

Office of School Facilities  
Rose Diamond, Chief Facilities Officer

**SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH ZONING APPLICATION NO. 2006-042, ERNESTO MENDEZ, LOCATED AT 8851 NW 170 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

Ernesto Mendez (applicant), requested a zoning change from AU (Agricultural Use) and RU-1 (Single-family residential use) to RU-1MB (Modified Single-family residential use), on approximately 5 acres located at 8851 NW 170 Street (see location map). The proposed 13 single-family units are estimated to generate 7 students (see attached school impact analysis). The existing zoning presently allows the applicant to build 13 units, for a total of 26 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, all 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 applicant to discuss possible mitigation options.

The applicant has volunteered to mitigate the full capital cost of the additional elementary, middle and senior high school student stations, and proffered a Declaration of Restrictions (Covenant) to provide a monetary donation covering the capital cost of 3 elementary school student stations at \$18,084 each (\$54,252), 2 middle school student stations at \$19,528 each (\$39,056), and 2 senior high school student stations at \$25,366 each (\$50,732), less educational facilities impact fees estimated at \$42,900, for a total donation of \$101,140. The entire donation is due prior to the issuance of the first building permit. 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 Zoning Application No. 2006-0042, Ernesto Mendez, located at 8851 NW 170 Street, for the provision of a voluntary monetary donation over and above educational facilities impact fees in the amount of \$101,140.

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## SCHOOL IMPACT REVIEW ANALYSIS

**APPLICATION:** Ernesto Mendez – Application 2006-042

**REQUEST:** DBC from AU (Agricultural Use) & RU-1 (Single-Family Residential District) to RU-1M(b) (Modified Single-Family Residential District)

**ACRES:** 5.27 gross acres

**M1SA/Multiplier:** 3.1/.57 (SF detached)

**LOCATION:** 8851 NW 170 Street

**NUMBER OF UNITS:** 13 additional single-family detached units (13 units presently permitted under existing zoning classification, for a total of 26 units)

**ESTIMATED STUDENT POPULATION:** 7 additional students\*

**ELEMENTARY:** 3

**MIDDLE:** 2

**SENIOR:** 2

### SCHOOLS SERVING AREA OF APPLICATION:

**ELEMENTARY:** Palm Springs North Elementary - 17615 NW 82 Avenue

**MIDDLE:** Lawton Chiles Middle – 8190 NW 197 Street

**SENIOR HIGH:** American Senior – 18350 NW 67 Avenue

All schools are located in Regional Center I

\* 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 RELOCOATABLE	CUMULATIVE STUDENTS**
Palm Springs North Elementary	1,780	790	225%	324	160%	1,960
	1,783 *		226%		160%	
Lawton Chiles Middle	1,778	1,298	137%	218	117%	1,879
	1,780 *		137%		117%	
American Senior	2,889	2,148	134%	119	127%	3,021
	2,891 *		135%		128%	

\* 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, all schools meet 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>
ECC-1 (396 student stations) and State School U-1 (Joella Good/ Charles D. Wyche and Palm Springs North Elementary School Relief) (1239 student stations)	Construction	2007 School Opening
State School NN-1 (Lawton Chiles Middle School Relief) (1662 student stations)	Construction	2007 School Opening
State School JJJ (Barbara Goleman and American Sr. High School Relief) (2858 student stations)	Construction	2008 School Opening

##### Proposed Relief Schools

<u>School</u>	<u>Funding Year</u>
N/A	N/A

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	2425
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	2960
Estimated Permanent Senior Seats (Current and Proposed in 5-Year Plan)	5006

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 \$45,843.

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

ELEMENTARY	3	x	18,084	=	\$54,252
MIDDLE	2	x	19,528		\$39,056
SENIOR HIGH	2	x	25,366	=	\$50,732
<b>Total Potential Capital Cost</b>					<b>\$144,040</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

