

CITY OF BERWYN

ORDINANCE NO. 26-14

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR MULTI-FAMILY DWELLINGS AND FOR GROUND-FLOOR WORK-LIVE UNITS AND APPROVING VARIATIONS TO WAIVE OFF-STREET PARKING REQUIREMENTS AND LOADING FACILITY REQUIREMENTS WITHIN THE C-3 DEPOT MIXED-USE ZONING DISTRICT AT THE ADDRESS COMMONLY KNOWN AS 6804 W. WINDSOR AVENUE, BERWYN, ILLINOIS (LION DEVELOPMENT/NORTHWOOD CONTRACTORS JV, LTD.)

WHEREAS, a request (the "Application") seeking a special use permit to facilitate the redevelopment of an existing building as a mixed-use building consisting of multi-family dwellings, ground-floor work-live units, and one ground-floor commercial unit (collectively, the "Proposed Use"), and associated variations of the off-street parking and loading facility requirements within the C-3 Depot Mixed-Use Zoning District, at the address commonly known as 6804 W. Windsor Avenue, Berwyn, Illinois (the "Property"), was filed with the City of Berwyn ("City") by Lion Development/Northwood Contractors JV, Ltd. (the "Petitioner"); and

WHEREAS, the Proposed Use requires special use permits to allow multi-family dwellings and to allow work-live units on the ground floor within the C-3 Depot Mixed-Use Zoning District pursuant to Section 1244.02 (Use Table) and Table 1244.02-A (Use Table) of the Zoning Code of the City of Berwyn ("Zoning Code"); and

WHEREAS, the Proposed Use requires a variation from the requirements of Section 1248.02 (Required Off-Street Parking Spaces) to waive the required off-street parking requirements for the multi-family dwelling units, work-live units, and the commercial unit; and

WHEREAS, the Proposed Use requires a variation from the requirements of Section 1248.06 (Loading Facility Requirements) to waive the on-site loading facility requirements for the Property; and

WHEREAS, the Property is legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, the Application was referred to the Zoning, Planning and Development Commission of the City ("Commission") and has been processed in accordance with the Zoning Code, as amended; and

WHEREAS, on January 21, 2026, the Commission held a public hearing on the Application pursuant to notice thereof given in the manner required by law, and, after considering all of the testimony and evidence presented at the public hearing, the

Commission recommended approval of the Application, by a vote of six (6) in favor and zero (0) opposed, all as set forth in the Findings of Fact and Recommendation of the Commission in this matter (“Findings and Recommendation”), a copy of which is attached hereto as **Exhibit B**; and

WHEREAS, on February 24, 2026, the City Council deferred action on this matter, and subsequently, on April 28, 2026, held an additional public hearing on the proposed zoning relief sought in the Application; and

WHEREAS, at the April 28, 2026, public hearing, the City Council heard public comment, and discussed the zoning relief sought, compromises made by the Petitioner to address concerns about first-floor work-live units, and other aspects of the Application; and

WHEREAS, the City Council of the City has duly considered the Findings and Recommendation submitted by the Commission, the evidence submitted at both the public hearing held by the Commission and the additional public hearing held by the City Council, and all of the materials, facts and circumstances affecting the Application, and, in accordance with the Findings and Recommendation and its own independent consideration of the matter, finds that the Application satisfies the standards set forth in Section 1252.03(C)(4) of the Zoning Code relating to special use permits and the standards set forth in Section 1252.03(D)(5) of the Zoning Code relating to variations, subject to the condition related to the work-live unit special use set forth in Section 2 below.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Berwyn, Cook County and State of Illinois, as follows:

Section 1: Incorporation. Each whereas paragraph set forth above is incorporated by reference into this Section 1.

