



Land Use Petition

Subject Property Information

Address / Location: East of the intersection of Ogden Avenue and 75th Street
Parcel Number(s): 07-28-101-007; 07-28-101-008

Petition Request

Requesting the Establishment of a Conditional Use Planned Development, and to change the zoning district from R-5(C) Multiple-Family Dwelling District, R-5A(C) Midrise Multiple-Family Dwelling District, B-2(C) General Retail District , OS-1(C) Conservation, Open Space, and Drainage District, all with a Conditional Use, to R-4A(C) Two-Family Dwelling District with a Conditional Use and OS-1(C) Conservation, Open Space, and Drainage District with a Conditional Use District on the property located east of the intersection of Ogden Avenue and 75th Street;

Requesting approval of a Preliminary Plan and Plat for Kinglsey Row Subdivision, located east of the intersection of Ogden Avenue and 75th Street for a ROW Dwelling (Party Wall) (1130) Use

Attachments Required (a digital file of all documents is also required)

Development Tables Excel Worksheet - digital only (1-0)	One Paper and One pdf Copy of:	Word Document and PDF of: Plan
Word Document and PDF of: Legal Description (2-1)	Preliminary Engineering Plan	Description (2-18)
	Traffic Study	
One Paper and pdf Copy of:	Wetland Report	Two Paper and PDF Copy of:
Qualifying Statement (2-1)	Project Information Sheet	Plan Description (2-18)
Plat of Survey (2-1)	Preliminary Stormwater Permit	Preliminary Plan (2-8)
Legal Description (2-1)	Worksheet & Application & SW Report	Preliminary Plat (2-9)
Letter of Authorization (2-2)	Soil Investigation Report	Preliminary Rendering of Buildings
	Drain tile survey	Preliminary Landscape Plan
		Fire Access Plan

Petition Fee: \$3,468.27 Payable to: City of Aurora

I hereby affirm that I have full legal capacity to authorize the filing of this Petition and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signatory invites City representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Petition.

The Subject Property Owner must sign this form unless the Contact Person has been authorized to do so per a letter that is attached hereto. If Signator is NOT the Subject Property Owner a Letter of Authorization with owner's Name and contact information is required.

Authorized Signature: _____ Date _____
Print Name and Company: _____

I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Given under my hand and notary seal this _____ day of _____.

State of _____)
) SS
County of _____)

NOTARY PUBLIC SEAL

Notary Signature _____

Project Contact Information Sheet

Project Number: 2025.088

Petitioner Company (or Full Name of Petitioner): M/I Homes

Owner

First Name: Andrew Initial: R Last Name: Duff Title: _____
Company Name: Cedarwood Development Inc. _____
Job Title: Vice President and General Counsel _____
Address: 3200 Market Street, Suite 200 _____
City: Fairlawn State: OH Zip: 44333 _____
Email Address: aduff@cedarwoodC.com Phone No.: 330-664-9430 Mobile No.: _____

Main Contact (The individual that signed the Land Use Petition)

Relationship to Project: Land Developer / Builder
Company Name: M/I Homes of Chicago, LLC _____
First Name: Zachary Initial: E Last Name: Kenitzer Title: _____
Job Title: Land Planning & Entitlements Manager _____
Address: 2135 City Gate Lane, Suite 620 _____
City: Naperville State: IL Zip: 60563 _____
Email Address: zkenitzer@mihomes.com Phone No.: _____ Mobile No.: _____

Additional Contact #1

Relationship to Project: Attorney
Company Name: Rosanova & Whitaker, Ltd. _____
First Name: Eric Initial: M Last Name: Prechtel Title: _____
Job Title: Associate Attorney _____
Address: 445 Jackson Ave, Suite 200 _____
City: Naperville State: IL Zip: 60540 _____
Email Address: eric@rw-attorneys.com Phone No.: 630-355-4600 x11 Mobile No.: _____

Additional Contact #2

Relationship to Project: _____
Company Name: Haeger Engineering, LLC _____
First Name: Josh Initial: _____ Last Name: Terpstra Title: _____
Job Title: Civil Engineer _____
Address: 100 E State Parkway _____
City: Schaumburg State: IL Zip: 60173 _____
Email Address: josh-t@haegerengineering.com Phone No.: 847-230-3178 Mobile No.: _____

