

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

SUBJECT: AUTHORIZATION TO ACCEPT A DECLARATION OF RESTRICTIONS IN CONNECTION WITH APPLICATION NO. 05-011, BAHIA HONDA REAL ESTATE INVESTMENTS I, LLC, PROVIDING FOR A VOLUNTARY DEDICATION OF APPROXIMATELY 5 GROSS ACRES OF VACANT LAND, LOCATED AT THE NORTHEAST CORNER OF SW 112 AVENUE AND SW 240 STREET, AS A CONTRIBUTION OVER AND ABOVE IMPACT FEES AS ALLOWED FOR UNDER THE INTERLOCAL AGREEMENT

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

LINK TO STRATEGIC PLAN: IMPROVE CONSTRUCTION SERVICES

Background

Bahia Honda Real Estate Investments I, LLC (applicant), is requesting a Modification of a Previously Approved Resolution, Application 02-228 Allapattah Nursery Ltd. (Allapattah), on approximately 9.97 gross acres located at the northeast corner of SW 112 Avenue and SW 240 Street (see location map). The proposed 45 additional units are estimated to generate 28 additional students (see attached school impact analysis).

The 9.97-acre site was part of the Allapattah application, which received approval to build 477 residential units on 78.64 acres. As a condition of said approval, Allapattah had agreed to set aside the 9.97-acre site to the District as a partial contribution in-lieu-of impact fees, subject to all applicable due diligence and a determination by the District that the site was suitable for the placement of a school. Pursuant to the proffered covenant, the District had 120 days following approval of the application to notify Allapattah of the Board's desire to acquire the site. The covenant also stipulated that, should the District not obtain the land, the 9.97-acre site was to remain as open space. Results from District commissioned soil investigations revealed environmental issues. Due to the extensive amount of due diligence required, Allapattah provided the District with a 30 day extension to the 120 day notice provision. However, the District advised Allapattah that additional time was necessary to conduct further testing and to determine the clean-up costs associated with the site. At the time, Allapattah did not grant the request and, opted instead to pay the full amount of impact fees for the entire 477 unit development.

The 9.97-acre site was eventually sold to Bahia Honda Real Estate Investments I, LLC, (applicant), who is now seeking to develop the property with residential units (Application 05-011). In order to do so, it will be necessary for the applicant to secure a modification of the previously approved resolution from Miami-Dade County, to waive the open space land

use restriction. To help facilitate this process, the applicant has agreed to proffer a Declaration of Restrictions (Covenant) to donate a 5-acre portion of the 9.97-acre parcel (see attached sketch) to the District as a contribution over and above impact fees and to remove all contaminated soil on the 5-acre parcel to the bedrock level. The District's environmental consultant has confirmed that removal of the soil would remediate the environmental issues, and allow future development and use of the site for an educational facility. As required by the Educational Facilities Impact Fee Ordinance, a District commissioned appraisal established the value of the 5-acre site at approximately \$1,870,000. As noted previously, the applicant is proposing to donate the 5-acre site over and above impact fees.

The subject site is to be conveyed to the Board within 30 days of recordation of the final plat for the subject property, fully remediated as described above.

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. 05-011, Bahia Honda Real Estate Investments I, LLC, located at the northeast corner of SW 112 Avenue and SW 240 Street, for a voluntary dedication of a 5-acre parcel of land valued at \$1,870,000, over and above the educational facilities impact fees.

CSE:cse

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 05-011, Bahia Honda Real Estates Investments I, LLC

REQUEST: Modification of a Previous Resolution (02-228 Allapattah Nursery, Ltd.)

ACRES: 9.97 acre

LOCATION: Northeast corner of SW 112 Avenue and SW 240 Street

**MSA/
MULTIPLIER:** 7.1/.72

UNITS: 45 townhouse units

**ESTIMATED
STUDENT
POPULATION:** 28 students*

ELEMENTARY: 13

MIDDLE: 7

SENIOR: 8

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Pine Villa Elementary – 21799 SW 117 Court

MIDDLE: Redland Middle – 16001 SW 248 Street

SENIOR HIGH: Homestead Senior – 2351 SE 12 Avenue

All schools are located in Regional Center VI

* 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 RELOCATABLE	CUMULATIVE STUDENTS**
Pine Villa Elem.	705	834	85%	120	75%	2,066
	718* *		86%		75%	
Centennial Middle	1,021	796	128%	79	128%	1,462
	1,028 *		129%		129%	
Homestead Senior High	2,896	2,977	97%	190	94%	3,817
	2904* *		98%		95%	

*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 student population.

