

**VILLAGE OF ANTIOCH**

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**ORDINANCE NO. 22-02-14**

***AN ORDINANCE GRANTING M-1 ZONING TO THE ANTIOCH COMMUNITY HIGH  
SCHOOL FOR APPROXIMATELY 11.0 ACRES  
(PZB 21-09)***

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**ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES**

**OF THE**

**VILLAGE OF ANTIOCH, ILLINOIS**

**ON**

**FEBRUARY 23, 2022**

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**Published in pamphlet form by authority of the Village Board  
of the Village of Antioch, Lake County, Illinois,  
this 24<sup>th</sup> day of February 2022**

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SCOTT GARTNER	<b>President</b>	SCOTT A. PIERCE	<b>Trustee</b>
LORI K. ROMINE	<b>Clerk</b>	MARY DOMINIAK	<b>Trustee</b>
		ED MACEK	<b>Trustee</b>
		MARY PEDERSEN	<b>Trustee</b>
DEL GALDO LAW GROUP, LLC	<b>Attorney</b>	PETRINA BURMAN	<b>Trustee</b>
		BRENT BLUTHARDT	<b>Trustee</b>

**ORDINANCE NO. 22-02-14**

***AN ORDINANCE GRANTING M-1 ZONING TO THE ANTIOCH COMMUNITY HIGH SCHOOL FOR APPROXIMATELY 11.0 ACRES  
(PZB 21-09)***

**WHEREAS**, pursuant to Chapter 15 of Title 10 of the Antioch Village Code, a public hearing was commenced by the Combined Planning Commission and Zoning Board on February 2, 2022 following notification as required by State Law and Village Ordinance to consider a petition from the Antioch Community High School (hereinafter referred to as High School) for a Rezoning of approximately 11.0 acres of the Antioch Community High School

**WHEREAS**, the applicant is seeking to construct a new maintenance building on the subject property and is seeking to rezone the subject site from its current R-1 zoning to M-1 zoning; and

**WHEREAS**, the High School is seeking to rezone approximately 11.0 acres, adjacent to the football field, to M-1 zoning which is consistent with the zoning in the surrounding area; and

**WHEREAS**, the Combined Planning Commission recommended approval to the Village Board of the requested rezoning to M-1 zoning by a vote of 7-0 at the February 2, 2022 meeting of the PZB; and

**WHEREAS**, the Corporate Authorities have concluded and found that the Rezoning, subject to and in conformance with the following findings of facts; a) The amendment promotes the public health, safety, comfort, convenience and general welfare, and complies with the policies and official plans of the Village; and b) The trend of development in the area of the subject property is consistent with the requested amendment; and c) The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classifications; d) The property cannot yield a reasonable use if permitted only under the conditions allowed under the existing zoning classifications; and e) The amendment, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

**WHEREAS**, the Corporate Authorities have concluded that the proposed M-1 zoning is consistent with the surrounding zoning classifications.

***NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, LAKE COUNTY, ILLINOIS, AS FOLLOWS:***

**SECTION I:** The representations, recitations and findings set forth in the foregoing recitals are material to this Ordinance and such recitals are hereby incorporated into and made a part of this Ordinance as though they were fully set forth herein. This Ordinance shall be liberally construed so that the purpose and intent represented by the recitals shall be accomplished to the greatest extent permitted by law.



**SECTION II:** That the real estate which is the subject of this ordinance (Subject Property) is legally described as follows:

(See attached legal description)

**SECTION III:** That, subject to the conditions stated below, the Rezoning shall be and is hereby approved and shall be binding upon the Village, Petitioner and Owner, and their respective owners successors, and assigns when a true execution copy of this Ordinance is tendered to the Village fully executed by the Petitioner and Owner, and when the Mayor has affixed his signature upon the Ordinance.

**SECTION IV:** The following exhibits shall be attached to and made a part of this Rezoning Ordinance and, except as expressly modified by this Ordinance, compliance with all standards, requirements, designs or specifications in such exhibits shall be a condition of the grant of this Rezoning Ordinance:

A. Village Board Staff Report

**SECTION V** Any person violating the terms and conditions of this Ordinance shall be subject to a penalty not exceeding Five Hundred Dollars (\$500.00) with each and every day that the violation of the Ordinance is allowed to remain in effect being deemed a complete and separate offense. In addition, the appropriate authorities of the Village may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. Any person violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys' fees. This section shall not apply to the Village of Antioch, its officials, agents or employees.

**SECTION VI** If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not be included.

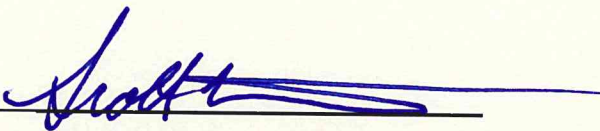
**SECTION VII** That the Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form as provided by law.

**SECTION VIII:** That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

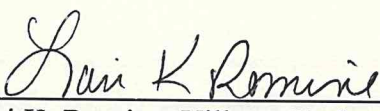
**Passed this 23<sup>rd</sup> day of February 2022.**

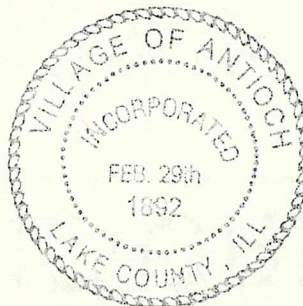
	<b>Ayes:</b>	<b>Nays:</b>	<b>Absent/Abstain:</b>
Scott A. Pierce		X	
Mary Pedersen	X		
Ed Macek	X		
Brent Bluthardt	X		
Mary Dominiak	X		
Petrina Burman	X		

**APPROVED:**

By:   
Scott J. Gartner, Mayor

**ATTEST:**

By:   
Lori K. Romine, Village Clerk



Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on February 23, 2022.



