



Legislation Text

---

File #: ID-250-18, Version: 1

---

*Department of Community Development*

Reference: Foley Farm Barn Historic Designation

**To: Mayor Kenneth J. Kreutzer and Members of City Council**

**Through: Philip Rodriguez - City Manager**

**Marv Falconburg, AICP - Assistant City Manager**

**Holly Prather, AICP - Community Development Director**

**Prepared By: Aja Tibbs - Long Range Planner**

**Date Prepared: June 25, 2018**

**PURPOSE**

In order to proceed with the designation of this property as a historic landmark, the City Council shall review the nomination and application for designation as a historic landmark, conduct a public hearing, and approve an Ordinance of designation at first reading. The applicant and owner of this application is Mr. Kip Gilleland, representative of ARCUS Southgate, LLC and he has consented to the nomination of this structure to be listed as a historic landmark.

**STRATEGIC PLAN FRAMEWORK**

Facilities, Amenities, and Open Space  
Recognizable and Well-Planned Community  
Strong Regional Relationships and Partnerships

**BACKGROUND**

**Historic Summary:**

Oran and Rosa Foley moved to the Brighton area in 1894 after their marriage in Illinois in 1891. Oran and Rosa had seven children between 1892 and 1907: LeRoy M, H. Raymond, Emmett A., Elmer, Blanche, Caroline, and Anna May. All of Oran and Rosa's sons served in Europe during WWI. Upon settlement in Brighton, Oran worked for Mr. Emmett Bromley for 16 years, while he leased 160 acres of farmland near town. In 1917, he purchased the 80-acre parcel from John Coffey just south of 120<sup>th</sup> Avenue. Foley farmed the land until the 1930's during which time he constructed his home and all of the accessory buildings that comprised the farmstead complex. Oran retired in the 1930's and turned the land over to his son Raymond, and eventually passed in 1961. The land remained working in the family until 2004, when the property was sold to West 80 Investors for redevelopment.

**Application History:**

The Foley Farmstead was annexed and zoned as part of the Fuller Estates East application in October of 1988 without mention of the farm's historic significance. In 1994, the property was surveyed for a CDOT project along 120<sup>th</sup> Avenue, and the property was identified as eligible for the national register. A revised and updated survey form was completed in 2010 which evaluated the condition of the structures on the property and highlighted the barn and silo as being in the best condition and as the most historically significant remaining structures. When a PUD Amendment was filed with the city in

2014, staff hired a consultant to provide a structural assessment of the barn and silo in order to negotiate preservation options during the application process. Based on this process and the structural assessment results, a final plat and development agreement was approved on May 19, 2015 with a plan to protect the barn and rehabilitate the structure for use as a community center/park amenity for the new Village at Southgate Subdivision. The Development Agreement requires the property owner to apply for local designation, and allow reimbursement of certain rehabilitation costs through the parks and open space fees. A final development plan was approved on December 28, 2016 that further details the design of the park with the new barn location, and re-use of the silo clay tiles in the construction of the park restrooms. Additional documentation and archeological exploration of the property occurred in partnership with the contractors during demolition of the site in 2017. Several artifacts were collected and are stored at the Brighton museum. The barn was lifted and moved to the future park site in late November of last year. Plans for the foundation and final rehabilitation of the barn are currently in review.

### **CRITERIA BY WHICH COUNCIL MUST CONSIDER THE ITEM**

#### **Historic Landmark Eligibility:**

Section 17-52-40 of the *Land Use and Development Code* states that an individual structure may be designated as a historic landmark if it is at least fifty (50) years old and possesses historic and/or architectural significance. The finding of historic and/or architectural significance requires that the property meets at least one (1) of the Eligibility Categories. To meet an Eligibility Category, at least one (1) of the criteria must be satisfied. In order to find that a property possesses exceptional historic and/or architectural significance, it must meet at least two (2) of the following Eligibility Categories. A full list of the Eligibility Categories and their criteria is listed in the attached Historic Preservation Commission Memorandum.

#### **Staff Analysis:**

The Foley Farm is an iconic representation of Brighton's rich agricultural history at the turn of the 20<sup>th</sup> century. Oran Foley's work for Emmett Bromley for 16 years led to the eventual purchase of his own homestead and family growth. Farms such as the Foley's worked to supply produce to the local canning and manufacturing facilities throughout Brighton. While much of the farmstead has been lost, the barn still maintains excellent integrity and remains an icon to the rural farming community that supplemented Brighton's early growth. The preservation of this barn will protect the memory of Brighton's early farming past.

