

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
MAR. 03, 2006 11:10 AM
OTHER 06-17-305-012
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ORDINANCE 5779

**FURTHER AMENDING ORDINANCE NUMBERS 2555,
2607, 3104, 3837 AND 4056, GRANTING CONDITIONAL
USES FOR A PLANNED DEVELOPMENT, A
RESTAURANT WITH ENTERTAINMENT (INDOOR
AMUSEMENT ESTABLISHMENT) AND A WALL
SIGNAGE DEVIATION**

PIN: 06-17-305-012, 017, 021, 029-033, 038, 039, 041-046

**Address: 1103-1177 S. Main and 150 E. Roosevelt Road,
Lombard**

Return To:

**Village of Lombard
Department of Community Development
255 E. Wilson Avenue
Lombard, IL 60148**

ORDINANCE NO. 5779

**AN ORDINANCE FURTHER AMENDING
ORDINANCE NUMBERS 2555, 2607, 3104, 3837, and 4056
GRANTING CONDITIONAL USES FOR A PLANNED DEVELOPMENT, A
RESTAURANT WITH ENTERTAINMENT (INDOOR AMUSEMENT
ESTABLISHMENT) AND FOR A WALL SIGNAGE DEVIATION**

(PC 05-40: 1103-1177 South Main Street and 150 East Roosevelt Road)
(Lombard Pines Shopping Center Planned Development/Enchanted Castle)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, on September 23, 1982, the President and Board of Trustees adopted Ordinance 2555, granting a conditional use for a planned development for the property legally described herein pursuant to Title 15, Chapter 155, Section 155.501 et. seq. of the Code of Lombard (hereinafter the "Subject Property"); and

WHEREAS, on June 23, 1983, the President and Board of Trustees adopted Ordinance 2607, which approved a conditional use for a restaurant with entertainment facility/indoor amusement establishment (hereinafter "Enchanted Castle") on Subject Property; and

WHEREAS, on October 20, 1988, the President and Board of Trustees adopted Ordinance 3014, amending the conditional use approval to allow for an expansion of Enchanted Castle on the Subject Property; and

WHEREAS, on March 17, 1994, the President and Board of Trustees adopted Ordinance 3837, amending the planned development for the Subject Property; and

WHEREAS, on October 19, 1995, the President and Board of Trustees adopted Ordinance 4088, granting wall signage relief for Enchanted Castle on the Subject Property; and

WHEREAS, on July 20, 1995, the President and Board of Trustees adopted Ordinance 4056, further amending the planned development for the Subject Property; and

WHEREAS, a petition has been received by the Village to amend the previously approved conditional uses to allow for an expansion of the indoor amusement establishment associated with Enchanted Castle located on the Subject Property; and

WHEREAS, as a companion to the petition, the petitioner has submitted a signage package to the Village for approval, with a deviation from Section 153.505(B)(19)(b)(2) of the Sign Ordinance to allow for an additional wall sign for Enchanted Castle; and

WHEREAS, Title 15, Chapter 155, Sections 155.504 and 155.103(F)(13) allow for ordinance amendments granting a conditional use for a planned development and for previously established conditional uses after a public hearing before the Village's Plan Commission; and

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendment described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Section 1 of Ordinance 2607 adopted June 23, 1983 be amended to read as follows:

1. That Section 2 of Ordinance number 2555 be further amended to include an expansion to an indoor amusement establishment, subject to the following conditions:
 - a. Attachment of a final floor plan for review and approval as part of a building permit submittal and consistent with the building plan prepared by Jakl Brandeis Architects, Ltd., dated October 10, 2005, and made a part of this petition;

- b. The indoor amusement establishment shall be limited to the west end of the 1103 S. Main Street building and including the tenant space at 1121 S. Main Street; and
- c. Subject to any necessary licensing required for indoor amusement establishments.

