

CITY OF WAUKEGAN

ORDINANCE NO. 22—O—231

**AN ORDINANCE AMENDING CHAPTER 8.3-9 OF THE
WAUKEGAN ZONING ORDINANCE REGARDING THE WESTERN GATEWAY
REDEVELOPMENT OVERLAY DISTRICT**

**ADOPTED AND PASSED BY THE CITY COUNCIL
OF THE CITY OF WAUKEGAN**

**ON THE 05th
DAY OF DECEMBER, 2022**

**Published in pamphlet form by authority of the City Council, of the City of
Waukegan, Lake County, Illinois, on the 06th day of DECEMBER, 2022**



CITY CLERK JANET E. KILKELLY

ORDINANCE NO. 22—O—231

AN ORDINANCE AMENDING CHAPTER 8.3-9 OF THE
WAUKEGAN ZONING ORDINANCE REGARDING THE WESTERN GATEWAY
REDEVELOPMENT OVERLAY DISTRICT

WHEREAS, the City of Waukegan ("**City**") is an Illinois home rule municipality; and

WHEREAS, Section 8.3-9 of the "Waukegan Zoning Ordinance", as amended, ("**Zoning Ordinance**") establishes the Western Gateway Redevelopment Overlay District ("**Overlay District**"); and

WHEREAS, the Department of Planning and Zoning of the City ("**Department**") has submitted an application to amend Section 8.3-9 of the Zoning Ordinance pursuant to Section 3.10-2(1) of the Zoning Ordinance ("**Proposed Amendment**") in order to add to the Overlay District that certain parcel of real property commonly known as 4000 Northpoint Boulevard, Waukegan, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("**Property**"); and

WHEREAS, a public hearing of the Planning and Zoning Commission of the City ("**Planning & Zoning Commission**") to consider the approval of the Proposed Amendment was duly advertised on October 21, 2022 in the Lake County News-Sun and the Puro Futbol newspaper on October 26, 2022, and scheduled for and concluded on November 10, 2022; and

WHEREAS, on November 10, 2022, the Planning & Zoning Commission found that the Proposed Amendment is not detrimental to the public interest and recommended approval of the Proposed Amendment (Zoning Calendar No. 2682) pursuant to Section 3.10 of the Zoning Ordinance; and

WHEREAS, the City Council of the City has determined that it is in the public interest and will tend to promote the public health, safety, morals, comfort, convenience and general welfare of the residents of the City to approve the Proposed Amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Waukegan, Illinois, as follows:

SECTION ONE: RECITALS: The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the City Council.

SECTION TWO: AMENDMENT TO SECTION 8.3-9 OF THE ZONING ORDINANCE: Section 8.3-9, titled "Western Gateway Redevelopment Overlay District" of Article 8, titled "Commercial Business District" of the Zoning Ordinance is hereby amended to read as follows: (additions are in **bold underline** and deletions are ~~struck through~~)

"8.3-9 – WESTERN GATEWAY REDEVELOPMENT OVERLAY DISTRICT

* * *

5. As of the effective date of this Section 8.3-9 (February 3, 2003), the legal description of the lands included within the Gateway District is as follows:

* * *

PARCEL FOUR

LOT 9 IN LAKEHURST, BEING A SUBDIVISION OF PART OF THE FOLLOWING: THE SOUTHWEST QUARTER OF SECTION 25, THE SOUTHEAST QUARTER OF SECTION 26, THE NORTHEAST QUARTER OF SECTION 35 AND THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 45 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 18, 1970 AS DOCUMENT NUMBER 1453696, IN LAKE COUNTY, ILLINOIS.

