

Department of Community Development

Reference: Brighton Town Hall Certificate of Appropriateness for Total Demolition –
Appeal of Historic Preservation Commission Decision

To: Mayor Gregory Mills and Members of City Council
Through: Michael P. Martinez, City Manager
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Date Prepared: March 26, 2026

PROCESS AND PURPOSE

The Certificate of Appropriateness (a “COA”) that was before the Historic Preservation Commission (the “HPC”) on February 19, 2026, was for total demolition of the Brighton Town Hall, also known as the Old Senior Center, located at 575 Bush Street. The Brighton Town Hall is owned by the City of Brighton (the “Owner”) who is also the applicant for the COA request. On February 19, 2026, the HPC denied the application for the COA. Within the 30-day time frame for appeal, the applicant requested that the City Council hear an appeal of the HPC’s decision. The appeal of the HPC’s decision shall be heard in front of the City Council through a public hearing.

CRITERIA BY WHICH THE COUNCIL MUST CONSIDER THE ITEM

Section 10.03 D. 2. e. of the *Land Use & Development Code* (the “LUDC”) states the following:

A COA shall only be issued if the Historic Preservation Administrator, COA/Demolition Review Committee, or Historic Preservation Commission, as applicable, finds that the proposed alterations will not have significant impact to a historic landmark or historic district. Findings of insignificant impact shall demonstrate that the proposed work will not detrimentally alter, destroy, or adversely affect any architectural or site feature that contributes to the historic landmark or historic district, and that the proposed work is visually compatible with existing historic cultural resources. A finding of insignificant impact must meet all of the following criteria:

- (1) The effect upon the character of the historic landmark and/or the historic district does not detract from the categories under which the landmark was designated;
- (2) The architectural style, arrangement, texture, and material used on the historic landmark and their relation to and compatibility with one another is historically appropriate and consistent with the surrounding cultural resources;
- (3) The size of the proposed structure, if applicable, the setbacks, location, and the appropriateness thereof, when compared to the existing historic landmark and site do not adversely affect the scale of surrounding cultural resources;
- (4) The proposed work does not significantly change, destroy, or otherwise impact the character defining features of the structure upon which work is proposed;
- (5) The condition of existing improvements is not a hazard to public health and safety;
- (6) The proposed work will protect, preserve, enhance, and perpetuate the use of the historic landmark or historic district;

- (7) The proposed alterations are in compliance with the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines of Rehabilitating Historic Buildings, a section of the Secretary of the Interior's Standards for Historic Preservation Projects, of the Department of the Interior Regulations (36 C.F.R. Part 67, Historic Preservation Certifications), as may be amended from time to time; and
- (8) The proposed alterations are in compliance with other rules and guidelines as may be recommended by the Historic Preservation Commission and approved by the City Council for alterations to a historic landmark or historic district.

In considering COA applications proposing demolition of a designated resource, the reviewing body shall also use the criteria as laid out in Section 10.03 D. 6. a. (1) as follows: Prior to receiving a permit to demolish any designated historic landmark, the applicant shall obtain a COA from the Historic Preservation Commission for the proposed work.

- a. Demolition criteria. In addition to the COA criteria in this subsection, the Historic Preservation Commission shall use the following criteria in considering an application for a COA for demolition of a historic landmark or a contributing resource in a historic district:

- (1) Total demolition criteria. The following criteria shall be used when determining the appropriateness of total demolition of a cultural resource:

- i. The historic landmark proposed for demolition is not structurally sound despite documented evidence of the owner's efforts to properly maintain the structure;
 - ii. The historic landmark cannot be rehabilitated or reused on the site to provide for any reasonable beneficial use of the property;
 - iii. The historic landmark cannot be practically moved to another site in the community; and,
 - iv. The applicant can demonstrate that the proposal mitigates, to the greatest extent possible, the following:
 - A. Any impacts that occur to the visual character of the neighborhood where the demolition is proposed to occur;
 - B. Any impact on the historic importance of other cultural resources located on the property and adjacent properties; and
 - C. Any impact to the architectural integrity of other cultural resources located on the property and adjacent properties.

