

Facilities Planning and Construction
Paul J. Phillips, Chief Facilities Officer

SUBJECT: AUTHORIZATION TO NEGOTIATE A DECLARATION OF RESTRICTIONS AND NECESSARY AGREEMENTS FOR APPLICATION NO. 99-3/LAND USE AMENDMENT NO. 6, SUCHMAN REAL ESTATE COMPANY, FOR THE PROVISION OF LAND FOR A FUTURE MIDDLE SCHOOL SITE WITH A PORTION AS A VOLUNTARY CONTRIBUTION IN ADDITION TO EDUCATIONAL FACILITIES IMPACT FEES

Suchman Real Estate Company, is requesting a land use change from agriculture to low density residential and industrial and office for 127.87 acres located west of S.W. 157 Avenue and south of S.W. 136 Street (see attached location map). The proposed 500-unit single family residential development is consistent with the Miami-Dade County Comprehensive Development Master Plan (CDMP) and is within the current Urban Development Boundary.

The estimated student population generated by this application is 250 students. The schools that will be impacted are Jack D. Gordon Elementary School (135 students - permanent utilization of 137%), Richmond Heights Middle School (60 students - permanent utilization of 162%), and Miami Southridge Senior High School (55 student - permanent utilization of 160%). The impacted feeder pattern is Miami Southridge Senior High, with an overall feeder pattern utilization of 129% (see attached analysis).

Pursuant to established procedures, a Management Team meeting was held on December 6, 1999, to negotiate with the applicant. Based on these negotiations, and in order to mitigate the impact of this proposed 500-unit development, the applicant is willing to negotiate the necessary agreements and to proffer a Declaration of Restrictions to benefit the Board with substantially the following terms:

- Suchman Real Estate Company will provide a 15 gross acre site within the proposed development (see attachment A), of which six acres will be a donation over and above impact fees (estimated to be \$900,000, based on a countywide average impact fee). Should the number of units be altered, the donated portion of the site will be proportionately modified consistent with the impact.
- The balance of the acreage (nine acres) will be purchased by the District at a purchase price equal to the average of the fair market values of the property in its "as is" condition at the time of property transfer, as established by two District-commissioned appraisals. Prior to property transfer, an agenda item for the purchase agreement will be presented to the Board for its consideration.

- Suchman Real Estate Company will be responsible for any required wetlands mitigation fees and will handle any required storm water retention on the balance of the development, excluding the school site, at the sole cost to the owner, so that the full 15-acre site is usable for construction.
- The site shall be provided within 30 days after final plat approval of any part of the proposed development, or by December 15, 2001, whichever occurs earlier. The conveyance date may only be extended by approval of the School Board. All transactions necessary to complete the conveyance shall be at the expense of the Suchman Real Estate Company. A recent District-commissioned appraisal for the undeveloped site indicates a current fair market value of \$100,000 per acre.
- The Miami-Dade County Aviation Department has indicated the proposed location of the 15-acre school site is appropriate and in conformance with the Miami-Dade County Tamiami Kendall Airport Zoning Ordinance.
- Pursuant to Florida Statutes, Section 235.193(5), the site was submitted to Miami-Dade County for a determination of consistency with the CDMP. The County has indicated that the 15-acre site is consistent with the CDMP and is acceptable for use as a middle school site.
- As required by Miami-Dade County, the owner shall provide a Phase I Environmental Assessment to the District. Additionally, acceptance by the District shall be conditioned upon the 15-acre site complying with all regulations governing a public school site, and is free from obvious safety, traffic, hazardous and environmental conditions, prior to final acceptance of the site.
- No impact fee credits shall be provided to the developer for the value of any portion of the 15-acre site.
- The Declaration of Restrictions will run with the land and be binding on any future owners.
- Any negotiated agreements and/or Declaration of Restrictions will be conditioned upon Miami-Dade County approving the requested land use change and related zoning.

The Declaration has been reviewed by the School Board Attorney's Office.

A copy of the proposed Declaration will be placed on file in the Citizen Information Center and the Recording Secretary's Office.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to:

- 1) negotiate a Declaration of Restrictions for Application No. 99-3, Land Use Amendment No. 6, Suchman Real Estate Company, for the provision of a 15-acre site within the proposed development, of which six acres will be a donation over and above impact fees; and
- 2) negotiate necessary agreements for the balance of the acreage (nine acres) to be purchased by the District at a purchase price equal to the average of the fair market values of the property in its "as is" condition at the time of property transfer, as established by two District-commissioned appraisals. Prior to property transfer, an agenda item for the purchase agreement will be presented to the Board for its consideration.

