th Street

I. Background:

The CRA owns a 10,584 square foot vacant property along the US-98 corridor with an assessed value of \$13,364. The CRA acquired the property on May 10, 2007 and average an annual carrying cost of \$536.41. In January 2020, Staff was contacted by a local attorney interested in constructing an office/medical building and inquired about incentives that could be utilized for the development. The original inquiry was to construct a 3,500 square foot building. After the property was surveyed, staff met with the applicant and his Architect, CMHM Architects, Inc. (CMHM), to discuss the development and constraints of the property size. CMHM produced a conceptual design through the CRA’s Design Assistance Grant. After additional meetings were held with various agencies and considering the requirements as it relates to building layout, use, zoning recommendations and easement improvements, the applicant decided not to move forward with his project at this location.



II. Disposition:

On November 30, 2020, Staff received an official letter of interest to purchase the property from 103 W. 7th Street, LLC. In accordance with Florida Statute 163.380, Staff published a Notice of Disposition with the requirements listed below in The Ledger on Monday, December 28, 2020.

- The proposed development shall consist of a minimum of 2,500 square feet of office, commercial or retail space to support the redevelopment of the US 98 corridor.
- The proposed development shall accommodate parking on-site providing for perpetual cross access to the adjacent parcel.
- The purchase price of the Property shall be no less than \$30,000. Developer assumes responsibility for relocating existing utilities on the Property.
- The development must align with the goals of the Midtown District which include:
 1. Grow of the medical district
 2. Added value and infill development on North Florida Avenue and

The proposal window closed at close of business Wednesday, January 27, 2021. The following two proposals were received:

1. 103 West 7th, LLC submitted a proposal to purchase the property for \$30,000 for the construction of a two-story mixed use building with 2,500 square feet of retail/office space on the ground floor and housing for medical personnel as permanent or temporary living quarters on the second floor; and
2. Phoenix Properties, LLC submitted a proposal to purchase the property for \$32,000 for the construction of a medical facility of approximately 2,600 square feet or larger.

On February 10, 2021, staff received written notification from 103 West 7th, LLC formally withdrawing interest in purchasing the property.

Phoenix Properties, LLP is a Lakeland based real estate company which specializes in medical facility development, including design, construction and management. Phoenix Properties, through it's related entities, has had a presence in the Lakeland community for over 70 years. Lakeland Regional Health is one of their significant clients.

III. Board Consideration:

Staff recommends the Board authorize Staff to negotiate a Development Agreement with Phoenix Properties, LLC for the purchase of 103 West 7th Street at the proposed purchase price of \$32,000., which will go before the City of Lakeland's Real Estate & Transportation Committee for formal approval.

IV. Attachments

- Notice of Disposition
- Proposal from Phoenix Properties, LLC

NOTICE OF DISPOSITION OF REAL PROPERTY

The Lakeland Community Redevelopment Agency ("CRA") hereby invites proposals from public or private developers or any other persons interested in purchasing and developing, for commercial or retail use, as provided herein, certain real property owned by the CRA. The real property (the "Property") is located west of North Florida Avenue, south of West 8th Street, north of West 7th Street, and east of North New York Avenue, and the Property is more particularly described in the attached Exhibit "A" to this Notice. The Property shall not include the abutting public alley which will remain public Right-of-Way. The City shall consider only proposals meeting the following requirements:

1. The proposed development shall consist of a minimum of 2,500 square feet of office, commercial or retail space to support the redevelopment of the US 98 corridor.
2. The proposed development shall accommodate parking on-site providing for perpetual cross access to the adjacent parcel.
3. The purchase price of the Property shall be no less than \$30,000. Developer assumes responsibility for relocating existing utilities on the Property.
4. The development must align with the goals of the Midtown District which include:
 1. Grow of the medical district
 2. Added value and infill development on North Florida Avenue and

Proposals must be made by those interested within 30 days after the date of publication of this Notice. Proposals must be received within the above timeline at the City's Department of Community and Economic Development, 228 S. Massachusetts Avenue, Lakeland, Florida 33801. Such further information as is available may be obtained at the Lakeland Community Redevelopment Agency. Phone inquiries should be made to (863) 834-5200. The City will consider all proposals meeting the requirements set forth herein and the financial and legal ability of the persons making such proposals to carry them out. The City may negotiate with any persons for proposals for the purchase and development of the Property. The City may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of Part III, Chapter 163, Florida Statutes. Thereafter, the City intends to execute a contract for the sale and development of the Property consistent herewith and to deliver such instruments and take all steps necessary to effectuate such contract. The City reserves the right to waive technical irregularities and to reject all proposals or any portion thereof.

