

City of Aurora
Planning and Zoning Commission Case Report

1620 Chester St Accessory Dwelling Unit - Conditional Use
Development Application Number: DA-2223-00
Case Manager: Christopher Johnson

April 8, 2020

Project Summary:

The applicant, Andrew Duncan, is requesting approval of a Conditional Use for an Accessory Dwelling Unit (ADU) in an Original Aurora Residential Mixed Use (OA-RMU) Zone District. The subject property is located at 1620 Chester Street, approximately 150 feet north of the intersection of E 16th Avenue and Chester Street. Conditional Use approval is required for all Accessory Dwelling Units (ADU) in the Unified Development Ordinance. The property is surrounded by OA-RMU zoning in a higher density area consisting of a mix of single-family detached homes, duplexes, and multi-family apartment buildings.

In accordance with the code standards for ADUs, the plan proposes a 1-story detached building with an approximately 648 square-foot ADU with an additional parking space to be accessed from the alley. The property does not have an existing attached or detached garage on-site. However, there is an existing driveway accessed from Chester Street to provide one parking space for the primary residence. Guest parking is provided on the street. The existing property is large enough to maintain the required 350 square feet of usable outdoor open space. There is an existing 150 square foot shed located in the southeastern corner of the property. This shed, in addition to the proposed ADU, complies with the requirements of Section 146-4.2.3.F.1.c to not exceed 50% of the gross floor area of the principal structure.

The primary home is constructed of an asphalt shingle roof and brick. The proposed building elevations comply with standards regarding building materials and design. Building materials for the ADU include a shingle roof, lap siding, wood trim, and vinyl windows. There will be two entrances provided to the ADU: one on the south side of the structure and another on the west side, from the backyard.

If this Conditional Use 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. The building permits must also be substantially similar to the plans associated with this Conditional Use application.

Applicant's Request:

Conditional Use Approval for an Accessory Dwelling Unit in an Original Aurora Residential Mixed-Use District (OA-RMU)

Neighborhood Comments:

Eight (8) 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 letter primarily cites concerns about traffic, parking, and crime in the neighborhood. The applicant reached out to representatives of NANO and was informed that NANO would discuss the case at their board meeting on March 9, 2020.

Major Issues Discussed During Development Review

- Building and Site Design
- Supplemental Use Standards

Results of Development Review

Building and Site Design: The building design, colors and materials shown on the elevations and renderings (Exhibit C) will be complementary to the primary structure. Exhibit D shows pictures taken at the property in question on March 16, 2020. The materials shown on the existing building include brick siding and an asphalt shingle roof typical of the construction and building type in the surrounding area. There is no masonry proposed on the ADU, however the new unit will use similar colors and materials for the roof and windows in order to be complementary to the primary structure. Because of the single-story construction, the placement of the ADU in relation to adjacent homes, and the placement of windows on the proposed elevations the privacy of adjacent neighbors will be preserved. The site has been designed to place the unit in a manner that maximizes and preserves the available open space of the lot. The parking space has been shifted to reorient the new parking space perpendicular to the alley, rather than parallel as originally proposed, and a new sliding gate has been proposed to replace the original swinging gate. These measures will maximize the functionality of the lot and the access from the alley. These factors ensure an internal efficiency of design for the property.

Supplemental Use Standards: This application meets all the supplemental use standards found in Code Section 146-3.3.6.G.1 for new detached Accessory Dwelling Units. Based on the conceptual plan and elevations provided, the table below demonstrates that this application complies with those supplemental use standards.

Requirement	Complies
Detached from the primary building	X
Only permitted on alley served lots	X
Only permitted on lots that contain more than 4,000 sq. ft.	X
650 sq. ft. maximum size	X
Only 1 (one) ADU per lot	X
Must contain at least 360 sq. ft. of private open space	X
24-feet maximum height	X
Architecture and materials must be complementary or superior to the primary dwelling	X
1 (one) additional parking space accessed off alley	X
The property owner shall occupy the primary dwelling unit	X
Must comply with setback requirements for accessory structures	X
Windows must be sited to preserve the privacy of adjacent residences	X

Summary of Staff Recommendation:

Approve with one condition (See last page of report for vote.)

