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Judge suspends park progress

By: Matthew Self, The Telegraph

An El Dorado County Superior Court judge issued a temporary restraining order Friday on a planned sports complex in El Dorado Hills, preventing any further construction until a final decision can be made in April.

Construction on eight acres of Promontory Park, part of a recently approved 18-acre sports complex on Sophia Parkway will be halted until a full hearing on a Writ of Mandate filed by Promontory residents is considered. The hearing is scheduled for April 18.

The eight acres were an addition to park space originally included in the Promontory Specific Plan, a legal sticking point for Promontory opponents.

Among the reasons for his decision, Judge Jerald Lasarow of South Lake Tahoe found the district improperly graded and altered land beyond the original ten acres and disturbed open space.

The bidding process for the park is scheduled to begin in August.

Officials for the El Dorado Hills Community Services District, whose board moved forward with the project in spite of staunch opposition from nearby homeowners, remain confident park construction will stay on schedule.

Michael Thomas, attorney for Citizens Organization for Responsible Development which filed the Writ, disagrees.

"One of the key elements that CORD was required to meet in order to get the (temporary restraining order), was a likelihood of prevailing on the merits at trial. In granting the (order), the court implicitly found that CORD was likely to win on the petition," Thomas said.

District general manager Wayne Lowery walked away from the hearing with a different perception.

"I was in the same meeting and the judge never said that. The judge indicated he had not had time to review the details. Based on what he had read, it did appear he felt there was enough information that he'd like to have no further work until the hearing was completed," Lowery countered.

As part of the order, El Dorado County agreed not to issue any further permits until the April hearing.

The county and CORD also agreed upon a settlement conference, which is slated for Jan. 20.

The El Dorado Hills Community Services District will be included in the conference.

While all parties maintain they intend to find a solution outside of the courtroom, the primary reason for opposition remains an impasse: light towers. The district and park opponents have tangled over the issue since the first public discussion started in July, and ultimately led to the legal dispute.

"They don't want lights. It seems like we've compromised as much as we can without having lights," Lowery said.

Thomas said CORD's demands have not changed.

"I am hopeful that a settlement can be reached on the 20th. We will appear and make a good faith effort to settle. Our demands remain the same - the CSD must comply with all legal requirements before moving forward on the park. We

believe that if the CSD follows the legal requirements, an acceptable park will result," he said.

County counsel Lou Green was unavailable for comment.

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