Architecturally, the large rectangular barn is not unique to the industry or time period. However, intact barns at this size and scale are quickly disappearing as development pressure occurs in the nearby rural areas of Brighton, and as agricultural uses are abandoned for sale to land investors. Additionally, the location of the Foley farm barn along 120<sup>th</sup> avenue has led the barn to be easily recognizable and leads to a sense of place for the community. While the remaining farm structures have been removed, the barn itself was the most visually distinct and recognizable landmark of the Foley farmstead complex.

Because the Foley Farmstead Barn is over 50 years old, Section 17-52-40 of the *Brighton Land Use and Development Code* requires that at least one criteria under one of the three Eligibility Categories be met. In consideration of the architectural and cultural history listed above, staff finds the application for designation is meeting the following criteria (*justification has been provided in italics below each criteria*):

#### **2) Social and Historic Category:**

##### **b. exemplifies cultural, political, economic or social heritage of the community;**

*The Foley Farm is representative of the rural farmsteads which supported Brighton and Colorado's canning industry and small truck farming historic context.*

##### **c. represents a built environment of a group of people in an era of history;**

*The Foley farm barn is a visual representation of the agricultural structures which were constructed and used by farms in the early 1900's.*

#### **3) Geographic and Environmental Category:**

##### **a. enhances a sense of identity of the community;**

*Protecting the Foley farm barn will help to link the residents within this new subdivision to the Foley family history and the agricultural heritage of the community. Developing a link between new development and its historic use*

*help to foster a sense of pride and identity to the community they belong to.*

**e. is an established and familiar mutual setting or visual feature of the community.**

*This barn has long been noticed and recognized as an icon in southern Brighton. Its prominent location along 120<sup>th</sup> has made it easily recognizable. Although moving the barn to a new location may impact the integrity of the barn and its ability to meet this criteria, it is still reasonable to expect that the barn will remain an important feature within the community as a public use is established.*

As listed above, staff finds that the significance of this structure is met through the Social and Historic Category as well as the Geographic and Environmental Category. In order to maintain integrity to the above standards, staff finds that the overall form and general appearance must remain intact. Any alteration which significantly modifies the form or exterior appearance of the barn would impact its ability to remain a representation of Brighton's early agricultural period, and/or as a visual feature of the early Brighton community.

**Historic Preservation Commission:**

A public hearing to review the Foley Farmstead Barn nomination was held on June 14<sup>th</sup>, 2018 by the Historic Preservation Commission. Following staff's presentation, one member of the public spoke in favor of the application, none spoke against. After the public hearing was held, the commission made a unanimous recommendation of approval for the application to the City Council. A copy of the approved resolution has been attached for reference.

**Public Comment:**

Notice of the City Council public hearing to review the Foley Farmstead Barn was published in the *Brighton Standard Blade* on June 27, 2018, which is no less than the fifteen (15) days prior to the date of the public hearing as required by the code. Additionally, a sign was placed on the property on June 27<sup>th</sup>, 2018 which also meets the minimum fifteen (15) day notice requirement. As of the date of this report, no formal comments have been received by staff.

**STAFF RECOMMENDATION**

Due to meeting the review criteria of Section 17-52-40 of the City of Brighton *Land Use and Development Code*, staff recommends approval of the Historic Landmark Designation of the Foley Farmstead Barn. A draft ordinance has been provided to the Council should it decide to proceed with the application as presented.

**OPTIONS FOR COUNCIL CONSIDERATION**

The City Council has four options when reviewing this Historic Landmark Designation application.

- 1) The City Council can approve the designation application at first reading.
- 2) The City Council can approve the designation application with specific changes to the Ordinance.
- 3) The City Council can deny the designation application, and ask staff to draft an Ordinance with specific reasons for denial.
- 4) The City Council can continue the application to be heard at a later, specified date.

**ATTACHMENTS**

- Aerial Map
- Draft Ordinance
- Historic Preservation Commission Memorandum
- Historic Preservation Commission Resolution
- Architectural Survey Form 5AM.889
- Notice as Advertised in *Brighton Blade*
- Draft Presentation Slides