BACKGROUND AND HISTORY

The structure at 575 Bush Street was nominated for historic designation by the Historic Preservation Commission and the designation was approved by the City Council on October 7, 2014. See the attached City Council and Historic Preservation Commission public hearing packets from the initial designation proceedings, including a questionnaire used to prove eligibility for designation, for a history of the site and reasons for designation.

Because the structure was designated as a historic landmark, any type of work occurring on the landmark requires a Certificate of Appropriateness (a “COA”) prior to submitting a land use application or permit. The *Land Use & Development Code* (the “LUDC”) allows for an applicant to request the COA to be scheduled for a public hearing and omit administrative and COA/Demolition Review Committee review processes. The Owner requested to be scheduled for a public hearing before the Historic Preservation Commission, so the COA was heard by the HPC on February 19, 2026.

The Historic Preservation Commission (the “HPC”) reviewed the application for a COA, conducted a public hearing, evaluated all relevant evidence, heard from all interested parties, and made a determination regarding the application via a resolution. The HPC acts in a quasi-judicial manner and is the decision-making body regarding COAs. Per the LUDC, the decision may be appealed to the City Council. The HPC denied the request for a COA, and the applicant has appealed the decision to the City Council.

STAFF ANALYSIS

The reviewing body in making its decision shall use the criteria outlined in Sections 10.03 D. 2. e. and 10.03 D. 6. a. (1). Below, staff analyzes how the Application does or does not meet the criteria. Please note that 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.

(1) The effect upon the character of the historic landmark, and/or the historic district does not detract from the categories under which the landmark was designated;

The landmark was originally designated in 2014 under several categories and criteria, many of which will be affected by total demolition of the structure. The analysis provided in this subsection is based upon the original categories under which the building was designated and the qualities referenced in the designation materials (Ordinance 2177 – Designation Ordinance and March 13, 2014, Designation Hearing Public Hearing Packet), which are attachments to this staff report.

- Architectural Category:
 - (2) Is an example of the work of an architect or builder who is recognized for expertise nationally, state-wide, regionally, or locally
 - As mentioned in the original designation materials, the building was designed by renowned architect William Redding, whose firm also constructed the Hotel Boulderado in Boulder. While the demolition would not reverse that fact, the loss of the structure would prevent in person viewing and appreciation of this architect’s work and diminish the legacy of the architect.
- Social and Historic Category:
 - (2) Exemplifies cultural, political, economic or social heritage of the community
 - As described in the original designation materials, because the site was used for many municipal purposes throughout the

years, such as the first Brighton Town Hall, the water facility, the City's library, and Senior Center, its status as a community center has been well established over the last 107 years. By removing the building, the heritage of the structure as a community center where the people of Brighton could gather will be negatively affected.

- (3) Represents a built environment of a group of people in an era of history
 - Referenced in the original designation materials, the construction of the building on this site was a pivotal moment for the City's founders who were building their first municipal building. The removal of the structure on the site will diminish the physical representation of the founders of Brighton, who were an important group of people in that particular era of Brighton's history.
- (4) Has significant character, interest or value, as part of the development, heritage or cultural characteristics of the City, State, or Nation
 - As mentioned in the original designation documents, the site was the home of the Brighton Water and Electric Company. In 1891, the company was founded by Daniel Carmichael, one of the original founders of Brighton. The wells and water tower for this organization were located onsite. While this is an important part of the history, the water tower has been removed from the Property.
- (5) Has an association with a notable person or the work of a notable person
 - The founder of Brighton, Daniel Carmichael, and the renowned architect, William Redding, are both associated with this structure. In addition, as this was the first Brighton Town Hall, the structure is associated with several of Brighton's first mayors and other staff who founded and grew the town in its beginnings. While the history will remain as part of Brighton's heritage, the visual representation of that site as well as the association with the structure will disappear if the building were to be demolished.
- Geographical Category:
 - (1) Enhances a sense of identity of the community
 - The building has created a sense of identity for the community for over 100 years through its variety of civic uses, mostly open as a community space for residents to gather. The structure is visible on multiple avenues through town and has served a variety of community groups through the several phases of Brighton's growth throughout the 20th and 21st centuries. Removing this structure would sever the

association that residents have with the structure and the site as a gathering place, central to the City's downtown core.

- (3) Is unique in its location of singular physical characteristics
- The building has a classical revival style, which was a popular style for government buildings in the early 20th century and was originally designated with character defining features common with that architectural style. As this was the first municipal building for Brighton, the character of this building is unique when compared to others in the City. All physical characteristics will disappear from this site with total demolition.
- (5) Is an established and familiar mutual setting or visual feature of the community
- Because the building has been in existence since 1919, it has become a visual feature in the community. Its proximity to other iconic structures vital to Brighton's history contribute to the community's tight-knit nature. While the structure may be in moderate disrepair, the total demolition of the structure would completely hinder any chance of the Property's revitalization and return to a vibrant community asset.

(2) The architectural style, arrangement, texture, and material used on the historic landmark and their relation to and compatibility with one another is historically appropriate and consistent with the surrounding cultural resources;

There is no new construction proposed, therefore, this criterion is not applicable.

(3) The size of the proposed structure, if applicable, the setbacks, location, and the appropriateness thereof, when compared to the existing historic landmark and site do not adversely affect the scale of surrounding cultural resources;

There is no new construction proposed, therefore, this criterion is not applicable.

(4) The proposed work does not significantly change, destroy, or otherwise impact the character defining features of the structure upon which work is proposed;

As the application is for total demolition, all character defining features of the primary structure, particularly, the red brick construction with ornamentation, stepped parapet, and original windows and doors would be lost.

(5) The condition of existing improvements is not a hazard to public health and safety;

The site does not present a structural hazard at this time. The structural integrity of the site has been analyzed twice through Historic Structural Assessments ("HSA" or "HSAs"). HSAs are detailed investigations of historic structures that evaluate the condition of building systems, provide a prioritized list of corrections/improvements, and provide cost

estimates for that work. 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 to remedy the non-structural hazardous conditions currently present.

Additionally, in the time between the HPC hearing and the writing of this report, staff has received the Phase I Environmental Site Assessment (the “ESA”) that was completed in October of 2024. The primary objective of a Phase I ESA is to identify recognized environmental conditions, defined as the presence of any hazardous substances or petroleum products on or at a property. Per the ESA, several sites in the surrounding area were identified on standard environmental records, but based on their locations, none are likely to have contamination that could migrate to and affect the subject property. Based on the findings of the ESA, additional investigation is not warranted as no recognized environmental conditions were detected. Because of the length of this document, only the executive summary has been included in the attachments, but the full plan is available upon request.

Based on documents submitted by the applicant, 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 covers an area bordered on the north by Bridge Street, on the west by South 4th Avenue, on the south by Egbert Street, and on the east by South 7th Avenue. No information on calls or type of calls for this specific address was provided, so it is difficult to determine whether the current building condition is contributing to a public health or safety hazard.

(6) The proposed work will protect, preserve, enhance, and perpetuate the use of the historic landmark or historic district;

The total demolition of the structure will not protect, preserve, enhance, or perpetuate the use, because the building will have been removed from the site completely.

(7) The proposed alterations are in compliance with the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines of Rehabilitating Historic Buildings, a section of the Secretary of the Interior's Standards for Historic Preservation Projects, of the Department of the Interior Regulations (36 C.F.R. Part 67, Historic Preservation Certifications), as may be amended from time to time; and

The Secretary of the Interior’s Standards (SOI Standards) do not specifically reference total demolition of historic structures as this is not a preferred method of preserving a historic structure. The SOI Standards reference partial demolition, mothballing buildings, and moving the structure as alternatives to demolition. All of these are preferable methods that are in compliance with the SOI Standards.

