

# Killearn Lakes Development of Regional Impact Notice of Proposed Change

Submitted By:

Villas at Oak Grove, LLC.

2910 Kerry Forest Parkway, Ste. D4-371

Tallahassee, FL. 32309

Prepared By:



2840 Pablo Avenue

Tallahassee, FL. 32308

November 2014

FORM DEO-BCP-PROPCHANGE-1  
Rule 73C-40.010, FAC. Effective 11-20-90  
(Renumbered 10-01-11)

STATE OF FLORIDA  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
DIVISION OF COMMUNITY PLANNING & DEVELOPMENT  
The Caldwell Building, MSC 160  
107 East Madison Street  
Tallahassee, Florida 32399

**NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED  
DEVELOPMENT OF REGIONAL IMPACT (DRI)  
SUBSECTION 380.06(19), FLORIDA STATUTES**

Subsection 380.06(19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

1. I, Robert W. Burton, the undersigned owner/authorized representative of Villas at Oak Grove , LLC., hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the Killlearn Lakes Development of Regional Impact development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to Leon County, to the Apalachee Regional Planning Council, and to the Bureau of Community Planning, Department of Economic Opportunity.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

2. **Applicant (name, address, phone).**

The Applicant is:

Villas at Oak Grove, LLC  
2910 Kerry Forest Parkway, Ste. D4-371  
Tallahassee, FL. 32309

(850) 321-9314

3. **Authorized Agent (name, address, and phone).**

The Authorized Agent is:

Urban Catalyst Consultants, Inc.  
2840 Pablo Avenue  
Tallahassee, FL. 32308

(850) 999-4241

4. **Location (City, County, Township/Range/Section) of approved DRI and proposed change.**

The location of the Killlearn Lakes DRI, including the proposed change to the DRI is in Section 9 & 10, Township 2 North, Range 1 East, outside the City of Tallahassee Limits within Leon County.

5. **Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval. Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.**

The applicant proposes an amendment to Commercial Area “B” (CO-B). The applicant proposes to amend the designation of uses which are permitted on Commercial Area “B” from “Commercial” to “Commercial/Assisted Living Facility” and to amend Map H of the DRI to set forth the “Commercial/Assisted Living Facility” land use. The existing Map H is attached as Exhibit 1 to this application. The proposed revised Map H is attached as Exhibit 2. The new “Commercial/Assisted Living Facility” land use designation is set forth on Exhibit 5.

The original Killearn Lakes DRI allowed for 261,000 SF of commercial development for Master Plan designation CO-B. In July of 2007 a plat was approved by Leon County for the Killearn Lakes Plaza (see Exhibit 4) totaling 17.43 acres, which encompasses CO-B as shown on Map H. After the plat was recorded, the Killearn Lakes Plaza Subdivision consisted of 13 lots totaling 6.77 acres, 4 common areas totaling 4.95 acres and 5.71 acres of private right-of-way. At that time, the 261,000 SF of allowable commercial could be divided among the platted 13 lots.

In January 2008 a commercial development was approved by Leon County for Lot-2 of Block-A. Leon County Permit LEM 0700123 which approved the development of 25,920 SF of Commercial use. To date a total of 12,920 SF has been constructed. Another development in this subdivision was approved on June 10, 2008 for a commercial development on Lot-1 of Block-A. Leon County Permit LEM 0800046 which approved the development of 4,616 SF of commercial use which has been constructed. These two projects are the only projects constructed to date within the Killearn Lakes Plaza. Based on the allowable commercial SF provided in CO-B and the 17,536 SF constructed to date, there is 243,424 SF Commercial Development SF remaining.

The applicant has purchased 13.07 acres within the Killearn Lakes Plaza Subdivision. This area includes Lots 1-2 of Block B, Lots 1-2 of Block C, Lots 1-6 of Block D, Common Area B and the Private Right-of Way. The seller of the 13.07 acres has conveyed to applicant a total of 172,715 SF which can be utilized on the 13.07 acres. The applicant intends to construct a senior care facility on this property. Since a senior care facility is not a commercial facility, a Notice of Proposed Change to the DRI is required.

The NOPC is requesting that a total of 172,715 SF be applied to the new "Commercial/Assisted Living" on the 13.07 acres shown on revised Map H. The remaining commercial square footage that has not yet been constructed (i.e. 57,987 SF) is allocated to Lot-1 and Lot-2 of Block A as shown on Exhibit 4.

The Killearn Lakes DRI Land Use Summary Chart is amended to add the Land Use category "Commercial/Assisted Living" which shall be located within CO-B as set forth on the amended Map H.