EXHIBIT "A"

DESCRIPTION:

WASHINGTON PARK PB 1 PG 99 BLK 7
LOTS 20 & 21 LESS R/W FOR SR 700



Phoenix Properties, LLP

4798 S. Florida Ave, #215
Lakeland, FL 33813

863-455-9990 (tel), 850-695-9180 (fax)
PhoenixPropertiesLLP@gmail.com

January 19, 2021

City of Lakeland
Department of Community and Economic Development
228 S. Massachusetts Avenue
Lakeland, FL 33801

Dear Commission:

Phoenix Properties, LLP makes the following proposal:

PROPOSAL:

Purchase of 103 7th St W, Lakeland, FL 33805
Washington Park PB 1 PG99 BLK7 Lots 20&21Less R/W for SR 700

- 1) Purchase of the named property; Offer price: **\$32,000 Cash.**
- 2) Build on named property, a medical facility of approximately 2600 sq. ft. or larger based on space and design feasibility. Such facility may be a component of other related facilities on neighboring properties in the Washington Park area. Parking will be available on-site and/or at adjacent property.

Phoenix Properties, LLP is a Lakeland based real-estate company which specializes in medical facility development, including design, construction, and management. Phoenix Properties thru its related entities has had a presence in the Lakeland community for over 70 years. A significant client of Phoenix Properties is Lakeland Regional Health.

ADDITIONAL INFORMATION:

The following additional information is included with this Proposal letter:

- 1) Draft medical clinic design for named property
- 2) List of Phoenix Properties, LLP medical facilities in Lakeland
- 3) Sunbiz filing of Phoenix Properties, LLP
- 4) Notice of Disposition

Please kindly consider our proposal. Any questions are welcome.

