

June 28, 2006

Office of School Facilities
Rose Diamond, Chief Facilities Officer

SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH APPLICATION NO. 9 OF THE OCTOBER 2005 LAND USE CYCLE, LINDA ROZYNEZ, LOCATED AT THE NORTHEAST CORNER OF SW 40 STREET AND SW 85 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

Linda Rozynez (applicant), is requesting an amendment to the Miami-Dade County Comprehensive Development Master Plan to change the land use from Business and Office and Low Density Residential to Business and Office, on approximately 1.06 acres located at the northeast corner of SW 40 Street and SW 85 Avenue (see location map). The proposed additional 7-townhouse units are estimated to generate 2 additional students (see attached school impact analysis). The existing land use presently allows the applicant to build 6 units, for a total of 13 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, although two of the school facilities that would serve the proposed development meet the referenced threshold only the senior high school will be impacted.

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 applicant to discuss possible mitigation options.

F - 7

The applicant has volunteered to mitigate the full capital cost of the additional senior high school student station, and proffered a Declaration of Restrictions (Covenant) to provide a monetary donation covering the capital cost of one senior high school station at \$21,815, less educational facilities impact fees estimated at \$13,650, for a total donation of \$8,165. 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 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 Application No. 9 of the October 2005 Land Use Cycle, Linda Rozynez, located at the northeast corner of SW 40 Street and SW 85 Avenue, for the provision of a voluntary monetary donation over and above educational facilities impact fees in the amount of \$8,165.

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SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 9, Linda Rozynez

REQUEST: Land use amendment from Business and Office and Low Density Residential to Business and Office

ACRES: 1.06 acres

LOCATION: Northeast corner of SW 40 Street and SW 85 Avenue

**MSA/
MULTIPLIER:** 5.4/.37

**NUMBER OF
UNITS:** 7 additional units (Existing land use allows 6 units, for a total of 13 units)

**ESTIMATED
STUDENT
POPULATION:** 2 additional students*

ELEMENTARY: 1

MIDDLE: -

SENIOR: 1

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Banyan Elementary – 3060 SW 85 Avenue

MIDDLE: Rockway Middle – 9393 SW 29 Terrace

SENIOR HIGH: Southwest Miami Senior – 15900 SW 56 Street

Schools are located in Regional Center III and V

* 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 RELOCATABLE	CUMULATIVE STUDENTS **
Banyan Elem.	354/ 355*	540	66%/	0	66%/	355
			66%*		66%*	
Rockway Middle	1312	788	166%*	99	148%/	1313
Southwest Miami Senior	3130/ 3131*	2065	152%/	285	133%/	3133
			152%*		133%*	

* 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 school meet the review threshold. Please note only the senior high school is impacted by the proposed development.

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>
New Modular Addition at Rockway Middle (676 student stations)	Construction	School Opening 2006
Addition at Southwest Miami Senior High (874 Student stations)	Construction	School Opening 2007

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	540
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	1464
Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan)	2939

Note: 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 \$6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$13,098.

CAPITAL COSTS: Based on the State's February-2006 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	Does not meet the threshold
MIDDLE	Not impacted by proposed development
SENIOR	1 x \$ 21,815 = \$ 21,815

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

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