#### **Killearn Lakes DRI**

##### **Commercial/Assisted Living Facility Land Use Category**

This land use category provides for either commercial development as permitted by the DRI or alternatively, development of an assisted living senior care center. The uses may include commercial or assisted living facility. For purposes of development of assisted living senior care center uses, the maximum gross density allowed is 16 beds per acre, while the minimum gross density allowed is 8 beds per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities. Properties shall contain buildings no more than 3 stories.

“Assisted Living Facility” means any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator and which secures any or all of the following licenses: Assisted Living Facility (ALF), Extended congregate care (ECC), Limited nursing services (LNS), and/or Limited mental health (LMH)

6. **Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.**

The Substantial Deviation Determination Chart is attached hereto. This NOPC proposes no change to the density or intensity of commercial development on the Commercial Area “B” property. The only change is to add an Assisted Living Facility use, which will not create any greater impacts than permitted under Commercial use; in fact, it is expected that development of the Assisted Living use will decrease impacts. Therefore, this proposed change does not constitute a substantial deviation under section 380.06(19), Florida Statutes.

7. **List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?**

- 1. Killearn Lakes DRI Amended DRI Development Order, approved by the Board of County Commissioners of Leon County, Florida, July 12, 1994.**

Amended the Killearn Lakes DRI Development Order to conform DRI Development Order to changes in development plan made in recorded and unrecorded plats, incorporate requirements imposed by the Department of Community Affairs regarding the provision of sewer service, and address a traffic study of the Tekesta Drive/Bannerman Road intersection.

- 2. Killearn Lakes DRI First Amendment to 1994 Amended Development Order, approved by the Board of County Commissioners of Leon County, Florida, July 11, 1995.**

Amended the Killearn Lakes DRI 1994 Amended Development Order, as previously amended, to delete central sewer provision requirement for four offive subdivisions in the DRI.

**3. Killearn Lakes DRI Amended Development Order, Second Amendment, approved by the Board of County Commissioners of Leon County, Florida, May 13,1997.**

Amended the Killearn Lakes DRI Development Order, as previously amended, to meet traffic study requirements, modify the plan of development by deleting 255 condominium single family attached units, add 75 single family detached units, designate a parcel for church use and for school use, and require installation of an eastbound left turn lane on Bannerman Road.

**4. Killearn Lakes DRI Amended Development Order, Third Amendment, approved by the Board of County Commissioners of Leon County, Florida, February 29, 2000.**

Amended the Killearn Lakes DRI Development Order, as previously amended, to restore 20,700 sf of commercial space previously inadvertently released from Commercial Area "C" and to reassign this commercial area to a specific parcel.

**5. Killearn Lakes DRI Amended Development Order, Four Amendment, approved by the Board of County Commissioners of Leon County, Florida, October 15, 2009.**

Amended the Killearn Lakes DRI Development Order, as previously amended, to designate a portion of the Commercial Area C from "Commercial" to a Master Development Plan designation of "Mixed Use".

**8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within ½ mile on a project master site plan or other map.**

None

**9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.**

The proposed modification for land use type in the Killearn Lakes DRI is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), F.S.

<p>Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.</p> <p>YES _____ NO <u>  X  </u></p>
---

10. **Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.**

The proposed change does not result in a change to the buildout date or any phasing dates for the project

11. **Will the proposed change require an amendment to the local government comprehensive plan?**

**Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (15), F.S., and 73-40.025, Florida Administrative Code:**

N/A

12. **An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.**

The updated Master Development Plan showing the proposed change is attached as Exhibit 2 – Proposed Map “H”.

13. **Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:**

- a. **All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;**

The language being added to the DRI Development Order is set forth in Exhibit 3

- b. **An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;**

No acreage is being added to or deleted from the Killlearn Lakes DRI.

- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;**

Not Applicable

- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;**

Not Applicable

- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and**

Not Applicable

- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 73C-40.025 (7), F.A.C.**

No changes to information previously submitted.

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Attraction/Recreation	# Parking Spaces	Not Applicable		
	# Spectators			
	# Seats			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			
Airports	Runway (length)	Not Applicable		
	Runway (strength)			
	Terminal (gross square feet)			
	# Parking Spaces			
	# Gates			
	Apron Area (gross square feet)			
	Site locational changes			
	Airport Acreage, including drainage, ROW, easements, etc.			