Sincerely,



Adil R. Khan, MHA
General Partner, Phoenix Properties, LLP

NOT FOR
CONSTRUCTION

PROPOSED SCHEMATIC FLOOR PLAN - DRAFT

PHOENIX PROPERTIES
WASHINGTON PARK CAMPUS

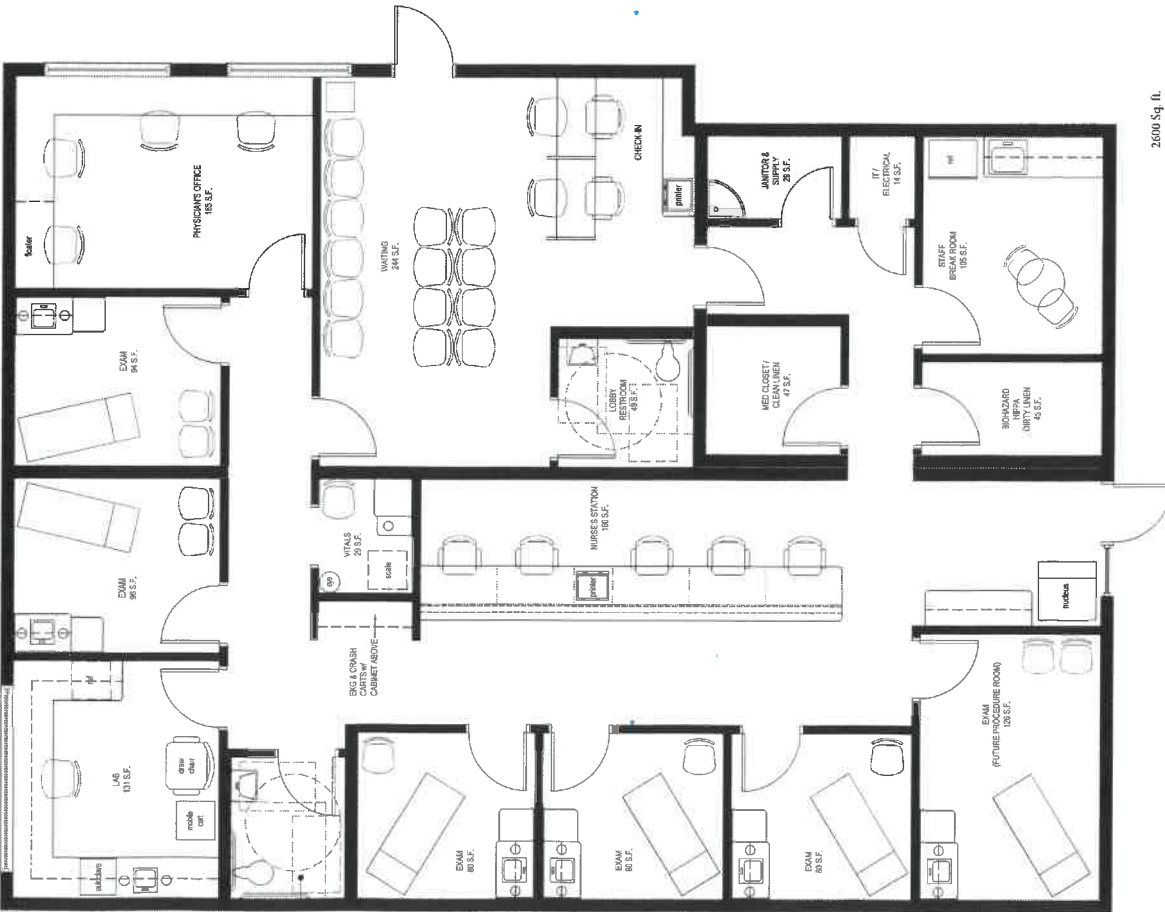
103 7th STREET W
LAKELAND, FL 33805

DATE: 01/19/21

NO.	DATE	REVISION DESCRIPTION - THIS SHEET ONLY
1		
2		
3		
4		
5		
6		
7		

PROJ. MGR:	CRD. BY:
JOB NUMBER:	
SHEET NUMBER:	

DRAFT



2600 Sq. ft.

 PROPOSED SCHEMATIC FLOOR PLAN - DRAFT - Washington Park Campus
SCALE: 1/4" = 1'-0"

PHOENIX PROPERTIES PROPOSAL
 Washington Park CAMPUS
 PROGRAMMING
 January 19, 2021

DRAFT

TYPE OF SPACE	OCCUPANTS	ROOMS/ SPACES	SQUARE FOOTAGE - E.A	TOTAL
Offices (2 Physicians, 1 Nurse, 1 Floater)	4	1	160	160
Exam Rooms	N/A	6	90	540
Lobby / Waiting	25	1	250	250
Wheel Chair Storage	0	1	5	5
Lobby Restroom (Unisex)	N/A	1	50	50
Reception	2	1	110	110
Lab	1	1	180	180
Exam/Lab Restroom (Unisex)	N/A	1	50	50
Staff Restroom (Unisex)	N/A	1	50	50
Vitals Station	N/A	1	50	50
Staff Station	6	1	160	160
Nucleus / Autoclave	N/A	1	110	110
Medical Closet (Locked)	N/A	1	35	35
Break Room	N/A	1	100	100
Janitor's Closet / Supply Room	N/A	1	50	50
EKG Cart	N/A	1	5	5
Biohazard Storage / HIPPA Bin / Dirty Linen	N/A	1	50	50
Clean Linen Closet	N/A	1	50	50
BUILDING TOTALS	38	23		2000
<i>Circulation & Walls @ 30%</i>				600
BUILDING TOTALS (INCLUDING CIRCULATION & WALLS)				2600

Phoenix Properties, LLP		Real Property Listing			
Lakeland Regional Health					
Address	Description	Usage	Square Footage	Account Number	
130 Pablo St. Lakeland, FL	Main - Pablo Clinic	Lakeland Regional Health Clinic	45,087	252823-128500-003102	
4710 S. Florida Ave, Lakeland, FL	Lake Miriam Clinic (front lot/building)	Lakeland Regional Health Clinic	14,343	072924-278000-000905	
2815 Lakeland Hills Blvd, Lakeland, FL	Gateway Clinic (1st Floor)	Lakeland Regional Health Clinic	8,149	062824-167512-000010	
430 E. Central Ave, Winter Haven, FL	Winter Haven Pediatric/Family Clinic	Lakeland Regional Health Clinic	8,977	282826-606500-000301	
1730 Lakeland Hills Blvd, Lakeland, FL	CCCR - Ambulatory Business Office	Lakeland Regional Health Clinic	16,828	072824-174015-000020	
			93,384		
Washington Park Area					
Address	Description	Usage	Square Footage	Account Number	
214 W 9th St	Open Lot	Future Medical	TBD	122823-055500-006081	
1324 Florida Ave N	Empty Building	Future Medical	TBD	122823-055500-001180	
219 W 9th St	Open Lot	Future Medical	TBD	122823-055500-001100	
1336 Florida Ave N	Empty Building	Future Medical	TBD	122823-055500-001011	
1320 Florida Ave N	Barber Shop	Future Medical	TBD	122823-055500-006010	
118 10th St W	House	Future Medical	TBD	122823-055500-001040	