Additional Contact #3

Relationship to Project: Landscape Architect
Company Name: Gary R. Weber Associates, Inc. _____
First Name: Doug Initial: _____ Last Name: Shannon Title: _____
Job Title: Landscape Architect _____
Address: 402 W Liberty Drive _____
City: Wheaton State: IL Zip: 60187 _____
Email Address: dshannon@grwainc.com Phone No.: 224-760-1261 Mobile No.: _____

Additional Contact #4

Relationship to Project: _____
Company Name: _____
First Name: _____ Initial: _____ Last Name: _____ Title: _____
Job Title: _____
Address: _____
City: _____ State: _____ Zip: _____
Email Address: _____ Phone No.: _____ Mobile No.: _____

Filing Fee Worksheet

Project Number: 2025.088
Petitioner: M/I Homes
Number of Acres: 30.18
Number of Street Frontages: 2.00
Non-Profit 0

Linear Feet of New Roadway: 3531.1
New Acres Subdivided (if applicable): 30.18
Area of site disturbance (acres): 30.18

Filing Fees Due at Land Use Petition:

Request(s):	Conditional Use Plan Description/Revision	\$ 1,807.08
	Preliminary Plan & Plat	\$ 1,631.19
	Public Hearing Notice Sign(s)	\$ 30.00

Total: **\$3,468.27**

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

Verified By: Jill N Morgan

Date: 7/21/2025

Legal Description

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF FOX VALLEY VILLAGES UNIT 27, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT R85-090787; THENCE SOUTH 88 DEGREES 50 MINUTES 06 SECONDS WEST, 2210.63 FEET ALONG THE NORTHERLY RIGHT OF WAY LINE OF 75TH STREET (BEING A LINE 100 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION) TO THE EAST LINE OF PROPERTY RECORDED IN BOOK 100, PAGE 506; THENCE NORTH 00 DEGREES 33 MINUTES 30 SECONDS EAST, 145.46 FEET ALONG SAID EAST LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF OGDEN AVENUE (U.S. ROUTE 34) PER PLAT OF HIGHWAY FOR THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION FAP 311 JOB NO. R-91-017-91, THE FOLLOWING THREE COURSES ALONG THE SAID RIGHT OF WAY LINE; THENCE NORTH 66 DEGREES 40 MINUTES 17 SECONDS EAST 1168.88 FEET; THENCE SOUTH 22 DEGREES 33 MINUTES 37 SECONDS EAST, 5.00 FEET; THENCE NORTH 67 DEGREES 10 MINUTES 48 SECONDS EAST, 1234.63 FEET TO THE EAST LINE OF SAID QUARTER SECTION, BEING THE WEST LINE OF FOX VALLEY VILLAGES UNIT 27, AFORESAID; THENCE SOUTH 00 DEGREES 05 MINUTES 28 SECONDS WEST 1037.61 FEET ALONG THE WEST LINE TO THE POINT OF BEGINNING, (EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF FOX VALLEY VILLAGES UNIT 27, AFORESAID; THENCE NORTH 00 DEGREES 05 MINUTES 28 SECONDS EAST, 1037.61 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (SAID EAST LINE BEING COINCIDENT WITH THE WEST LINE OF SAID FOX VALLEY VILLAGE UNIT 27) TO THE SOUTHERLY LINE OF OGDEN AVENUE (U.S. ROUTE 34) PER PLAT OF HIGHWAY FOR THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION FAP 311 JOB NO. R-91-017-91 (THE FOLLOWING 3 COURSES ARE ALONG SAID SOUTHERLY LINE); THENCE SOUTH 67 DEGREES 10 MINUTES 48 SECONDS WEST, 1234.63 FEET; THENCE NORTH 22 DEGREES 33 MINUTES 37 SECONDS WEST 5.00 FEET; THENCE SOUTH 66 DEGREES 40 MINUTES 16 SECONDS WEST, 17.21 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 28 DEGREES 48 MINUTES 40 SECONDS EAST, 189.89 FEET; THENCE SOUTH 67 DEGREES 10 MINUTES 48 SECONDS WEST, 324.18 FEET; THENCE NORTH 22 DEGREES 49 MINUTES 12 SECONDS WEST, 186.15 FEET TO AFOREMENTIONED SOUTHERLY LINE; THENCE NORTH 66 DEGREES 40 MINUTES 17 SECONDS EAST, 304.37 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING) IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 IN FOX VALLEY VILLAGES UNIT 27 PER DOCUMENT R85-090787; THENCE NORTH 00 DEGREES 05 MINUTES 28 SECONDS EAST 1037.61 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (SAID EAST LINE BEING COINCIDENT WITH THE WEST LINE OF SAID FOX VALLEY VILLAGE UNIT 27) TO THE SOUTHERLY LINE OF OGDEN AVENUE (U.S. ROUTE 34) PER PLAT OF HIGHWAY FOR THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION, FAP 311 JOB NO. R-91-0117-91 (THE FOLLOWING 3 COURSES ARE ALONG SAID SOUTHERLY LINE); THENCE SOUTH 67 DEGREES 10 MINUTES 48 SECONDS WEST, 1234.63 FEET; THENCE NORTH 22 DEGREES 33 MINUTES 37 SECONDS WEST, 5.00 FEET; THENCE SOUTH 66 DEGREES 40 MINUTES 17 SECONDS WEST, 17.21 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 28 DEGREES 48 MINUTES 40 SECONDS EAST, 189.89 FEET; THENCE SOUTH 67 DEGREES 10 MINUTES 48 SECONDS WEST, 324.18 FEET; THENCE NORTH 22 DEGREES 49 MINUTES 12 SECONDS WEST, 186.15 FEET TO AFOREMENTIONED SOUTHERLY LINE; THENCE NORTH 66 DEGREES 40 MINUTES 17 SECONDS EAST, 304.37 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number(s): 07-28-101-007-0000
 07-28-101-008-0000

