

CUSD Surplus Property 7-11 Committee Summary of Progress To Date

1. Mission of the Committee and the expectation from the Board of Education

Committee Mission:

Establish a priority list of possible uses of the Meyerholz, Regnart, and Montebello properties to generate the property's highest and best use value and with the stipulations that the Meyerholz and Regnart properties be leased and the Montebello property be sold or used in an exchange.

3/8/22 Motion by the Committee to approve the Mission as is, with no consideration of sales of Regnart or Meyerholz passed.

2. Review site details of each location

3. Review enrollment data

<https://www.cusdk8.org/about-us/annual-reports/demographer-report>

4. Review Definitions of Surplus Property & Highest/Best Use

Surplus Land:

"Means land owned in fee simple by any local agency for which the local agency's government body takes formal action in a regular public meeting declaring that the land is surplus and not necessary for the agency's use."

Legal Definition:

"The highest and best use is the most profitable legally permissible use for which the property is physically, geographically, and economically adaptable." (County of San Diego v. Rancho Vista Del Mar, Inc. (1993) 16 Cal. App.4th 1289,1288)

The highest and best use is defined as 'that use, among the possible alternative uses, that is physically practical, legally permissible, market supportable, and most economically feasible...The appraiser must make a determination of highest and best use as part of the appraisal process.' (San Diego Gas & Electric Co v. Schmidt (2014) 288 Cal. App.4th 1046,1058)

5. Review District Needs

District Office (approximately 20,000 sq feet and 56 parking spaces)

*Does not include space for CEEF

Central Kitchen

6. Determine any Encumbrances

Regnart – City of Cupertino

Meyerholz, Montebello – None
District Office @ Mary – Lease De Anza Properties

7. Review Zoning & Acceptable Uses

Regnart - 1170 Yorkshire Drive, Cupertino Assessor's Parcel Number 362-08-001, the property is zoned BA – Public Building

Meyerholz - 6990 Melvin Drive, San Jose Assessor's Parcel Number 98448001, the property is zoned R-1-8 - Residential Housing

Montebello - Santa Clara County Unincorporated, Assessor's Parcel Number 351-24-011, the property is zoned HS-d1-sr

4/5/22 Motion to recommend District maintain current City of SJ General Plan and City of Cupertino Zoning passed.

4/5/22 Motion to recommend District preserve school sites and any facility modifications by tenants are approved by District and DSA passed.

8. Community Input – Public Hearing

4/5/22 Motion to change the time of the May 3, 2022 meeting to 6-9pm to accommodate for Public Hearing and Regular Meeting passed.

Please see Approved Minutes from the 5/3/22 meeting for details.

9. Board Recommendation

Please see DRAFT Recommendation from 5/24/22 meeting for details.

FINAL being presented to the Board of Education on 6/9/22.

Recommendation will be voted on by the Board of Education on 6/16/22.

BOLD = Completed