

Office of School Facilities  
Rose Diamond, Chief Facilities Officer

**SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH LAND USE APPLICATION, MID TOWN PARK (NORTH MIAMI AVENUE LLC), LOCATED AT 3466 NORTH MIAMI AVENUE, PROVIDING FOR A MONETARY DONATION OVER AND ABOVE EDUCATIONAL FACILITIES IMPACT FEES AS ALLOWED FOR UNDER THE INTERLOCAL AGREEMENT**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

Background

Mid Town Park (North Miami Avenue LLC) (applicant), requested and received approval for a change to the City of Miami (City) Future Land Use Map on an approximate 1.35 net acres site. The applicant is seeking to re-designate a portion of the land from Duplex Residential (18 dwelling units/acre) and Medium Density Multifamily (65 dwelling units/acre), to General Commercial (150 dwelling units/acre). The site is located at 3466 North Miami Avenue (see location map). The proposed 21 additional multifamily dwelling units are estimated to generate 6 additional students (see attached school impact analysis). The existing land use presently allows the applicant to build 134 residential units, for a total of 155 units.

Pursuant to the terms of the Interlocal Agreement for School Facility Planning (Interlocal), the School Board (Board), local government, in this instance the City, 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, the elementary school impacted by the proposed development meets the referenced threshold.

Additional Information

At its April 13, 2005 meeting, the Board approved School District criteria that allows District staff to make recommendations on residential zoning and land use applications that impact upon public schools beyond the 115% of FISH capacity threshold (Review Criteria). The Review Criteria outlines specific steps that will guide District staff's input at public hearings and in consultation with developers, 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.

Proposed mitigation

The applicant has volunteered to mitigate the full capital cost of the additional elementary school stations, and proffered a Declaration of Restrictions (Covenant) to provide a monetary donation covering the capital cost of three (3) elementary school student stations at \$13,940 (\$41,820), less educational facilities impact fees estimated at \$31,500, for a total donation of \$10,320. The entire donation is due prior to the issuance of the first building permit. In the event the City 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 school.

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, Mid Town Park (North Miami Avenue LLC), located at 3466 North Miami Avenue, providing for a voluntary monetary donation over and above educational facilities impact fees in the amount of \$10,320.

VGv:mo

**\*\*REVISED\*\***  
**SCHOOL IMPACT REVIEW ANALYSIS**  
April 18, 2006

**APPLICATION:** Mid Town Park (North Miami Avenue LLC)  
(PAB Mtg. April 19, 2006)

**REQUEST:** 1) Major Use Special Permit; and  
2) Change Land Use R-2 and R-3 to C-2 "General Commercial"

**ACRES:** ±1.35 net acres

**EXISTING ZONING:** R-2 "Duplex Residential" (18 DU/acre)  
R-3 "Medium Density Multifamily" (65 DU/acre)  
C-2 "General Commercial" (150 DU/acre)

**LOCATION:** Approximately 3466 North Miami Avenue, Miami

**MSA/  
MULTIPLIER:** 4.7 / .27 Multifamily & .54 Single-Family Attached

**NUMBER OF  
UNITS:** 21 additional units  
(134 units currently permitted under existing zoning classification, for a total of 155 units)

**ESTIMATED STUDENT  
POPULATION:** 6

**ELEMENTARY:** 3

**MIDDLE:** 1

**SENIOR HIGH:** 2

**SCHOOLS SERVING AREA OF APPLICATION**

**ELEMENTARY:** Eneida M. Hartner Elementary – 401 NW 29<sup>th</sup> Street

**MIDDLE:** Jose De Diego Middle – 3100 NW 5<sup>th</sup> Avenue

**SENIOR HIGH:** Booker T. Washington Senior – 1200 NW 6<sup>th</sup> Avenue

All schools are located in Regional Center IV.

\*Based on Census 2000 information provided by 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**
Eneida M. Hartner Elem.	842	703	120%	0	120%	1,255
	845 *		120%		120%	
Jose De Diego Middle	1,022	1,043	98%	0	98%	2,834
	1,023 *		98%		98%	
Booker T. Washington Sr.	1,543	2,270	68%	0	68%	4,678
	1,545 *		68%		68%	

\*Student population increase 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, only Eneida M. Hartner Elementary School meets 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</u>
N/A		

#### Proposed Relief Schools

<u>School</u>	<u>Funding year</u>
State School "GG-1" (Jose De Diego Middle School relief) (1,241 student stations) [Note: City and District staff have located and agreed on a City-owned site, which much be approved by the City Commission and School Board.]	FY 06-07

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	2,083
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	1,022
Estimated Permanent Senior Seats (Current and Proposed in 5-Year Plan)	1,543

**OPERATING COSTS:** Accounting 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 \$39,294.

**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	3	x	13,940	=	\$41,820
MIDDLE					Does not meet the threshold
SENIOR HIGH					Does not meet the threshold
<b>Total Potential Capital Cost</b>					<b>\$41,820</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.