Commonly known as: Southeast intersection of Ogden Ave and 75th Street, Aurora, IL 60504

June 23, 2025

From: Aurora Town Center Associates, L.L.C.
3200 Market Street, Suite 200
Fairlawn, OH 44333

To: City of Aurora, Planning and Zoning Division
44 E. Downer Place
Aurora, IL 60507
(630) 256-3080
Email: coaplanning@aurora-il.org

**Re: Authorization Letter for Parcels 07-28-101-007 and 07-28-101-008;
Approximately 30 Acres at the Intersection of Ogden Avenue & 75th Street ("Property")**

To Whom it May Concern:

As the record owner of the above-stated Property, I hereby authorize M/I Homes of Chicago, LLC, and its representatives, including Rosanova & Whitaker, Ltd., ("Property Purchaser") to make application for, and thereafter pursue through the entitlement process, all governmental approvals from the City of Aurora necessary for the development on the Property of 202 "for sale" townhomes, including but not limited to zoning approval and plat approval; provided the Property Purchaser shall not have the authority to enter into any agreement, or otherwise commit the current Property owner, to a change in land use or the performance of any obligation which commitment or obligation is not expressly conditioned on Property Purchaser acquiring ownership of the Property. .

Sincerely,

Aurora Town Center Associates, L.L.C.

Signature:  V.P.

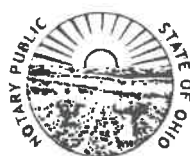
Date: 6-25-25

Name: Andrew R. Duff

Its: Vice President

SUBSCRIBED and SWORN to before me this 25 day of June, 2025.

Notary Signature: 
(seal)



SANDRA FRY
Notary Public
State of Ohio
My Comm. Expires
June 14, 2026

STATE OF ILLINOIS)
)
COUNTY OF KANE)
)
CITY OF AURORA)

PETITION TO THE CITY OF AURORA

THE UNDERSIGNED Petitioner, M/I Homes of Chicago, LLC, a Delaware limited liability company (“**Petitioner**” or “**M/I Homes**”), respectfully submits this Petition to the City of Aurora (“**City**”) for i) approval of a Preliminary Plat of Subdivision (“**Preliminary Plat**”); ii) approval of a Preliminary Plan (“**Preliminary Plan**”); iii) approval of a rezoning to R-4A(C) and OS-1(C); iv) approval of a conditional use for a planned development; v) approval of a major change to rescind an underlying plan description; vi) approval of a plan description to replace the rescinded plan description; and vii) approval of such other relief to the City of Aurora’s Municipal Code (hereinafter the “**Code**”) as may be deemed necessary and appropriate to develop the property legally described on **Exhibit A** (“**Property**”) and depicted on the Preliminary Plat submitted herewith as **Exhibit B**.

