

Office of School Facilities
Rose Diamond, Chief Facilities Officer

SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH APPLICATION NO. 04-131, RETREAT CONSTRUCTION CORPORATION, LOCATED AT THE NORTHEAST CORNER OF SW 352 STREET AND SW 192 AVENUE, PROVIDING FOR AN APPROXIMATE 2-ACRE SITE AS A CONTRIBUTION IN-LIEU-OF EDUCATIONAL FACILITIES IMPACT FEES AS ALLOWED FOR UNDER THE INTERLOCAL AGREEMENT

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

Background

Retreat Construction Corporation (applicant), is requesting a zoning change from AU (Agricultural) to PAD (Planned Area Development), on approximately 50.71 acres located at the northeast corner of SW 352 Street and SW 192 Avenue (see location map). The proposed additional 299-residential units are estimated to generate 169 students (see attached school impact analysis). The existing AU zoning presently allows the applicant to build 10 single-family units, for a total of 309 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 one of the school facilities that would serve 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 applications that impact upon public schools beyond the 115% of FISH capacity review threshold. The criteria also outlines 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.

In connection with the zoning change and to mitigate the impact of the proposed residential development on the public school system, the applicant is voluntarily proffering a Declaration of Restrictions (Covenant) to the Board. Pursuant to the Covenant, the applicant will dedicate an approximate 2-acre site (school site) to the Board (see attached sketch). The school site is located adjacent to a 6.8-acre natural forest community and near a 2.6-acre park site. Pursuant to the Covenant, the applicant would voluntarily dedicate the school site to the Board, as a contribution in-lieu-of educational facilities impact fees (impact fees), which are estimated at \$504,615. The applicant will provide the school site fenced, cleared of all vegetation and filled to sub-grade. As required by Ordinance, a District commissioned appraisal was conducted, which has established the fair market value of the property (value) at \$784,000.

In the event the actual impact fees generated by the proposed development exceed the established value of the school site, the applicant would be required to pay the County the difference. The applicant will not seek an impact fee refund should the actual impact fees be less than the established value of the school site. The conveyance of the school site is subject to the District completing all required due diligence. The Covenant requires that the applicant convey the school site to the Board within 30 days of the recordation of the final plat.

The school site will be reserved for an Early Childhood Center, proposed for funding in 2008-2009 in the Five-Year Capital Plan for Fiscal Years 2006-2010.

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. 04-131, Retreat Construction Corporation, located at the northeast corner of SW 352 Street and SW 192 Avenue, providing for an approximate 2-acre site as a contribution in-lieu-of educational facilities impact fees.

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 04-131, Retreat Construction (CC15)

REQUEST: Zone change from AU to PAD

ACRES: 50.71± acres

LOCATION: Northeast Corner of SW 352 Street and SW 192 Avenue

**MSA/
MULTIPLIER:** 7.5/.60 and .55

UNITS: 299 additional units (10 units currently permitted under existing zoning classification, for a total of 309 units)

**ESTIMATED
STUDENT
POPULATION:** 169 students*

ELEMENTARY: 78

MIDDLE: 42

SENIOR: 49

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Florida City Elementary - 264 NW 6 Ave.

MIDDLE: Homestead Middle - 650 NW 2Ave.

SENIOR HIGH: Homestead Senior - 2351 SE 12 Ave.

All schools are located in Regional Center VI

* 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 **
Florida City Elem.	757/ 835*	716	106%/ 117%*	148	88%/ 97%*	879
Homestead Middle	1206/ 1248*	848	142%/ 147%*	158	120%/ 124%*	1276
Homestead Sr.	2896/ 2945*	2977	97%/ 99%*	95	94%/ 96%*	4005

* 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, only the middle school meets the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA

(information included in proposed 5-Year Capital Plan, 2006-2010, dated July 2006):

Projects in Planning, Design or Construction

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
State School "SS1" (Redland and Homestead Middle School Relief) (1662 student stations)	Construction	School Opening 2007

Proposed Relief Schools

<u>School</u>	<u>Funding Year</u>
New Senior High School – (S/S "TTT") (Homestead Senior High School Relief) (2000 student stations)	FY 06-07

