

Business Operations  
J.E. Surash, P.E., Chief Business Officer

**SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH APPLICATION NO. 03-335, COLONY APARTMENTS, INC., LOCATED WEST OF THE PALMETTO EXPRESSWAY AND NORTH OF SW 93 STREET, PROVIDING FOR A MONETARY DONATION IN ADDITION TO EDUCATIONAL FACILITIES IMPACT FEES AS ALLOWED FOR UNDER THE INTERLOCAL AGREEMENT**

**COMMITTEE: FACILITIES MANAGEMENT**

**Background**

Colony Apartments, Inc. (Applicant), is requesting a zoning change from RU-4M (Modified Apartment House) to RU-4 (Apartments), on 10.642 acres located west of the Palmetto Expressway and north of SW 93 Street (see location map). The proposed additional 203-unit residential development is estimated to generate 51 students (see attached school impact analysis). The existing RU-4M zoning presently allows the applicant to build 381 units.

Pursuant to the terms of the Interlocal Agreement for School Facility Planning (Interlocal), the School Board (Board), local government, in this instance Miami-Dade County (County), and the development community are to collaborate to develop options which seek to address the impact of proposed residential development on public schools where the development would result in an increase in the schools' FISH % utilization (permanent and relocatable), beyond the threshold review level of 115%. Please note that two of the school facilities impacted by the proposed development (K-8 Center and the senior high school) meet the referenced threshold.

**Additional Information**

In connection with the rezoning request and to mitigate the impact of the proposed development on the public school system at the elementary and middle school levels only (Kenwood K-8 Center), the applicant is voluntarily proffering a Declaration of Restrictions (Covenant) to the Board. Pursuant to the Covenant, the applicant will donate the amount of \$43,200, in addition to educational facilities impact fees estimated at \$343,664. The entire donation is due prior to final plat approval. In the event the County approves fewer units, the donation will be reduced on a pro-rata basis.

The donation is to be utilized for capital improvements at the impacted school (Kenwood K-8 Center). To the extent that there are no pending or proposed capital improvements at the referenced school, the donation would be utilized for capital improvements at other schools within the affected feeder pattern.

The Covenant will be reviewed by the School Board Attorney's Office prior to recordation.

**RECOMMENDED:**

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to accept a Declaration of Restrictions in connection with Miami-Dade County Application No. 03-335, Colony Apartments, Inc., located west of the Palmetto Expressway and north of SW 93 Street, for the provision of a voluntary monetary donation over and above educational facilities impact fees in the amount of \$43,200.

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## **SCHOOL IMPACT REVIEW ANALYSIS**

**APPLICATION:** No. 03-335, The Colony Apartments, Inc. (DIC)

**REQUEST:** Zone change from RU-4M to RU-4

**ACRES:** 10.642 acres

**LOCATION:** West of the Palmetto Expressway and North of SW 93 Street

**UNITS:** 203 additional units (381 units currently permitted under existing zoning classification, for a total of 584 units)

**ESTIMATED STUDENT POPULATION:** 51 students\*

**ELEMENTARY:** 23

**MIDDLE:** 13

**SENIOR:** 15

### **SCHOOLS SERVING AREA OF APPLICATION:**

**ELEMIDDLE:** Kenwood K-8 Center - 9300 SW 79 Ave.

**SENIOR HIGH:** Miami Killian Senior - 10655 SW 97 Ave.

All schools are located in Access Center 5

\* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2003:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Kenwood K-8 Center	1106/ 1142*	928	119% 123%*	21	117%/ 120%*
Miami Killian Sr.	3772/ 3787*	2238	169% 169%*	257	151%/ 152%*

\* includes proposed development

**PLANNED RELIEF SCHOOLS IN THE AREA (information as of February 2004):**

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
Addition at Miami Killian Sr. (875 student stations)	Design	June 2006

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$297,483.

**CAPITAL COSTS:** Based on the State's February-2004 student station cost factors\*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	23 x \$ 13,380	= \$ 307,740
MIDDLE	13 x \$ 15,340	= \$ 199,420
SENIOR	15 x \$ 20,300	= \$ 304,500
Total Potential Capital Cost		\$ 811,660

\* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

