

## **City Changing Mt. SAC Zoning!**

Layla Sassi from Timberline · Posted 9/13/16

As you know, I am the president of United Walnut Taxpayers (UWT). United Walnut Taxpayers is a 501(c)(3) non-profit public benefit corporation formed to preserve and protect the quality of life in the City of Walnut.

In 2014, in an effort to protect Walnut from the planned construction of a 5 story parking structure within 125 feet of residential homes and the construction of an 11 acre commercial solar plant on Grand & Amar, we filed a lawsuit against Mt. SAC for violation of the 2008 Measure RR Bond promise made by Mt. SAC to voters, Mt SAC violations of Walnut's zoning ordinances, and violation of the California Environmental Quality Act. The lawsuit also challenges Mt SAC's improper use of lease leaseback, lack of competitive bidding, and the absence of clearly defined specific projects.

The court on two separate hearings upheld our lawsuit and granted a temporary restraining order (TRO) and preliminary injunction against Mt. SAC on the basis of the probability that UWT not Mt. SAC was likely to prevail at the time of trial. In a third hearing, the court refused to dismiss the UWT lawsuit.

The Judge reasoned and ruled, "If the project is permitted to go forward, Plaintiff and the community will lose their interest in the enforcement of the City's zoning codes."

It has come to our attention that our city is going to use the update of the General Plan to change the current Mt. SAC residential zoning to institutional zoning!

It appears that the decision has already been made, politics as usual, without our knowledge or input, and a plan is afoot to have it crammed down our throats over the next 30-45 days. This is continued evidence of lack of a real commitment to transparency with Walnut residents.

Walnut founders had it right. They deliberated and legislated an RPD (residential planned development) zoning for Mt SAC, that Judge Lavin alluded to, "...the restrictions on land for properties zoned RPD, which includes the Mt. San Antonio's campus, is to encourage the "appropriate and desirable use of land which is sufficiently unique in its physical characteristics and other circumstances to warrant special methods of development. · Walnut City Code §25-88." Judge Lavin had it right and has since been elevated to the Court of Appeals.

After almost two years of fighting to have a say on projects that have tremendous impact on the Walnut community and after UWT defended Walnut's zoning laws and won, our city is snatching Mt. SAC's defeat from the jaws of a consolidated victory for the people of Walnut. Our city is handing over its only leverage for now and the future to Mt SAC. This is like handing the keys of our city to Mt SAC.

Mt SAC has had a continued practice of exempting itself from city zoning and blatantly ignoring the adverse and negative impacts on our community.

Mt SAC has had a total disregard to its impact on our city and a purposeful lack of transparency. Mt SAC was found by the courts to be in violation of the bond measure funded by taxpayer's money.

Mt. SAC continues to operate in an insular fashion. Master plans have and continue to be developed without the impacted community having a say.

Why in the world would a city unilaterally give up its important zoning sovereignty??? The city is putting itself in a shameful position by giving up our mutual gains and caving in to Mt. SAC in a closed smoke-filled back room deal!

Tomorrow is the city council meeting at 7 pm; come and ask our council members what the heck is going on!

UWT will have an emergency meeting today and continue to share with you any updates.

Shared with Timberline + 10 nearby neighborhoods.