Airports (cont.)	# External Vehicle Trips			
	D.O. Conditions			
	ADA representations			
Hospitals	# Beds	Not Applicable		
	# Parking Spaces			
	Building (gross square feet)			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	External Vehicle Trips			
	D.O. conditions			
	ADA representations			
Industrial	Acreage, including drainage, ROW, easements, etc.	Not Applicable		
	# Parking spaces			
	Building (gross square feet)			
	# Employees			
	chemical storage (barrels and pounds)			
	Site locational changes			

Industrial (cont.)	# External vehicle trips			
	D.O. Conditions			
	ADA representations			
Mining Operations	Acreage mined (year)	Not Applicable		
	Water withdrawal (gal/day)			
	Size of mine (acres), including drainage, ROW, easements, etc.			
	Site locational changes			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			
Office	Acreage, including drainage, ROW, easements, etc.	No Change		
	Building (gross square feet)			
	# Parking Spaces			
	# Employees			
	Site locational changes			
	# External vehicle trips			
	D.O. Conditions			

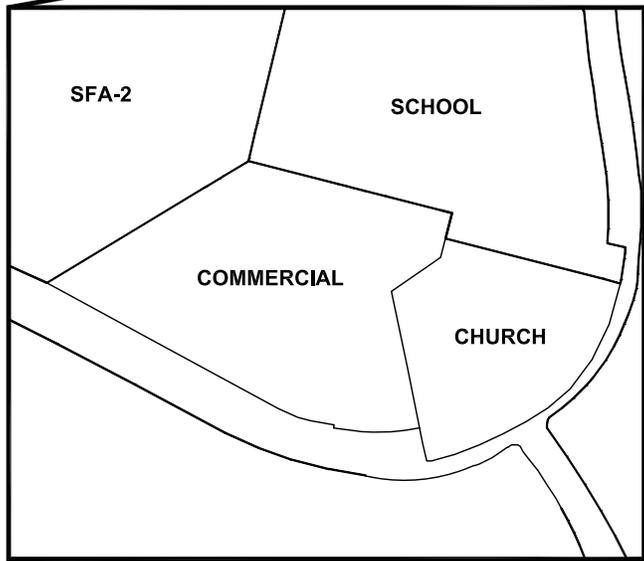
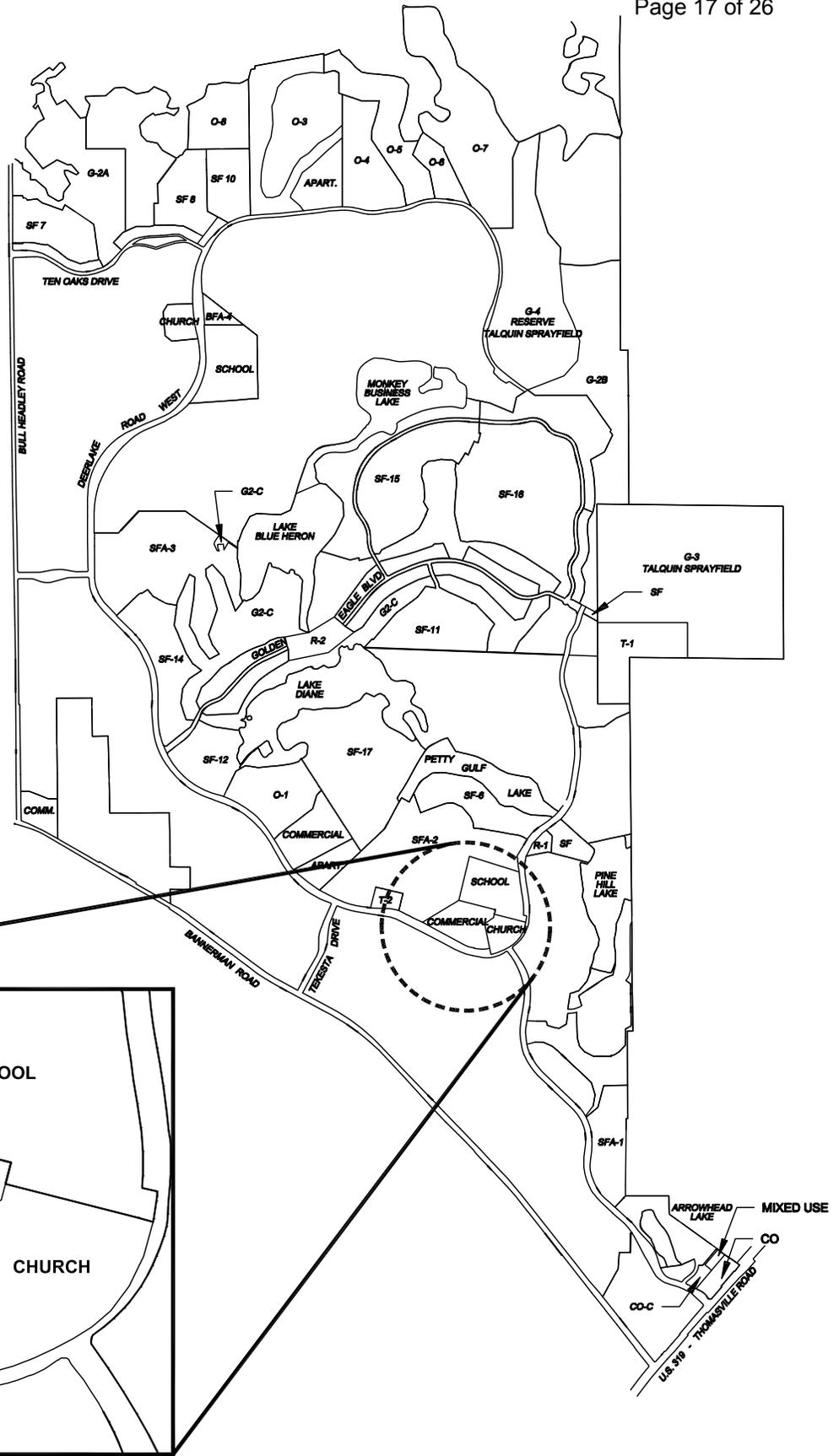
Office (cont.)	ADA representations			
Petroleum/Chemical Storage	Storage Capacity (barrels and/or pounds)	Not Applicable		
	Distance to Navigable Waters (feet)			
	Site locations changes			
	Facility Acreage, including drainage, ROW, easements, ect.			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			
Ports (Marinas)	# Boats, wet storage	Not Applicable		
	# Boats, dry storage			
	Dredge and fill (cu. yds.)			
	Petroleum storage (gals.)			
	Site locational changes			
	Port Acreage, including drainage, ROW, easements, etc.			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			

