

City of Brighton

*500 S. 4th Avenue
Brighton, CO 80601*



Meeting Minutes - Draft

Tuesday, April 21, 2026

6:00 PM

Council Chambers

City Council

MAYOR - GREGORY MILLS

MAYOR PRO TEM - PETER PADILLA

COUNCIL MEMBERS:

**MELINDA CARBAJAL, RHIANON COLLINS,
CHRIS FIEDLER, TOM GREEN, JIM SNYDER,
ANN TADDEO, LLOYD WORTH**

1. CALL TO ORDER

Mayor Mills called the meeting to order at 6:01 p.m.

A. Pledge of Allegiance to the American Flag

Councilmember Fiedler led the recitation of the Pledge of Allegiance to the American Flag.

B. Roll Call

Present: 9 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Carbajal, Councilmember Collins, Councilmember Fiedler, Councilmember Green, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

2. CONSENT AGENDA

A. Approval of the March 17, 2026, City Council Minutes

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN AMENDMENT TO THE CONTRACT WITH HARLEY ELLIS DEVEREAUX CORPORATION FOR THE BRIGHTON RECREATION CENTER GYM DESIGN PROJECT FOR THE TOTAL CONTRACT AMOUNT OF EIGHT HUNDRED TWENTY-ONE THOUSAND SIX HUNDRED TWENTY-TWO DOLLARS (\$821,622), AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY

Resolution No. 2026-37

Motion by Councilmember Snyder, seconded by Councilmember Worth, to approve the Consent Agenda as presented. Motion passed by the following vote:

Aye: 9 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Carbajal, Councilmember Collins, Councilmember Fiedler, Councilmember Green, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

3. APPROVAL OF REGULAR AGENDA

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Collins, to approve the Regular Agenda as presented. Motion passed by the following vote:

Aye: 9 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Carbajal, Councilmember Collins, Councilmember Fiedler, Councilmember Green, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

4. CEREMONIES

A. National Arbor Day Celebration Proclamation

Councilmember Collins read the Proclamation into the record.

B. Recognition of the Arbor Day Poster Contest Winner

City Forester Eric Jaskuta recognized Katia Daniel the 2026 Arbor Day Poster Contest winner.

C. National Earth Day Celebration Proclamation

Councilmember Worth read the Proclamation into the record.

**5. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA
(Speakers limited to three minutes)**

Tracie Morris and Tom Lampo spoke during public comment.

6. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW**A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ANNEXING TO THE CITY OF BRIGHTON APPROXIMATELY 88.303 ACRES OF CONTIGUOUS LAND, IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 5 AND THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, TO BE KNOWN AS THE GREIN PROPERTY NO. 2 ANNEXATION (FINAL READING)**

Mayor Mills read the title of the Ordinance into the record.

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Green, to approve Ordinance 2504. Motion passed by the following vote:

Aye: 9 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Carbajal, Councilmember Collins, Councilmember Fiedler, Councilmember Green, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE GREIN PROPERTY PLANNED DEVELOPMENT FOR AN APPROXIMATELY 88.303 ACRE PROPERTY, GENERALLY LOCATED TO THE NORTH OF THE LONGS PEAK STREET ALIGNMENT, SOUTH OF EAST BASELINE ROAD, EAST OF THE FULTON DITCH AND WEST OF THE NORTH 27TH AVENUE ALIGNMENT AND THE BRIGHTON LATERAL DITCH, MORE PARTICULARLY LOCATED IN THE NORTHEAST QUARTER OF SECTION 5 AND THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO (FINAL READING)

Mayor Mills read the title of the Ordinance into the record.

Senior Planner and Historic Preservationist Emma Lane presented the Grein Property Planned Development (PD) and the changes that were made since first reading. Staff worked with the applicant to revise the PD to remove mention of the historic homes. As required per the Land Use & Development Code, cultural resource surveys were completed for the existing homes on the site. Three (3) separate sites were studied and two (2) of the sites were deemed eligible for local designation. In the original PD, the sites were required to be

preserved. This requirement has been removed from the Amended PD. The PD still proposed to preserve as many healthy, established trees on the property as feasible. A preservation and maintenance plan for the trees will still be required at the time of Subdivision Plan review once further investigation on location and condition of the trees has been completed through the tree survey. The Metropolitan District will be responsible for maintaining and repairing trees.

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Snyder, to approve the Amended Planned Development Ordinance 2505. Motion passed by the following vote:

Aye: 9 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Carbajal, Councilmember Collins, Councilmember Fiedler, Councilmember Green, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE GREIN PROPERTY ANNEXATION NO. 2 ANNEXATION AGREEMENT FOR THE APPROXIMATELY 88.303 ACRES OF CONTIGUOUS LAND, GENERALLY LOCATED TO THE NORTH OF THE LONGS PEAK STREET ALIGNMENT, SOUTH OF EAST BASELINE ROAD, EAST OF THE FULTON DITCH AND WEST OF THE NORTH 27TH AVENUE ALIGNMENT AND THE BRIGHTON LATERAL DITCH, IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 5, AND THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

Mayor Mills read the title of the Resolution into the record.

