

Prepared By:

Community Development Department
City of Palm Coast
160 Lake Avenue, Suite 135
Palm Coast, FL 32164

Return To:
City Clerk
City of Palm Coast
160 Lake Avenue, Suite 225
Palm Coast, FL 32164

Reserved for Recording Information:

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Tom Bexley Clerk of the Circuit Court & Comptroller
Flagler FL

CITY OF PALM COAST
TECHNICAL SITE PLAN TIER 2
DEVELOPMENT ORDER APPROVAL
LOT 5 GOLD CHOICE ALF / OLD KINGS ROAD PROFESSIONAL
CENTRE

On September 19, 2019, the City of Palm Coast issued this Development Order relating to and touching and concerning the following described property:

Being a portion of Lot 5, Old Kings Road Professional Centre Subdivision, according to the plat thereof as recorded in Map Book 37; Pg 70, Public Records of Flagler County.

(The afore described property description has been provided to the City of Palm Coast by the owner of the afore described property.)

FINDINGS OF FACT

Property Owner: OKR INVESTORS LLC
92 COLUMBIA ST, APT 303
BANGOR, ME 04401

Project Name: LOT 5 GOLD CHOICE ALF / OLD KINGS ROAD PROFESSIONAL
CENTRE

Project No.: 2019050082

Application Type: TECHNICAL SITE PLAN TIER 1

Application No. 3987

**Requested Development Approval: Site Plan Approval for an Assisted Living Facility
(in accordance with stamped approved plans)**

Zoning Classification: OFC-2

FLUM: Mixed Use

Parcel #'s: 32-11-31-3620-00000-0050

Address #: 3830 Old Kings Rd S

Parcel Acreage: 6.6

SITE DEVELOPMENT DATA

Building Use: Assisted Living Facility

Bldg Height: 26'

Total Bldg Square Footage: 34,287

Number of Units: 50

Number of Beds: 100

Parking Provided: Standard Spaces: 57 ; Accessible Spaces: 4

Bicycle Parking Spaces: 3

ISR: 48.9%

Open Space S.F.: 51.1%

CONCLUSIONS OF LAW

The Development Approval sought is consistent with the *City of Palm Coast Comprehensive Plan* and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances as set forth in the Code of Ordinances of the City of Palm Coast.

The Owners have expressly agreed to be bound by and subject to the development conditions and commitments stated below and have covenanted and agreed to have such conditions and commitments run with, follow, and perpetually burden the afore described property.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The afore mentioned application for Development Approval is **GRANTED**.
- (2) All development of the property shall fully comply with all of the codes and ordinances in effect in the City of Palm Coast at the time of issuance of a development order and/or development permit, including but not limited to, all impact fee ordinances.
- (3) This Development Order touches and concerns the afore described property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or in part by action of the City of Palm Coast by virtue of a document of equal dignity herewith. The Owners have expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (4) The terms and provisions of this Order are not severable and in the event any portion of this Development Order shall be found to be invalid or illegal then the entire Development Order shall be null and void.
- (5) The Development Order shall remain valid for a period of twelve (12) months from the date of issuance. If construction has not commenced or is not continuing in good faith to conclusion during this valid period, this Development Order will expire. The Development Order may be extended, upon request, during the period of three (3) months before the expiration of the valid period. Staff may approve an extension not to exceed twelve (12) months. A maximum of three (3) extensions may be granted provided the development has a valid Certificate of Concurrency.
- (6) **No construction of any TYPE shall commence until a mandatory pre-construction meeting has been conducted with City Staff.**
- (7) Utility fees and applicable agreements shall be executed prior to issuance of a Site Development permit.
- (8) All required federal, state, county, and/or local permits shall be acquired prior to construction.
- (9) All projects located in Special Flood Hazard Area "A" or "AE" zone(s) shall meet Chapter 10.02, Unified Land Development Code and Chapter 15, Code of Ordinances regarding Flood Damage Protection regulations. These building(s) and associated utilities will

require elevation certificates at all three stages (construction drawing, building under construction and final construction) at building permit.

(10) This Development Order satisfies the concurrency requirements for transportation, sanitary sewer, solid waste, drainage, parks & recreation, and potable water. This Development Order is limited to the land uses and associated development as listed below:

ITE Land Use:620 ; Description: Assisted Living Facility; Unit Amount: 34,287 S.F./100 Beds

Concurrency shall remain valid with the life of this Development Order.

Done and Ordered on the date first written above.

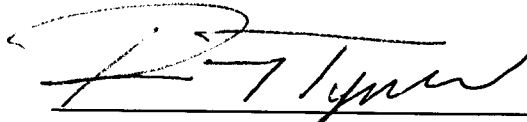
**As approved and authorized for execution by the
City of Palm Coast staff, through administrative review.**

Attest:

City of Palm Coast, Florida



Virginia Smith, City Clerk



Ray Tyner, Deputy Chief Development Officer

Sign and Record



Development Order Affidavit

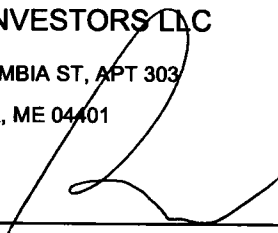
OWNER'S/APPLICANT'S CONSENT AND COVENANT:

Project Name: LOT 5 GOLD CHOICE ALF / OLD KINGS ROAD PROFESSIONAL CENTRE
Application Type: TECHNICAL SITE PLAN TIER 1
Application No.: 3987
Parcel No.:32-11-31-3620-00000-0050

COMES NOW, OKR INVESTORS LLC, the Owner on behalf of itself and its successors, assigns and transferees of any nature, whatsoever, and consents to and agrees with the covenants to perform and fully abide by the provisions, terms, and conditions, and commitments set forth in this Development Order. Affiant states that he/she accepts the findings, as outlined in this Development Order, and further states that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing the said Development Order for LOT 5 GOLD CHOICE ALF / OLD KINGS ROAD PROFESSIONAL CENTRE:

ATTEST:

OKR INVESTORS LLC
92 COLUMBIA ST, APT 303
BANGOR, ME 04401



Attesting Corporate Official

Authorized Signer
Roy Hubbard Coowner

ACKNOWLEDGEMENT

STATE OF Maine
COUNTY OF Penobscot

The foregoing instrument was acknowledged before me this 19th day of September, 2019, by Roy Hubbard of OKR INVESTORS LLC who is personally known to me or has produced Maine drivers license (type of identification) as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 19th day of September, 2019.



Notary Public

TIFFANI MARIE HATCH
Notary Public, Maine
My Commission Expires September 9, 2020