Notes:

- 1) Figures above reflect the impact of the class size amendment.
- 2) Pursuant to the Interlocal Agreement, the middle school meets 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>
Modular Addition at Centennial Middle School (770 Student Stations)	Completed	Opened 2006
State School "SS1" (4-8 Center) (Redland / Homestead Middle Schools Relief) (1,642 student stations)	Construction	School Opening 2007

Estimated Permanent Elementary and Middle Seats (Current and Proposed in 5-Year Plan)	4,042
Estimated Permanent Senior High Seats (Current and Proposed in 5-Year Plan)	2,977

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 \$183,372.

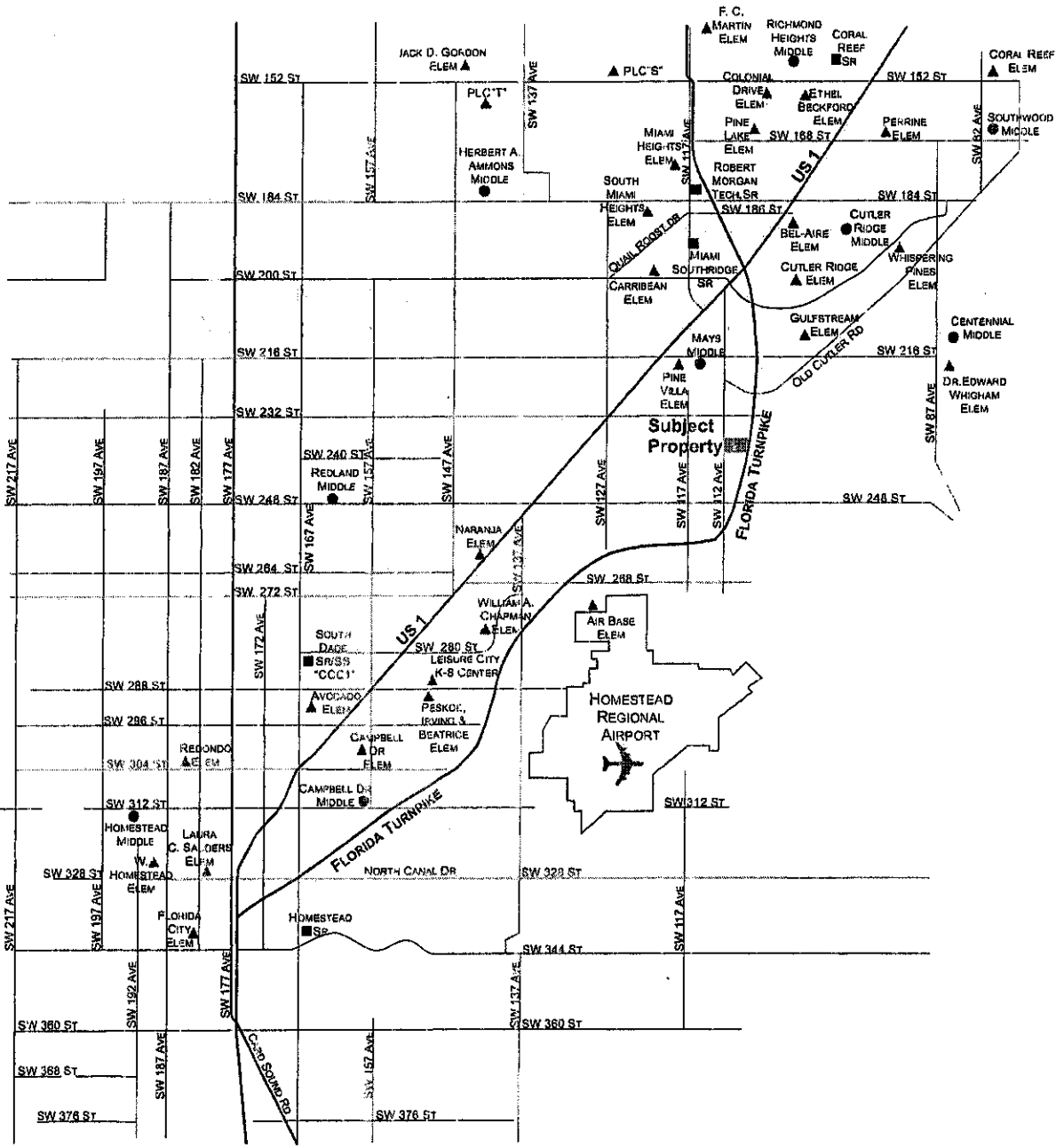
CAPITAL COSTS: Based on the State's May-2006 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	Does not meet review threshold
MIDDLE	7 x \$16,477 = \$115,339
SENIOR	Does not meet review threshold

: Total Potential Capital Cost \$115,339

* 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



LOCATION SKETCH