2021 LIMITED LIABILITY PARTNERSHIP ANNUAL REPORT
 FEE IS \$25.00! REPORT DUE BY MAY 1, 2021

FLORIDA DEPARTMENT OF STATE
 DIVISION OF CORPORATIONS
 2021 JAN -7 PM 12:07

SECRETARY OF STATE



FLORIDA DEPARTMENT OF STATE
 DIVISION OF CORPORATIONS

REGISTRATION # LLP000000111

1. Name and Mailing Address

PHOENIX PROPERTIES, LLP

4798 S. FLORIDA AVE. #215
 LAKELAND, FL 33813

If above mailing address is incorrect in any way, line through incorrect information and enter correction in Block 2.

LLP #

LLP210000156-3
 01/07/21--01018--015 **25.00
 CR2E029 (2/10)

2. New Mailing Address, if Applicable:

Suite, Apt #, etc

City State Zip Code

3. Principal Place of Business Address

4798 S. FLORIDA AVE, #215
 LAKELAND, FL 33813

4. New Principal Office Address, if Applicable:

Suite, Apt #, etc.

City State Zip Code

5. Federal Employee Identification Number

59-3471067

<input type="checkbox"/>	Applied For
<input type="checkbox"/>	Not Applicable

6. Certificate of Status Desired:

\$8.75 Additional Fee Required

7. Name and Address of Registered Agent

KHAN, MHA, ADILL
 4798 S. FLORIDA AVE.. #215
 LAKELAND, FL 33813

8. New Name and/or Address of Registered Agent:

Name

Street Address (P.O. Box Number is Not Acceptable)

FL

City Zip Code

9. New Registered Agent's Signature, if Changed

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida

JAN 07 2020
 R. HUNT

SIGNATURE: _____

SIGNATURE, TYPED OR PRINTED NAME OF REGISTERED AGENT AND TITLE IF APPLICABLE.

Date

10. General Partner's Signature (REQUIRED)

The execution of this report as a partner constitutes an affirmation under the penalties of perjury that the facts stated herein are true.

SIGNATURE: _____

Adil R. Khan, MHA

1/3/2021

863-455-9990

SIGNATURE AND TYPED OR PRINTED NAME OF SIGNING PARTNER.

Date

Daytime Phone #

E-mail Address: PhoenixPropertiesLLP@gmail.com

(To be used for future annual report notifications)

NOTICE OF DISPOSITION OF REAL PROPERTY

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EXHIBIT "A"

DESCRIPTION:

WASHINGTON PARK PB 1 PG 99 BLK 7
LOTS 20 & 21 LESS R/W FOR SR 700



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[Change Browser Language](#)

Parcel Details: 23-28-12-055500-007200

-  TAX EST
-  PRT CALC
-  PRC
-  HTML PRC
-  TRIM
-  HTML TRIM
-  TAX BILL

Owners

LAKELAND COMMUNITY REDEVELOPMENT AGENCY 100%

Mailing Address

Address 1 **228 S MASSACHUSETTS AVE FL 3**
 Address 2
 Address 3 **LAKELAND FL 33801-5012**

Site Address

Address 1 **103 7TH ST W**
 Address 2
 City **LAKELAND**
 State **FL**
 Zip Code **33805**

Parcel Information

Neighborhood **6666.04**
[Show Recent Sales in this Neighborhood](#)

Subdivision **SWINDELL & STEPHENSON OR WASHINGTON PARK**

Property (DOR) Use Code **Vacant Municipal - vac land or misc impr of some value (Code: 8089)**