Residential	# Dwelling units	Not Applicable		
	Type of dwelling units			
	# of lots			
	Acreage, including drainage, ROW, easements, etc.			
	Site locational changes			
	# External vehicle trips			
	D.O. Conditions			
Wholesale, Retail, Service	Acreage, including drainage, ROW, easements, etc.	Not Applicable		
	Floor Space (gross square feet)			
	# Parking Spaces			
	# Employees			
	Site locational changes			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			

Hotel/Motel	# Rental Units	Not Applicable		
	Floor space (gross square feet)			
	# Parking Places			
	# Employees			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			
R.V. Park	Acreage, including drainage, ROW, easements, etc.	Not Applicable		
	# Parking Spaces			
	Buildings (gross square feet)			
	# Employees			
	Site locational changes			
	# External vehicle trips			
	D.O. conditions			
	ADA representations			

Open Space (All natural and vegetated non-impervious surfaces)	Acreage	Not Applicable		
	Site locational changes			
	Type of open space			
	D.O. Conditions			
	ADA representations			
Preservation, Buffer or Special Protection Areas Preservation (cont.)	Acreage	Not Applicable		
	Site locational changes			
	Development of site proposed			
	D.O. Conditions			
	ADA representations			

Exhibit 1  
Existing Map "H"



URBAN CATALYST CONSULTANTS, INC.  
 2840 PABLO AVENUE  
 TALLAHASSEE, FLORIDA, 32308  
 PHONE: (850) 999-4241  
 WWW.UCCENG.COM  
 FL CA 00030572

