

CHAPTER 5

RESIDENCE DISTRICTS

ARTICLE D. R5 MIXED USE GENERAL RESIDENCE DISTRICT

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6-5D-1: INTENT AND SCOPE OF REGULATIONS: The R5 District is primarily intended to accommodate multiple-family residential uses adjacent to commercial districts and to provide reuse potential for older commercial areas. However, as a transitional district between commercial and residential uses this District can also accommodate a limited mix of selected retail uses. Accordingly mixed-use developments incorporating residential and commercial uses in the same or in attached structures may be consistent with this District.

Areas containing unique natural features, transition areas adjacent to residential districts and areas at or near major intersections are identified as being of significant impact to the Village. This is due to the need to protect valued natural resources, the integrity and environment of the Village's residential neighborhoods, and the viability of the downtown area and to optimize traffic safety conditions and to permit flexibility in the planning of key intersections.

The R5 District is also intended to recognize the special complexity and interaction of land uses in and around the Village Green and Milwaukee Avenue; to allow for flexibility in land use and design which allows multiple structures on one lot; to encourage opportunities for mixed use development; to facilitate the creation of a convenient, attractive and harmonious context of buildings and streets, pedestrian ways, parks and open spaces; and to encourage public and private investment that will promote vitality, activity, and safety in the area.

Therefore, all petitions for zoning, either permitted or special uses proposed within this District shall be subject to site plan review and approval as specified in Section 6-14-7.

6-5D-2: PERMITTED USES: No building, structure, or parcel of land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for any other than of the following uses:

Single-family attached dwellings. (Ord. 86-885-22)

Community residential homes of less than four (4) persons. (Ord. 90-1182-66)

Memorial Garden, as an accessory use to an assembly use, including, for example, religious institutions or schools; provided the memorial garden is not located in any required yards.

(Amd. Ord. 08-3070-53, eff. 11/24/08)

6-5D-3: SPECIAL USES: The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section 6-14-14 of this Code as appropriate:

- A. Separate dwelling units above the ground floor of mixed-use buildings and in multiple family structures only.
- B. Commercial and office uses in mixed-use buildings fronting on Illinois Route 22, U.S. Route 45 or Illinois Route 21. Commercial and office uses are limited to the following and must be part of an approved site development plan in accordance with the 1993 Downtown Redevelopment Implementation Program or provided for as a planned unit development.

- Antique stores
- Art, office and school supply stores
- Book stores
- Camera and photographic supply stores
(excluding processing of any kind)
- Clothing stores
- Custom dressmaking
- Dry goods stores
- Farmers Market
- Furniture shops
- Furrier shops
- Gift shops
- Hobby shops
- Household goods stores
(not including major appliance sales)
- Interior decorating shops

Jewelry stores

Offices, business or professional

Office equipment sales

Other retail and service uses

(which the Zoning Board deems suitable for inclusion into mixed use projects and of a size and scale that do not negatively impact the residential uses, the project or adjacent parcels)

Specialty food stores

(no larger than two thousand five hundred (2,500) square feet in size and excluding the consumption of food on the premises)

C. Other Uses as Follows:

Churches and synagogues

Memorial Assembly Facility: (Amd. Ord. 08-3070-53, eff. 11/24/08)

1. Shall only be permitted as an accessory use to an assembly use, including, for example, religious institutions or schools.
2. Shall be permitted
 - a. inside the principle structure on the Lot, or
 - b. as a accessory structure subject to compliance with the following design and setback standards:
 - i. Shall be located not less than one-hundred feet (100') from any Lot Line where there is Frontage;
 - ii. Shall maintain a minimum distance of one hundred and thirty-five feet (135') from any Lot Line where there is no Frontage;
 - iii. Shall be located not more than twenty feet (20') from the principle structure on the Lot;
 - iv. Shall comprise an area no greater than six hundred (600) square feet;
 - v. The structure shall have a height not greater than three feet (3');
 - vi. The structure shall be concealed from the adjacent right-of-way and contiguous residential Lots with vegetation which provides complete screening during the entire year and shall be a minimum of six feet (6') tall at the time of planting, but which vegetation shall not be considered part of the Memorial Assembly Facility for the purpose of measuring the permitted area thereof; and
 - vii. The face of the structure into which cremated human remains are interned must substantially face towards the principal structure to which it is accessory.

