

Business Operations  
Ofelia San Pedro, Deputy Superintendent

**SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH APPLICATION NO. 2004-42, VALDEMIRO DA SILVA, LOCATED AT THE NORTHWEST CORNER OF NE 12 STREET AND NE 1 AVENUE, HOMESTEAD, 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

Valdemiro Da Silva (applicant), requested a zoning change from R-1 (One Family District) to R-3 (Multiple Apartment District), on approximately .37 acres located at the northwest corner of NE 12 Street and NE 1 Avenue, Homestead (see location map). The proposed additional 2-unit residential development is estimated to generate 1 student (see attached school impact analysis). The existing AU zoning presently allows the applicant to build 2 units, for a total of 4 units.

Pursuant to the terms of the Interlocal Agreement for School Facility Planning (Interlocal), the School Board (Board), local government, in this instance the City of Homestead (City), 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%. Please note that all of the school facilities impacted by the proposed development meet the referenced threshold.

Additional Information

At its April 13, 2005 meeting, the Board approved School District criteria that will allow District staff to make recommendations on residential zoning applications that impact upon public schools beyond the 115% of FISH capacity threshold (Review Criteria). The Review Criteria outline specific steps that will guide District staff's input at public hearings and in consultation with developers, 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. Pursuant to the Interlocal and the recently approved Review Criteria, the District met with the above applicant to discuss possible mitigation options to accommodate new students generated by the proposed zoning change.

Proposed Mitigation

In connection with the rezoning request, and in conformance with the Interlocal, the applicant has volunteered to mitigate the full capital cost of the additional student impact generated by the proposed development on the public school system at the elementary school level only. The applicant has proffered a Declaration of Restrictions (Covenant) to provide a monetary donation to the Board covering the capital cost of one elementary school student station at \$13,502, less educational facilities impact fees estimated at \$3,335, for a total donation of \$10,167. The entire donation is due prior to final plat approval. 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 school (Avocado Elementary School).

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. 2004-42, Valdemiro Da Silva, located at the northwest corner of NE 12 Street and NE 1 Avenue, for the provision of a voluntary monetary donation over and above educational facilities impact fees in the amount of \$10,167.

PG:am

## SCHOOL IMPACT REVIEW ANALYSIS

**APPLICATION:** No. 2004-42, Valdemiro Da Silva (Homestead)

**REQUEST:** Zone change from R-1 to R-3

**ACRES:** .37

**MSA/Multiplier:** 7.3/.71

**LOCATION:** Northwest corner of NE 12<sup>th</sup> Street and NE 1<sup>st</sup> Avenue

**NUMBER OF UNITS:** 2 additional units (2 units currently permitted under existing zoning classification, for a total of 4 units)

**ESTIMATED STUDENT POPULATION:** 1 student\*

**ELEMENTARY:** 1

**MIDDLE:** -

**SENIOR:** -

### SCHOOLS SERVING AREA OF APPLICATION:

**ELEMENTARY:** Avocado Elementary - 16969 SW 294 St.

**MIDDLE:** Homestead Middle – 650 NW 2 Ave.

**SENIOR HIGH:** South Dade Senior - 28401 SW 167 Ave.

All schools are located in Region 6

\* 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, 2004:

	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 **
<b>Avocado Elem.</b>	954/ 955*	553	173%/ 173%*	66	<b>154%/</b> <b>154%*</b>	966
<b>Homestead Middle</b>	1321	871	152%	59	<b>142%</b>	1343
<b>South Dade Sr.</b>	2730	1701	160%	380	<b>131%</b>	2910

\* increased student population as a result of the proposed development.

\*\* Estimated # 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 of the schools meet the review threshold.

### PLANNED RELIEF SCHOOLS IN THE AREA

(information included in proposed 5-Year Capital Plan, 2005-2009, dated January 2005):

#### Projects in Planning, Design or Construction

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
Modular addition at Avocado Elementary School (242 student stations)	Construction	August 2005
State School "SS1" (Redland and Homestead Middle School Relief) (1604 student stations)	Design	June 2007
State School "CCC1" Partial Replacement of South Dade Senior High School (1522 student stations)	Design	March 2008

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	795
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	2475
Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan)	3223

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 \$6,549.

**CAPITAL COSTS:** Based on the State's May-2005 student station cost factors\*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY      1 x \$ 13,545 = \$ 13,545

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