SO:adc

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: Suchman Real Estate Company

REQUEST: Land use change from agriculture to low density residential and industrial and office

ACRES: 127.87 acres

LOCATION: West of S.W. 157 Avenue and South of S.W. 136 Street

NUMBER OF UNITS: 500 single family residences

ESTIMATED STUDENT POPULATION: 250 students

ELEMENTARY: 135

MIDDLE: 60

SENIOR: 55

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: *Jack D. Gordon Elementary - 14600 Country Walk Drive

MIDDLE: Richmond Heights Middle - 15015 S.W. 103 Avenue

SENIOR HIGH: Miami Southridge Senior -19355 S.W. 114 Avenue

** School is capped. Students sent to Pine Villa Elementary*

SCHOOL UTILIZATION: The October 1999 FTE membership, permanent utilization, permanent/temporary utilization and program capacity utilization are as follows:

	MEMBERSHIP	PERMANENT UTILIZATION	PERMANENT/TEMPORARY UTILIZATION	PROGRAM CAPACITY UTILIZATION
Jack D. Gordon Elem. (Includes PLC "S" and PLC "T")	1904	135%	118%	143%
Richmond Heights Mid.	1430	162%	113%	132%
Miami Southridge Sr.	3991	160%	124%	150%

Feeder Pattern: Miami Southridge Sr. 129%

PLANNED RELIEF SCHOOLS IN THE AREA:

<u>School</u>	<u>Status</u>	<u>Occupancy Date</u>
Primary Learning Center "U"	Developer to build pursuant to contract	Fall/2000
Christina M. Eve Elem.	Construction	February/2000
Hammocks Middle/Major Addition	Design	March/2001
Richmond Heights Mid./Major Addition	Design	March/2001
Felix Varela Sr.	Construction	Fall/2000
State School "HHH"	Design	December/2001

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,062 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$1,265,500.

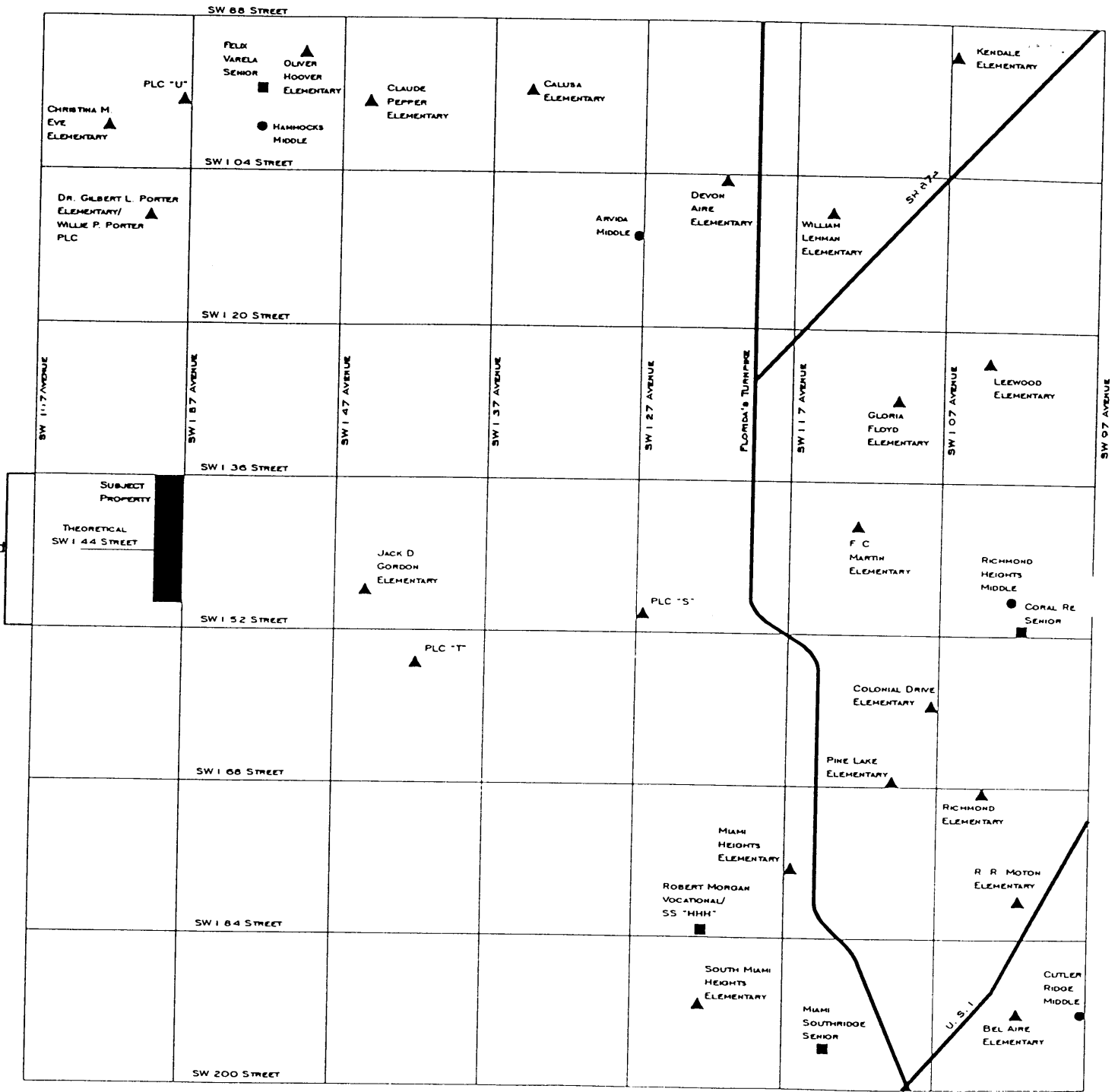
CAPITAL COSTS: Based on the 1994-95 Educational Facilities Impact Fee Study, construction costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	135 x \$ 11,790 = \$ 1,591,650
MIDDLE	60 x \$ 12,232 = \$ 733,920
SENIOR	55 x \$ 18,619 = \$ 1,024,045