Acreage **0.24**

Taxing District **LAKELAND/SWFWMD/LKLD MASS (Code: 91510)**

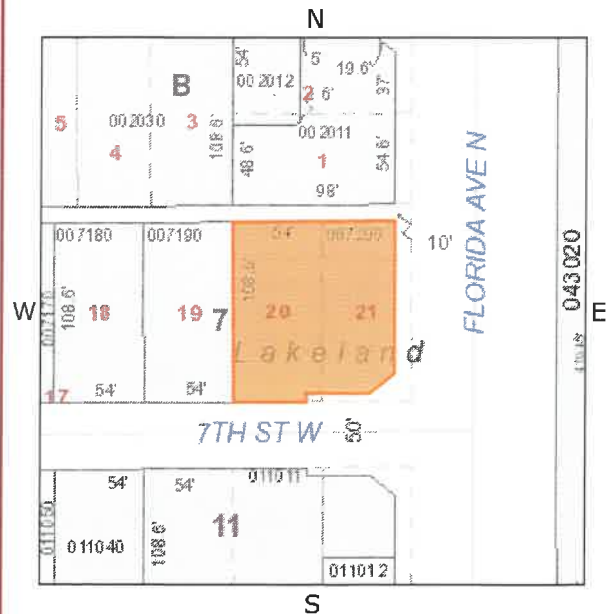
Community Redevelopment Area **Mid-Town CRA (Code: 55)**

Property Desc

DISCLAIMER: This property description is a condensed version of the original legal description recorded in the public records. It does not include the section, township, range, or the county where the property is located. It is a description of the ownership boundaries only and does not include easements or other interests of record. The property description should not be used when conveying property. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation.

WASHINGTON PARK PB 1 PG 99 BLK 7 LOTS 20 & 21 LESS R/W FOR SR 700

Area Map



Recorded Plat

Visit the [Polk County Clerk of Courts website](#) to view the Recorded Plat for this parcel

Note: Some plats are not yet available on the Clerk's website. The site contains images of plats recorded on 01/05/1973 (beginning with book 058 Page 020) or later. For information on Plats recorded before 01/05/1973 (Book 058 Page 019 or less) please contact the [Polk County Clerk's Office](#).

Mapping Worksheets (plats) for 232812

[Mapping Worksheet](#) [Mapping Worksheet Printable PDF](#)
[HTML \(opens in new](#)



228 S MASSACHUSETTS AVE
LAKELAND, FLORIDA 33801
863.834.6011

Memo

To: CRA Advisory Board
From: Alis Drumgo, CRA Manager
Date: March 4, 2021
Re: Mortgage Subordination Policy

I. Background:

As a condition of the down payment assistance program, a repayment promissory note is recorded at closing, that provides protections to the CRA, should the loan default or cease to be the homestead of the borrower. Given the recent trend in lowering mortgage interest rates, the CRA has received several requests to subordinate mortgage position in the past three (3) to six (6) months. Typically, the CRA Staff administratively approves subordination to a first mortgage when the refinanced loan is for the sole purpose of the mortgage holder benefitting from a lower payment. There is also review to ensure there are no changes in the loan structure (i.e. reverse mortgage and/or interest only mortgage) and no funds are provided to the home owner at closing.

Recently, there have been several requests to subordinate with monies going back to the homeowner. However, the requests have been denied, and the homeowner has been asked to repay the balance of the down payment assistance. While there is no written CRA policy regarding subordination requests, it has always been the intent to follow closely with the established City of Lakeland Housing Policy. Please be prepared to discuss.

II. Attachments

- City of Lakeland Housing Division Mortgage Subordination Policy
- Sample Promissory Note



Community & Economic
Development

Community Planning & Housing Division
1104 Martin L. King, Jr. Ave.
Lakeland, FL 33805
Phone (863) 834-3360 Fax (863) 834-6266

Subordination Policy

1. It is the policy of the City of Lakeland not to subordinate its Affordable Housing Liens or Mortgages.
2. To be considered for special consideration of a waiver of this policy, the lending institution must submit a written request and \$100.00 non-refundable application fee to:

City of Lakeland, Housing Division
Attn: Annie L. Gibson, Housing Programs Supervisor
1104 Martin Luther King, Jr. Avenue
Telephone (863) 834-3360
Lakeland, Florida 33805
Fax (863) 834-6266

3. Requests for waiver of the policy must be approved by the Director of Community Development, or his designee.
4. The following documentation must be provided to the Neighborhood Services Manager for consideration of waiver:
 - Proof of licensure to do business in the State of Florida.
 - Authorization for Release of Information signed by the homeowner(s). Signatures will be verified.
 - Reason for the subordination request.
 - Supporting documentation as to the validity of the reason.
 - Lender's Good Faith Estimate.
 - Complete terms and conditions of the existing loan and the new loan.
 - Information about payment of taxes and insurance.
 - Copy of appraisal or property valuation information with method of determining same.