**VILLAS AT KILLEARN LAKES  
 NOTICE OF PROPOSED CHANGE**

**EXISTING MAP H  
 MASTER DEVELOPMENT PLAN  
 KILLEARN LAKES**

LEON COUNTY

FLORIDA

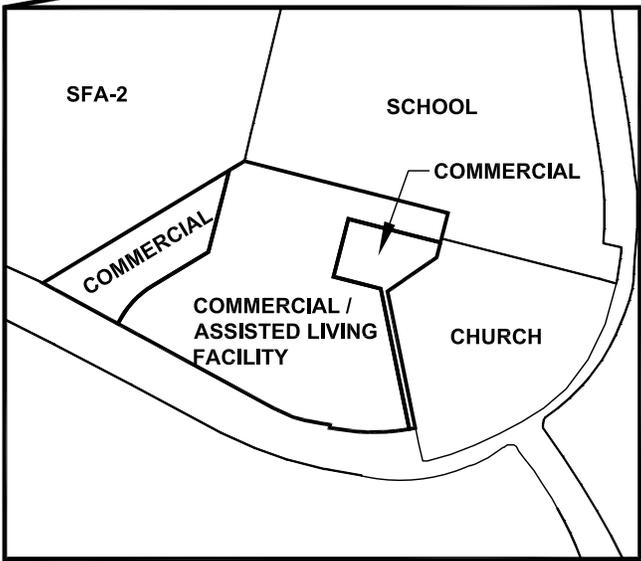
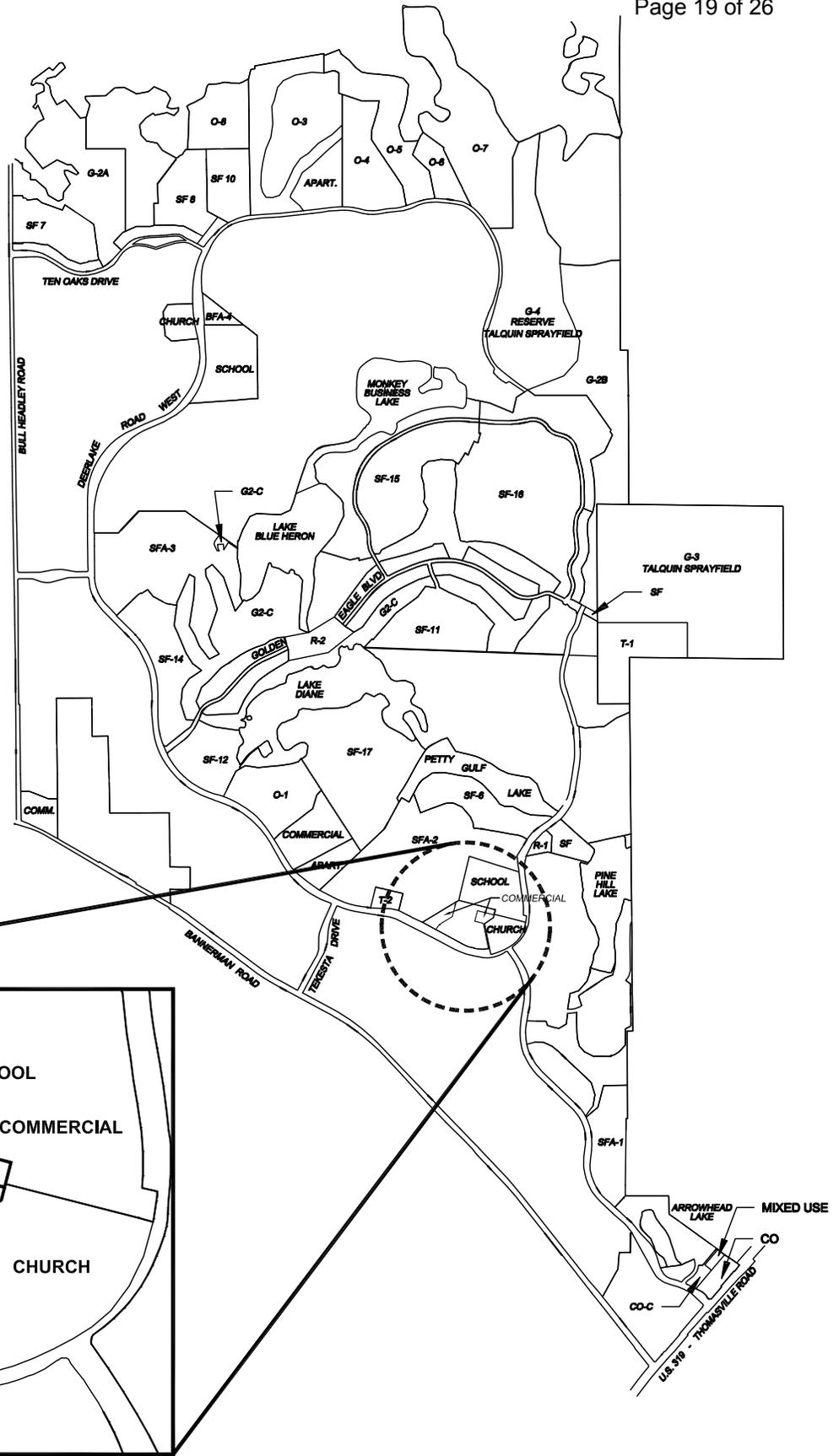
DATE	BY	REVISIONS

SEAN K. MARSTON, P.E.  
 LICENSE NUMBER: 55967

DRAWN BY: W.E.C.  
 CHECKED BY: S.K.M.  
 DATE: 10/3/14  
 HORZ. SCALE: N.T.S.

