

Planning Division
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April 13, 2021

Aundrea Rosdal
1420 N Dayton St
Aurora, CO 80010

Re: Initial Submission Review: 1420 N Dayton Street Accessory Dwelling Unit – Conditional Use
Application Number: DA-2264-00
Case Numbers: 2021-4007-00

Dear Aundrea Rosdal:

Thank you for your initial submission, which we started to process on Monday March 25, 2021. We have reviewed it and attached our comments along with this cover letter. There are some issues with the proposed design of your Accessory Dwelling Unit which may require changes. Since these issues remain another submission will be required prior to your Planning and Zoning Commission public hearing to ensure that all comments have been addressed, your proposal meets all requirements of Code, and your project presents the best adherence to the Conditional Use Criteria of Approval as possible. Your second submittal is due to us by Monday May 3, 2021.

In this letter, and in comments directly on your proposed plans, you will find explanations of ways in which your proposal does or does not meet code, as well as suggestions on how to improve or alter the design to meet code and ensure the most efficient use of available space. I will be available for both you and your consultant to discuss these recommendations to find the best path forward.

If all issues have been adequately addressed in the second submittal, and the second submittal is received no later than May 3, 2021, then your Planning Commission hearing date will be set for Wednesday, June 9, 2021. Please be aware that this Planning Commission date cannot be guaranteed if your second submittal is not received by the deadline provided above. For the Planning Commission hearing, Public Hearing notices are required by law, with both Certificates of Mailing and a sign posting on the subject property. I will create the list of neighbors and neighborhood groups for the mailing, create a template of the notice letter, and provide the public hearing sign for you to pick up. These must be mailed and posted no later than 10 calendar days prior to your hearing date. Please keep in mind that these notifications are your responsibility and lack of proper notice will result in your hearing date being delayed.

As always, if you have any comments or concerns, please contact me directly. I can be reached at amuca@auroragov.org or 303-739-7259.

Sincerely,

Ariana Muca,
Planner I
City of Aurora, Planning & Development Services

cc: Ariana Muca, Case Manager
Meg Allen, Neighborhood Liaison
Daunte Rushton, ODA
Filed: K:\SDA\2264-00rev1.rtf



Initial Submission Review

SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- Please see the redlined comments on the drawings
- Please review all design adjustments
- Address all redline comments from Aurora Water
- The site plan will not be approved by Public Works until the preliminary drainage letter/report is approved.
- Updated design speed to 35 miles per hour.
- Add required language from Building and Life Safety to specified documents
- Easement and Right of Way dedications should start as soon as possible
- Send in Title Commitment, closure sheet, and State Monument Records

PLANNING DEPARTMENT COMMENTS

1. **Planning Comments** (Ariana Muca/ 303-739-7259 / amuca@auroragov.org)

- 1.A Accessory Dwelling Units (ADUs) have a specific set of requirements for development review known as Use Specific Standards. For ADUs these standards can be found in Section 146-3.3.6.G and each of these standards must be met in order for Staff to recommend approval. These standards are all listed below, and items which are not met or are deficient are highlighted in red:
- **Stairs need to be internal not external to the ADU**
 - Accessory dwelling units are permitted only on lots served by an alley.
 - Accessory dwelling units are permitted only on lots containing, and must be accessory to, one single-family dwelling.
 - Only one accessory dwelling unit is permitted per single-family detached dwelling.
 - Each accessory dwelling unit must be detached from the primary dwelling; attached accessory dwelling units are not permitted.
 - Accessory dwelling units are permitted only on lots, or combinations of two or more contiguous lots, with a size greater than 6,000 square feet.
 - Accessory dwelling units are exempt from lot area and lot area per dwelling unit standards in Section 146-4.2.2 and 146-4.2.3.
 - **At least 360 square feet of usable private common space must be provided for the accessory dwelling unit, and each dimension of the private common space measuring at least 10 feet.**
 - The maximum size of an accessory dwelling unit is 650 square feet.
 - The accessory dwelling shall not exceed the height of the principal dwelling or 24 feet.
 - The building architecture and materials shall be complementary to the principal dwelling and the façade cannot be constructed of metal.
 - One additional off-street parking space, accessed from the alley serving the lot, is required.
 - The permanent resident shall occupy either the primary dwelling unit or accessory dwelling.
 - No lot containing both a primary dwelling unit and an accessory dwelling unit may be subdivided so that the accessory dwelling unit occupies a different platted lot than the primary dwelling unit.
 - Accessory dwelling units may be used as short-term rentals by a property owner or long-term renter who is living in the primary structure on the property.
 - Each detached accessory dwelling unit shall comply with all setbacks applicable to other accessory structures, except that the required setback for an accessory dwelling unit located on top of an existing garage shall be no less than the setback of the existing garage.
- 1.B Please delineate the location of the 360 square feet of private open space required for the accessory unit on the plot plan. A patio of 270 square feet is shown on the plan, this can be included in the open space calculation.