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	716
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	2510
Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan)	5835

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

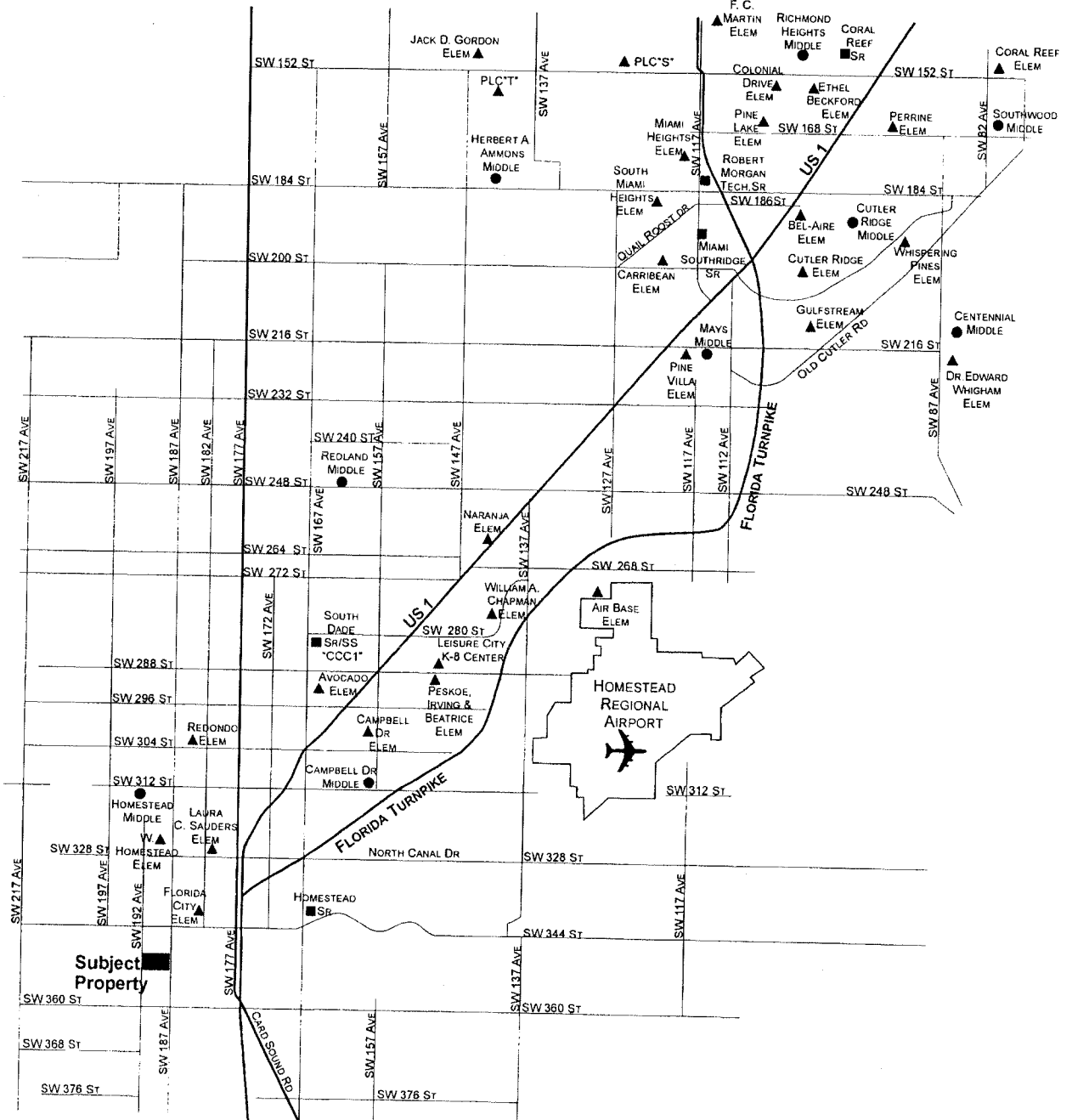
OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$1,106,781.

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	42 x \$ 16,485 = \$ 692,370
SENIOR	Does not meet the threshold

* 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



SKETCH