(8) The proposed alterations are in compliance with other rules and guidelines as may be recommended by the Historic Preservation Commission and

approved by the City Council for alterations to a historic landmark or historic district.

No other rules and guidelines have been developed for an application for total demolition.

10.03 D. 6. a. (1) Total demolition criteria. In addition to the criteria above, the following criteria shall be used when determining the appropriateness of total demolition of a cultural resource:

- i. The historic landmark proposed for demolition is not structurally sound despite documented evidence of the owner's efforts to properly maintain the structure;**

HSAs were conducted for this structure in 2013 (prior to designation) and 2025. The table below summarizes key condition ratings and attempts to correct identified issues in the time between the two assessments.

Item	2013 HSA Condition Rating	2025 HSA Condition Rating	Permits Issued 2013-2026	Notes from HSAs
Foundation System (Original Building)	Fair	Fair	None	Any deterioration comes from moisture from drainage
Foundation System (Addition – Enclosed Balcony)	Not Rated	Poor	None	None
Building Structural System	Fair	Fair	None	None
Perimeter Foundation Drainage	Poor	Poor	None	None
Exterior Wall Construction	Poor to Fair	Poor to Fair	None	Much of the poor condition is on the 1986 addition
Exterior Appendages	Poor to Good	Poor to Good	2015 – stairs fully replaced	Stairs recommended to be patched
Roofing	Poor to Good	Poor to Good	2013 – reroofed addition 2015 – patched original roof	Recommended replacement of 1986 roof

Drainage System, Gutters, Downspouts	Fair to Poor	Not Rated	None	None
Windows	Poor	Poor	None	None

As seen in the chart above, 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. Additionally, 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 of the concrete over time.

The building unquestionably has issues that must be prioritized, as identified in the 2025 HSA; however, most of these issues were identified in 2013 and do not appear to have been addressed in the past 12 years.

ii. The historic landmark cannot be rehabilitated or reused on the site to provide for any reasonable beneficial use of the property;

The applicant has included information regarding the City’s attempts to sell or give away the structure, without any success. More information regarding those attempts is included in the packet as an attachment.

iii. The historic landmark cannot be practically moved to another site in the community; and,

The applicant has not explored this option. As stated in LUDC Section 10.3 E. 6., there are acceptable alternatives to demolition or moving of the structure:

- Soliciting cooperation from the owner to find solutions or alternatives to demolition or moving;
- Consult with the Historic Preservation Commission, civic groups, public or private agencies, interested citizens, City staff, the City Council or any other interested parties, in order to find alternative solutions to demolition or moving of the structure;
- Recommend and/or facilitate acquisition of the property by another interested party;
- Explore the potential for moving the structure to another location;
- Explore the potential for salvaging significant features of the property; and
- Seek any other acceptable alternative to prevent demolition or removal of the structure.

iv. The applicant can demonstrate that the proposal mitigates, to the greatest extent possible, the following:

- A. Any impacts that occur to the visual character of the neighborhood where the demolition is proposed to occur;**

The proposal for total demolition may mitigate the current visual character of the neighborhood, as the building sits vacant. The overall site, as a vacant lot, would also have to be maintained in order to improve the visual character as opposed to how it sits today. Additionally, demolishing the building removes any opportunity for the visual character of the structure itself to be remedied and improved. Based on the context of the site, if the structure and surrounding site were restored, the visual character of the area could be improved to a greater extent than if the building was fully demolished.

B. Any impact on the historic importance of other cultural resources located on the property and adjacent properties; and

After demolition of the proposed structures, no additional cultural resources on the Property would remain. The importance of the surrounding resources would not be diminished by the demolition of the structures on the Property.

C. Any impact to the architectural integrity of other cultural resources located on the property and adjacent properties.

After demolition of the proposed structures, no additional cultural resources on the Property would remain. Architectural integrity of surrounding cultural resources would not be affected by the demolition of these structures.

