

Village condemns Dist. 99 land

By Don Grigas

Staff writer

Residents invited to meeting

to voice opinions on issue

Residents who want to weigh in on the fate of a controversial 45-acre parcel owned by Community High School District 99 will get their chance when the village of Woodridge sponsors a forum at 7 p.m. Tuesday, May 31, at Thomas Jefferson Junior High, 7200 Janes Ave., Woodridge.

At the May 19 Village Board meeting, about 10 residents spoke in favor of the village's decision to file a condemnation lawsuit in DuPage County Circuit Court May 23, a suit that has the support of the Woodridge Park District as well.

"District 99's actions are a complete insult," said Sue Burtnette, Woodridge resident and member of the village's Plan Commission. "I support and encourage the Village Board to proceed with condemnation proceedings."

District 99 owns the property adjacent to Woodridge Village Hall, and is accepting sealed bids for the land, which currently is zoned R-1 residential.

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Village and park officials contend the School District is attempting to renege on an agreement dating back to 1978 that provided the village would be granted right of first refusal on the parcel if the district did not build a new high school on the site.

No high school was ever built there, and although District 99 officials confirm there was "correspondence" with the village over the property, no binding legal agreement ever was concluded, and the property can be sold according to the district's wishes.

William Murphy, mayor of Woodridge, said the School District's public responses are intentionally vague.

"They knew the historical homework, they just didn't want to reveal it," Murphy said.

The district's plan is to sell it to the highest bidder, with the intention of having the property rezoned for high-density, multiple-family townhomes, a plan village and park officials strongly oppose.

"District 99's planned use would provide for density six to seven times more dense than if it were developed under the appropriate zoning," said John Perry, village administrator.

"We are very disappointed. This plan is not in keeping with the expectations over the last 30 years," said Perry.

District 99 Controller Mark Staehlin said school officials are "disappointed

and somewhat confused" by the eminent domain suit. After first questioning the first-refusal agreement, the district has met with Woodridge twice, he said. School leaders offered to suspend the bidding process and get an appraisal before sitting down to hammer out a deal -- a concept Woodridge rejected, according to Staehlin.

"Instead of working with us in a cooperative way, they don't seem to want to do that," Staehlin said.

School officials still plan to work with the village despite the lawsuit's "negative cloud," he added.

Village officials say if the property were to be developed according to its current zoning designation -- R1 residential -- a residential development of about 37 single-family homes could be built there. Under a plan village officials say the district's agent -- Newcastle -- is promoting, more than 200 multiple-family units would be built.

Woodridge filed a condemnation suit May 23, and village officials say they hope the suit forces School District officials to meet and negotiate for the property.

Tom Good, the village's attorney, said filing a suit "hopefully brings about a negotiated settlement."

"The intent of the condemnation suit is to ultimately acquire the property, and we will eventually acquire it," he said.

"Oftentimes in cases of eminent domain, filing a suit can cause parties to continue discussions and to negotiate. We filed suit because the district would not negotiate with us, and we would not participate in their bidding process," Good said.

"(A negotiated settlement) would prevent the needless expenditure of thousands and thousands of taxpayer dollars spent on attorneys and consultants," Good said.

Murphy said the village and Park District want District 99 to sell the property "for a good, fair market price."

However, Murphy said, the district's bidding process is intended to drive the price up above what the village considers "fair market value."

"The word that is appropriate here is 'extortion,'" said Murphy.

Good said if a developer purchases the property and applies for a zoning change, the village "would vigorously defend any request."

"We won't be held hostage and forced to pay inflated prices," Good said.

At the Village Board meeting about 25 residents attended the meeting, and the majority applauded at the conclusion of the meeting after officials announced the village would file the condemnation suit.

"I'm proud of the board and what they are doing (filing suit)," said Mike Grecco, Woodridge resident. "What District 99 is doing is reprehensible."