STATE OF ILLINOIS)  
 )        SS  
COUNTY OF LAKE )

### CERTIFICATE

I, Lori K. Romine, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on February 23, 2022, the Corporate Authorities of such municipality passed and approved Ordinance 22-02-14 entitled, "AN ORDINANCE GRANTING M-1 ZONING TO THE ANTIOCH COMMUNITY HIGH SCHOOL FOR APPROXIMATELY 11.0 ACRES (PZB 21-09)" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 22-02-14, including the Ordinance and cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building, commencing on February 24, 2022, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this 24<sup>th</sup> day of February, 2022.

Lori K. Romine  
Lori K. Romine, Village Clerk



Mayor  
Scott J. Gartner

Clerk  
Lori K. Romine



Trustees  
Brent C. Bluthardt  
Petrina Burman  
Mary C. Dominiak  
Ed Macek  
Mary J. Pedersen  
Scott A. Pierce

**REPORT TO:** Village President and Board of Trustees  
**FROM:** Michael S. Garrigan, AICP, CNU-A, Community Development Director  
**DATE:** February 15, 2022  
**SUBJECT:** Report to Village Board

**CASE:** Antioch Community High School  
21-09

Rezoning  
Site Plan Review

**APPLICANT:** Antioch Community High School

**ADDRESS:** 1133 Main Street

**ZONING:** M-1 and R-1

**COMPREHENSIVE PLAN:** Light Industrial

#### Background

The Antioch Community High School is seeking to replace two storage sheds behind the existing athletic fields with a new maintenance building. In addition, the applicant is seeking to rezone the subject 11 acres which are currently zoned R-1 to M-1 zoning, which is consistent with the surrounding zoning. The proposed maintenance building would be 2,800 square feet.

In addition, the applicant's current maintenance buildings incorporate a side yard setback of 10 feet, and they are proposing a side yard setback of 15 feet. The current R-1 zoning for the site requires 10% of lot width or 73 feet. M-1 zoning requires a side yard setback of 15 feet, which is consistent with what is being proposed.

#### Rezoning

- a) *The amendment promotes the public health, safety, comfort, convenience, and general welfare, and complies with the policies and official plans of the Village; and*



The proposed rezoning of the subject site to M-1 is consistent with the adjacent uses. The properties to the north, east, west, and south are all currently zoned M-1. The existing baseball fields, east of the track and football field are currently zoned M-1. The applicant is merely seeking a rezoning of the 11 acres of the subject site to be consistent with the M-1 classification.

*b) The trend of development in the subject property is consistent with the requested amendments; and*

As highlighted above, the zoning to the north, east, and west are all M-1 zoning. The surrounding uses to the north and east are industrial uses and the property located to the west is zoned industrial.

*c) The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classifications; and*

The existing R-1 zoning classification for these 11 acres is an island of residential zoning within an area that is surrounded by M-1 zoning. Recreation and sports facilities are a permitted use in the proposed M-1 district.

*d) The property cannot yield a reasonable use if permitted only under the conditions allowed under the existing zoning classifications; and*

The current zoning would continue to permit the subject 11 acres to be used for high school sports, however, as highlighted above, the proposed M-1 zoning would also allow recreational uses for the subject site.

*e) The amendment, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.*

There is nothing to indicate that the existing character of the area would change in anyway as result of rezoning the subject 11 acres from the existing R-1 zoning to M-1 zoning. The property would continue to be used for high school sports and the proposed M-1 zoning would continue to permit the property to be used for high school sports.

#### *Site Plan Review*

The applicant is proposing to construct a new 2,800 square foot CMU maintenance structure in the same general location as the existing sheds that are being used by the high school for maintenance.

The proposed building will incorporate 2,800 square feet and be constructed out of CMU block, a metal standing seam roof, and three garage bay doors.

In addition, the applicant is proposing the following improvements:

- Extension of water service from new structure to existing water main.
- Installing sanitary service.
- New lift station to replace existing pump.
- Sewer collection system discharging to existing detention pond.
- Pavement maintenance for existing access lanes and parking lot for athletic fields.

In view of the limited impervious expansion, no additional detention will have to be provided for the subject site. Additionally, the Village Engineer will be reviewing the final engineering for the subject site prior to the start of any construction for the proposed improvements.

### *Landscape Plan*

Since this is an existing facility, Staff is not requesting a landscape plan or any additional landscape for this proposed facility.

### *Lighting/Photometrics*

The applicant is proposing a series of wall packs to the proposed maintenance building. Staff has requested lighting specifications for these proposed wall packs along with the standard photometric sheets for the proposed model of these wall packs.

No new lighting is being proposed for the existing parking lot that currently has a lighting standard.

### *Recommendation*

Based on Staff's review, it appears that the applicant has met the findings of fact for the proposed rezoning from the existing R-1 to M-1 zoning. There is nothing to indicate that the proposed rezoning would have a negative impact on the adjacent parcels. In addition, the applicant has met the findings for a variance to allow for relief on a proposed side yard of 15 feet.

With respect to the Site Plan Review, based on Staff's review, the proposed building meets the Village's minimum standards, and the proposed building is a substantial improvement on the existing buildings.

Based on the foregoing, Staff would make the following motions:

***We move that the Village Board approve the herewith attached ordinance rezoning the subject property from R-1 zoning to M-1 zoning.***

***We move that the Village Board approve the proposed maintenance building at the Antioch Community High School subject to the following stipulations:***

- 1. Compliance with the recommendations of the Village Engineer.***
- 2. Compliance with recommendations of the Antioch Fire District.***