Summary of COA and Demolition Review Criteria Analysis:

Staff finds the COA does not meet the applicable criteria as outlined in LUDC Section 10.03 D. Because the COA application does not meet the applicable criteria, the Owner has requested a Certificate of Exemption from the COA requirements as noted in 10.03 D. 7. The burden of proof for an exemption rests on the Owner. The Owner may provide additional documentation and testimony at the hearing.

Exemption Request:

The following is an excerpt from the code regarding exemptions from a COA denial and/or the requirements with information specific to this application in bold.

7. Exemptions. If a COA has been denied, or the application for a COA does not conform to the applicable criteria, an applicant may request demolition pursuant to a Certificate of Exemption from the denial and/or requirements, provided that the intent and purpose of this Section is not significantly compromised, and provided that adequate documentation is submitted to the Historic Preservation Commission, either in writing or by testimony, to establish qualification for one of the exemptions below:

a. Exemptions:

(1) Economic hardship exemption. An economic hardship exemption may be granted if:

a. For investment or income-producing properties, the owner is unable to obtain a reasonable return on investment in the present condition of the historic landmark;

- b. For non-income-producing properties, the owner is unable to resell the property in its current condition; or,
- c. The economic hardship claimed is not self-imposed.

For the economic hardship exemption, the Owner has submitted documentation surrounding attempts to sell the property. The Owner may also submit additional testimony at the time of the hearing.

- (2) Health/safety hardship exemption. An applicant requesting an exemption based on health/safety hardship must show 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.**

For the health/safety hardship exemption, the Owner has submitted documentation regarding asbestos testing, the interior condition of the property, calls for service in the vicinity of the structure, and HSAs that detail the structural condition of the Property. The Owner may also submit additional testimony at the time of the hearing.

- (3) Inability to use. Three years after denial of a demolition permit, if no feasible use or ownership is found for the structure, the owner may request a waiver of all or a part of the restraint of demolition.**

As there has been no action taken on a demolition permit, this exemption does not apply.

- b. The applicant must provide adequate documentation and/or testimony to establish, to the satisfaction of the Historic Preservation Commission, 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.
- c. 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.

The applicant has submitted the following documents to establish qualification of the above exemption:

- COA Checklist

- Calls for Service around 575 Bush Street
- Results from Asbestos Testing
- Efforts to Sell
- Interior Conditions
- 2013 Historic Structure Assessment
- 2025 Historic Structure Assessment

PUBLIC NOTICE AND INQUIRY

While not required under the LUDC, a courtesy public hearing notice was sent to adjacent properties on April 3, 2026. As of the posting of this memorandum, staff has not received any formal comment regarding the application in anticipation of the public hearing.

HISTORIC PRESERVATION COMMISSION DECISION

On February 19, 2026, the HPC heard the application through a public hearing and voted 4-0 to deny the application. On March 12, 2026, the applicant filed an appeal to the City Council.

OPTIONS FOR COUNCIL CONSIDERATION

The Council has four options when reviewing the appeal for the Certificate of Appropriateness application. The Council may:

- 1.) Uphold the decision of the Historic Preservation Commission;
- 2.) Approve the application;
- 3.) Approve the application with conditions; or
- 4.) Deny the application.

ATTACHMENTS

- Draft CC Resolution for Approval
- Draft CC Resolution for Denial
- Site Map and Demolition Plan
- COA Checklist
- Public Hearing Mailer and Website Notice
- Map of Adjacent Properties
- City Staff Draft Presentation
- Ordinance 2177 – Designation Ordinance
- March 13, 2014 Designation Public Hearing Packet (HPC)
- October 7, 2014 Designation Public Hearing Packet (City Council)
- Architectural Inventory Form 5AM.23
- Calls for Service around 575 Bush Street
- Results from Asbestos Testing
- Senior Center Interactions
- Interior Conditions
- 2013 Historic Structure Assessment
- 2025 Historic Structure Assessment
- Executive Summary of Phase I Environmental Site Assessment
- Signed Resolution (HP Reso No. 26-01)
- Applicant Appeal of HPC Decision