BACKGROUND INFORMATION

1. The Owner of the Property is Aurora Town Center Associates, L.L.C., an Ohio limited liability company having a mailing address of 3200 Market Street, Unit 200, Fairlawn, OH 44333 (“**Owner**”).
2. The contract purchaser and Petitioner herein is M/I Homes of Chicago, LLC, a Delaware limited liability company having an office at 2135 City Gate Lane, Suite 620, Naperville, IL 60563.
3. The Property consists of approximately thirty-two (32) acres located at the southeast corner of Ogden Avenue and 75th Street in the City of Aurora, County of DuPage, State of Illinois.

4. The Property was annexed to the City in 1998 pursuant to the terms of an annexation agreement (“**Annexation Agreement**”) and associated plan description attached thereto (“**1998 Plan Description**”), which were recorded on November 30, 1998 as Document No. R98-248688.

5. In 2019, the City passed Resolution No. R19-053 authorizing the execution of a redevelopment agreement (“**Redevelopment Agreement**”) for the Property in anticipation of its development with an assisted living facility, independent living facility, and other commercial uses.

6. No development occurred on the Property, and the Annexation Agreement and Redevelopment Agreement are now expired and of no further force and effect.

7. The Property is currently zoned R-5 Multi-family Dwelling District, R-5A(C) Multi-family Dwelling District, B-2(C) Business District General Retail, and OS-1 Open Space, Parks and Recreation District with a Conditional Use Planned Development.

8. The uses surrounding the Property are as follows:

- North – Planned Development District (MetLife Auto Home and Life Insurance).
- East – Planned Development District (TGM Springbrook Apartments (600 Units))
- South – R-4A(C), OS-1(C), and B-2(C) with a Conditional Use Planned Development District (Various Commercial Uses; Meadow Ridge Townhomes (80 Units))
- West – Planned Development District and R-1(C) – (Single-Family Detached; Laurel Ridge and Kings Point subdivisions)

9. The City's Comprehensive Land Use and Circulation Plan last revised September 12, 2019 pursuant to Ordinance No. O19-006 ("**Comprehensive Plan**") designates the future use for the Property as "Mixed Uses: Office/Research/Commercial/Residential".

10. Petitioner seeks to rezone the Property to R-4A(C) and OS-1(C) with a conditional use for a planned development to facilitate development of the Property with two hundred six (206) townhomes to be known as the Kingsley Row Subdivision ("**Kingsley Row**").

11. Petitioner seeks to rescind the 1998 Plan Description for its replacement by a new plan description ("**Kingsley Row Plan Description**") to facilitate development of the Property.

12. The proposed entitlement requests meet all City and State requirements for development of property and will facilitate the beneficial use of the Property as stated below.

QUALIFYING STATEMENT

M/I Homes, Inc. is a publicly traded real estate development company based in the United States. M/I Homes is known for constructing high-quality single-family homes, townhomes, and condominiums. Founded in 1976 in Columbus, Ohio, M/I Homes has become a leading developer of residential communities across the United States. Through the development of over 150,000 homes, M/I Homes has found success in building communities that offer quality housing options designed to serve the diverse needs of the local community. Likewise, Petitioner looks forward to the opportunity to provide a new housing option for Aurora's existing residents as well as those that would like to live in a well-respected municipality with excellent schools and park facilities.

Since the Property's annexation in 1998, the Property has remained vacant and underutilized in its current configuration and under its present zoning designations. This prolonged vacancy is despite an attempt by the City and another developer to develop the Property pursuant to the Redevelopment Agreement approved by the City in 2019. As noted, the

Annexation Agreement and Redevelopment Agreement are now expired.

The proposed Kingsley Row Plan Description will set forth the standards for development of the property, which will consist of two hundred six (206) rear-loaded townhomes. Two (2) different floor plans are intended for the Property – the “Madison” and the “Pearson.” The townhomes will range from approximately 2,100 square feet to 2,300 square feet. All townhomes will be rear-loaded and will come standard with three (3) bedrooms and a two (2) car garage.

The proposed development will be located in close proximity to key transportation corridors like I-88 to be easily accessible for commuting residents. Access to the development will be from the east via Commons Drive, which will provide connectivity to Ogden Avenue and 75th Street. The curvilinear roadways internal to the Kingsley Row development will be dedicated to the City and are designed to circulate traffic efficiently and safely. As part of the development, sidewalks will provide interconnectivity and walkability within the neighborhood. The future residents will benefit from the development’s proximity to shopping districts, recreational amenities, and employment centers. Within a 1-mile radius, there are a large variety of retail establishments, groceries, restaurants, entertainment opportunities, and recreational amenities. Nearby employment corridors will offer future residents the additional feature of conveniently located employment opportunities.