Note: Consideration will not be given to any request for waiver of the subordination policy without this information. Additional information may be required.

5. Requests for waiver will be reviewed and a decision made on a case by case basis on such merits as the following:
 - Emergency need arising from a natural disaster.
 - Emergency housing repairs which eliminate a threat to the health or safety of the occupants or that eliminate an immediate or imminent danger to the dwelling itself.
 - Refinancing to lower the interest rate on the first mortgage if the closing costs and/or fees can be recovered within four (4) years.

- There is sufficient property value to support all outstanding mortgages.
 - Refinancing for educational purposes.
 - Refinancing for medical emergencies.
6. Request for waiver will not be considered under the following circumstances:
- The interest rate on the new mortgage exceeds the interest rate of the existing mortgage.
 - The cumulative loan-to-value ratio exceeds 100%.
 - The housing debt-to-income exceeds 33%.
 - The total debt-to-income ratio exceeds 40%.
 - There is cash paid out to the borrower(s).
 - The mortgage lender and applicant fail to provide all required documentation.
7. Additionally, no subordination request shall be approved if it contains any of the following provisions:
- Adjustable rate mortgage (ARM)
 - Balloon payment(s)
 - Open line of credit
 - Reverse mortgage
 - Prepayment penalty
 - Interest only mortgage
 - Negative amortization
8. The City of Lakeland very rarely agrees to subordinate its affordable housing liens or mortgages. Usually such consideration is given only for proven hardship. **Payment of credit card debt is not a basis for waiver of the City's policy not to subordinate. It is the intent that granting of subordination shall be one time only and shall not include any liens/mortgages recorded subsequent to the City's lien interest.** In the rare instance that the City agrees to subordination, it takes a minimum of three weeks to render such a decision to the lender.
9. In the event a subordination request or waiver of this policy is granted, such approval will be conditioned on the terms of the refinanced mortgage, and if any of said terms change, the approval will be rescinded without compensation to the applicant. Further, approval will be for a period of not more than 90 days unless expressly authorized or an extension approved by the Neighborhood Services Manager. If the transaction fails to close within the 90 days, and no extension has been granted, the approved subordination request will expire.

Revised 8/26/09
 Revised 10/18/10
 Revised 11/13/2019

PREPARED BY/RETURN TO:
Palmer C. Davis, Esq.
City Attorney's Office
City of Lakeland
228 S. Massachusetts Avenue
Lakeland, Florida 33801
(863) 834-6010

Property I.D. No.:

Recording Data Above

PURCHASE OPTION AGREEMENT

This PURCHASE OPTION AGREEMENT (the "Agreement") is entered into this day of [REDACTED] (the "Effective Date") by and between [REDACTED] ("Owner"), and the Lakeland Community Redevelopment Agency, whose post office address is 228 S. Massachusetts Avenue, Lakeland, Florida 33801 ("LCRA"). For and in consideration of the mutual agreements set forth herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereby agree as follows:

1. Homeowner's Down Payment Assistance Grant. The Owner is the recipient of down payment assistance under the LCRA's Homeowner's Down Payment Assistance Program in the amount of [REDACTED] (the "Grant"). The purpose of the Grant is to facilitate the Owner's purchase of the following-described real property located in Lakeland, Polk County, Florida (the "Property," which term shall hereafter include the subject real property and all related improvements, hereditaments and appurtenances):

See Exhibit "A"

2. Grant of Option. Owner hereby grants to the LCRA an exclusive and irrevocable option to purchase the Property commencing on the Effective Date and continuing for a period of five (5) years subsequent to the Effective Date (the "Option Period") under the terms and conditions set forth in this Agreement.

