

Office of School Facilities  
Rose Diamond, Chief Facilities Officer

**SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH LAND USE APPLICATION NO. 2 OF THE APRIL 2005 CYCLE TO AMEND THE MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN, AKOUKA, LLC, LOCATED ON THE EAST SIDE OF MEMORIAL HIGHWAY AT THEORETICAL NE 145 STREET, 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

Akouka, LLC (applicant), requested and received approval for a change to the Miami-Dade County Future Land Use Map on an approximate 2.65-acre site. The applicant is seeking to re-designate land from Low Density Residential (2.5-6 DU/acre) to Low-Medium Density Residential (5-13 DU/acre). The site is located on the east side of Memorial Highway at theoretical NE 145 Street. The proposed additional 19 townhouse units are estimated to generate 8 additional students (see attached school impact analysis). The existing land use presently allows the applicant to build 15 single-family units, for a total of 34 townhouse 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%; in this case, two of the school facilities that would serve the proposed development meet the referenced threshold.

Additional Information

At its April 13, 2005 meeting, the Board approved School District criteria that allow District staff to make recommendations on residential zoning applications that impact upon public schools beyond the 115% of FISH capacity review threshold. The criteria also outline specific steps to guide District staff's consultation with developers and input at public hearings, in an attempt to provide the required number of student stations to mitigate the impact of proposed residential development. Subsequent to a determination by District staff that the proposed development is above the review threshold, the developer is requested to consider and select from several mitigation options. As a result, the District met with the above applicants to discuss possible mitigation options.

The applicants have volunteered to mitigate the full capital cost of the additional middle school and senior high school student stations, and proffered a Declaration of Restrictions (Covenant) to provide a monetary donation covering the capital cost of two middle school student stations at \$15,579 (\$31,158) and two senior high school student stations at \$20,616 (\$41,232), less educational facilities impact fees estimated at \$37,050, for a total donation of \$35,340. The entire donation is due prior to final plat approval of the application. 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 to relieve the impacted schools.

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 Land Use Application No. 2, Akouka, LLC, located on the east side of Memorial Highway at theoretical NE 145 Street, for the provision of a voluntary monetary donation over and above educational facilities impact fees in the amount of \$35,340.

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**PRELIMINARY SCHOOL IMPACT REVIEW ANALYSIS**  
**(Revised August 22, 2005)**

**APPLICATION:** No. 2, AKOUKA, LLC

**REQUEST:** Land use amendment from Low Density Residential (2.5 - 6DU/acre) to Low-Medium Density Residential (5 - 13 DU/acre)

**ACRES:** 2.65 net acres

**LOCATION:** East side of Memorial Highway at theoretical NE 145 Street

**MSA/  
MULTIPLIER:** 2.1/.67 (single-family), .52 (townhouse)

**NUMBER OF  
UNITS:** 19 additional units (15 single-family units currently allowed, for a total of 34 townhouse units)

**ESTIMATED  
STUDENT  
POPULATION:** 8 additional students\*

**ELEMENTARY:** 4

**MIDDLE:** 2

**SENIOR:** 2

**SCHOOLS SERVING AREA OF APPLICATION:**

**ELEMENTARY:** Linda Lentin Elementary - 14312 NE 2 Court

**MIDDLE:** North Miami Middle - 13105 NE 7 Avenue

**SENIOR HIGH:** North Miami Senior - 800 NE 137 Street

All schools are located in Regional Center II

\* 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 August, 2005:

	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 **
Linda Lentin Elementary	1121/ 1125*	1001	112%/ 112%*	0	112%/ 112%*	1142
North Miami Middle	1362/ 1364*	822	166%/ 166%*	20	162%/ 162%*	1364
North Miami Senior	3126/ 3128*	2268	138%/ 138%*	214	126%/ 126%*	3138

\* 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.

Note:

1. Figures above reflect the impact of the class size amendment.
2. Pursuant to the Interlocal Agreement, the middle and senior high schools meet the review threshold.

### PLANNED RELIEF SCHOOLS IN THE AREA

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

#### Projects in Planning, Design or Construction

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
K-8 Conversion at Linda Lentin Elem. (North Miami Middle Relief) (515 student stations)	Construction	School Opening 2006
David Lawrence Jr. K-8 Center (S/S QQ-1) (W.J. Bryan and Natural Bridge Elementary Relief; North Miami Middle Relief) (1593 student stations)	Construction	School Opening 2006

#### Proposed Relief Schools

<u>School</u>	<u>Funding Year</u>
State School BBB-1 (North Miami Senior Replacement) (3661 student stations; 1393 student stations gained)	FY 05/06

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	2001
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	2737
Estimated Permanent Senior Seats (Current and Proposed in 5-Year Plan)	3661

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 \$52,392.

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

ELEMENTARY	Does not meet threshold
MIDDLE	2 x \$ 15,579 = \$ 31,158
SENIOR	2 x \$ 20,616 = \$ 41,232
Total Potential Capital Cost	\$ 72,390

\*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