The community will be an appropriate transitional use along major corridors like Ogden Avenue and 75th Street. The proposed townhomes will supplement the existing residential uses along Ogden Avenue and 75th Street and will help support the commercial and retail uses along Ogden Avenue, 75th Street, and Route 59. Given the proposed development’s location, the Property presents an excellent opportunity for a variety of homebuyers, including some of the fastest growing housing segments of our population – millennials, young professionals, and empty

nesters.

The use of professional landscaping design and materials will enhance the overall aesthetics of the development. Landscaping materials will include a mix of parkway trees, decorative trees and shrubs and other landscape materials, improving the aesthetics of Kingsley Row. Generous perimeter yards will provide the opportunity for landscape buffering, including a large, forty-foot (40') setback between the homes and Ogden Avenue and 75th Street.

Three stormwater management facilities are presently located in the Development at (i) the northeast corner, (ii) the southwest corner and (iii) the middle of the southern border. These detention facilities have been designed to efficiently provide stormwater storage for Kingsley Row. Fox Metro sanitary sewer and potable water are available to the Property in the requisite capacity to serve Kingsley Row.

STANDARDS

The Qualifying Statement shall provide information on how the proposal relates to the following standards:

1. The public health, safety, morals, comfort or general welfare.

It is essential to the public health, comfort, safety, convenience and general welfare to provide diverse housing types and additional housing stock to accommodate the needs of Aurora's growing population to support the residents of the City and surrounding areas. While the Subject Property has been annexed and zoned for nearly 30 years, it remains undeveloped. The proposed Kingsley Row Plan Description and rezoning of the Property to R-4A(C) and OS-1(C) will facilitate development of the Subject Property to its highest and best use.

The proposed development is consistent and compatible with the surrounding uses, including the TGM Springbrook Apartments, Meadow Ridge Townhomes, and Laurel Woods and

King's Points subdivisions adjacent to the Property. As part of the development, Commons Drive will be completed as always intended for the location. Further, the development's close proximity to the nearby commercial uses will help support the existing retail and commercial uses along Ogden Avenue and Route 59, enhancing the City's revenue streams through new property, utility, and sales taxes.

2. The use and enjoyment of other property already established or permitted in the general area.

The development of Kingsley Row as a townhome community will not have a negative impact on the use or enjoyment of other property in the general area. The Property was annexed to the City in 1998. The initial intent for the Property was for commercial and business uses. However, since the Property's annexation, the Property remained vacant and undeveloped. In an attempt to develop the Property, the City and another developer entered into a Redevelopment Agreement in 2019 for the Property's development with an assisted living facility, independent living facility, and other commercial uses. Still, development never occurred on the Property. The requested rezoning to R-4A(C) and OS-1(C) will facilitate development of the Property with two hundred six (206) rear-loaded townhomes and will help support the existing commercial and retail uses along Ogden Avenue and Route 56. In addition, the added homeowners will increase the City's workforce and enhance the City's revenue streams through new property, utility, and sales taxes.

The use of professional landscaping design and materials will be utilized to enhance the overall aesthetics and visual appeal of the Kingsley Row community, including a mix of parkway trees, shade trees, and shrubs. The landscape design enhancements will include decorative plantings around the perimeter of the development. Landscape buffers will be provided throughout and around the perimeter of the community to create the feel of a residential enclave. Large

stormwater detention basins will be positioned along to provide additional buffering between Kingsley Row and the adjacent uses and right-of-way.

3. Property values within the neighborhood.

Petitioner's development of the Property will not be a detriment to the property values within the neighborhood. Rather, the development of Kingsley Row will improve the City's housing stock, serve under-represented demographics, and create new revenue streams through property, utility, and sales taxes. Kingsley Row will preserve and increase property values by developing a property which has historically been vacant and underutilized and will eliminate uncertainty with development of the Property. Given the proposed development's location, the development will support the retail and commercial uses in the area.

4. The normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts.

The Development is consistent with the normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts. The Property was annexed to the City in 1998 but never developed. In an attempt to develop the Property, the City approved a Redevelopment Agreement 2019 in anticipation of its development with an assisted living facility, independent living facility, and other commercial uses. Despite this Redevelopment Agreement, the Property continues to sit vacant under its current zoning designations. The proposed rezoning and Kingsley Row Plan Description will facilitate development of this otherwise vacant and underutilized land.