SHEET **Exhibit 1**  
 PROJECT No. 14026.00

Exhibit 2  
Proposed Map "H"



URBAN CATALYST CONSULTANTS, INC.  
 2840 PABLO AVENUE  
 TALLAHASSEE, FLORIDA, 32308  
 PHONE: (850) 999-4241  
 WWW.UCCENG.COM  
 FL CA 00030572

**VILLAS AT KILLEARN LAKES  
 NOTICE OF PROPOSED CHANGE**

**PROPOSED MAP H  
 MASTER DEVELOPMENT PLAN  
 KILLEARN LAKES**

LEON COUNTY FLORIDA

DATE	BY	REVISIONS

SEAN K. MARSTON, P.E.  
 LICENSE NUMBER: 55987

DRAWN BY: W.E.C.  
 CHECKED BY: S.K.M.  
 DATE: 10/3/14  
 HORZ. SCALE: N.T.S.

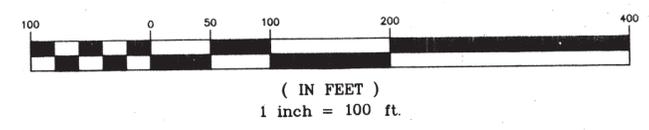
SHEET **Exhibit 2**  
 PROJECT No. 14026.00