- 1.C Please provide a colored rendering of the proposed structure with your next submittal, that specifically calls out building materials as well. This is essential for the Planning Commissioners to evaluate the design quality of your proposal in their decision and will be requested during the public hearing if not provided ahead of time. Your proposed ADU must be constructed of high-quality materials and be compatible or complementary in color and material to the main home. As noted above, unfinished metal is not a permitted material.
- 1.D Please see the Criteria for Approval for Conditional Use below. Your Letter of Introduction must be revised to specifically address how each of these criteria is met by your proposal and will help in the Planning Commission's decision.

The following criteria shall be applied in reviewing each Conditional Use application:

1. The compatibility of the proposed use with existing and planned uses on abutting properties;
 2. Any increase in density or intensity of the proposed use that will affect the compatibility of the use with existing and planned uses in the surrounding area;
 3. The proposed use will not change the predominant character of the surrounding area;
 4. The ability to mitigate adverse and undesirable impacts to the surrounding area, including but not limited to visual impacts, air emissions, noise, vibrations, glare, heat odors, water pollution, electromagnetic interference, and other nuisance effects;
 5. Amount of traffic generated and capacity and design of roadways to handle anticipated traffic;
 6. The effect on infrastructure including water, wastewater, stormwater, utilities, and streets;
 7. The incorporation and integration of architectural and landscape features to mitigate impacts from the proposed use;
 8. The city council, planning commission, or planning director are authorized to consider the past performance of an applicant in their consideration of any conditional use. The planning commission, city council, or planning director may use as a basis for denial whether the applicant or developer is determined to be in violation of any requirements, conditions, or representations on a prior development.
2. **Addressing** (Phil Turner / 303-739-7271 / pturner@auroragov.org)
- 2.A I do not anticipate any additional easements to be dedicated by separate document. Refer to the Site Plan checklist to answer any questions you may have
- 2.B There will be an address required for the new ADU which will likely be based on the address of the primary residence.
- 2.B.1 Detached accessory dwelling unit (ADU) located on back of the property near the alleyway – contingent upon completion of the approval process within Planning and Building Departments.

REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

3. **Civil Engineering** (Kristin Tanabe / 303-739-7306 / ktanabe@auroragov.org / Comments in green)
- 3.A Address redline comments on the Site Plan
- 3.A.1 Minimum 2' required from edge of concrete pad to property
 - 3.A.2 Show / Label ROW on the site plan for Dayton Street
 - 3.A.3 Provide additional dimensions for the proposed structure from the property line as well as the concrete pad
- 3.B Drainage Letter to be discussed between applicant and Public Works
4. **Aurora Water** (Casey Ballard / 303-739-7382 / cballard@auroragov.org / Comments in red)
- 4.A Sheet G1.0 Site Plan – show location of existing water meter.
- 4.B Sheet G1.0 Site Plan – show location of where the ADU will connect to the private service lines.
- 4.C To note: Aurora water charges an additional sanitary sewer fee for the ADU. For 2021, this estimated fee is \$7,830.00 and is due prior to Building Permit approval. Please note that the fees change at the beginning of every year.



5. **Real Property** (Maurice Brooks / 303-739-7294 / mbrooks@auroragov.org / Comments in magenta) **Site Plan and Plat**
 - 5.A Sheet G1.0 Site Plan – add boundary bearings and distances for the lot
 - 5.B Sheet G1.0 General notes – add the legal description for the lot
 - 5.C Sheet G1.0 General notes – add note. All crossings or encroachments into easements and rights-of-way owned by the City of Aurora (“City”) identified as being privately-owned and maintained herein are acknowledged by the undersigned as being subject to City’s use and occupancy of said easement or rights-of-way. The undersigned, its successors and assigns, further agrees to remove, repair, replace, relocate, modify, or otherwise adjust said crossings or encroachments upon request from the City and at no expense to the City. The City reserves the right to make full use of the easements and rights-of-ways at any time and in such a manner as it deems necessary or convenient.
 - 5.D Sheet G1.0 General notes – add note. Architectural features (i.e. bay window, fireplaces, roof hang, gutters, eaves, foundation, footings, cantilevered walls, etc.) are not allowed to encroach into any easement or fire lane.

6. **Neighborhood Comments** (Meg Allen / 303-739-7294 / mallen@auroragov.org)
 - 6.A At this point no comments have been received from members of the community. Please be aware that if members of the public do comment on this project their comments will be included in the official record and report to the Planning Commission. If there are comments received against your proposal, it may benefit you to reach out to the commenters in an attempt to resolve the issues presented.
Name: NADINE CALDWELL
Organization: 2065 FLORENCE ST
Address: Northwest Aurora Neighborhood Org. AURORA CO 80010
Phone: 3033642859
Email: bnthdnth@comcast.net
Comment: Our position remains the same - We are not in favor of ADU's that change the character of our neighborhood. This is not in the NANO area but we are allowed to comment.

7. **Referral Agencies**
 - 7.A Nothing at this time.