SECTION 2: That Section 1 of Ordinance 3837 adopted March 18, 1994 be further amended to include the following additional provision:

- E. That the retail space at 1121 S. Main Street shall be permitted to erect an additional wall sign associated with the indoor amusement establishment located at 1103 S. Main Street. Said sign shall not exceed 134 square feet in sign surface area and shall be designed and installed consistent with the sign plan, prepared by Speedi Sign and submitted as part of the petition.

SECTION 3: That Section 2 of Ordinance 3837 shall be amended to include the tenant spaces at 1103 S. Main Street as well as the retail space at 1121 South Main Street.

SECTION 4: That the conditional use amendments set forth in this Ordinance shall be subject to the following conditions:

- 1. The petitioner shall apply for any requisite building permits and Certificates of Occupancy for the tenant space to be occupied by the indoor amusement establishment.
- 2. The indoor establishment use shall be occupied consistent with all provisions of Village Code.

SECTION 5: That all other provisions of Ordinances 2555, 2607, 3104, 3837 and 4056 not amended by this Ordinance shall remain in full force and effect.

SECTION 6: That the aforementioned amendments are limited and restricted to the property legally described as follows:

Lot 3 of Owner's Assessment Plat of part of the southwest 1/4 of Section 17, Township 39 North, Range 11 East of the Third Principal Meridian according to the Plat thereof recorded December 20, 1943, as Document 457027, except that part, described as follows: Beginning at the point of intersection of a line drawn parallel with and 100 feet east of the west line of Main Street as dedicated by the Plat of Roosevelt Crest, with a line drawn parallel with and 50 feet north of the center line of Roosevelt Road as now paved and running hence north parallel with said west line of Main Street 150 feet, hence east parallel with said center line of Roosevelt Road 150 feet henceforth parallel with said west line of Main Street 150 feet, hence west parallel with said center line of Roosevelt Road 150 feet to the point of beginning in DuPage County, Illinois, known as NE corner of Roosevelt Road and Main Street, Lombard, Illinois.

Parcel Identification Numbers: 06-17-305-012, 017, 021, 029, 030, 031, 032, 033, 038, 039, 041, 042, 043, 044, 045, and 046

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2005.

First reading waived by action of the Board of Trustees this 1st day of December, 2005.

Passed on second reading this 1st day of December, 2005.

Ayes: Trustees Gron, Tross, O'Brien, Sebby and Soderstrom

Nays: None

Absent: Trustee Florey

Approved this 1st, day of December, 2005.

Ordinance No. 5779
Re: PC 05-40
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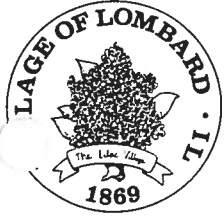


William J. Mueller, Village President

ATTEST:



Brigitte O'Brien, Village Clerk



I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

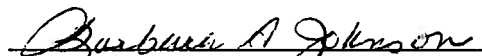
I further certify that attached hereto is a true and correct copy of ORDINANCE 5779

AN ORDINANCE FURTHER AMENDING ORDINANCE NUMBERS 2555, 2607, 3104, 3837 AND 4056, GRANTING CONDITIONAL USES FOR A PLANNED DEVELOPMENT, A RESTAURANT WITH ENTERTAINMENT (INDOOR AMUSEMENT ESTABLISHMENT) AND A WALL SIGNAGE DEVIATION FOR THE PROPERTY LOCATED AT 1103-1177 SOUTH MAIN STREET AND 150 EAST ROOSEVELT ROAD, LOMBARD PINES SHOPPING CENTER/ENCHANTED CASTLE, LOMBARD, DUPAGE COUNTY, ILLINOIS, PIN # 06-17-305-012, 017, 021, 029, 030, 031, 032, 033, 038, 039, 041, 042, 043, 044, 045 AND 046

of the said Village as it appears from the official records of said Village duly passed on December 1, 2005.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 28th day of February, 2006.




Barbara A. Johnson
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois