

CITY COUNCIL ORDINANCE

AN ORDINANCE OF THE CITY OF BRIGHTON CITY COUNCIL APPROVING THE DESIGNATION OF THE FOLEY FARMSTEAD BARN AS A LOCAL HISTORIC LANDMARK; SETTING FORTH CERTAIN FINDINGS IN SUPPORT OF SAID DESIGNATION; AUTHORIZING THE INCLUSION OF THE PROPERTY IN THE BRIGHTON REGISTER OF LOCALLY AND DESIGNATED HISTORIC LANDMARKS AND DISTRICTS; INSTRUCTING THE CITY MANAGER OR HIS DESIGNEE TO NOTIFY THE OWNER OF THE PROPERTY OF ITS OBLIGATIONS AND RESTRICTIONS ASSOCIATED WITH THE DESIGNATION; AND SETTING FORTH OTHER DETAILS RELATED THERETO.

**ORDINANCE NO.: 2288
INTRODUCED BY: Wallin**

WHEREAS, pursuant to Section 17-52-40A of the *Brighton Municipal Code*, designation of a Historic Landmark may be initiated by the City Council, City Manager, Historic Preservation Commission or the owner of the cultural resource to be designated; and

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the City of Brighton, Colorado, an application for nomination (the “Application”), by ARCUS Holdings (the “Applicant” and “Owner”), to designate, as a historic landmark, the Foley Farmstead Barn, located on Lot 15, Block 7 of the Village at Southgate Brighton Subdivision, (the “Property”); and

WHEREAS, on June 14, 2018 the Historic Preservation Commission held a public hearing to consider the nomination of the Property for designation as a historic landmark and at that meeting found that the Property is at least fifty (50) years old and satisfies at least one (1) criterion from one (1) of the Eligibility Categories, as delineated in Section 16-22-30, Eligibility for Designation of a Historic Landmark or Historic District, of the *Brighton Municipal Code*; and

WHEREAS, on June 14, 2018, the Historic Preservation Commission passed a resolution, recommending to the City Council, that the Property be designated as a historic landmark; and

WHEREAS, on July 17, 2018 the City Council held a public hearing to consider the nomination of the Property for designation as a historic landmark and at that meeting found that the Property is at least fifty (50) years old; and

WHEREAS, at the July 17, 2018 public hearing, the City Council found that the Property does not meet any of the criteria pertaining to the Architectural Category of Eligibility as delineated in Section 16-22-30 (a) (1), *Eligibility for Designation of a Historic Landmark or Historic District*, of the *Brighton Municipal Code*; and

WHEREAS, at the July 17, 2018 public hearing, the City Council found that the Property satisfies two of the five criteria of the Social and Historic Category of Eligibility as delineated in Section 17-52-30 (a) (2), *Eligibility for Designation of a Historic Landmark or Historic District*, of the *Brighton Municipal Code*; and

WHEREAS, at the July 17, 2018 public hearing, the City Council found that the Property satisfies two of the five criteria of the Geographic and Environmental Category of Eligibility as delineated in Section 17-52-30 (a) (3), *Eligibility for Designation of a Historic Landmark or Historic District*, of the *Brighton Municipal Code*; and

WHEREAS, in order to retain historic significance within the Eligibility Categories the City Council finds that the following three defining architectural features shall be preserved: 1) two-story rectangular barn with a steeply pitched gambrel roof and ventilation cupola, 2) exterior wood drop siding materials, and 3) historic window and door openings, including the second story hayloft access from the front of the barn; and

WHEREAS, the City Council has reviewed the Application to nominate the Foley Farmstead Barn as a historic landmark and finds and declares that the proposed designation will not be detrimental to the future development of the area, or the health, safety, or welfare of the inhabitants of the City of Brighton; and

WHEREAS, acting as the Applicant, the Owner has provided consent to the nomination per section 17-52-40(b); and

WHEREAS, a notice of the public hearing, regarding the nomination of the subject property, was published in the *Brighton Standard Blade* and posted on the property for no less than fifteen (15) days prior to the date of the public hearing; and

WHEREAS, the City Council finds that the designation of the Foley Farmstead Barn as a historic landmark will, through preservation and protection, enhance the use of this cultural resource and will contribute to the artistic, social, economic, political, architectural and historic heritage of the city for the benefit of the inhabitants of the City of Brighton.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON:

Section 1. The Property, known as the Foley Farmstead Barn located on Lot 15, Block 7 of the Village at Southgate Brighton Subdivision, Brighton, Colorado is hereby designated as a Local Historic Landmark.

Section 2. A certified copy of this Ordinance shall be recorded in the office of the Adams County Clerk and Recorder, designating the Property as a historic landmark.

Section 3. The Property shall be included on the City of Brighton Register of Locally and Designated Historic Landmarks and Districts.

Section 4. The City Manager, or his designee, shall provide to the Owner of the subject Property a copy of this Ordinance and a letter, which contains an explanation of the Owner's obligations and restrictions created by the historic designation and advising the Owner of the Owner's responsibility to apply for a Certificate of Appropriateness prior to construction, reconstruction, remodeling, alteration, repair, restoration, rehabilitation, relocation or demolition of improvements on the Property.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED

THIS 17TH DAY OF JULY, 2018.

CITY OF BRIGHTON, COLORADO

Kenneth J. Kreutzer, Mayor

ATTEST:

Natalie Hoel, City Clerk

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APPROVED AS TO FORM:

Hilary M. Graham, Interim City Attorney

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED

BY TITLE ONLY THIS 7th DAY OF August, 2018.

CITY OF BRIGHTON, COLORADO

Kenneth J. Kreutzer, Mayor

ATTEST:

Natalie Hoel, City Clerk

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