Section 2: Approval of Special Use Permits for the Proposed Use. The City Council, acting pursuant to the authority vested in it by the laws of the State of Illinois and the Zoning Code, hereby approves and adopts the Findings and Recommendation of the Zoning, Planning and Development Commission, a copy of which is attached hereto as **Exhibit B**, and incorporates such Findings and Recommendation by reference as if fully set forth herein. The City Council further approves the following special use permits relative to the Property located at 6804 W. Windsor Avenue, Berwyn, Illinois (“Property”), as legally described in **Exhibit A**:

- A special use to allow multi-family dwellings in the C-3 Zoning District pursuant to 1244.02 (Use Table) of the Zoning Code of the City of Berwyn; and
- A special use to allow work-live units at the ground floor of the existing building (dwelling units currently allowed above the ground floor only) in the C-3 Zoning District pursuant to Section 1244.02 (Use Table) of the Zoning Code of the City of

Berwyn, subject to the following conditions: a maximum of only two (2) work-live units, together totaling not more than 3,400 square feet in the aggregate, shall be allowed on the Property at any one time. Additionally, those work-live units may only be located west of the existing entry doors on Windsor Avenue, and shall only be allowed after those spaces have been actively marketed for commercial use without success for a minimum of eighteen (18) months following the issuance of a final certificate of occupancy for the Property, and only after submission of proof that the Petitioner has made satisfactory good faith efforts to market all ground floor areas for permitted commercial uses.

Section 3: Approval of Variations for the Proposed Use. The City Council, acting pursuant to the authority vested in it by the laws of the State of Illinois and the Zoning Code, hereby approves and adopts the Findings and Recommendation of the Zoning, Planning and Development Commission, a copy of which is attached hereto as **Exhibit B**, and incorporates such Findings and Recommendation by reference as if fully set forth herein. The City Council further approves the following variations relative to the Property located at 6804 W. Windsor Avenue, Berwyn, Illinois ("Property"), as legally described in **Exhibit A**:

- A Variation from Section 1248.02 (Required Off-Street Parking Spaces) of the Zoning Code of the City of Berwyn to waive the required off-street parking requirements for both the dwelling units and live-work units;
- A Variation from Section 1248.02 (Required Off-Street Parking Spaces) of the Zoning Code of the City of Berwyn to waive the required off-street parking requirements for the commercial tenant spaces to be located at the northeast corner ground floor building area; and
- A Variation from Section 1248.06 (Loading Facility Requirements) of the Zoning Code of the City of Berwyn to waive requirements related to provision of an off-street loading facility and berth requirements within the boundaries of the Property.

Section 4: Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the City shall be grounds for the immediate rescission by the City Council of the approvals made in this Ordinance.

Section 5: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 6: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this 12 day of MAY 2026.

AYES: 8


NAYS: 0

ABSENT: 0

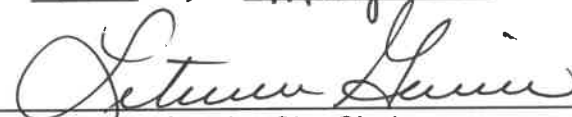
APPROVED this 12 day of MAY 2026.


Robert J. Lovero, Mayor

ATTEST:


Leticia Garcia, City Clerk

Published by me in pamphlet form this 12 day of MAY, 2026.

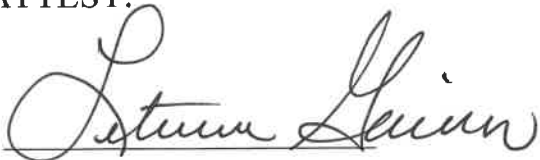

Leticia Garcia, City Clerk

Adopted by the City Council of the City of Berwyn, Cook County, Illinois on
May 12th, 2026, pursuant to roll call, as follows:

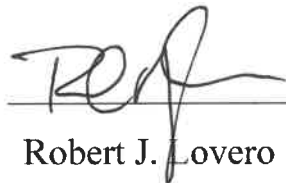
	Yes	No	Absent	Present
Caldwell	✓			
Bowman	✓			
Leja	✓			
Fejt	✓			
Pabon	✓			
Polashek	✓			
Bruckmann	✓			
Carmichael	✓			
(Mayor) Lovero				
Total	8			

APPROVED this 12th day of May 2026.

ATTEST:



Leticia Garcia
 CITY CLERK



Robert J. Lovero
 MAYOR