Detailed Case Analysis

Public Notification:

Legal notice appeared in the Denver Post on March 27, 2020. The applicant has submitted proof of mailing of public hearing notices to adjacent property owners and registered neighborhood groups.

Community Referrals:

Referrals were provided to the following registered neighborhood organizations within one mile of the site: Fletcher Gardens Apartments, Northwest Aurora Neighborhood Organization, Stapleton United Neighbors, The Aurora Arts District, Yosemite Court HOA, Del Mar Neighborhoods United, and Raft Club Condominiums.

Conformance with Code Criteria:

1. Conditional Use Criteria

Conditional Use approval criteria are found in Section 146-5.4.6.A.3 of the Unified Development Ordinance, and may be summarized as follows: (1) The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property; (2) The application is consistent with the Comprehensive Plan; (3) The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surrounding area; (4) The proposed use will not change the predominant character of the surrounding area; (5) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable; (6) The application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application; and (7) The application mitigates any adverse impacts on the surrounding area to the degree practicable.

The proposed accessory dwelling unit complies with the approval criteria for a Conditional Use. The proposal:

- Has minimal impact on and can be accommodated by existing city infrastructure;
- Controls external negative impacts by incorporating compatible building design and high-quality materials;
- Mitigates parking concerns by including an additional vehicular parking space;
- Provides an affordable housing option and does not cause any dislocation of tenants; and
- Mitigates any adverse impacts on the neighborhood.

Applicant Information:

Applicant: Andrew Duncan, Homeowner
Owner: Andrew Duncan, Homeowner

Exhibits:

Exhibit A	Vicinity Map
Exhibit B	Letter of Introduction
Exhibit C	Plot Plan & Elevations
Exhibit D	Site Photos
Exhibit E	Neighborhood Comment

Land Use Analysis

Item	Existing	Permitted or Required	Proposed
Zoning	OA-RMU Residential Mixed-Use District	OA-RMU Residential Mixed-Use District	No change
Land Use	Single-Family Detached Home	Detached Accessory Dwelling Unit (Conditional Use)	Single-Family Detached Home with an ADU (Conditional Use)
Parcel Size	6,534 sq. ft.	6,000 sq. ft.	No change
ADU Size	0 sq. ft.	650 sq. ft. maximum	648 sq. ft
Maximum Building Height	38-feet	24-feet (For an ADU)	16-feet
Number of On-Site Parking Spaces	1 space	1 off-street space is required for the primary home, and 1 space for the ADU	1 alley-loaded space for the ADU and 1 space for primary residence

Surrounding Properties

Direction	Zoning	Actual Use
North	(OA-RMU) Original Aurora Residential Mixed-Use	Single-family Detached Home
East	(OA-RMU) Original Aurora Residential Mixed-Use	Single-family Detached Home and Multi-Family Residential
South	(OA-RMU) Original Aurora Residential Mixed-Use	Single-family Detached Home
West	(OA-RMU) Original Aurora Residential Mixed-Use	Duplex Residential

Staff Recommendation:

Agenda Item 5d: Conditional Use for an Accessory Dwelling Unit in the Original Aurora Residential Mixed-Use District (OA-RMU)

Approve, with one condition, the Conditional Use for the accessory dwelling unit in an Original Aurora Residential Mixed Use (OA-RMU) Zone District because the proposal complies with the requirements of Code Section 146-5.4.6.A.3. The accessory dwelling unit as proposed:

- Has minimal impact on and can be accommodated by existing city infrastructure;
- Controls external negative impacts;
- Mitigates parking concerns;
- Provides an affordable housing option and does not cause any dislocation of tenants; and
- Mitigates any adverse impacts on the neighborhood.

Approval to be subject to the following conditions:

1. Subsequent building permit submittals must be consistent with the proposed plan and elevations.