

Office of School Facilities  
Rose Diamond, Chief Facilities Officer

**SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH LAND USE APPLICATION NO. 4 OF THE OCTOBER 2005 CYCLE TO AMEND THE MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN, BISCAYNE SHORES STAR, LLC, LOCATED EAST OF BISCAYNE BOULEVARD/EAST DIXIE HIGHWAY, BETWEEN NE 108 STREET AND NE 109 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

Biscayne Shores Star, LLC (applicant), is requesting approval for a change to the Miami-Dade County Future Land Use Map on an approximate 2.09-acre site. The applicant is seeking to re-designate land from Business and Office and Low-Medium Density Residential (5-13 DU/acre) to Medium-High Density Residential (25 – 60 DU/acre). The site is located east of Biscayne Boulevard/East Dixie Highway between NE 108 Street and NE 109 Street (see location map). The proposed additional 55 multi-family units are estimated to generate 10 additional students (see attached school impact analysis). The existing land use presently allows the applicant to build 7 single-family units and 17 multi-family units, for a total of 79 multi-family 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 applicant has 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 station at \$16,460 (\$32,920) and three senior high school student station at \$21,782 (65,346), less educational facilities impact fees estimated at \$82,500, for a total donation of \$15,766. 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. 4, Biscayne Shores Star, LLC, located east of Biscayne Boulevard/East Dixie Highway between NE 108 Street and NE 109 Street, for the provision of a voluntary monetary donation over and above educational facilities impact fees in the amount of \$15,776.

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## SCHOOL IMPACT REVIEW ANALYSIS

**APPLICATION:** No. 4, Biscayne Shores Star, LLC

**REQUEST:** Land use amendment from Business and Office and Low-Medium Density Residential (5 to 13 DU/Ac) to Medium High Density Residential (25 to 60 DU/Ac)

**ACRES:** 2.09 acres

**M1SA/Multiplier:** 4.1/.62 (SF attached), .23 (MF)

**LOCATION:** East of Biscayne Boulevard/East Dixie Highway between NE 108 and 109 Streets

**NUMBER OF UNITS:** 55 additional units (7 single-family units and 17 multi-family units currently allowed, for a total of 79 multi-family units)

**ESTIMATED STUDENT POPULATION:** 10 additional students\*

**ELEMENTARY:** 5

**MIDDLE:** 2

**SENIOR:** 3

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

**ELEMENTARY:** W.J. Bryant Elementary - 1200 NE 125 Street

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

**SENIOR HIGH:** North Miami Senior High – 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 October 2005:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELCOATABLE	CUMULATIVE STUDENTS**
W.J. Bryant Elementary	1,331	916	145%	278	111%	1,336
	1,336 *		146%		112%	
North Miami Middle	1,352	822	164%	20	161%	1,354
	1,354 *		165%		161%	
North Miami Senior High	3,118	2,268	137%	214	126%	3,131
	3,121 *		138%		126%	

\* 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, 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 El. (North Miami Middle Relief) (515 student stations)	Construction	2006 School Opening
State School QQ-1 (W.J. Bryan and Natural Bridge Elementary Relief; North Miami Middle Relief) (1593 student stations)	Construction	2006 School Opening

#### Proposed Relief Schools

<u>School</u>	<u>Funding Year</u>
State School BBB-1 (North Miami Senior Replacement) (3661 student stations; 1489 student stations gained)	FY 05/06

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	1916
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	1930
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 \$6549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$65,490.

**CAPITAL COSTS:** Based on the State's January-2006 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	16,460	= \$32,920
SENIOR HIGH	3	x	21,782	= \$65,346
<b>Total Potential Capital Cost</b>				<b>\$98,266</b>

\* 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