3. Exercise of Option. The LCRA may exercise the option granted herein if Owner, at any time during the Option Period, ceases to utilize the Property as Owner's homestead residence. In the event Owner ceases to utilize the Property as Owner's homestead residence during the Option Period, the LCRA shall have the option to purchase the Property for a sum equal to the purchase price paid by Owner for the Property less the amount of the Grant provided by the LCRA (the "Option Price"). The LCRA shall exercise this option by providing written notice to Owner at any time during the Option Period of the LCRA's intention to exercise such option. For the purposes of this paragraph, notice shall be provided to Owner at the following address:

Owner's Address:



Notice shall be deemed delivered upon hand delivery, on the date notice is deposited into the U.S. Postal System, provided such mailed notice is properly addressed and includes correct postage, or on the immediately succeeding business day if delivered by a nationally-recognized overnight courier service such as Federal Express or United Parcel Service (UPS).

4. Purchase and Sale Agreement. Within twenty (20) days of the LCRA's exercise of its option to purchase under this Agreement, the parties shall enter into a purchase and sale agreement for the purchase of the Property by the LCRA at the Option Price and in substantial accordance with the terms and conditions of that certain Real Estate Contract attached hereto as **Exhibit "B"** (the "Real Estate Contract"). Closing shall occur within six (6) months of the effective date of the Real Estate Contract, unless the closing date is extended pursuant to the terms of the Real Estate Contract.

5. Termination of Purchase Option. In the event the LCRA fails to exercise its option to purchase the Property within the Option Period, then the LCRA's purchase option shall automatically terminate and shall no longer constitute an encumbrance against the Property. Provided, however, if the LCRA exercises its option to purchase by providing the required notice to Owner within the Option Period, the LCRA's purchase option shall not terminate so long as the LCRA is not in default under the Real Estate Contract entered into pursuant to Paragraph 4 above and the LCRA has not otherwise terminated its right to purchase the Property under the Real Estate Contract.

6. Binding Upon Successors and Assigns. This Purchase Option Agreement shall be recorded in the Public Records of Polk County, Florida, shall run with the Property and shall in all respects be binding upon the Owner and the Owner's heirs, legal representatives, successors and assigns.

7. Governing Law; Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Venue for any legal proceedings shall lie in the courts of Polk County, Florida or the United States District Court for the Middle District of Florida, Tampa Division.

8. Construction of Agreement. Each party acknowledges that all parties to this Agreement participated equally in the drafting of this Agreement and that it was negotiated at arm's length. Accordingly, no court construing this Agreement shall construe it more strongly against one party than another.

9. Entire Agreement. This Agreement represents the entire understanding and agreement between the parties with respect to the subject matter hereof and supersedes all other negotiations, understandings or agreements made by and between the parties. No modification or amendment to this Agreement shall be effective unless in writing and duly executed by both parties hereto. No waiver of any requirement of this Agreement shall be effective unless in writing and duly executed by the party sought to be bound thereby. No waiver of any provision of this Agreement shall be construed as a waiver of said provision as to any future application unless specified otherwise in writing and duly executed by the party sought to be bound thereby.

10. Exhibits. Any exhibits attached to this Agreement shall, by this reference, be incorporated into this Agreement.

11. Severability. Any provision of this Agreement held by a court of competent jurisdiction to be invalid, illegal or unenforceable shall be severable and shall not be construed to render the remainder of this Agreement invalid, illegal or unenforceable.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the Effective Date indicated above.

WITNESSES:

**LAKELAND COMMUNITY
REDEVELOPMENT AGENCY**

By: [Redacted]
Print Name: [Redacted]

By: [Redacted]
Alis Drumgo, CRA Manager

By: [Redacted]
Print Name: [Redacted]

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this [Redacted] day of [Redacted], by Alis Drumgo, as CRA Manager of the Lakeland Community Redevelopment Agency, who is () personally known to me or () produced [Redacted] as identification.

Notary Seal:

[Redacted]
Signature of Notary Public

WITNESSES:

OWNER

By: [Redacted]
Print Name: [Redacted]

By: [Redacted]
Print Name: [Redacted]

By: [Redacted]
Print Name: [Redacted]

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this [Redacted] day of [Redacted], by [Redacted] (Owner), who is [Redacted] personally known to me or () produced [Redacted] as identification.

Notary Seal:

[Redacted]
Signature of Notary Public

WITNESSES:

OWNER

By: [Redacted]
Print Name: [Redacted]

By: [Redacted]
Print Name: [Redacted]

By: [Redacted]
Print Name: [Redacted]

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this [Redacted] day of [Redacted] by [Redacted] (Owner), who is [Redacted] personally known to me or () produced [Redacted] as identification.

Notary Seal:

[Redacted]
Signature of Notary Public