5. Utilities, access road, drainage and/or other necessary facilities.

City water is available to the Property in the requisite capacity to serve the development. Fox Metro Water Reclamation District sanitary sewer will be able to service the Property. Three stormwater management facilities are planned for the development, which are located at (i) the

northeast corner, (ii) the southwest corner, and (iii) the middle of the southern border. These detention facilities have been designed efficiently to provide sufficient stormwater storage for Kingsley Row. Sufficient access to the development will be provided from the east at two entrance points via Commons Drive, which road will provide connectivity to Ogden Avenue to the north and 75th Street to the south.

6. Ingress and egress as it relates to traffic congestion in the public streets.

As part of the development, Commons Drive will be completed as has always been intended for the location. Sufficient ingress and egress access points will be provided from the east via Commons Drive, which access road will provide connectivity to Ogden Avenue and 75th Street. All roadways have been designed consistent with Aurora's Subdivision Control Ordinance and City Code. The curvilinear roadways internal to the development will be dedicated to the City and are designed to circulate traffic efficiently and safely.

7. The applicable regulations of the zoning district in which the subject property is proposed to be or is located.

The Preliminary Plan and Plat and Kingsley Row Plan Description are consistent with the proposed R-4A(C) and OS-1(C) zoning designations. The R-4A(C)Two-Family Dwelling District zoning designation is intended for attached dwelling units, including a ROW Dwelling (Party Wall) use. The stated purpose of the R-4(C) zoning designation is to update development standards for all newly constructed two-family dwelling developments to ensure consistency and compatibility in character with single-family districts. The requested rezoning and associated Kingsley Row development will facilitate development of otherwise vacant and underperforming property.

8. A bullet point list of any variances, modifications or exceptions that you are seeking from the City's Codes and Ordinances.

Petitioner respectfully requests the following variances and modifications:

- Variance to Section 49-107.9I(1) to permit a three-story dwelling with a minimum combined floor area of two thousand (2,000) square feet, measured from the outside wall, including utility rooms, but excluding all other areas not used for living, eating, or sleeping purposes;
- Variance to Section 49-107.9(e)(3) to permit a building height of thirty-six feet (36');
- Variance to Section 49-107.9I(5) to waive the minimum lot size requirement;
- Variance to Section 49-107.9I(6) to permit a maximum lot coverage of forty-five percent 45% for the Property (not including right-of-way);
- Variance to Section 49-107.9I(9) to permit the following:
 - Covered or uncovered porches may encroach up to five feet (5') in the required front yard.
 - Architectural elements and other appurtenances thirty-six inches (36") or less, including eaves, shall be permitted obstructions in any required yard or setback, but may not encroach into any city easement.
- Variance to Section 49-107.9I(12) to permit the following setbacks:
 - Neighborhood setbacks – The minimum setback of a building from the perimeter line of the Property shall be forty feet (40'); provided that the minimum setback to Commons Drive shall be 25 feet (25').
 - Front to public right-of-way: Twenty-five feet (25').
 - Front to private drives/alleys: Not applicable.
 - Exterior Side Yard to public right-of-way: Twenty-five feet (25').
 - Exterior Side Yard to private roads/alleys: Eighteen feet (18').

- Rear Yard to public right-of-way: Not applicable.
- Rear Yard to private roads/alleys: Twenty feet (20’).
- Interior Side Yard to public right-of-way: Not applicable.
- Interior Rear Yard to private roads/alleys: Not applicable.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests i) approval of a Preliminary Plat; ii) approval of a Preliminary Plan; iii) approval of a rezoning to R-4AI and OS-1I; iv) approval of a conditional use for a planned development; v) approval of a major change to rescind an underlying plan description; vi) approval of a plan description to replace the rescinded plan description; and vii) approval of such other relief to the City of Aurora’s Municipal Code as may be deemed necessary and appropriate to develop the Property.

RESPECTFULLY SUBMITTED this 7th day of July, 2025.

PETITIONER:

M/I HOMES OF CHICAGO, LLC
A Delaware limited liability company



Rosanova & Whitaker, Ltd.
Attorney for the Petitioner

EXHIBIT A
Legal Description

EXHIBIT B
Preliminary Plat