PARCEL FIVE

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 45 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THAT PART OF LOT 12 IN LAKEHURST, BEING A SUBDIVISION OF PART OF THE FOLLOWING SOUTHWEST 1/4 OF SECTION 25, THE SOUTHEAST 1/4 OF SECTION 26, THE NORTHEAST QUARTER OF SECTION 35 AND THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT RECORDED MARCH 18, 1970 AS DOCUMENT 1453696, ALL TAKEN AS ONE TRACT, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 12; THENCE SOUTH 83 DEGREES 47 MINUTES 57 SECONDS WEST, 1004.360 FEET ALONG THE NORTHERLY LINE OF SAID LOT 12 TO THE POINT OF INTERSECTION WITH A LINE DRAWN, 998.294 FEET (AS MEASURED PERPENDICULARLY) WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 12, SAID POINT OF INTERSECTION BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE SOUTH 00 DEGREES 05 MINUTES 58 SECONDS WEST, 113.60 FEET ALONG SAID PARALLEL LINE TO THE SOUTHERLY LINE OF LOT 12; THENCE SOUTHERLY, 86.159 FEET ALONG SAID SOUTHERLY LINE BEING THE ARC OF A CIRCLE CONVEX NORTHERLY, HAVING A RADIUS OF 682.50 FEET AND WHOSE CHORD BEARS SOUTH 75 DEGREES 37 MINUTES 05 SECONDS WEST TO THE POINT OF REVERSE CURVE IN SAID SOUTHERLY LINE; THENCE CONTINUING SOUTHWESTERLY 75.362 FEET ALONG SAID SOUTHERLY LINE BEING THE ARC OF A CIRCLE CONVEX SOUTHERLY, HAVING A RADIUS OF 247.50 FEET AND WHOSE CHORD BEARS SOUTH 80 DEGREES 43 MINUTES 29 SECONDS WEST, TO THE POINT OF REVERSE CURVE IN SAID SOUTHERLY LINE; THENCE CONTINUING SOUTHWESTERLY 75.362 FEET ALONG SAID SOUTHERLY LINE, BEING THE ARC OF A CIRCLE CONVEX NORTHERLY, HAVING A RADIUS OF 247.50 FEET AND WHOSE CHORD BEARS SOUTH 80 DEGREES 43 MINUTES 29 SECONDS WEST, TO THE POINT OF TANGENCY IN SAID SOUTHERLY LINE OF LOT 12; THENCE CONTINUING SOUTH 72 DEGREES 00 MINUTES 06 SECONDS WEST, 64.34 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF INTERSECTION WITH A LINE DRAWN, SOUTH 13 DEGREES 48 MINUTES 17 SECONDS WEST, THROUGH A POINT IN THE NORTHERLY LINE OF SAID LOT 12, SAID POINT BEING, 1334.494 FEET (AS MEASURED ALONG SAID NORTHERLY LINE) SOUTH 83 DEGREES 47 MINUTES 57

SECONDS WEST OF THE NORTHEAST CORNER OF SAID LOT 12; THENCE NORTH 13 DEGREES 48 MINUTES 17 SECONDS WEST, ALONG THE LAST DESCRIBED LINE 248.73 FEET TO THE SOUTHERLY LINE OF BELVIDERE ROAD AS DEDICATED PER DOCUMENT 1586387; THENCE NORTH 81 DEGREES 49 MINUTES 28 SECONDS EAST 52.94 FEET ALONG SAID SOUTHERLY LINE OF BELVIDERE ROAD TO AN ANGLE CORNER IS SAID SOUTHERLY LINE; THENCE NORTH 76 DEGREES 40 MINUTES 27 SECONDS EAST, 309.47 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF INTERSECTION WITH A LINE DRAWN PARALLEL WITH THE EAST LINE OF THE AFORESAID LOT 12 AND ITS NORTHERLY EXTENSION AND PASSING THROUGH THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 05 MINUTES 58 SECONDS WEST, 141.11 FEET ALONG SAID PARALLEL LINE TO THE PLACE OF BEGINNING, IN LAKE COUNTY, ILLINOIS.”

SECTION THREE: CONFLICTING ORDINANCES: All ordinances or parts of ordinances in conflict with terms of this ordinance are, to the extent of such conflict, hereby repealed.

SECTION FOUR: EFFECTIVE DATE: This Ordinance will be effective only upon the occurrence of all of the following events:

1. Passage by the City Council in the manner required by law;
2. Publication in pamphlet form in the manner required by law; and
3. Recordation of this Ordinance, together with such exhibits as the City Clerk deems appropriate for recordation, with the office of the Recorder of Lake County; and
4. Submission by the buyer of the Property to the City Clerk of evidence, in the form of a written title report issued by an Illinois title insurance company, that fee simple title to all of the Property has been conveyed to WIM FMB Portfolio Owner, LLC.

PASSED THIS 05th DAY OF DECEMBER, 2022.

ORDINANCE NO. 22—O—231
CITY OF WAUKEGAN

Ann B. Taylor.

MAYOR ANN B. TAYLOR

ATTEST:

Janet E. KilKelly

CITY CLERK JANET E. KILKELLY

ROLL CALL: Ald Hayes, Ald Bolton, Ald Seger, Ald Moisio, Ald Kirkwood, Ald Newsome, Ald Turner, Ald Rivera, Ald Florian.

