

Summary of Planning and Zoning Commission Votes
 Regular Meeting of the Aurora Colorado Planning Commission
 June 23, 2021

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	<p>1420 N DAYTON ST ACESSORY DWELLING UNIT (ADU) W/ADJUSTMENT – CONDITIONAL USE (Ward I) CASE MANAGER: Ariana Muca APPLICANT: Aundrea Rosdal Development Application: DA-2264-00 Case Number: 2021-4007-00 General Location: Dayton Street between E Colfax Avenue and 14th Avenue Condition: 1. Building permit submittals for the ADU and associated garage must be consistent with the proposed plan and elevations.</p>	Approve w/a condition	<p>Approved w/ a condition For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</p>	<p>Call-up Deadline July 26, 2021</p>

PLEASE NOTE:* Planning Commission approvals and denials are always listed in terms of the APPLICANT’S original request, regardless of whether the Commission’s motion was phrased as a motion to approve or to deny. For example, Commission members voting FOR a motion to ACHIEVE deny approval are listed as voting for “denial”.

** City Council hearing dates listed are preliminary—final dates may be subject to change.

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: 1420 N DAYTON ST ACCESSORY DWELLING UNIT

Planning Commission Hearing Date: June 23, 2021

Deadline for City Council Call Up: July 26, 2021

Ward: I

Project Type: Conditional Use
DA Number: DA-2264-00
Case Number(s): 2021-4007-00
Location: QS:05B – Dayton Street between E Colfax Avenue and 14th Avenue
Case Manager: Ariana Muca

Description:

The applicant and owner, Aundrea Rosdal, is requesting approval of a Conditional Use for an Accessory Dwelling Unit (ADU) in an Original Aurora Main Street (OA-MS) Zone District with two adjustments for minimum lot size and height. The subject property is located at 1420 N Dayton Street, approximately 500 feet south of the intersection of E Colfax Ave and N Dayton Street. A Conditional Use approval is required for all Accessory Dwelling Units (ADU) in Original Aurora. The property is surrounded by various land uses within the OA-MS zoning district, including commercial, restaurant, multi-family, and single-family residential uses. The applicant states that the purpose of the ADU is to provide more room in her household and have the opportunity to use it as a short-term rental.

The proposal is for a two-story detached accessory building with a 644 square-foot ADU on the second story and a two-car garage on the ground level. The garage will be accessed from the alley and will provide the required one parking space for the new ADU and a second off-street parking space for the primary residence. The property currently does not have a garage on-site. An adjustment is being requested to reduce the minimum lot size from 6,000 square feet to 4,704 square feet. An adjustment is being requested for building height. The Accessory Dwelling Unit will be 4 feet and 3 inches taller than the principal dwelling. All other requirements have been met, including off-street parking and outdoor space. Staff recommends approval of the lot size adjustment.

The primary residence is approximately 1,464 square feet and constructed of an asphalt shingle roof and hardi-board siding. The proposed building elevations are of similar design and quality to the existing home and meet UDO design requirements. The new accessory structure will have two doors providing access, including one from the eastern side of the structure, and the other access will be inside the garage unit on the first floor.

If this Conditional Use with adjustments application is approved, the subsequent building permit submittal will be reviewed for compliance with all zoning and building code regulations, as well as any relevant City Code requirements.

Four (4) adjacent property owners and eight (8) neighborhood associations were notified of the application. A comment letter was received from the Northwest Aurora Neighborhood Organization (NANO) expressing opposition to the proposed ADU. This comment primarily cites disapproval of ADUs, concerns about traffic, and density in the neighborhood. No neighborhood meeting was held. These concerns were expressed by NANO during the adoption process for the Original Aurora zoning districts.

Testimony Given at the Hearing:

Ariana Muca, Case Manager, gave a presentation of the item, including the staff recommendation.

Commissioner Gaiser inquired on the size of the second floor living unit and to understand parking for the tenant and the property owner. Ms. Muca responded that the living space would be 640 square feet and the garage would house a covered parking space for both the owner and then tenant.

Commissioner Banka asked if the ADU could be a long-term rental. Ms. Muca explained that ADUs can only be rented if the owner lives in the primary residence.

Commissioner Gaiser expanded on the rental question and asked for an explanation of short-term renter timeline. Heather Lamboy, Planning Supervisor, gave the definition of short-term rental as it pertains to the UDO. Ms. Muca further expanded on the definition and stated that there has no limit on how many days it can be rented consecutively, but it can only have one listing and one renter cannot rent one room and then have another renter rent another.

Commissioner Hogan asked if a two-story unit met our code requirement in regard to ADA compliance. Ms. Lamboy responded with short term rentals, there is no ADA code compliance required. Commissioner Hogan continued and asked how many live on the site both in the primary residence and ADU. Ms. Muca responded the city standards allow four unrelated persons can live on one property.

Chair Lyon voiced concern on the parking and the congestion near Colfax Ave. Ms. Muca went over the current parking on the site and confirmed that the applicant would be adding off-street parking.

Commissioner Hogan asked if the applicant was moving forward with this development for extra income. Aundrea Rosdal, 1420 N Dayton Street, Aurora, CO, the applicant, responded affirmatively.

Commissioner Jetchick expanded on the income question asked by Commissioner Hogan and wanted to know rent prices for the ADU. Ms. Rosdal, stated she will keep rent low as ADUs are designed for affordable housing.

Chair Lyon wanted to confirm that the applicant will remain in the main residence. Ms. Rosdal responded affirmatively.

Commissioner Gaiser concluded the testimony with thanking the applicant and reiterating that ADUs are meant to provide income and rental options for the citizens of the City of Aurora.

Planning Commission Results

Agenda Item 5a – Conditional Use

A motion was made by Commissioner Turcios and seconded by Commissioner Gaiser.

1. Approve, with one condition, the Conditional Use with adjustment to Section 146-3.3.6.G for the accessory dwelling unit in an Original Aurora Main Street (OA-MS) Zone District because the proposal complies with the requirements of Code Section 146-5.4.6.A.3 of the Unified Development Ordinance for the following reasons:
2. The proposal complies with the Aurora Places “Housing for All” goal.
3. Has minimal impact on and can be accommodated by existing city infrastructure.
4. Controls external negative impacts.
5. Exceed minimum parking requirements.
6. Provides an additional housing option and does not cause any dislocation of tenants.
7. Mitigates adverse impacts on the neighborhood.

Approval to be subject to the following condition:

1. Building permit submittals for the ADU and associated garage must be consistent with the proposed plan and elevations.

Action Taken: Approved with a Condition

Votes for the Conditional Use: 7

Votes against the Conditional Use: 0

Absent: None

Abstaining: None