Exhibit 3  
Killearn Lakes Plaza Plat

# KILLEARN LAKES PLAZA

A SUBDIVISION LYING IN SECTIONS 9 & 10, TOWNSHIP 2 NORTH,  
RANGE 1 EAST, LEON COUNTY, FLORIDA

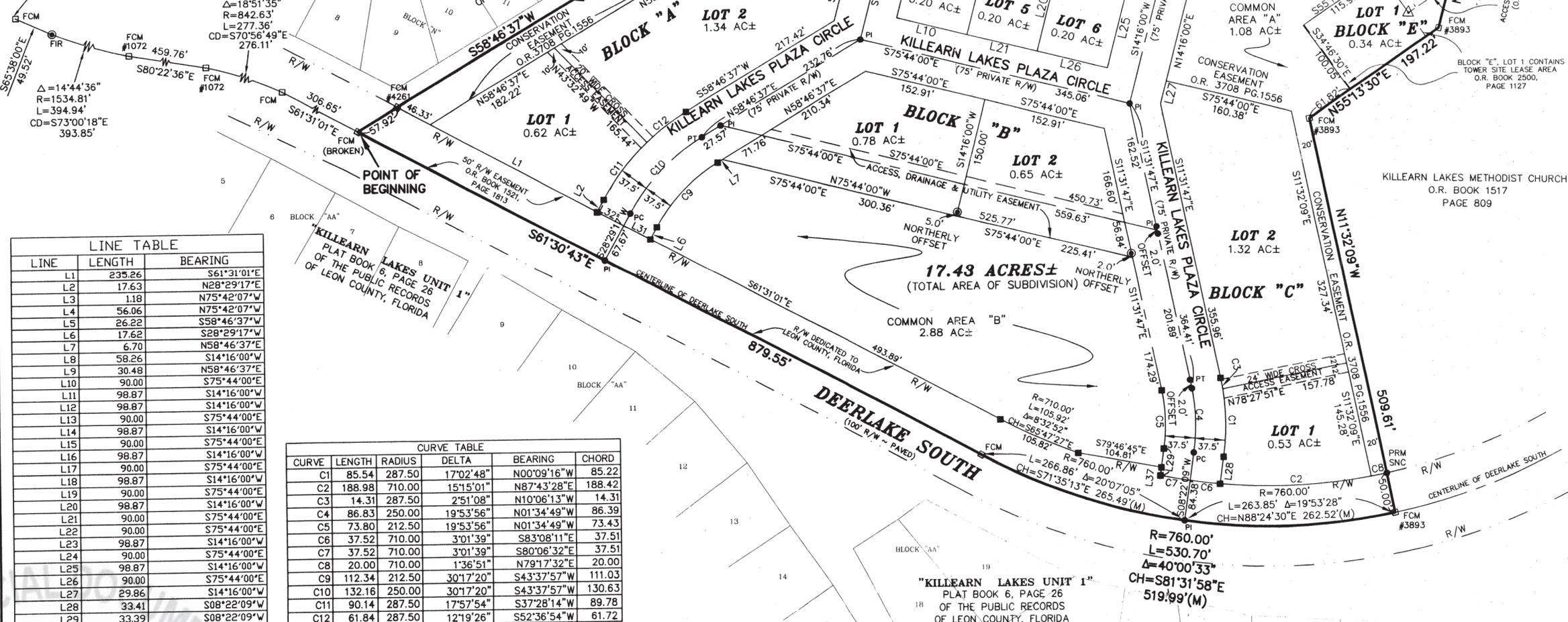
GRAPHIC SCALE



- LEGEND**
- LOT = SET 5/8" RE-ROD #7160
  - LOT UNLESS NOTED OTHERWISE
  - ESMT = EASEMENT
  - T.E.C. = TALQUIN ELECTRIC COOPERATIVE, INC.
  - ORB = OFFICIAL RECORDS BOOK
  - COA = CENTERVILLE OWNERS ASSOCIATION
  - QME = QUALIFIED MANAGEMENT ENTITY EASEMENT
  - R/W = RIGHT OF WAY
  - SIRC = Set 5/8" re-rod # 7160
  - FCM = Found Concrete Monument (4" x 4")
  - FIP = Found Iron Pipe (1")
  - FIR = Found Iron Rod (5/8")
  - FIRC = Found Iron Rod & Cap (5/8")
  - SCM = Set 4" x 4" Concrete Monument with cap #7160
  - PT = Point of Tangency
  - PC = Point of Curvature
  - PI = Point of Intersection
  - PCC = Point of Compound Curve
  - PRC = Point of Reverse Curve (TYP) = Typical
  - PRM = Permanent Reference Monument = Set 4" x 4" Concrete Monument with cap #7160
  - Point Not Set
  - Set Nail & Cap #7160

**NOTICE:**  
This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.

**POINT OF COMMENCEMENT**  
THE INTERSECTION OF THE CENTERLINE OF DEERLAKE SOUTH WITH THE CENTERLINE OF TEKESTA DRIVE, BEING LOCATED IN SECTION 9, TOWNSHIP 2 NORTH, RANGE 1 EAST, LEON COUNTY, FLORIDA.



**LINE TABLE**

LINE	LENGTH	BEARING
L1	235.26	S61°31'01"E
L2	17.63	N28°29'17"E
L3	1.18	N75°42'07"W
L4	56.06	N75°42'07"W
L5	26.22	S58°46'37"W
L6	17.62	S28°29'17"W
L7	6.70	N58°46'37"E
L8	58.26	S14°16'00"W
L9	30.48	N58°46'37"E
L10	90.00	S75°44'00"E
L11	98.87	S14°16'00"W
L12	98.87	S14°16'00"W
L13	90.00	S75°44'00"E
L14	98.87	S14°16'00"W
L15	90.00	S75°44'00"E
L16	98.87	S14°16'00"W
L17	90.00	S75°44'00"E
L18	98.87	S14°16'00"W
L19	90.00	S75°44'00"E
L20	98.87	S14°16'00"W
L21	90.00	S75°44'00"E
L22	90.00	S75°44'00"E
L23	98.87	S14°16'00"W
L24	90.00	S75°44'00"E
L25	98.87	S14°16'00"W
L26	90.00	S75°44'00"E
L27	29.86	S14°16'00"W
L28	33.41	S08°22'09"W
L29	33.39	S08°22'09"W
L30	19.94	S11°13'55"E
L31	37.50	S61°31'01"E
L32	37.50	S61°31'01"E
L33	38.00	N14°19'02"E
L34	19.94	S11°13'55"E
L35	28.05	S58°46'37"W
L36	88.45	N75°53'21"W
L37	10.03	S08°22'09"W

**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	85.54	287.50	17°02'48"	N00°09'16"W	85.22
C2	188.98	710.00	15°15'01"	N87°43'28"E	188.42
C3	14.31	287.50	2°51'08"	N10°06'13"W	14.31
C4	86.83	250.00	19°53'56"	N01°34'49"W	86.39
C5	73.80	212.50	19°53'56"	N01°34'49"W	73.43
C6	37.52	710.00	3°01'39"	S83°08'11"E	37.51
C7	37.52	710.00	3°01'39"	S80°06'32"E	37.51
C8	20.00	710.00	1°36'51"	N79°17'32"E	20.00
C9	112.34	212.50	30°17'20"	S43°37'57"W	111.03
C10	132.16	250.00	30°17'20"	S43°37'57"W	130.63
C11	90.14	287.50	17°57'54"	S37°28'14"W	89.78
C12	61.84	287.50	12°19'26"	S52°36'54"W	61.72

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER"

**SHEET 2 OF 4**

PREPARED BY:  
**THURMAN RODDENBERRY & ASSOCIATES, INC.**  
Professional Surveyors and Mappers  
LB. NO. 7160

P.O. Box 100 • 125 Sheldon Street • Sopchoppy, FL 32358-0100 • (850) 962-2538

DATE: 09/04/07	DRAWN BY: BB	N.B. pg.	COUNTY: LEON
FILE: 06686RP.DWG	JOB NUMBER: 06-686		

- METAL CAP IN TOP OF CONCRETE MONUMENT MARKING PERMANENT REFERENCE MONUMENTS
- METAL CAP IN TOP OF CONCRETE MONUMENT MARKING PERMANENT CONTROL POINTS
- PLASTIC CAP ON 5/8" RE-ROD MARKING PERMANENT REFERENCE POINTS

