

Business Operations
Ofelia San Pedro, Deputy Superintendent

SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH APPLICATION NO. 04-150, C AND S, LLC, LOCATED AT NE 205 TERRACE AND NE 12 AVENUE, PROVIDING FOR A MONETARY DONATION IN ADDITION TO EDUCATIONAL FACILITIES IMPACT FEES AS ALLOWED FOR UNDER THE INTERLOCAL AGREEMENT

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

Background

C and S, LLC (applicant), requested a zoning change from AU (Agricultural) and RU-5A (Semi-professional Offices) to RU-3M (Modified Apartment House), on approximately 10.4 acres located at NE 205 Terrace and NE 12 Avenue (see location map). The proposed additional 127-unit residential development is estimated to generate 51 students (see attached school impact analysis). The existing AU zoning presently allows the applicant to build 2 units. The County approved the zoning change on January 25, 2005.

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 all of the school facilities impacted by the proposed development 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 all school levels, the applicant is voluntarily proffering a Declaration of Restrictions (Covenant) to the Board. Pursuant to the Covenant, the applicant will donate the amount of \$76,500, in addition to educational facilities impact fees estimated at \$315,792. 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 schools (Madie Ives Elementary, Highland Oaks Middle and Dr. Michael M. Krop Senior High Schools). To the extent that there are no pending or proposed capital improvements at the referenced schools, 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. 04-150, C and S, LLC, located at NE 205 Terrace and NE 12 Avenue, for the provision of a voluntary monetary donation over and above educational facilities impact fees in the amount of \$76,500.

PG:am

**REVISED
SCHOOL IMPACT REVIEW ANALYSIS**

APPLICATION: 04-150, C and S LLC (CC2)
REQUEST: Zone change from AU and RU-5A to RU-3M
ACRES: 10.4 acres
MSA/Multiplier: 2.2/.40
LOCATION: NE 205 Terrace and NE 12 Avenue
UNITS: 127 townhouse units (2 units currently permitted under existing zoning classification, for a total of 129 units)

**ESTIMATED
STUDENT
POPULATION:** 51 students *

ELEMENTARY: 23

MIDDLE: 13

SENIOR: 15

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Madie Ives Elementary - 20770 NE 14 Ave.

MIDDLE: Highland Oaks Middle - 2375 NE 203 St.

SENIOR HIGH: Dr. Michael M. Krop Senior - 1410 NE 215 St.

All schools are located in Region 2

* 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, 2004:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	CUMULATIVE STUDENTS **
Madie Ives Elem.	1158/ 1181*	636	182%/ 186%*	314	122%/ 124%*	1199
Highland Oaks Middle	2557/ 2570*	979	261%/ 263%*	218	214%/ 215%*	2592
Dr. Michael M. Krop Sr.	3759/ 3774*	2195	171%/ 172%*	119	163%/ 163%*	3801

* increased student population as a result of the proposed development

** Estimated # of students (cumulative) based on zoning/land use log (2001- present) and assuming all approved developments are built; also assumes none of the prior cumulative students are figured in current population

Notes:

- 1) Figures above reflect the impact of the class size amendment.
- 2) Pursuant to the Interlocal Agreement, all of the schools meet the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA

(information included in proposed 5-Year Capital Plan, 2005-2009, dated January 2005):

Proposed Relief Schools

<u>School</u>	<u>Funding Year</u>
ECC-Early Childhood Center (Madie Ives and V. Boone/Highland Oaks Elementary School Relief) (400 student stations)	FY 07-08
State School "D" – K-8 Center (Madie Ives, V. Boone/Highland Oaks Elementary and Highland Oaks Middle School Relief) (1497 student stations)	FY 05-06
State School "RR1" (Highland Oaks Middle School Relief) (1241 student stations)	FY 05-06
Dr. Michael M. Krop Senior High School Relief (1562 student stations)	FY 06-07

New Senior High School
 (Dr. Michael M. Krop and N. Miami Beach
 Senior High School Relief)
 (1662 student stations)

FY 08-09

State School "BB1" – K-8 Center
 (Bay Harbor Elementary and Highland Oaks Middle School Relief)
 (1604 student stations)

FY 06-07

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	3036
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	3321
Estimated Permanent Senior Seats (Current and Proposed in 5-Year Plan)	5419

Note: The Proposed Five-Year Capital Plan for Fiscal Years 2005-2009 will also include funding to leased and retrofit space to provide interim relief for Highland Oaks Middle (approximately 600 seats). Some of the proposed schools will add relief to more than one school and new seats will be assigned based on projected need.

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-2005 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	23	x	\$ 13,502	=	\$ 310,546
MIDDLE	13	x	\$ 15,480	=	\$ 201,240
SENIOR	15	x	\$ 20,485	=	\$ 307,275

Total Potential Capital Cost	\$ 819,061
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* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost

LOCATION MAP

