

Office of School Facilities  
Jaime G. Torrens, Temporary Chief Facilities Officer

**SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH APPLICATION NO. 06-299, AVENTURA COMMONS, LLC, LOCATED EAST OF NE 26 AVENUE BETWEEN NE 213 STREET AND NE 212 TERRACE, PROVIDING FOR A MONETARY DONATION IN ADDITION TO EDUCATIONAL FACILITIES IMPACT FEES AS ALLOWED FOR UNDER THE INTERLOCAL AGREEMENT**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

**LINK TO STRATEGIC PLAN: IMPROVE CONSTRUCTION SERVICES**

Background

Aventura Commons, LLC (applicant), is requesting a zoning change from RU-1(Two-family Residential District) to RU-3 (Four- Unit Apartment District), on approximately 2.3 acres located east of NE 26 Avenue between NE 213 Street and NE 212 Terrace (see location map). The proposed additional 6 units are estimated to generate 3 additional students (see attached school impact analysis). The existing zoning presently allows the applicant to build 26 units, for a total of 32 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, three 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 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 one elementary school student station at \$18,229, one middle school student station at \$19,686, and one senior high school student station at \$25,570, less educational facilities impact fees estimated at \$24,120, for a total donation of \$39,365. 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 Application No. 06-299, Aventura Commons, LLC, located east of NE 26 Avenue between NE 213 Street and NE 212 Terrace, for the provision of a voluntary monetary donation over and above educational facilities impact fees in the amount of \$39,365.

IMR:imr

## SCHOOL IMPACT REVIEW ANALYSIS

**APPLICATION:** Aventura Commons, LLC

**REQUEST:** Zone Change from RU-1(Two-family Residential District) to RU-3 (Four-Unit Apartment District)

**ACRES:** 2.3 acres

**MSA/Multiplier:** 2.1/.52

**LOCATION:** East of NE 26 Avenue between NE 213 Street and NE 212 Terrace

**UNITS:** 6 additional units (26 units currently permitted under existing zoning classification, for a total of 32 units).

**ESTIMATED STUDENT POPULATION:** 3

**ELEMENTARY:** 1

**MIDDLE:** 1

**SENIOR:** 1

### SCHOOLS SERVING AREA OF APPLICATION:

**ELEMENTARY:** Virginia A. Boone/Highland Oaks Elementary – 20500 NE 24 Ave.

**MIDDLE:** Highland Oaks Middle - 2375 NE 203 St.

**SENIOR HIGH:** Dr. Michael M. Krop Senior - 1410 NE 215 St.

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 September 2006:

|  | 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** |
|--|--------------------|--------------------------------|--|-------------------------------------|--|-----------------------|
| Virginia A. Boone/Highland Oaks Elementary | 962                | 654                            | 147%   | 138                                 | 121%   | 973                   |
|  | 963 *              |                                | 147%   |                                     | 122%   |                       |
| Highland Oaks Middle                       | 2,213              | 1,020                          | 217%   | 238                                 | 176%   | 2,236                 |
|  | 2,214 *            |                                | 217%   |                                     | 176%   |                       |
| Dr. Michael M. Krop Senior                 | 3,727              | 2,290                          | 163%   | 190                                 | 150%   | 3,755                 |
|  | 3,728 *            |                                | 417%   |                                     | 150%   |                       |

\* \* \* \* \* 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.

Note:

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**

**Projects in Planning, Design or Construction**

| <u>School</u>   | <u>Status</u> | <u>Projected Occupancy Date</u> |
|---|---------------|---------------------------------|
| Ruth Broad Bay Harbor K-8 Conversion<br>(Highland Oaks Middle School relief)<br>(551 student stations)  | Design        | 2008 School Opening             |
| State School "D" K-8 Center<br>(V.B. Highland Oaks and Madie Ives Elementary Schools; and Highland Oaks Middle School relief)<br>(1,642 student stations) | Construction  | 2008 School Opening             |
| State School "BB-1" K-8<br>(Ruth Broad Bay Harbor Elementary / Highland Oaks Middle Schools relief)<br>(1,624 student stations)                           | Construction  | 2008 School Opening             |
| Leased Space<br>Highland Oaks Middle School relief<br>(674 student stations)  | Opened        | October 2006                    |
| State School "QQQ-1"<br>(Dr. Krop / North Miami Beach Senior High Schools relief)<br>(1,593 student stations)   | Design        | 2009 School Opening             |

|  |      |
|--|------|
| Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan) | 2654 |
| Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)     | 3511 |
| Estimated Permanent Senior Seats (Current and Proposed in 5-Year Plan)     | 2290 |

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 Operations, 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 \$19,647.

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

|                                     |   |   |        |   |                 |
|-------------------------------------|---|---|--------|---|-----------------|
| ELEMENTARY                          | 1 | x | 18,229 | = | \$18,229        |
| MIDDLE                              | 1 | x | 19,686 | = | \$19,686        |
| SENIOR HIGH                         | 1 | x | 25,570 | = | \$25,570        |
| <b>Total Potential Capital Cost</b> |   |   |        |   | <b>\$63,485</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