**SURVEYOR'S CERTIFICATION:**  
I hereby certify that this survey was made under my responsible direction and supervision, is a correct representation of the land surveyed, that the monuments, Reference Monuments and Permanent Control Points have been set and that the survey data and monumentation complies with both Chapter 177 of the Florida Statutes and with the minimum technical standards for Land Surveying (F.S. 610.17-2)

*James T. Roddenberry*  
James T. Roddenberry  
Surveyor & Mapper Certificate No. 4261

DATE: 9/5/07

**NOTE:**  
SEE SHEETS 3 & 4 FOR TALQUIN ELECTRIC COOPERATIVE, INC. EASEMENT DETAILS

Exhibit 4  
CO-B Commercial Comparison

**Killearn Lakes DRI**  
**CO-B (Map H Designation)**  
**Commercial Square Footage**

Block	Lot	Area (Ac)	Allowable SF	Built SF	Remaining SF
A	1	0.62	23903	4616	19287
A	2	1.34	51660	12960	38700
B	1	0.78	30071	0	30071
B	2	0.65	25059	0	25059
C	1	0.53	20433	0	20433
C	2	1.32	50889	0	50889
D	1	0.2	7710	0	7710
D	2	0.2	7710	0	7710
D	3	0.2	7710	0	7710
D	4	0.2	7710	0	7710
D	5	0.2	7710	0	7710
D	6	0.2	7710	0	7710
E	1	0.33	12722	0	12722
Common Area	A	1.08			
Common Area	B	2.88			
Common Area	C	0.4			
Common Area	D	0.59			
Private R/W		5.71			
		17.43	261000	0	243424

Commercial Area w/in Ex. Sub.	6.77
Villas @ KL (sf)	172715
Villas @ KL (ac)	13.07



Exhibit 5  
Killearn Lakes Amended Development Order

A ~~FOURTH~~ FIFTH AMENDMENT TO AN AMENDED DEVELOPMENT ORDER FOR THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, PURSUANT TO CHAPTER 380, FLORIDA STATUTES, FOR THE KILLEARN LAKES DEVELOPMENT OF REGIONAL IMPACT. Page 25 of 26

1. FINDINGS OF FACT

No change to Findings of Fact 1 through 8, pp. 1-5, of the Killlearn Lakes DRI Amended Development Order, Third Amendment, After Finding of Fact no. 8, insert the following:

9. On November 20, 2014, Villas at Oak Grove, LLC, through the Company's authorized agent, filed an NOPC to designate a portion of Commercial Area B from "Commercial" to a Master Development Plan designation of "Commercial/Assisted Living Facility", more particularly described by a map and legal description attached to this amended DO.

No Changes to Section II, CONCLUSIONS OF LAW

III. GENERAL PROVISIONS

1. a., through k., no change.

Add to the following subparagraphs i and j.

- i. Portion of "Commercial Area B" be re-designated on the Master Plan, Otherwise known as Map H, from "Commercial" to "Commercial/Assisted Living Facility."
- j. The "Commercial/Assisted Living Facility" component of "Commercial Area B" shall be consistent with the language included in the NOPC Fifth Amendment

**Killlearn Lakes DRI  
Commercial/Assisted Living Facility Land Use Category**

This land use category provides for either commercial development as permitted by the DRI or alternatively, development of an assisted living senior care center. The uses may include commercial or assisted living. For purposes of development of assisted living senior care center uses, the maximum gross density allowed is 16 beds per acre, while the minimum gross density allowed is 8 beds per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities. Properties shall contain buildings no more than 3 stories.

"Assisted Living Facility" means any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator and which secures any or all of the following licenses: Assisted Living

Strike paragraphs 2 through 4, and add the following:

2. Within sixty (60) days of the issuance of this Fifth Amendment to the ADO, the Owner, Innovative senior Living of Florida, LLC, shall cause a Notice of Adoption to be recorded among the public records of Leon County in accordance with Section 380.06(15) F.S., and shall provide a copy of the recorded notice to the County, ARPC, and DCA.

3. The County Attorney is hereby directed to send certified complete copies of this Fifth Amendment to the ADO within ten (10) days of the date of this Amendment to the ARPC, DCA, and the authorized representative of the Applicant, by certified mail, return receipt requested.

4. This Fifth Amendment to the ADO shall take effect upon transmittal to the parties specified in Section 380.07, F.S.

DONE AND ORDERED      THIS DAY OF                      , 2014