Senior Planner and Historic Preservationist Emma Lane presented the Grein Property Annexation 2 Annexation Agreement. The project contact is Travis Frazier of Redland working on behalf of the owners. The property is generally located to the north of the Longs Peak Street alignment, south of East Baseline Road, east of the Fulton Ditch, and west of the North 27th Avenue alignment and the Brighton Lateral Ditch. The property is approximately 88.303-acres, is currently unplatted, is in the city's growth boundary, and is zoned Agriculture-1 (A-1) within Adams County.

The applicable focus areas of the draft Annexation Agreement are transportation, utility service and stormwater, parks and open space, preservation of existing site character, zoning, community benefit incentives, and general obligations. The annexor shall dedicate right of way abutting the property along Baseline Road. They will construct the south half of the road to a minor arterial cross section. The roadway will be constructed between the Fulton Ditch and North 27th Avenue and will continue west to North 19th Avenue if there is sufficient right of way. Right of way will be dedicated for the east side of North 27th Avenue and the roadway will be fully constructed to a minor arterial cross section between Baseline Road to Longs Peak Street. Longs Peak Street will be dedicated and constructed to the full width of a collector street cross section between the Brighton Lateral Ditch and the Fulton Ditch. The construction of this roadway will be dependent on reimbursement later.

The annexor will be required to design and construct the planned traffic signal located at North 27th Avenue and Baseline Road. The developer will construct or pay a pro rata share of the planned signal located at North 19th Avenue and Baseline Road, and design and construct a roundabout at the intersection of North 27th Avenue and Longs Peak Street. All timing or pro rata share will be determined at time of subdivision plan or final plat.

The annexor is responsible for dedicating raw water shares, designing, coordinating, constructing, and connecting a low zone water line from Mountain States to the existing line in Longs Peak Street, and reimbursing the city for the water line located in Baseline Road and the storm drainage outfall constructed to serve the property. The annexor shall provide right of way and design and construct trails along and within the property. The annexor will be responsible for dedicating parks and open space land and/or pay fee in lieu of land dedication. The annexor agrees to preserve trees along Baseline Road and an additional grove of trees interior to the site. A maintenance plan for the trees will be submitted with the subdivision plan. The original Annexation Agreement requires preservation of two (2) historic buildings along Baseline Road, the revised Annexation Agreement does not contain this requirement.

The city agrees to consider the proposal for PD under the Land Use & Development Code. The annexor shall make any assessors and/or assigns aware of the community benefit incentives, which address incentives for affordable housing. The special provisions include a requirement to complete subsequent land development applications. A subdivision plan for the site is required before a final plat can be reviewed. At the time of final plat, a development agreement will be required to address specific needs of the platted area.

Staff finds that the Annexation Agreement is in line with city Codes, plans, and policies, and therefore recommends approval.

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Fiedler, to approve the amended Annexation Agreement Resolution 2026-38. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Carbajal, Councilmember Collins, Councilmember Fiedler, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

No: 1 - Councilmember Green

7. PUBLIC HEARINGS

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, CONSIDERING AN APPEAL OF A HISTORIC PRESERVATION COMMISSION DENIAL OF AN APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS AND CERTIFICATE OF EXEMPTION FOR THE TOTAL DEMOLITION OF A DESIGNATED STRUCTURE LOCATED AT 575 BUSH STREET

Mayor Mills read the title of the Resolution into the record.

Mayor Mills opened the public hearing at 6:41 p.m. and City Clerk Natalie Hoel explained that a Notice of Public Hearing was not required for this hearing.

Mayor Mills asked City Council if there are any conflicts of interest or any ex-parte communications that need to be disclosed, there were none.

Senior Planner and Historic Preservationist Emma Lane presented the Appeal of the Historic Preservation Commission Decision regarding the Certificate of Appropriateness for the Brighton Town Hall. Planner Lane is the staff liaison to the Historic Preservation Commission and introduced the Chairperson for the Historic Preservation Commission Valerie Cooper-Whitney. The applicant is Pearce Miller on behalf of the City of Brighton. The

property is generally located to the south of East Bridge Street, north of Bush Street, west of South 6th Avenue, and east of South 5th Avenue, part of the historic Walnut Grove 2nd Addition. The city is requesting reconsideration of the decision of the Historic Preservation Commission (HPC) regarding the Certificate of Appropriateness (COA) for total demolition of the principal structure at 575 Bush Street the Brighton Town Hall. An additional outbuilding that is not designated is also proposed to be demolished.

On February 19, 2026, the HPC denied the application for a COA. Within the thirty (30) day timeframe for an appeal, the applicant requested that the City Council would hear an appeal of the HPC's decision. This appeal shall be heard tonight through a public hearing. Staff and the HPC used the review criteria in the Land Use & Development Code Section 10.03 D to analyze this proposal. The Brighton Town Hall was built in 1919 as the first building built for municipal purposes in Brighton. The building housed a few different important offices such as the Mayor and Clerk's offices as well as the Council Chambers. Throughout the years the building held a few different community focused uses such as the city's library and first senior center. The HPC submitted a nomination petition application for the Brighton Town Hall as a historic landmark, which is designated by the City Council in 2014.

The reviewing body in making its decision must follow the criteria from Section 10.03 D.2.e of the Land Use & Development Code. All COA and COA demolition criteria applies to the exterior of the structure only. The reviewing body must keep this in mind when analyzing the criteria. There are three (3) sets of criteria for this application. Regarding criterion 1, this criterion requires the effect upon the character of the landmark not to detract from the categories under which the structure was originally designated. All analysis performed on this criterion was based on the content included in the original designation documents from 2014. All preservation criteria regarding the physical building reference the exterior only. The building was built by renowned architect William Redding. Additional notable persons of Brighton are also associated with the building including Brighton's first mayor and staff who founded and grew Brighton. Daniel Carmichael's company, the Brighton Water and Electric Company was founded in 1891 and located wells and the water tower on this site prior to construction of the building.

The structure was the first building in Brighton built for purely municipal purposes and through its 107-year history, has been used for many different community driven purposes over the years. It has served the community and has been a gathering place for a variety of community groups. Its architectural features common to the classical revival style were originally designated as character defining features. The proximity to other iconic structures in Brighton such as the Armory, the Depot and the Adams County Courthouse highlights the community's tight knit nature. The original designation criteria would be affected by total demolition of the structure.

Criterion 4 is the only applicable criteria as the proposal does not involve new construction. The review criterion requires that the proposal does not significantly change, destroy, or otherwise impact the character defining features. With the proposal to fully demolish the building, these character defining features would be impacted. Regarding Criterion 5, stating that the condition of improvements is not a hazard to public health and safety. The site does not present a structural hazard. The structural integrity of the site has been analyzed twice through historic structures assessments (HSA). These are detailed assessments of historic structures typically completed by historic preservation architects and structural engineers that evaluate the condition of building systems, provide prioritized lists of corrections and improvements, and provide cost estimates. Per the 2025 HSA, there are no indications of significant deterioration to the primary structural elements. A total demolition of the structure leaves no opportunity to fill the vacant building and remedy non-structural issues.

Based on documents originally submitted by the applicant and reviewed by the HPC, there have been several instances where first responders have been called to the area generally surrounding the property in the past years. The first responder call summary that was provided and reviewed, covers a three (3) by two (2) block area. No information on calls or types of calls for the specific address was provided with the original packet, so it is difficult to determine if the current building condition is contributing to public health or safety hazards.

Regarding criterion 6 that the proposed landmark would preserve, protect, enhance, and perpetuate the use of the landmark, the total demolition of the structure will not protect, preserve, enhance, or perpetuate the use as the building will have been removed from the site. Regarding criterion 7, requiring that the proposed alterations are in accordance with the Secretary of Interior standards for the rehabilitation, the Secretary of Interior standards does not address total demolition of a structure as this is not a preferred method of preserving a historic structure. The standards do include guidance for partial demolition, mothballing and moving structures as alternatives for demolition. Regarding criterion 8, stating that the proposed alterations are in compliance with other rules and guidelines that have been recommended by the HPC or approved by the City Council, there are no other rules or guidelines that have been developed for total demolition of a structure as this is not a best practice.

As the proposal is for total demolition, it must meet separate criteria for that demolition. In terms of demolition criterion 1, the structure proposed for demolition is not structurally sound despite documented evidence of the owner's efforts to properly maintain the structure. While improvements should be made to the structure, it is generally considered structurally sound. Per the 2025 HSA, there were no indications of significant deterioration to the primary structural elements since 2013. There are no signs of movement in the foundation walls, the floor is made from cast in place concrete, which has a few small cracks, but these are likely due to the normal shrinkage concrete over time. The building has issues that must be prioritized as identified in the 2025 HSA, however, most of these issues were first identified in 2013 and do not appear to have been addressed in the past twelve (12) years.

Regarding demolition criteria 2 and 3 that the landmark cannot be rehabilitated or reused on site or moved to another site in the community. With the original submittal, the applicant included information on the city's attempts to sell or give away the structure. The applicant's response on the original application checklist included preliminary research on relocation, but did not provide any concrete information regarding this alternative. Per the Land Use & Development Code, some alternatives for total demolition or moving of the structure include consulting with the HPC, civic groups, and other interested parties to find alternative solutions for demolition or moving, recommending or facilitating acquisition of the property by another interested party, and exploring potential for salvaging significant features of the structure if it were to be demolished.

Regarding criterion 4, the applicant can demonstrate that the proposal mitigates impacts to the greatest extent possible. The visual character of the neighborhood would not be mitigated if this building were to be demolished. As the applicant did not submit any plans for the site with the original proposal, staff understands that the lot would remain vacant until entitlements could be completed for future development. The historic importance and architectural integrity of remaining cultural resources on adjacent properties would not be affected. There will be no additional cultural resources remaining on the property after demolition of the structure.

Based on the review criteria in Section 10.03 D.2.e and 10.03 D.6.a(1), staff finds that the request for total demolition does not conform to the criteria. As such, the applicant requested an exemption from the COA requirements. Because the application does not conform to the criteria the decision of the HPC was made based on the exemption criteria. Staff did not do

an analysis on the exemption criteria, but the HPC used the criteria to make their decision. Regarding criteria 1, economic hardship. The applicant submitted documentation surrounding the attempts to sell the property. Regarding criteria 2, health and safety hardship. The applicant submitted documentation surrounding asbestos testing, interior condition of the property, calls for service in the general vicinity of the structure, and two (2) HSAs completed for the structure. Regarding criteria 3, inability to use. As there has been no action taken on a demolition permit, this exemption does not apply. The applicant must provide adequate documentation and/or testimony to establish the satisfaction of the HPC qualification for one of the listed exemptions:

- 1. The data provided by the applicant must be substantiated by either professionals in an applicable field or by thorough documentation of how the information was obtained.*
- 2. The Historic Preservation Commission may request additional information from the applicant as necessary to make informed decisions.*

In addition, the Historic Preservation Commission shall include the following factors in its consideration of the request:

- 1. Documented evidence of applications and written correspondence, including written consultations, illustrating efforts made by the property owner to comply with this section and/or make the necessary repairs;*
- 2. Efforts of the applicant to find an appropriate user or to find a purchaser for the property; and*
- 3. The adequacy of the applicant's efforts to locate available assistance for complying with this Section and/or making the property functional without demolition.*

While not required under the Land Use & Development Code, a courtesy public hearing notice was mailed to adjacent properties on April 3, 2026. Staff has received five (5) formal comments regarding this application. Staff reviewed the review criteria for the COA and total demolition and finds that the application does not conform to these standards. The Historic Preservation Commission heard the application on February 19, 2026, and determined that the request for exemption from the COA standards was not warranted. On March 12, 2026, the applicant filed an appeal of the decision of the Historic Preservation Commission.

The Historic Preservation Commission Chairperson Valerie Cooper-Whitney presented the decision-making process of the HPC. Chairperson Cooper-Whitney presented her background in architecture and historic preservation and the experience of the members of the Historic Preservation Commission. On February 19, 2026, the Historic Preservation Commission held a public hearing for the application for demolition of 575 Bush Street. The applicant submitted documents in support of their application for demolition citing two (2) specific exemptions under the Land Use & Development Code. The decision was decided on the exterior conditions of the building. After review, the HPC did not find the documentation submitted was adequate to support either of the exemptions. The decision of the HPC was made solely based on what was submitted in February.

The criteria for demolition are clearly outlined in the Land Use & Development Code. The intent and purpose of the relevant Code section states that the policy and intent of City Council is to protect and enhance the use of cultural resources having historical, architectural, or geographical significance to the city's heritage. One distinction is that the Land Use & Development Code Section 10 D.3.7, an applicant may request demolition provided that the intent and purpose of this section is not significantly compromised and provided that adequate documentation is submitted to the HPC. The determination of the HPC was that the application did not meet this standard because there was insufficient documentation and the intent and purpose of the Land Use & Development Code to protect and enhance cultural resources was significantly compromised.

The demolition criteria required was outlined, none of which were met in this case. The record is clear that this building is structurally sound. The application did not meet the four (4) criteria. The applicant requested consideration under two (2) exemptions, economic hardship and health and safety. To review the economic hardship exemption, Chairperson Cooper-Whitney presented the timeline of the building. The building served the community from 1919 to 2012. The existing addition was construction in 1986.

The condition of the building was first evaluated in 2013, and the findings of that assessment are substantially like the findings of the 2025 assessment. Most of the deficiencies found in 2025 were previously documented in 2013. The rehabilitation work completed since 2013 consists of a roof replacement on the 1986 addition, roof patching of the original building, and replacement of the front stairs. The applicant's proposal shows a building owned and controlled by the city sat with known deficiencies for over a decade. The primary documentation for consideration is a request to demolish the building. Twelve (12) years is a long time for known problems to go unaddressed and demolition should not be the answer.

The cost estimate for rehabilitation is nearly two million dollars. The applicant has categorized rehabilitation as economically impractical. In the professional opinion of Chairperson Cooper-Whitney, a single high-level estimate does not make that case. A phasing study is being recommended to understand how portions of the rehabilitation of the building can be prioritized into more manageable projects and achievable goals such as partial occupancy.

The HPC also questioned whether the applicant had made genuine efforts to explore reuse options before arriving at demolition as the only solution. The HPC feels this application is premature, there has been no meaningful public outreach regarding reuse, no feasibility studies, and no documented research into available grant funding or tax credit programs. All of these are standard and expected steps before a demolition application of this magnitude should even be considered. Members of the HPC met with community members and there was genuine interest in exploring alternative funding strategies for rehabilitation work. The grassroots momentum is meaningful and deserves a genuine opportunity to succeed before demolition is considered.

The second exemption claimed is health and safety. The applicant's claims cited two (2) concerns, asbestos and structural stability. The HSA does not support finding that the building is structurally unsound. During the HPC public hearing the applicant described that asbestos was found throughout the building. The report shows that the asbestos containing materials are discreet and localized and include a window glazing compound, which is generally redone when windows are rehabilitated. Asbestos was found in the floor tile in the room above the north basement stairs, mirror adhesive, roof flashing, and the flat roof on the 1910 portion of the building, as well as several other elements that are assumed ACM and were not confirmed by testing. Asbestos abatement is a routine part of rehabilitating buildings of this age, its presence alone does not constitute a health and safety emergency justifying demolition.

The HPC reviewed the safety data submitted and found it did not meet the evidentiary standards for this exemption. The report references, 1,055 total calls in the area surrounding the building over the last three (3) years. Per the testimony of the applicant at the public hearing only seventy-five (75) of those calls over the last three (3) years were directly attributed to the building itself. The documentation includes incident types such as domestic violence calls that have no connection to the building and are not relevant to a determination about the public safety risk it poses. Aggregating unrelated incidences into a crime report and presenting it as evidence that a building is dangerous is not the standard this exemption requires. Vacant buildings often attract break-ins and loitering, especially when they have sat empty and not properly mothballed for fourteen (14) years. Per the applicant's testimony at

the hearing, the only additional security measures were requesting more foot patrols from the Police Department. Basic security measures such as site lighting, security fencing, cameras, and alarms were never attempted. The HPC did not feel that what was presented was enough of an attempt to mitigate their concerns regarding public safety. This is not evidence that the building is a public safety hazard, it is evidence that the building needs an active use. With the breadth of the geographic area and the timeframe used in this data combined with the inclusion of unrelated incident types, the HPC determined that the crime documentation did not demonstrate this level of evidentiary standard needed.

Exemption 3 is not applicable to this application, it only applies where a demolition permit has previously been denied, and three (3) years have elapsed. Neither condition exists here and therefore the HPC did not consider this exemption further.

The HPC made their decision to deny the COA exemption based on three (3) main Code criteria. There was not adequate documentation of economic hardship. The evidence provided was not enough to substantiate the claim that the structure is causing a health and safety hazard. Finally, and most importantly, the intent and purpose statements would be significantly compromised with the demolition of this building.

The HPC denial is not a statement that this building has no future, it is a statement that this application arrived before the community had a genuine chance to find one. The HPC believes there are meaningful, concrete alternatives that have not yet been genuinely pursued. A feasibility study alone could unlock the door to funding. Grants could cover the cost of the feasibility study, meaning the city could begin to understand what this building can become without spending a single dollar of its own capital on rehabilitation. The role of the HPC is to evaluate applications and protect historic resources. The stewardship of this building, the funding, the maintenance, and the path forward, that is the city's responsibility. The tools to meet that responsibility exist. The funding is there and the HPC believes this is solvable.

Chairperson Cooper-Whitney and Planner Lane investigated potential grant and tax credit opportunities that the city could pursue. Some of these are dependent on end users such as commercial cultural arts use. Chairperson Cooper-Whitney explained some of the grant opportunities available. The city has received three (3) of these grants in the past five (5) years for various projects. Planner Lane could use her expertise to help the city apply for these grant opportunities. The city has demonstrated time and again that Brighton's historic buildings are worth preserving. The Bromley Farm, the Armory, the Depot, Historic City Hall, and the 1886 Church all required investment, patience and will. The photos presented by the applicant regarding the interior of the building are cosmetic conditions, not structural. This building has been structurally sound for the fourteen (14) years it has sat vacant, and the 2025 assessment reiterates that. 575 Bush Street, the original Town Hall has stood for over a century and was the first building in Brighton constructed for a municipal purpose. Within those walls the city's founding government conducted its business. The decisions that shaped this community were made there. It is now proposed for demolition by the same governing body it was built to house. The question before Council is not whether this building can be saved, it is whether we as stewards of this community's history are willing to create the conditions for it to be saved. The Historic Preservation Commission asks that Council uphold their decision to deny demolition and that this building and community can be given the chance to find out what comes next.

Management Analyst Pearce Miller presented an appeal of the February 19, 2026, decision of the Historic Preservation Commission to deny a request for a Certificate of Appropriateness for the demolition of a locally designated historic structure at 575 Bush Street. This request is being brought forward after years of evaluation, attempted reuse efforts and analysis of the current condition of the building. The purpose of the appeal is

based on the outcome of the February 19, 2026, Historic Preservation Commission meeting where the application to demolish this structure was denied. Management Analyst Miller will explain why they feel that the Historic Preservation Commission erroneously denied the application due to a desire for a feasibility study and concerns regarding public input even though public notice was given, although not required under the Land Use & Development Code. However, these concerns are not an appropriate basis denial for an exemption under the Land Use & Development Code Section 10.03 D.7, instead the exemption sought by the City is based on economic hardship and health and safety hardship. Under the economic hardship exemption, the exemption may be granted if the owner is unable to sell the property in its current condition. Under the health and safety hardship exemption, demolition may be permitted due to specific health and safety concerns. Neither of these bases were addressed by the HPC in their reasoning for denial. It is believed that the application submitted by the city meets the exemption criteria in the Land Use & Development Code.

Under the economic hardship exemption for a non-income producing property, the owner is unable to resell the property in its current conditions. The health and safety hardship exemption states that the application of the Certificate of Appropriateness criteria creates a situation substantially inadequate to meet the applicant's needs because of specific health and/or safety issues.

The Old Senior Center is locally designated for its historic role in civic development for the City of Brighton. However, following extended vacancy and repeated evaluation of reuse options, staff analysis indicates the building can no longer be safely, reasonably, or economically preserved under the Land Use and Development Code Section 10.03. Ultimately, this application is not based on a lack of appreciation of the building's history, but rather on economic impracticality and health and safety concerns.

