

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

SUBJECT: AUTHORIZATION TO AMEND A DECLARATION OF RESTRICTIONS PROFFERED BY 46 ACRES, LLC, IN CONNECTION WITH ZONING AND LAND USE APPLICATIONS, PROVIDING FOR THE SET ASIDE OF APPROXIMATELY SIX ACRES OF VACANT LAND LOCATED AT 600 NE 215 STREET, AS A CONTRIBUTION IN-LIEU-OF EDUCATIONAL FACILITIES IMPACT FEES

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

LINK TO STRATEGIC PLAN: IMPROVE CONSTRUCTION SERVICES

On September 19, 2005 the Board authorized the Superintendent to accept a Declaration of Restrictions (Covenant) proffered by 46 Acres, LLC (Owner), in connection with a previously filed zoning application and an April 2005 Miami-Dade County Comprehensive Development Master Plan application, providing for the set aside of approximately six acres of vacant land located at 600 NE 215 Street (School Site), as a contribution in-lieu-of educational facilities impact fees (see location map). The Owner was proposing to develop its 72-acre parcel in two phases, with the School Site to be conveyed to the Board within 30 days of the recordation of the final plat for Phase I. The Covenant further provides that the Owner could obtain title to the School Site by reverter in the event the Board fails to commence construction of a school facility within two years following the Board's acceptance of title to the School Site.

The Owner has advised that the recording of the final plat approval for Phase I is anticipated within 30 days. The Owner also advised that due to market conditions, construction of the proposed residential project may be modified and/or delayed. As such, and given that the District has no immediate plans to develop the School Site, the Owner and District staff are recommending that the Covenant be modified to tie the conveyance of the School Site to the recordation of the final plat for Phase II, rather than Phase I; provided however, that the time for conveyance will not exceed 24 months from the recording of the Plat for Phase I. In addition, in the event the Owner commences construction on Phase I prior to the recordation of the final plat for Phase II, the Owner may convey the School Site to the Board prior to the issuance of the Owner's first building permit. The District will have four years from date of conveyance to start construction of an educational facility.

All other terms and conditions of the Covenant will remain unchanged.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to accept an amendment to the Declaration of Restrictions proffered by 46 Acres, LLC, in connection with zoning and land use applications, providing for the set aside of approximately six acres of vacant land located at 600 NE 215 Street, as a contribution in-lieu-of educational facilities impact fees, subject to the terms and conditions noted above.

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LOCATION MAP

