

Office of School Facilities
Rose Diamond, Chief Facilities Officer

SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH ZONING APPLICATION NO. 04-365, BELLSOUTH TELECOMMUNICATIONS, INC., AND APPLICATION NO. 1 TO AMEND THE APRIL 2005 MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN, PROVIDING FOR A DONATION OF APPROXIMATELY SIX ACRES OF VACANT LAND LOCATED AT 600 NE 215 STREET, AS A CONTRIBUTION IN-LIEU-OF EDUCATIONAL FACILITIES IMPACT FEES

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

Introduction

Pursuant to the terms of the Educational Facilities Impact Fee Ordinance (Ordinance), and the Interlocal Agreement for School Facility Planning (Interlocal), between the School Board (Board) and Miami-Dade County, the Board may accept land donations and contributions in-lieu-of educational facilities impact fees (impact fees) from developers to help mitigate the impact of residential developments, if the Board determines that such contributions are appropriate and desirable.

Bellsouth Telecommunications, Inc. (applicant), is proposing to develop an approximately 69-acre parcel of land located at 600 NE 215 Street, into a multi-family residential development consisting of 822 units, in two separate development phases. Phase I, the subject of the zoning application, shall consist of 532 units (town-homes, villas and multi-family residential) on approximately 43 acres. The zoning application seeks a district boundary change from Industry Controlled (IU-C) to Planned Area Development (PAD), and other ancillary zoning requests. Phase II, the subject of the Master Plan application, shall consist of 290 condominium units on approximately 26 acres. The Master Plan application seeks a land use re-designation from Industrial and Office to Low-Medium Density Residential. This portion of the 69-acre parcel will be the subject of a future zoning application.

Proposed Mitigation

In connection with the rezoning request and comprehensive development master plan amendment application, and in conformance with the Interlocal and established District Review Criteria, the applicant has volunteered to mitigate the additional student impact generated by the proposed development on the public school system by proffering a Declaration of Restrictions (Covenant) to provide an approximate 6-acre site (School Site), as a contribution in-lieu-of impact fees. It should be noted that the applicant is also proposing to set aside an approximate 5-acre park site, adjacent to the School Site,

which the District anticipates would become the subject of a joint use agreement between the District and the County at a later date.

Presently, the Five-Year Capital Plan for Fiscal Years 2005-2009 includes funding for an Early Childhood Center (ECC) in fiscal years 2006/2007 and 2007/2008, and the location of this site is ideal for that facility. This ECC is meant to relieve Madie Ives Elementary, which is the elementary school impacted by the proposed development.

The value of the School Site will be established by a District commissioned appraisal, as required by the Ordinance. In the event the estimated impact fees generated by development of the PAD exceed the appraised value of the land, the applicant shall be responsible for payment of educational impact fees representing the difference between the two amounts. Should the appraised value of the School Site be greater than the estimated impact fees to be generated, the applicant shall not be reimbursed by the Board for the difference between these two values. Acceptance of the School Site by the Board shall be subject to due diligence by the District, consisting of a phase I and phase II environmental assessments.

As part of the land set aside, the applicant shall clear all vegetation and fill the School Site to sub-grade level, as per District standards, and install a 6' perimeter chain link fence along the boundary of the site, within 30 days of the recordation of the final plat for the property covered under the applicant's zoning application, and prior to conveyance of the School Site to the Board. In the event the Board does not commence construction of the school facility on the School Site within two (2) years following conveyance of title to the Board, which conveyance is expected sometime in late 2006, ownership of the School Site shall revert back to the applicant, subject only to the Owner's obligation to reimburse the School Board for the in-lieu impact fee credit received.

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. 04-365, Bellsouth Telecommunications, Inc., and application No. 1 to amend the April 2005 Miami-Dade County Comprehensive Development Master Plan, providing for a voluntary donation of approximately six acres of vacant land located at 600 NE 215 Street, as a contribution in-lieu-of educational facilities impact fees, subject to the terms and conditions noted above.

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SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: 04-365, Bellsouth Telecommunications, Inc. (DIC) Amended application for Phase I of Project. Phase II under land use amendment process.

REQUEST: Zone change from IU-C to PAD

ACRES: 41.758 gross acres; 36.008 net acres

M1SA/Multiplier: 2.2/.40 &.15

LOCATION: 600 NE 215 Street

UNITS: 532 units (101 townhomes, 77 villas, 354 condos/multi-family units)

ESTIMATED STUDENT POPULATION: 124 students *

ELEMENTARY: 57

MIDDLE: 31

SENIOR: 36

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/ 1215*	636	182%/ 191%*	314	122%/ 128%*	1233
Highland Oaks Middle	2557/ 2588*	979	258%/ 264%*	218	214%/ 216%*	2610
Dr. Michael M. Krop Sr.	3759/ 3795*	2195	165%/ 172%*	119	163%/ 164%*	3822

* increased student population as a result of the proposed development.

** Estimated number 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 schools meet the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA

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

Proposed Relief Schools

School	Funding Year
State School "D" K-8 (Madie Ives Elementary, Virginia Boone/Highland Oaks Elementary/Middle School Relief) (1624 student stations)	FY 05/06
State School "BB1" K-8 (Ruth Broad/Bay Harbor Elementary and Highland Oaks Middle School Relief) (1624 student stations)	FY 06/07
MLC at Madie Ives Elementary (Highland Oaks Middle School Relief) (700 student stations)	FY 06/07
Bay Harbor Elementary K-8 Conversion (Highland Oaks Middle School Relief) (551 student stations)	FY 06/07
Dr. Michael M. Krop Senior School Relief (1562 student stations)	FY 07/08

New Senior High School
(Dr. Krop and N. Miami Beach Senior School Relief)
(1562 student stations) FY 08/09

Leased Space
(Highland Oaks Middle School Relief)
(610 student stations) FY 05/06

Early Childhood Center (EEC)
(Virginia Boone/Highland Oaks and
Madie Ives Elementary School Relief)
(396 student stations) FY 07/08

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan) 3032
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan) 3478
Estimated Permanent Senior Seats (Current and Proposed in 5-Year Plan) 5319

Note: Some of the proposed schools will add relief to more than one school and new seats will be assigned based on projected needs.

OPERATING COSTS: According to Financial Operations, the average cost for K-12 grade students amounts to \$6549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$812,076.

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

ELEMENTARY	57	x	\$ 13,452	=	\$766,764
MIDDLE	31	x	\$ 15,423	=	\$478,113
SENIOR	36	x	\$ 20,409	=	\$734,724
Total Potential Capital Cost					\$1,979,601

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

PRELIMINARY SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 1, 46 Acres, LLC

REQUEST: Land use amendment from Industrial and Office to Low-Medium Density Residential (5 -13 Dwelling Units/acre)

ACRES: 26.13 net acres

LOCATION: South of NE 215 Street and east of San Simeon Way

**MSA/
MULTIPLIER:** 2.2/.58 (townhouse)

**NUMBER OF
UNITS:** 340 additional townhouse units (analysis based on 340 units. Applicant has since limited development to 290 units)

**ESTIMATED
STUDENT
POPULATION:** 197 students *

ELEMENTARY: 91

MIDDLE: 49

SENIOR: 57

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Madie Ives Elementary - 20770 NE 14 Avenue

MIDDLE: Highland Oaks Middle - 2375 NE 203 Street

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

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/ 1249*	636	182%/ 196%*	314	122%/ 131%*	1267
Highland Oaks Middle	2557/ 2606*	979	258%/ 266%*	218	214%/ 218%*	2630
Dr. Michael M. Krop Sr.	3759/ 3816*	2195	165%/ 174%*	119	163%/ 165%*	3843

* increased student population as a result of the proposed development.

** Estimated number 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 schools meet the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA

(Information included in proposed 5-Year Capital Plan, 2005-2009, dated April 2005):

Proposed Relief Schools School

State School "D" K-8
(Madie Ives Elementary and Virginia Boone/Highland Oaks Elementary/Middle Schools Relief)
(1624 student stations)

Funding Year
FY 05/06

State School "BB1" K-8
(Ruth Broad/Bay Harbor Elementary and Highland Oaks Middle Schools Relief)
(1624 student stations)

FY 06/07

MLC at Madie Ives Elementary
(Highland Oaks Middle School Relief)
(700 student stations)

FY 06/07

Bay Harbor K-8 Conversion
(Highland Oaks Middle School Relief)
(551 student stations)

FY 06/07

Dr. Michael M. Krop Senior School Relief
(1562 student stations)

FY 07/08

New Senior High School
 State School "QQQ1"
 (Dr. Krop and N. Miami Beach Senior School Relief)
 (1562 student stations) FY 08/09

Leased Space
 (Highland Oaks Middle School Relief)
 (610 student stations) FY 05/06

Early Childhood Center (EEC #4)
 (Virginia Boone/Highland Oaks and
 Madie Ives Elementary School Relief)
 (396 student stations) FY 07/08

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	3032
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	3478
Estimated Permanent Senior Seats (Current and Proposed in 5-Year Plan)	5319

Note: Some of the proposed schools will add relief to more than one school and new seats will be assigned based on projected needs.

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$1,290,153.

CAPITAL COSTS: Based on the State's July-2005 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	91 x \$ 13,574 = \$ 1,235,234
MIDDLE	49 x \$ 15,563 = \$ 762,587
SENIOR	57 x \$ 20,594 = \$ 1,173,858
 Total Potential Capital Cost	 \$ 3,171,679

- 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

