

AGENDA REQUEST FORM**The School Board of Broward County, Florida**

Meeting Date 6/6/2006	Open Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	Time Certain Request <input type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item Number J-12
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TITLE: Voluntary Mitigation Commitment
for the Students Anticipated from Land Use Plan Amendment 39A (Hyder Plat), Located in the City of Deerfield Beach

REQUESTED ACTION:
Approve acceptance of the voluntary mitigation commitment by Charles Fink, on behalf of Lavish Homes to pay the Student Station Cost Factors amount as mitigation for two middle and three high school students anticipated from the development of 40 townhouse units proposed in Land Use Plan Amendment 39A (Hyder Plat), located in the City of Deerfield Beach.

SUMMARY EXPLANATION AND BACKGROUND:

Lavish Homes, proposed a land use change for a site located in the City of Deerfield Beach from Commercial to Residential (25), to enable the development of 40 three bedrooms townhouse units. Staff review of the development estimated that it would generate a total of eleven (six elementary, two middle and three high) students into Broward County Public Schools. Schools affected during the review period, the 2005/06 school year are Tedder Elementary, Deerfield Beach Middle and Deerfield Beach High Schools.

School Board Policy 1161 requires mitigation from owner(s)/developer(s) of proposed residential development(s) that increases density and impact schools that are overcrowded in the current school year or the next effective school year. Also, Rule 12(e) of the Policy "Mitigation Options" enables the owner(s)/developer(s) to propose mitigation option that is different from those specifically listed in the Policy. However, such proposal is subject to specific School Board approval. Additionally, Policy 1161 requires that all proposed mitigation shall not be less than the school impact fees due for the development.

Of the schools impacted in the 2005/06 school year, only Deerfield Beach Middle School is projected to become overcrowded in the 2006/07 school year. To address the impact of the anticipated three middle student schools, and to ensure that the proposed mitigation is not less than the school impact fees due, Charles Fink, on behalf of Lavish Homes is proposing to pay the Student Station Cost Factors amount as mitigation for two middle and three high school students. Hence this proposal is considered an alternative mitigation proposal.

Based on the current school impact fee schedule (effective October 1, 2005), the school impact fee that would currently be due for the development is approximately \$85,840. Based on the June 2006 Student Station Cost Factors Schedule, the cost per student station amount for the two middle and three high school students is \$98,415, or \$12,575 above the county required school impact fees. It should be noted that the actual amount due will increase since amount paid will be based on the Student Station Cost Factors Schedule in effect prior to when the Lavish Homes obtains building permit for the first unit. Upon acceptance of the commitment and per School Board Policy 1161, the applicant will be required to file a Declaration of Restrictive Covenant to enable legal enforcement of the voluntary commitment. Therefore, it is recommended that the School Board approve acceptance of the voluntary mitigation commitment.

SCHOOL BOARD GOALS:

- ☐ Goal One: All students will achieve at their highest potential.
☐ Goal Two: All schools will have equitable resources.
☐ Goal Three All operations of the school system will demonstrate best practices while supporting student achievement.
☒ Goal Four: All stakeholders will work together to build a better school system.

FINANCIAL IMPACT:

The financial impact to the School District is a positive impact of approximately \$12,575 in additional revenue above the County required school impact fee of \$85,840 for a total of \$98,415. All funds to be received have been included in the balanced District Educational Facilities Plan, Fiscal Years 2005/2006-2009/2010.

EXHIBITS: (List)

1. Correspondence dated January 10, 2006 from Charles Fink regarding the voluntary commitment.
2. School District Correspondence dated January 13, 2006
3. General Location Map for the Site.

BOARD ACTION**APPROVED**

(For Official School Board Records' Office Only)

SOURCE OF ADDITIONAL INFORMATION

Name: Christopher O. Akagbosu

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THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

DIVISION OF FACILITIES AND CONSTRUCTION MANAGEMENT

MICHAEL GARRETSON, DEPUTY SUPERINTENDENT

Approved in Open Board Meeting on:

JUN 6 2006

By:

Revised July 31, 2003

FT/MG/CT/Akagbosu/Houchin

, School Board Chair