From 1976 to 2012 the building operated as the Brighton Senior Center. When the Sue Corbett Active Adult Center at Eagle View opened, senior center operations moved to the new facility. In 2012 the building closed and has remained vacant since. The fourteen (14) year vacancy has had significant impacts on the condition of the building. In December 2011 a staff report written by the Parks & Recreation Director informed the City Manager's Office of a list of things that should be repaired in the building. These were issues with the building before it was vacant. In January 2012 the building officially closed Senior Center operations due to the opening of the new building. The building has remained vacant since that time. In April 2013 the first Historic Structure Assessment was completed and gave city officials an understanding of the costs associated with rehabilitating the structure. In September 2014 the city fixed the south facing stairs on the exterior of the building. The stairs did not comply with Building Code. To make the building more marketable to potential buyers, the city took on the burden of repairing the stairs and bringing them into compliance. In October 2014 the building was officially designated as a local historic landmark in Brighton. In May 2015 the City Manager informed Council of its plan to sell the building. Staff determined that the building could not be repurposed for city use and sought to sell the building to a non-profit or for-profit business.

After two years on the market in April 2017, the Brighton Housing Authority purchased the building for \$75,000. In May 2020 the building had been in the possession of the Brighton Housing Authority for three (3) years, however unable to complete its project on the building due to lack of funding the Housing Authority sold the building back to the city. Following the transfer of the building the city repaired the roof. The repairs were necessitated by extensive hail damage. In October 2020, the city entered discussions to transfer ownership to St. Augustine's Catholic Church, the church backed out of taking ownership of the building. The city wanted to transfer ownership to the church at no cost, but the church determined that the repairs of the building were economically unpractical. Staff actively engaged in discussions to transfer the property to several other groups from March 2023 to May of 2025. Despite efforts

to sell the property and some routine maintenance to the property, due to prolonged vacancy, the building fell into disrepair. In August 2025 the neighboring residents complained about the deteriorating building and its appearance.

After fourteen (14) years the building has experienced physical deterioration, environmental and health hazards, public safety concerns, and criminal activity. Vandalism and break-ins have progressed to a level that raise significant public safety concerns. These incidents have added to the financial burden that this building carries. Photo documentation submitted with the application shows the current state of the interior of this building. Damages to the walls and ceiling and the multiple broken windows have added to the unsafe nature of the interior. Ultimately, the photos show a current state of unsafe and unsanitary conditions inside the building.

There is a financial barrier that exists when it comes to restoring this building into good form. In 2025 a second historic structure assessment was completed to get an updated estimate of needed improvements. The estimated cost to rehabilitate the building is nearly two million dollars, and this cost estimate is nearly a year old. This estimate does not include ongoing operational costs. Given the building is limited to functional capacity and significant needed upgrades, this level of investment has proven economically impractical. The city has put in good faith efforts to sell or transfer ownership at no cost to interested city partners, nonprofits or local business owners. The city did come to an agreement in 2017 to sell the building to the Brighton Housing Authority for \$75,000 to repurpose the historic structure to multi-unit affordable housing. There was a condition in the agreement that if the Housing Authority could not make the project happen, they would sell the building back to the city for the original purchase amount. The Housing Authority was unable to secure funding for their project, so the building was sold back to the city in 2020. The city has continued to entertain interested parties, but the barriers being overall rehabilitation costs and ongoing costs associated with taking ownership of the building have deterred outside parties. The market has demonstrated that the preservation of this property is not financially practical.

After reviewing the option to relocate the building, this option has proven to not be viable for the following reasons:

- No identified land to relocate the building to.*
- The cost to relocate the building would add to the burden of cost this building carries. Preliminary research indicates this would cost at least \$500,000 to move the building not including the land acquisition costs.*
- Relocation would not eliminate the rehabilitation costs and would add further expense.*

Relocation is not economically practical and despite good faith efforts by staff to sell or transfer the property, this has not been successful. As a result, the economic hardship exemption under Land Use & Development Code Section 10.03 D.7 has been met.

Regarding health and safety concerns, since the building has been vacant it has been a hot bed for crime in the neighborhood. The building has been broken into multiple times and even as recently as the last week of March. The interior has been subject to heavy damage including areas in which light fixtures were ripped from the ceiling and portions of the ceiling have fallen through as well as multiple broken windows and damaged walls. A portion of the unhoused population in Brighton has taken advantage of the building being vacant. This has led to multiple reports of individuals sleeping outside and possible inside the building. The report from the Brighton Police Department includes 1,055 calls from residents in the past three (3) years regarding criminal activity that has reportedly occurred on the surrounding blocks where this building is located. Planner Lane and the Historic Preservation Commission have pointed out that this report is not limited to the building, but rather a radius surrounding the building. However, since the publication of the agenda the Police Department has provided an additional report comparing the same radius, but two (2) blocks away. That

report shows 18% fewer calls for service. The original report did include calls that were specifically directed to the address 575 Bush Street. Seventy-five (75) calls include burglary, narcotic violations, suspicious persons, trespassing, graffiti, and disturbances. This has forced the Police Department to allocate additional resources for monitoring this address as well as the surrounding areas. Facilities staff have devoted a significant portion of their time each week checking for break-ins. Staff is currently at the building three (3) times per week and have often found used needles around the property.

Confirmed asbestos-containing materials are also present throughout the building. These materials have been identified in interior finishes, the roofing system, mechanical and electrical components, and asbestos has been found both in the original and addition structure. While mold tests have not been performed, what appears to be mold is clearly visible on walls throughout the building. The risk of leaving this building vacant poses a threat to anyone who could break in and cause more damage, potentially disturbing asbestos containing materials. The current damaged state of the building going along with the fact this location has become a location for crime, creates a health and safety concern, therefore the health and safety hardship exemption has been met.

