

← Back to Original Article

Student Sues Over Irvine Co. Project

USC freshman from Orange seeks to overturn his hometown's approval of a 1,746-home development.

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Christopher Koontz is a clean-cut, lanky 19-year-old college freshman majoring in planning, with a minor in ancient religions and classical languages. Between classes, he also wrote and this week filed a lawsuit to stop one of the nation's largest developers from building in his hometown.

Koontz drives home at least once a week to visit his pets--and, he sheepishly adds, his parents--on the semirural edge of the city of Orange. But he fears that the foothill community where he grew up is about to be lost to bulldozers.

The USC freshman decided to do something about it. On Wednesday, he filed a lawsuit against the city, seeking to overturn its approval of a 1,746-home project by the Irvine Co. on 494 acres.

His family lives on 1 1/4 acres--complete with stands of 150-year-old oak trees and horses--within a mile of the project site. He worries that Irvine Regional Park, where his early birthday parties were held, will be overrun since the development plan doesn't provide new park space.

And he fears that he will no longer be able to make a left turn from his street because of traffic generated by the project. Koontz also worries that the development will choke off wildlife corridors, slowly strangling the area's biodiversity.

So, while juggling 18 academic units ranging from analytical writing to geology to Holocaust studies, 13 hours of work weekly at the California Science Center and more hours of homework, he wrote a legal "writ of mandate."

After receiving pointers from longtime Orange County environmental activist Ray Chandos, Koontz read thousands of pages of case law on the Internet, in the USC law library and in books he purchased. He figures that preparing the suit cost him an hour of sleep a night since early October.

Written with a sophistication that belies Koontz's age, the suit seeks a preliminary injunction to stop the project, to overturn the city's approval on the argument that it violates state law, and to force the city to order that the developer prepare a new environmental impact report.

In a written statement, a company spokesman dismissed Koontz's claims: "If this proceeds to trial, the Irvine Co. is confident the courts will conclude that the [environmental document] meets all the requirements of the law."

Orange's deputy city attorney declined to comment.

Koontz's buddies, meanwhile, worry about the perils of taking on such a powerful company. Koontz, assertive yet soft-spoken, stands his ground: "Win or lose, it's important to stand up and say that people are watching."

Hundreds of people were angered by the city's approval of the Irvine Co. housing project near the base of the Santa Ana Mountains. They spoke en masse at public hearings, inundated a county supervisor's mailbox and accused local politicians of being puppets of the developer.

Yet the only one to take the City Council to task legally is not an attorney or a longtime environmentalist; Koontz is the son of an accountant and an Anaheim restaurant owner.

Eric Noble, an older community activist, passed out fliers and testified at public hearings but said he never would have thought of filing a lawsuit.

"Frankly, he's representative of a generation who no longer is content to show up at a meeting, get three minutes in front of a city council . . . and told to go home," Noble said.

Koontz graduated from Villa Park High School in June. He wasn't really interested in planning issues until a family friend "dragged" him to a school board meeting about a year ago. He watched school board members chat with each other during the public-comments period, ignoring residents who were imploring them to save Barham Ranch, pristine open space owned by the school district and not blocked from development.

Koontz describes himself as "environmentally conscious." He participated in park cleanups and, as an 8-year-old, went door to door checking to see if his neighbors recycled.

Longtime activists are circling their wagons to help him, looking for a lawyer and raising funds for what is expected to be a \$10,000 lawsuit. Koontz, who faces \$40,000 in college bills by the time he graduates, has already spent about \$500 and 80 hours preparing and filing the suit.

He filed it Wednesday in state Superior Court in Santa Ana in a "zombie"-like state because he had been up all night watching election coverage. After the stresses of the week, the sleep-deprived student left Friday for a church retreat in San Diego.

"I feel apprehensive and nervous," Koontz said. "But when I weigh everything, it was the right thing to do."