**POCN “Hit the Streets Saturday”**

Protect Our Community Now

FAQ for Community Liaisons

**What is “Hit the Streets Saturday?”**

**Think of it as “walking your precinct” during an election to get out the vote. We have to create awareness and get people to ACT NOW. We need to reach our community neighborhoods. It is truly a case of “If not you, then who?” As you can read below, we have until April 15th to make a dramatic impact on PUSD and change their minds on leasing the land to Costco.   
  
As a neighborhood liaison, POCN is asking you to:**

* **Knock** on at least 15 houses at a minimum in your neighborhood
* **Invite** others in your neighborhood to walk too
* **Print copies of the “Resident’s Guide to Action” handout to share**
* **Educate** your neighbors
* **Ask** for a commitment to do 3 things:
  1. **Call or email**  District and community leaders and Costco executives
     + At [www.protectourcommuntitysd.com](http://www.protectourcommuntitysd.com) under “Act Now” tab you’ll find contact info
     + There are several sample letters there as well
     + See if you can get them to commit to reaching out to at least 3 people or at least 3 times before April 15.
  2. **Attend** the “No on Costco Street Corner Rally” on March 6th from 9 – 1 pm at the corner of Carmel Valley Road and Camino Del Sur. Encourage others to attend and bring their family and friends. Make signs! Bring your voice! In order for the rally to be effective we need participation!
  3. **RSVP** to the PUSD Community Meetings on March 1 and 18. bit.ly/pusd-bmrss
  4. **Donate** The legal effort/lawsuit against PUSD requires significant funds. We are asking for donations. (a minimum of $100 per family would be the ask.) Cks payable to POCN/ Donate button on website. Protect Our Community now is working on 501(c)3 status for tax purposes.

**If your neighbors disagree with our effort, move on! You can try to share facts but don’t argue!**

TIMELINE:

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* **2002** - 3 Parcels deeded to PUSD, 1 by Fairbanks Highlands LLC acquired for the mitigation of CFD 7 and 2 by Santaluz LLC for the mitigation of CFD #4 to be used for a Middle School which the site was designated for in the Black Mountain Ranch and Torrey Highlands subarea plans.
* **Jan 2012** - PUSD forms a Real Property Advisory Committee (RPAC) to advise the board on the use or disposition of property not needed for school purposes. In May of 2012 the lot was declared “surplus.”
* **May 20th 2019** - 5 of the original 7 members of the RPAC met in private, reviewed updated enrollment and capacity figures and determined that long-term projections don’t support the need for a new middle school and voted to support the districts waiver request.
* **June 20th, 2019** - CDE waiver public notice placed in the UT, Poway Chieftain
* **June 27th 2019** - Board meeting / public hearing where the board voted to authorize a waiver for the “Black Mountain Ranch Southern Site” (not the Santaluz Site referenced in the 2012 final report) to the California Dept of Education to waive the normal bid/auction process where the property is auctioned to the highest bidder, in exchange for a RFP process.
* N**ovember 6th 2019** - CDE approves the Waiver
* **November 14th 2019** - Board approves RFP at board meeting
* **November 19th 2019** - RFP issued
* Feb 2020 - 3 RFP responses received in private.
* Aug 2020 - Board approves LOI for Costco with business terms
* **Sep 2020** - Costco proposal voted as “most beneficial”

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**Where is this property? What is it called?​**

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The piece of land in question is a 27.22 acre parcel of land at the northeast intersection of Camino Del Sur and Carmel Valley Road, in Black Mountain Ranch and Torrey Highlands Subareas. From 2002 through 2012, the PUSD Board called it the “Santaluz Site.”  Since 2019, the PUSD Board has called it the “Black Mountain Ranch Southern Site.”

**How did PUSD come to own this real estate?**

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The property was deeded to PUSD by the real estate developer in 2002 with the intent of becoming a middle school.

**How did PUSD decide to not build a school on this land?**

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As described above, the land was declared “surplus” and the proposed middle school was deemed not necessary.

**Why does PUSD Want to Lease vs Sell the Land**

Proceeds from sold land can only be used for capital expenditures. Lease revenues can be used in the district’s general fund.

**Who showed interest in buying or leasing this property?**

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In response to its Request for Proposals (RFP), the PUSD Board received three proposals:

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* Costco, $105.6 million lease, paid in annual installments over 40 years, with option to extend for up to 20 additional years
* Brookfield Homes, $47 million purchase
* Cambridge School, $22 million purchase or $8 million purchase and exchange

We do not have documentation that shows how PUSD marketed this land between November 2019 and February 2020 to ensure that all potentially interested parties had the opportunity to submit proposals.

**Is this area zoned for a Costco?**

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No. It is zoned AR-1-1.  Per the San Diego Municipal Code:

The purpose of the AR zones is to accommodate a *wide range of agricultural uses* while also permitting the *development of single dwelling unit homes at a very low density*. The agricultural uses are limited to those of low intensity to minimize the potential conflicts with residential uses.

*This zone is applied to lands that are in agricultural use or that are undeveloped and not appropriate for more intense zoning.* Residential development opportunities are permitted with a Planned Development Permit at various densities that will preserve land for open space or future development at urban intensities when and where appropriate. (emphasis added)

Rezoning the parcels will require a City approval and public vote. Certainly, we think zoning to allow an industrial retail project in the heart of neighborhoods and alongside a preserve is a terrible idea.

**Why are community members opposed to this idea?**

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* We didn’t know. PUSD did not make a good faith effort to communicate their intentions to the community or to involve the community in the process.  We need appropriate time to understand the process and options, and give informed feedback as required by law.  Moreover, the 7-11 Committee that convened in 2012 did not gather community input, which is a legal requirement as specified in California Education Code 17390.
* Decision did not include community input.  When the 7-11 Committee convened in 2012, it reported that community members did not offer input.  We believe that community members either did not know about the opportunity for input or were not given the chance to provide input.
* Decision relied on outdated data.  The PUSD Board issued the Request for Proposals (RFP) in 2019, relying on the findings of the 2012 7-11 Committee, which findings are now eight years old.
* Incompatible use.  The use of the site should be compatible with the low- and very low-density uses that surround it in Black Mountain Ranch and Torrey Highlands.
* Environmental impact. Black Mountain Ranch and Torrey Highlands subareas were developed with the intent of being a buffer against urban sprawl and protecting essential wildlife corridors in the San Dieguito River Park. This property borders the Multi-Habitat Planning Area (MHPA) which provides essential habitat for wildlife and trails enjoyed by many San Diegans.  Pollution from heavy truck and automobile traffic would have a significantly adverse impact on this area.
* Traffic. A commercial development would cause a significant increase in traffic on the surrounding roadways, causing particular problems at peak hours.

**What are POCN’s wishes?**

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1. Inclusion. The PUSD Board has a legal obligation to take into account the input of local community members when declaring school property surplus and assessing the "most beneficial" use of the surplus land.  Community members cannot offer thoughtful input if PUSD is not forthcoming and transparent.
2. Time.  We requested a 60-day pause on the Costco negotiation for the community to provide input to the PUSD Board, verify the legality of this negotiation, and ensure that PUSD adequately marketed the RFP to a variety of potential bidders who might be interested in this opportunity. Due to pressure from citizens and a lawsuit the board, “by consensus, provided direction to its real property negotiator and legal counsel to forgo finalizing any option agreement and or ground lease with Costco Wholesale for a period of 90 days during which time the district will continue to engage interested parties and Costco about the proposed ground lease transaction as well as possible alternatives.”
3. Compromise. We will work with the Board to come up with a solution that serves everyone’s needs.