Park and recreation facilities

Parking lots accessory to uses permitted in the district

Planned unit developments

Public utilities

Schools

6-5D-4: LOT SIZES:

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
<u>Permitted Uses:</u>		
Single-family attached (maximum 6 units/structure)	4,000 sq. ft.	60 ft. plus 20 additional per unitfeet for each dwelling unit to a maximum required lot width of 160 ft.
<u>Special Uses:</u>		
Dwelling unit on the second floor of mixed-use buildings	2,000 sq. ft. per unit	By Zoning Board
Retail or office uses as part of mixed use buildings	By Zoning Board	
Churches and Synagogues	20,000 sq. ft.	100 ft.
Parks and playgrounds	10,000 sq. ft.	75 ft.
Recreation and community buildings	By Zoning Board	
Public utility uses	By Zoning Board	
Schools and day care	7,500 sq. ft.	50 ft.
Planned unit developments	3 acres	
Farmers Market	45,000 sq. ft.	200 ft.

6-5D-5: YARDS:

	<u>Front*</u>	<u>Side**</u>	<u>Corner Side</u>	<u>Rear</u>
<u>Permitted Uses:</u>				
Single-family attached dwelling	25 ft.	16 ft.	20 ft.	25 ft.
<u>Special Uses:</u>				
Mixed-use projects including commercial, retail or office uses	25 ft.	16 ft.	25 ft.	30 ft.
Churches and synagogues	30 ft.	10 ft.***	25 ft.	30 ft.
Memorial Assembly Facility		By Section 6-5D-3		
Parks and playground	None			
Recreation and community buildings	25 ft.	16 ft.	25 ft.	30 ft.
Public utility uses	By Zoning Board			
School and day care centers	25 ft.	16 ft.	25 ft.	30 ft.
Planned unit developments	By Village Board			

* When adjacent to the Village Green the front yard shall be 0 feet.

** When adjacent to a single-family detached district side yard shall be 25 feet.

*** Plus 1 foot for every 2 feet the structure exceeds 25 feet in height.

6-5D-6: BUILDING HEIGHT: In the R5 District no building or other structure shall exceed three and one-half (3 ½) stories or forty feet (40') in height except steeples for houses of worship.

6-5D-7: SIGNS: Signs shall be subject to the regulations contained in Title 12 of this Code.

6-5D-8: OFF-STREET PARKING AND LOADING REQUIREMENTS: Off-street parking and loading facilities shall be provided as required in Chapter 11 of this Title unless otherwise recommended by the Zoning Board and approved by motion of the Corporate Authorities for projects in the downtown redevelopment area. (Ord. 86-885-22)

6-5D-9: SITE PLAN REVIEW BOARD REVIEW CRITERIA: Recommendations and review comments of the Site Plan Review Board shall be based on a review and analysis of a master development plan demonstrating general compliance with the Downtown Redevelopment Implementation Program, the Lincolnshire Village Center Design Guidelines, the Official Comprehensive Plan, and other policies, plans and ordinances of the Village.

Specific criteria for review shall include, but not be limited to the following:

1. Nature of the proposed uses including:
 - a. Ground floor pedestrian traffic patterns;
 - b. Compatibility with adjacent street front uses;
 - c. Compatibility of any proposed residential uses with other uses in the vicinity.
2. The location and adequacy of off-street parking and loading provisions.
3. Traffic generation characteristics and specific design measures to accommodate safe, coordinated vehicular and pedestrian circulation and its relationship to open space.
4. The location, design, landscaping, and other significant characteristics of public and private open space in relation to the site and adjacent sites.
5. Architectural integrity and compatibility with nearby existing buildings both on and off site. Architectural considerations shall include siting, massing, proportion, scale, materials, colors, details, facade treatments, fenestration, parapets, site features, lighting and signage. The openness of ground floor facades which face the Village Green, adjacent roads or circulation routes shall

be maximized to promote pedestrian activity and increase visibility of activity from the interior of the buildings.

6. Building height, setback, and footprint in relation to adjacent and nearby significant structures and open space. Buildings shall be designed and placed so their facade orientation faces and relates to the Village Green, adjacent roads, and circulation routes.

7. Site plans which include more than one building on a site are recommended to encourage compilation of smaller parcels of land and to allow for comprehensive site development in the downtown areas.
8. Parking and loading requirements may be reduced up to 25% of the Village Code requirements provided a comprehensive treatment of the parking site design and layout is proposed.
9. The Site Plan Review Board may recommend modifications to the review criteria, policies, plans, ordinances and Village Code regulations for acceptable site development plans when such modification is essential to further the intent of objectives of the Downtown Redevelopment Implementation Program. Modifications shall be permitted pursuant to the establishment of findings of fact by the Zoning Board and a motion for approval by the Corporate Authorities.

(Amend Ord. 95-1394-24)