

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

SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH LAND USE APPLICATION LU-2006-024, PALOMO AND PALOMO HOLDINGS, INC., LOCATED AT 1292 SW 21 TERRACE AND 2149 SW 13 AVENUE, PROVIDING FOR A MONETARY DONATION OVER AND ABOVE EDUCATIONAL FACILITIES IMPACT FEES AS ALLOWED FOR UNDER THE INTERLOCAL AGREEMENT

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

LINK TO STRATEGIC PLAN: IMPROVE CONSTRUCTION SERVICES

Background

Palomo and Palomo Holdings, Inc. (applicant), requested and received approval for a change to the City of Miami's (City) Future Land Use Map on an approximate .5-net acre site. The applicant is seeking to re-designate land from R-1 "Single-Family Residential" (9 dwelling units/acre), to C-1 "Restricted Commercial" (150 dwelling units/acre). The site is located at 1292 SW 21 Terrace and 2149 SW 13 Avenue, Miami. The proposed 61 additional multifamily dwelling units are estimated to generate 10 students (see attached school impact analysis). The existing land use presently allows the applicant to build 5 Single-Family Detached units, for a total of 66 dwelling units.

This application precedes the implementation of public school concurrency, which became effective in the City on April 25, 2008, and as such was processed pursuant to the applicable 2003 Interlocal Agreement for School Facility Planning (Interlocal), as well as School Board criteria approved on April 13, 2005 under School Board agenda item F-7. Terms of the Interlocal require the parties 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 of the schools' FISH% utilization (permanent and relocatable), beyond the threshold review level of 115%; in this case, two of the school facilities that would serve the proposed development meet the referenced threshold.

Proposed mitigation

The applicant has volunteered to mitigate the full capital cost of the additional elementary and senior high school student stations, and proffered a Declaration of Restrictions (Covenant) to provide a monetary donation covering the capital cost of five elementary school student stations at \$18,140 (\$90,700), and three senior high school student stations at \$25,444 (\$76,332), less educational facilities impact fees estimated

at \$91,500, for a total donation of \$75,532. The entire donation shall be paid in one payment, becoming due and payable prior to the issuance of the first residential building permit, or three years from the date that the City Commission approves the necessary land use and/or zoning changes, whichever occurs first. In the event the City 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 Land Use Application LU-2006-024, Palomo and Palomo Holdings, Inc., located at 1292 SW 21 Terrace and 2149 SW 13 Avenue, for the provision of a voluntary monetary donation over and above educational facilities impact fees in the amount of \$75,532.

VGv:mo

****REVISED****
SCHOOL IMPACT REVIEW ANALYSIS
September 6, 2006

APPLICATION: Land Use Application LU-2006-024 - Palomo and Palomo Holdings, Inc.

REQUEST: Change Land Use from "Single-Family Residential" 9 DU/acre to "Restricted Commercial" 150 DU/acre

ACRES: ±.5 net acres

LOCATION: 1292 SW 21 Terrace and 2149 SW 13 Avenue, Miami

**MSA/
MULTIPLIER:** 5.2 / .18 Multifamily and .32 Single-Family Detached

**NUMBER OF
UNITS:** 61 additional units
(5 Single-Family Detached units are allowed under the current zoning classification, for a total of 66 dwelling units)

**ESTIMATED STUDENT
POPULATION:** 10*

ELEMENTARY: 5

MIDDLE: 2

SENIOR HIGH: 3

SCHOOLS SERVING AREA OF APPLICATION

ELEMENTARY: Coral Way K-8 Center – 1950 SW 13 Avenue

MIDDLE: Shenandoah Middle – 1950 SW 19 Street

SENIOR HIGH: Miami Senior High – 2450 SW 1 Street

All schools are located in the South Central Regional Center.

*Based on Census 2000 information provided by 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 2007:

	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**
Coral Way K-8 Center	1,565	903	173%	283	132%	1,387
	1,570 *		174%		132%	
Shenandoah Middle	1,098	1,204	91%	0	91%	2,297
	1,100 *		91%		91%	
Miami Senior High	3,116	1,735	180%	143	166%	3,562
	3,119 *		180%		166%	

*Student population increase 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, Coral Way K-8 Center and Miami Senior High schools meet the review threshold.

PROPOSED RELIEF SCHOOLS

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
Addition at Coral Way K-8 Center (750 student stations)	Construction	2009
Miami Senior High School Addition (1,000 student stations)	Bidding	2010

OPERATING COSTS: Accounting 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 \$65,490.

CAPITAL COSTS: Based on the State's September 2006 student station cost factors* (in place at the time of dialogue), capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	5	x	\$18,140	=	\$90,700
MIDDLE	Does not meet review threshold				
SENIOR HIGH	3	x	\$25,444	=	\$76,332
Total Potential Capital Cost					\$167,032

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