

The Committee to Keep Lincoln Park Public
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COMMUNITY SUES TO CLOSE DOWN SOCCER STADIUM

Parents, park advocates, and Lincoln Park neighbors filed an aggressive lawsuit Wednesday, calling for a judge to shut down a soccer stadium being built on a popular Lincoln Park meadow by and for the exclusive Latin School of Chicago.

DEAR EDITOR: Download the court filing at www.savelincolnpark.org]

After months of negotiations and public pressure failed, attorneys for the Committee to Keep Lincoln Park Public filed suit in the Circuit Court's Chancery Division. The suit was filed by the group's attorney, Thomas J. Ramsdell. CKLPP is a committee of Protect Our Parks, a Chicago-based volunteer organization opposing the trend to privatize park land in the city.

Named as defendants in the suit are the Latin School; the seven Park District commissioners including Laird Koldyke, who is a Latin School parent; and Chicago Corporation Counsel Mara Georges.

A contract — signed quietly in late 2006 between the school and the Park District — grants Latin exclusive prime-time use of the stadium's youth hours for the next 10 years, in exchange for their paying most of the initial construction costs. The contract is renewable every 10 years and includes promotional provisions for Latin to actually end up paying far less in the long run, for exclusive use, than what most other groups pay as they fight over scarce Park District facilities. The new complex will be a two-minute walk from Latin's front door in the Gold Coast; other area schools must commute to the already overcrowded Montrose Harbor fields.

[DEAR EDITOR: See additional information and documents at www.savelincolnpark.org or contact Greta Lear, 312-337-6502]

The agreement's existence wasn't publicly known until mid-2007, months after it was signed. However, a nearly identical proposal had been shot down by the public in 2002.

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The 11-page suit asks for an injunction to halt construction of the field, to declare the school's agreement with the Park District void, and to return the site to its longtime use as a multipurpose meadow. The suit also seeks unspecified financial damages.

Some provisions in the suit rely on the court to give the committee a special right to sue the Park District under the Lakefront Protection Ordinance, a right normally reserved by the city. The suit argues that the city has failed to act in this capacity because of the many conflicts of interest involved. Among these, Park District Board Chairman Gery Chico is a staunch ally of Mayor Richard M. Daley, and Laird Koldyke, the prominent Latin School parent, also sits on the Park District board and heads the park committee that approved the deal.

The suit's plaintiffs include a nearby African-American mother whose daughter attends Immaculate Conception School, and also a park neighbor who received no legal notice of the plan. It also includes a member of the Menomonee Club, an organization with a history of supporting diverse low-income families in the area. Menomonee will lose its longtime right to use the field to Latin School.

Others who will lose access to the meadow include picnickers, breast-cancer walkathon participants, Air & Water Show enthusiasts, frisbee players, rugby players, kite-flyers, and tens of thousands of other annual users of the meadow. The meadow adjoins the famous Passarelle Bridge, the high-traffic overpass which allows thousands to cross Lake Shore Drive near the North Avenue Boathouse.

Although CKLPP and its parent organization include attorneys and other legal professionals, the group chose to hire a specialist. The original research and drafting of the suit were done by Herbert Caplan and Coleen Blake, both charter members of the committee. Attorney Thomas Ramsdell is an aggressive civil rights and land-use litigator whose Chicago legal pedigree connects him to U.S. Supreme Court Justice John Paul Stevens.

After initiating a public outcry recently, Protect Our Parks planners won a private meeting to present alternatives to Park District Board President Gery Chico. But the meeting, held last week, ended in disappointment. "That was the moment where we knew we had no choice but to sue," said Peter Zelchenko, who led the meeting. Zelchenko, a member of the committee, is a former member of Latin School's soccer team and has been joined by other Latin families in opposing the development.

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At the meeting, Chico defended the project. “He basically told us, ‘Yes, we make mistakes. But this all happened before I became a commissioner [in 2007], so Latin and the soccer field are going forward,’” Zelchenko said.

Committee leaders argue that the city’s Lakefront Protection Ordinance — designed to preserve precious lakefront land from this kind of construction — was illegally circumvented in this case. Under the ordinance, any proposed permanent structures in the protected area, which includes the meadow, are subject to public hearings to determine whether projects should get a green light. But no such hearings were held for the soccer field. The Children’s Museum project, in contrast, is going forward with legally mandated hearings, to be followed by a City Council vote.

Last month, the committee delivered cease-and-desist letters to Latin and the Park District but they were not answered. A Freedom of Information Request they filed with the Park District, demanding all information relating to due diligence on the project, turned up “no documents,” according to Caplan.

“We intend to bring this project to a halt,” said Zelchenko. “This was done under cover of night, and it is past time to show the people of Chicago that there is no place for that in a democracy.” Zelchenko was referring to the contract that was signed without any community input nor notice to the alderman.

The public’s dissatisfaction with a soccer field in Lincoln Park was already clearly demonstrated in 2002, when the Park District and Latin School made a nearly identical attempt. But the community got wind of the plan and the uproar shut the plan down. This time, the agreement was secretly signed in December 2006. The contract provides virtually exclusive prime-time use of the field for Latin School at deep discounts. This was to be in exchange for Latin’s advancing approximately \$900,000 to the Park District for the field’s construction. But, according to an article by the Chicago Reader’s Ben Joravsky in September, compared to regular users of the field this ultimately would amount to a significant savings for Latin over the full 10-year period of the contract, even without the advertising concessions and other contractual benefits.

After two angry public meetings were held in 2007, Latin — knowing it was in the hot seat — offered a mere 10-percent reduction in its control of the field. “Of course it’s an insult,” said Caplan. “They want us to complain that it’s not enough, so that it looks like we’re negotiating something fair.” But Protect Our Parks leaders describe this as a standard tactic among city officials, used in this case to

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hide the fact that the deal was improper in the first place. Another tactic, members say, is to attempt to buy off the largest opponents by offering them a favorable position, slowly whittling away at the opposition. This follows what Protect Our Parks leaders call an “alarming trend” in resource privatization in the city.

Construction of the stadium may be completed by late Spring unless it is stopped. In February, a nearly identical situation in New York City was halted even though construction was already in progress.

Supporters are urged to contribute generously at the web site:

www.savelincolnpark.org/donate

or by sending checks to: The Committee to Keep Lincoln Park Public, 333 W. North Avenue, Unit 209, Chicago, IL 60610-1293.

The committee also urges all those interested in supporting their efforts in other ways to send an e-mail to **info@cklpp.org** or call CKLPP at **312-276-5165**.

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