Total Potential Capital Cost \$ 3,349,615

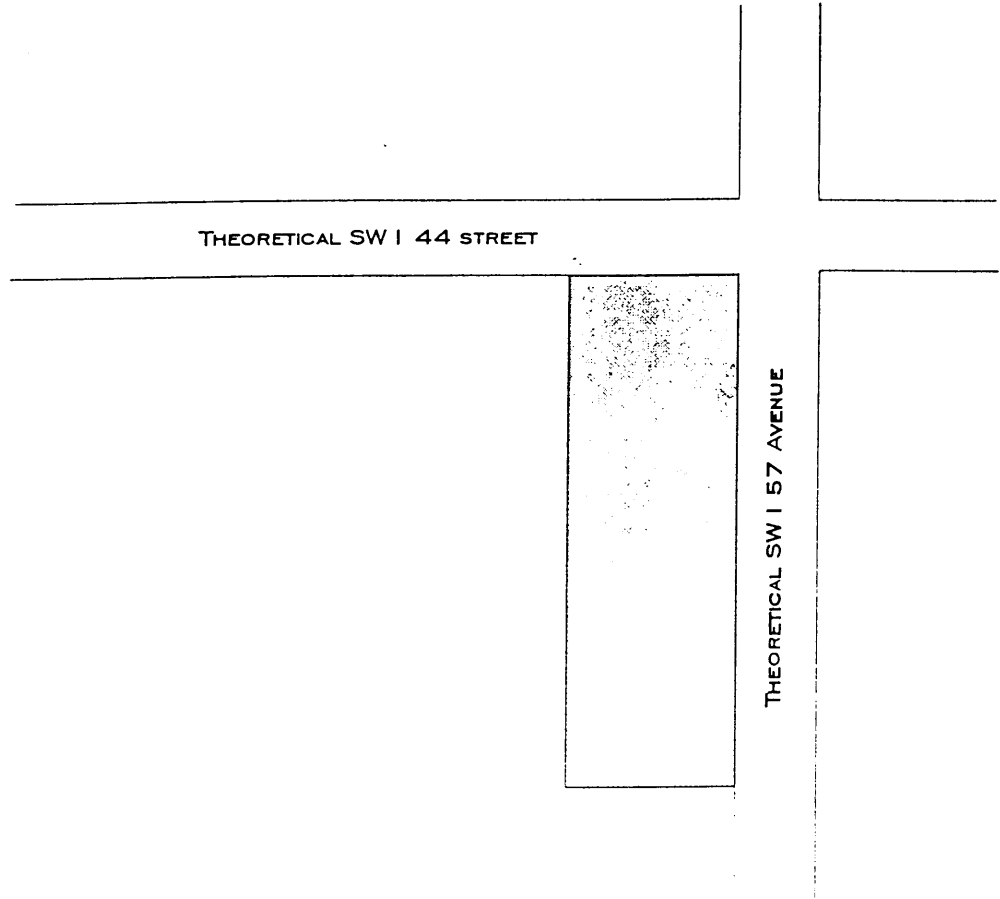
The School Board's estimated capital costs are based upon the actual costs of land acquisition, land development and construction of elementary, middle or senior high school facilities. Such costs do not include furniture, fixtures or equipment, buses or other capital costs.

LOCATION MAP

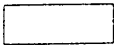


Revised

EXHIBIT "A"



LEGEND

 1.5 ACRE SCHOOL SITE

