

Facilities Planning and Construction
Suzanne A. Marshall, Chief Facilities Officer (Construction)

SUBJECT: AUTHORIZATION TO EXPLORE THE FEASIBILITY OF A LAND DEDICATION AS A CONTRIBUTION IN-LIEU-OF EDUCATIONAL FACILITIES IMPACT FEES IN CONNECTION WITH APPLICATION NO. 01-010 LUIS AND MARGARITA AGUDO, ET AL, FOR THE PROVISION OF AN APPROXIMATE 2-ACRE SITE AT N. W. 197 STREET AND N.W. 78 AVENUE

Introduction

Pursuant to the terms of the Educational Facilities Impact Fee Ordinance (Ordinance) and the Interlocal Agreement (Agreement) the School Board (Board) may accept contributions in-lieu-of impact fees from developers if the Board determines that such contributions are appropriate and desirable. Luis and Margarita Agudo, et al, (applicants), propose such contribution in connection with a zoning change, approved by the Miami-Dade Community Zoning Appeals Board (Zoning Board) on October 18, 2001. The applicants obtained a zoning change approval from GU (Interim) to RU-1M (a) (Modified Single-Family), on 28 gross acres located between N.W. 197 Street and N.W. 202 Street and between N.W. 77 Avenue and N.W. 79 Avenue (see Attachment "A"). At that time, the applicants indicated to the Zoning Board their willingness to contribute a two-acre site to the District.

Background

Prior to the enactment of the new board rule governing facilities planning and construction, and pursuant to then existing procedures, Management Team (MT) meetings were held March 26, 2001, May 7, 2001, and September 5, 2001 to consider the applicants' proposal. Initially, the MT considered one acre as an in-lieu contribution and one acre as a contribution over and above impact fees. However, pursuant to the May 2001 OPPAGA report, which recommended that the practice of pursuing contributions over and above impact fees be suspended, at the September MT meeting, and to help mitigate the impact of the proposed development, the applicants formally expressed their willingness to contribute land in-lieu-of impact fees and to set aside an approximate 2-acre site within their development (see Attachment "B").

Additional Information

The estimated student population generated by this application is 74 students. Based on current attendance boundaries, schools impacted are Charles D. Wyche Elementary School (estimated 40-student impact), Lawton Chiles Middle School (estimated 18-student impact), and American Senior High School (estimated 16-student impact) (see attachment "C").

The school site dedication would be provided to the Board as a contribution in-lieu of impact fees, as noted above, subject to due diligence and a determination that the site is suitable for its intended purpose (estimated range of Educational Facilities Impact Fees to be paid by the applicants is \$307,784.40 - \$335,781.60); based on a recent appraisal of property in this general market area, it is projected at this point that an impact fee payment will be required in addition to the land contribution. Should all due diligence investigations reveal positive results, a full informational item will be presented to the Board at a future meeting for final review and action, in accordance with the governing Ordinance and Agreement. In the event the due diligence results deem the property to be unsuitable for the intended purpose, the land contribution will be declined and the applicants will then be required to pay the applicable educational facilities impact fees.

Based on current student population and available student stations, as well as county generated student projections for 2005, 2010 and 2015 and proposed school projects listed in the District's Five-Year Work Program for this general area it appears that there will be a continuing need for additional student stations at all levels; as such, it seems reasonable to pursue the present land contribution in lieu of impact fees. Region I has, in concept, endorsed pursuing the proposed land contribution.

Should this property be accepted by the Board as a contribution in-lieu of impact fees, the Five-Year Work Program will need to be revisited to incorporate construction of a school facility.

Applicants Luis and Margarita Agudo, et al, consist of a private group of individuals whose names are: Luis Agudo,; Margarita Agudo; Fernando Vivanco; Alicia Vivanco; Leila Dergan; Pedro F. Hernandez; Alfredo P. Horta; and Antonia R. Horta.

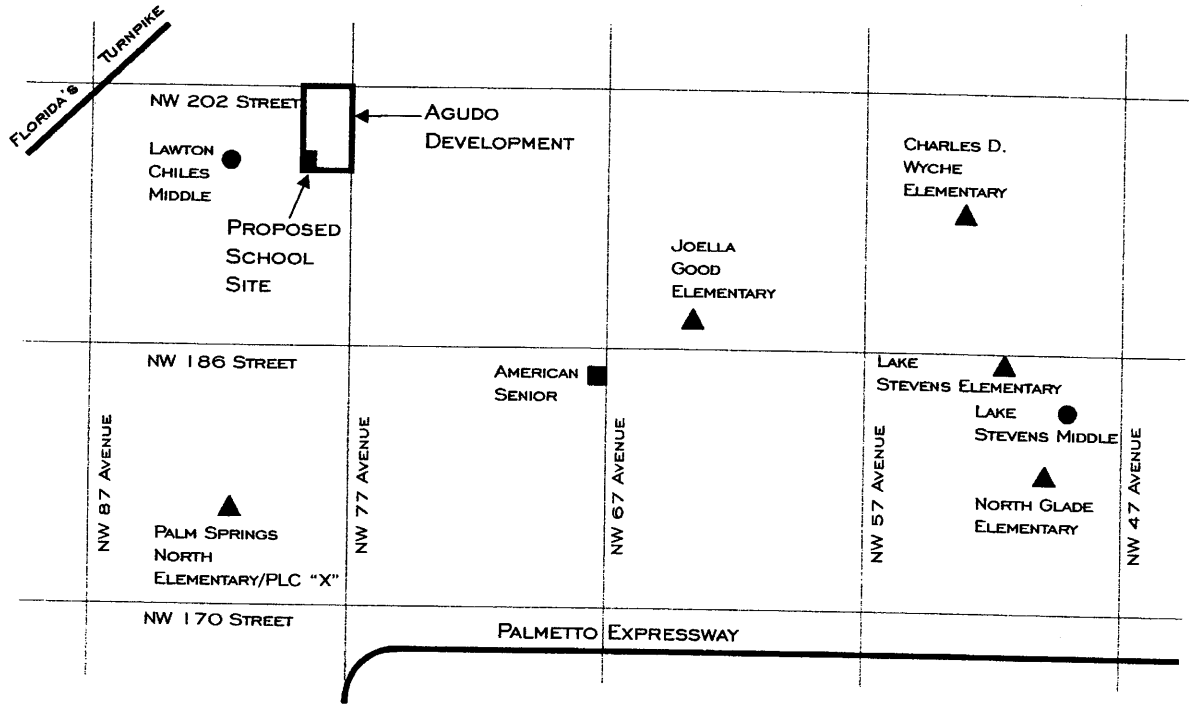
RECOMMENDED:

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

- 1) explore the feasibility of a land dedication as a contribution in-lieu-of educational facilities impact fees in connection with Miami-Dade County Application No. 01-010, Luis and Margarita Agudo, et al, for the provision of an approximate 2-acre site at NW 197 Street and NW 78 Avenue, subject to full due diligence and other relevant research;
- 2) report back to the Board with findings and conclusions for final review and action, should the site be found suitable for its intended purpose.

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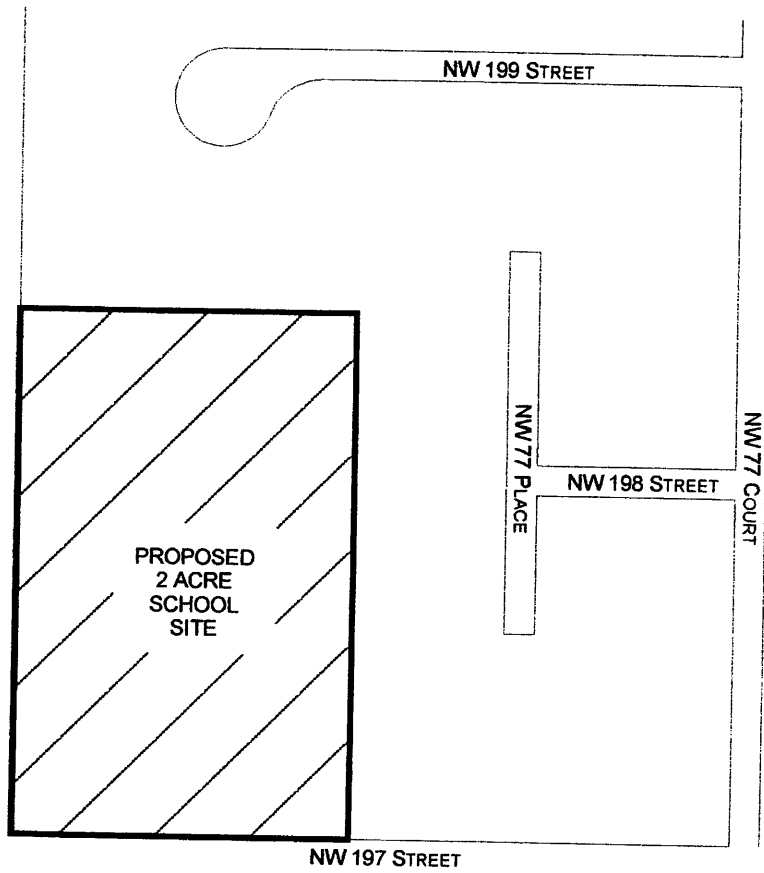
ATTACHMENT "A"



SS "C"
& ▲
SS "TT"
(IN PROCESS)



ATTACHMENT "B"



ATTACHMENT "C"

SCHOOL IMPACT REVIEW ANALYSIS

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Charles D. Wyche Elementary - 5241 N.W. 195 Drive

MIDDLE: Lawton Chiles Middle - 8190 N.W. 197 Street

SENIOR HIGH: American Senior - 18350 N.W. 67 Avenue

The following population and facility capacity data are as reported by the Office of Information Technology, as of December 8, 2001:

| | STUDENT POPULATION | PERMANENT UTILIZATION (1) | UTILIZATION FISH DESIGN CAPACITY (2) | UTILIZATION PERMANENT RELOCATABLE + PROGRAM CAPACITY (3) |
|-----------------------------|-----------------------|---------------------------------|---|---|
| Charles D. Wyche El. | 1292 | 141% | 141% | 122% |
| Lawton Chiles Middle | 1884 | 163% | N/A | 135% |
| American Senior | 2831 | 185% | 150% | 127% |

1) Ratio of total students to permanent student stations

2) Ratio of total students to permanent and relocatable (portables) student stations

3) Ratio of total students to permanent and relocatable (portables) student stations after programmatic changes