If demolition is approved, staff proposes mitigation efforts to preserve and document the historical significance of the structure. These measures include a comprehensive photographic documentation of the building, a written historical narrative for city archives, salvaging significant architectural elements that are currently in the building, installation of interpretive signage describing the history of the building, and submission of documentation to the City of Brighton museum. While physical preservation may no longer be feasible, these measures would ensure that the history of the building would remain part of Brighton's historical record. Analysis from staff demonstrates the building cannot be feasibly rehabilitated, reused, or relocated given its current state. This is due to the unsafe nature and unsafe conditions of the structure and rehabilitation and relocation costs are disproportionate to any achievable value or functional outcome. Therefore, the application clearly meets both the economic hardship exemption and the health and safety hardship exemption. Staff requests that City Council approve the exemption for a Certificate of Appropriateness to demolish this building.

Mayor Mills asked if anyone in the audience wished to speak on behalf of or against the request.

Gail McGaugh, Robin Kring, Michael Mille, and Laurie Maier spoke in favor of rehabilitation of the building. Chelsy Certain asked questions about the building.

Sue Corbett spoke in favor of demolishing the building.

Mayor Mills asked if any correspondence had been received. City Clerk Natalie Hoel provided the written correspondence to Mayor Mills.

Mayor Mills asked if the applicant had anything to add after the comments from the public.

Management Analyst Pearce Miller responded to the statement by the Historic Preservation Commission that relocation costs were not researched, staff did look at one case in Texas where a historic building was relocated. This information was presented at the hearing. Regarding the report presented from the Police Department, there was no report of domestic violence that was referenced by the Historic Preservation Commission. This could have been confused with the disturbances that were reported. The goal of presenting the Police Department data was to inform the City Council and give an understanding of the public safety concern that is being heard from the Police Department.

Mayor Mills asked if there were questions from City Council.

Councilmember Green stated that some estimates to rehabilitate the building are as high as three million dollars and \$300,000 to maintain the building each year. This demonstrates that there is no reasonable return on investment for this building. The options presented will not provide a benefit for the community. The city has a top-of-the-line Senior Center, and the three million dollars could do great things to improve that building. There is no use for this building that would justify spending tax payor dollars when the funds could be used in better places. It is a health and safety hazard. No grants have been found in twelve (12) years that would be given to repair the building, and nobody is willing to take the building. An ugly addition was added in 1986 that detracts from the historic building. Asbestos was found and that is not a trivial matter which increases the renovation costs.

Mayor Pro Tem Padilla feels that sometimes a building has served its purpose. It has been a struggle to find adequate use for the Depot, Historic City Hall, and the Bromley Hishinuma Farm. There were grants for the Bromley Farm, but three million dollars was also put into that project. The Armory is a good project, but it does not pay for itself, the city must put money into that every year. It is not a good comparison to put funds into an old building or to spend 20 million dollars to widen Bridge Street. You are then comparing limited resources. There is no sentimentality to the Bridge Street project, it was necessary to move people from one side of town to the other. Years of capital funds were used to make that happen. The City, County and region have shown that they care about investing in and respecting our history. There are many buildings and a large amount of farmland that have been preserved, but sometimes there is a limit. A good use has not been found for the building.

Councilmember Carbajal understands that the purpose of a historic designation is not temporary and protects moments like this when funds are not available. Councilmember Carbajal appreciates that hearing from Sue Corbett is significant. Councilmember Carbajal is disappointed that the city decided that they were not going to take care of the building and asked if there was a grant provided by the EPA for over \$100,000 that was given back because the city did not use the funds. It is significant that the building was designated as historical and is also significant that Council is respectful of taxpayer funding; two million dollars is a lot of money. Councilmember Carbajal likes the idea that grant funding is available and asked if the city has spoken with Brownfield about using funds for this facility. Planner Lane explained that the city did take advantage of the funds from Brownfield for the Phase 1 Environmental Structural Assessment. The feasibility study has not been taken advantage of.

Councilmember Snyder is resentful that it has been stated that the Council does not care about the city's history. A great deal of time has been spent making sure that the history of Brighton is preserved. For fourteen (14) years staff has tried to find someone to take over the building and this has not been successful. To be good stewards of the public funds, a lot of repairs must be done by developers. If those funds are not provided by the developer, the Council cannot just dip into the budget. No real promising developer has come forward and put forth a concrete plan to do something with the building. There is no development plan, there is nobody on Council making any money off any of these decisions, they are just trying to decide what is best for the taxpayers. This is a tough decision and sometimes the ask is too big.

Councilmember Taddeo asked how much it would cost to demolish the building. Management Analyst Miller stated it would cost \$259,551 for demolition and asbestos removal and \$90,000 to infill the site. Councilmember Taddeo asked what the property is worth currently and what it would be worth with demo and infill. Management Analyst Miller stated he would have to confirm that information. Councilmember Taddeo asked if Planner Lane has time to dedicate to writing grants if the city kept the building. Planner Lane stated

that she would have the time to dedicate to writing grants if she were directed to do so. Councilmember Taddeo asked if the building has been formally tested for mold. Facilities Director Patrick Rome stated that it has been tested, and mold was found in the building. Water was in the building because the roof had failed. Councilmember Taddeo believes that the city has given a great effort to give the building away, but there has never been a discussion about tearing the building down. Maybe a timeframe could be placed on the possibility of finding a use for the building. There is still more the city can do before giving up on this building.

