

Opponents of Mt. SAC's \$48 million parking garage seek restraining order

SAN GABRIEL VALLEY **TRIBUNE**



Site plan for new Mt SAC parking structure. (Courtesy of Mt SAC, received April 2014)

By [Richard Irwin](#), San Gabriel Valley Tribune

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WALNUT >> A taxpayer group opposed to a planned \$48.5 million parking structure at Mt. San Antonio College will appear Wednesday in Los Angeles Superior Court, seeking to halt construction that is already underway.

A similar request from city officials was shot down on April 1 by Judge Louis Lavin, who ruled that their effort wasn't likely to succeed.

"Petitioner's own evidence shows that it will not be able to show that the project violates the city's zoning laws," Judge Lavin wrote.

The dual lawsuits by the city and United Walnut Taxpayers, filed in March, claim the community college's proposal violates several environmental and zoning laws. City officials want to set a precedent that would give more say in projects that occur on campus.

Despite Lavin's ruling against the city, a spokesman for the taxpayers group said he hopes city officials will come to court Wednesday morning in a show of solidarity.

"I'm hoping the city attorney will join us on Wednesday," said Mansfield Collins, a member of the citizen's group.

Members of Collins' group claim Mt. SAC violated the California Environmental Quality Act by not filing a separate environmental impact report for the parking structure.

Their suit contends the college violated voter-approved Prop. 39 by not publishing a full description of Measure RR, a \$353-million bond issue adopted in 2008.

Walnut City Attorney Michael Montgomery said he will attend Wednesday's hearing.

The community college began construction on March 18, a week after receiving approval from the Division of the State Architect.

Since then, contractors have cut down trees along Mountaineer Road and ripped up a parking lot to make way for the 2,300-space parking garage.

In his initial decision, Lavin weighed the likelihood that the city would prevail on the merits at trial, as well as the comparative harm suffered by the city.

The judge also noted actual construction of the parking structure won't begin until September 2015, but the college would suffer significant financial losses as a result of any injunction.

"By comparison, the harm to petitioner if no preliminary relief is issued is negligible at best," Lavin said.

Walnut's lawsuit claims Mt. SAC is building the five-story garage on land zoned for homes, but never asked for a zoning variance. Montgomery said school districts may be exempt from city zoning codes, but college districts are not.

Mt. SAC contends it is exempt from city zoning laws and only needs approval from the state architect.

Mt. SAC President Bill Scroggins felt vindicated by the court's decision.

"The court ruling validates that Mt. San Antonio College's parking structure project has been appropriately designed," Scroggins said. "The structure is a necessity for the students and the broader community we serve."