AYE: Ald Hayes, Ald Bolton, Ald Seger, Ald Moisio, Ald Kirkwood, Ald Turner, Ald Rivera, Ald Florian.

NAY: Ald Newsome.

ABSENT: None.

ABSTAIN: None.

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 45 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THAT PART OF LOT 12 IN LAKEHURST, BEING A SUBDIVISION OF PART OF THE FOLLOWING SOUTHWEST 1/4 OF SECTION 25, THE SOUTHEAST 1/4 OF SECTION 26, THE NORTHEAST QUARTER OF SECTION 35 AND THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT RECORDED MARCH 18, 1970 AS DOCUMENT 1453696, ALL TAKEN AS ONE TRACT, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 12; THENCE SOUTH 83 DEGREES 47 MINUTES 57 SECONDS WEST, 1004.360 FEET ALONG THE NORTHERLY LINE OF SAID LOT 12 TO THE POINT OF INTERSECTION WITH A LINE DRAWN, 998.294 FEET (AS MEASURED PERPENDICULARLY) WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 12, SAID POINT OF INTERSECTION BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE SOUTH 00 DEGREES 05 MINUTES 58 SECONDS WEST, 113.60 FEET ALONG SAID PARALLEL LINE TO THE SOUTHERLY LINE OF LOT 12; THENCE SOUTHERLY, 86.159 FEET ALONG SAID SOUTHERLY LINE BEING THE ARC OF A CIRCLE CONVEX NORTHERLY, HAVING A RADIUS OF 682.50 FEET AND WHOSE CHORD BEARS SOUTH 75 DEGREES 37 MINUTES 05 SECOND WEST TO THE POINT OF REVERSE CURVE IN SAID SOUTHERLY LINE; THENCE CONTINUING SOUTHWESTERLY 75.362 FEET ALONG SAID SOUTHERLY LINE BEING THE ARC OF A CIRCLE CONVEX SOUTHERLY, HAVING A RADIUS OF 247.50 FEET AND WHOSE CHORD BEARS SOUTH 80 DEGREES 43 MINUTES 29 SECONDS WEST, TO THE POINT OF REVERSE CURVE IN SAID SOUTHERLY LINE; THENCE CONTINUING SOUTHWESTERLY 75.362 FEET ALONG SAID SOUTHERLY LINE, BEING THE ARC OF A CIRCLE CONVEX NORTHERLY, HAVING A RADIUS OF 247.50 FEET AND WHOSE CHORD BEARS SOUTH 80 DEGREES 43 MINUTES 29 SECONDS WEST, TO THE POINT OF TANGENCY IN SAID SOUTHERLY LINE OF LOT 12; THENCE CONTINUING SOUTH 72 DEGREES 00 MINUTES 06 SECONDS WEST, 64.34 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF INTERSECTION WITH A LINE DRAWN, SOUTH 13 DEGREES 48 MINUTES 17 SECONDS WEST, THROUGH A POINT IN THE NORTHERLY LINE OF SAID LOT 12, SAID POINT BEING, 1334.494 FEET (AS MEASURED ALONG SAID NORTHERLY LINE) SOUTH 83 DEGREES 47 MINUTES 57 SECONDS WEST OF THE NORTHEAST CORNER OF SAID LOT 12; THENCE NORTH 13 DEGREES 48 MINUTES 17 SECONDS WEST, ALONG THE LAST DESCRIBED LINE 248.73 FEET TO THE SOUTHERLY LINE OF BELVIDERE ROAD AS DEDICATED PER DOCUMENT 1586387; THENCE NORTH 81 DEGREES 49 MINUTES 28 SECONDS EAST 52.94 FEET ALONG SAID SOUTHERLY LINE OF BELVIDERE ROAD TO AN ANGLE CORNER IN SAID SOUTHERLY LINE; THENCE NORTH 76 DEGREES 40 MINUTES 27 SECONDS EAST, 309.47 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF INTERSECTION WITH A LINE DRAWN PARALLEL WITH THE EAST LINE OF THE AFORESAID LOT 12 AND ITS NORTHERLY EXTENSION AND PASSING THROUGH THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 05 MINUTES 58 SECONDS WEST, 141.11 FEET ALONG SAID PARALLEL LINE TO THE PLACE OF BEGINNING, IN LAKE COUNTY, ILLINOIS