City Manager Michael Martinez answered the question from Councilmember Carbajal about the DOLA grant that was awarded to the city to pursue a Youth Services Center. The funds were returned when it was determined that the project was not feasible.

Councilmember Collins asked if the city has spoken to anyone that has a business and funding plan for the building that is realistic. Management Analyst Miller explained that there was some interest, but they were no longer interested when they found out the city would not take on the financial responsibility to rehabilitate the building. Planner Lane explained that there are several grants that can be applied for, and tax credits are also available. Councilmember Collins explained that there is still an opportunity for someone in the community to come forward to use the building if the demolition is approved. It would be wonderful to see something great come from the building.

Councilmember Fiedler explained that grant opportunities are often matching grants, so that is not the solution. The School District tried to give away the second city high school but could not. The building does have historical significance and there is an obligation to consider it as an asset but any chance that the property has is a future asset to the community does not involve the building unless Council can make a significant investment.

Councilmember Worth knows this building is historically significant, but the building is uninhabitable, and it would take two million dollars to correct that. The maintenance is a financial drain. This building does not have much resemblance to the original building. Many City Managers and Councils have looked at this over the years and have not had the budget to fix the building. It is a big question if this Council can put two million dollars into this building to get it to a starting point of being useful. Many of the proposed uses are not feasible. It would be a disservice if the building was not documented for the city museum.

Councilmember Carbajal asked if there are any zoning or constraints in developing the property that were part of the problem. Management Analyst Miller explained that he does not know of any issues. Councilmember Carbajal asked what the property is zoned now and Management Analyst Miller stated it is zoned PUD. Councilmember Carbajal asked what could be done under the current zoning and Planner Lane explained that the allowed uses are single family attached elderly 60 years or older or a senior living facility. Councilmember Carbajal asked if there would be uses for a youth services center or a restaurant and Planner Lane explained that it would require rezoning.

Councilmember Green asked if demolition could be contingent on a buyer willing to take over the property. Management Analyst Miller explained that the building would not be demolished if a buyer came in with the perfect use. Councilmember Green asked if this is approved tonight, would the city be required to demolish the building and Management Analyst Miller stated the city is not required to demolish the building. Councilmember Green feels the historic designation has held the city back and is now stuck with a half historic structure. This is an opportunity to do something good.

Councilmember Fiedler is worried that if something is not done tonight, a future Council will have to decide.

Councilmember Carbajal asked for clarification of what the Council is setting in motion with this vote. City Attorney Alicia Calderón explained that a decision will either approve or deny the certificate for an exemption. If the decision of the Historic Preservation Commission is overturned, Council is approving the certificate of exemption. That certificate of exemption would allow demolition.

Mayor Mills appreciates hearing both sides and the public stating their concerns and feelings about this difficult decision. Mayor Mills thanked everyone for being respectful during this process. Mayor Mills feels the city has done a good job to preserve the historic buildings for the most part in the community. Next year Brighton will celebrate 140 years of its existence, and we respect our history. This will be a hard decision.

Mayor Mills closed the public hearing at 8:29 p.m.

Motion by Councilmember Green, seconded by Mayor Pro Tem Padilla, to approve the Appeal of Denial of an application for a Certificate of Appropriateness and a Certificate of Exemption Resolution 2026-39. Motion passed by the following vote:

Aye: 7 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Collins, Councilmember Fiedler, Councilmember Green, Councilmember Snyder, and Councilmember Worth

No: 2 - Councilmember Carbajal, and Councilmember Taddeo

8. ORDINANCES FOR INITIAL CONSIDERATION

9. ORDINANCES FOR FINAL CONSIDERATION

10. RESOLUTIONS

11. UTILITIES BUSINESS ITEMS

12. GENERAL BUSINESS

13. REPORTS

A. By the Mayor

Mayor Mills attended the DRCOG meeting, the United Power annual meeting, and the Police Department Awards ceremony. Trash Bash is this weekend.

B. By Department Directors

C. By the City Attorney

D. By the City Manager

City Manager Michael Martinez reported that there will be a Study Session meeting on April 28th and reminded everyone to attend the great events at the Brighton Armory.

E. By City Council

Councilmember Worth attended the Adams County Mayors and Commissioners Youth Awards presentation and the E-470 meeting.

Councilmember Green attended the Food for Hope event and the E-470 meeting.

Mayor Pro Tem Padilla encouraged everyone to vote on the new mural public art project. April 29th is the Sue Corbett Active Adult Center at Eagle View Volunteer Recognition awards and Help for Homes is May 2nd.

Councilmember Fiedler attended the Almost Home event and encouraged everyone to attend the SPEAK Week events.

Councilmember Snyder attended the Brighton Urban Renewal Authority meeting. May 5th is the Day at the Farm event at the Bromley Koizuma Hishinuma-Historic Farm.

Councilmember Collins attended the Youth Commission meeting and reminded everyone that the SPEAK Walk is May 2nd.

14. EXECUTIVE SESSION

15. ADJOURNMENT

Mayor Mills adjourned the meeting at 8:42 p.m.

CITY OF BRIGHTON, COLORADO

Gregory Mills, Mayor

ATTEST:

Natalie Hoel, City Clerk

Approval Date