


# COUNTY BOARD SUMMARY REPORT

TO : County Clerk: Attn: Monet McCullen  
FROM : David R. Cary, Director of Planning   
RE : **County Change of Zone 19018**  
(AG to AG with Historic Landmark Overlay, 17185 Bluff Road)  
DATE : July 10, 2019

RECEIVED

JUL 19 2019

LANCASTER COUNTY  
CLERK

1. On July 10, 2019, County Change of Zone 19018, and the associated Special Permit 19033, as submitted by Carol and Jed Hartweg, had public hearing before the Lincoln-Lancaster County Planning Commission. This is a request for a change of zone from AG Agricultural to AG Agricultural with landmark overlay on approximately 17 acres. The owner is requesting the landmark designation to allow application for a special permit to construct and operate an event center.
2. Attached is the Planning staff report that includes the proposed change of zone request from AG to AG with Historic Overlay, on property generally located at 17185 Bluff Road.
3. The staff recommendation of approval is based upon the Analysis as set forth on p.2, concluding that the change of zone/landmark designation is in conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan. The Plan encourages the identification and designation of a wide range of historic resources throughout the County and their continued use and maintenance. The Plan specifically encourages expansion of historic preservation activities into areas of the County beyond Lincoln's jurisdiction and this is the first landmark application since the County expanded its zoning regulations to include designation of historic properties. The staff presentation is found on p.26.
4. The applicant's testimony is found on p.27. There was significant testimony both in support to and in opposition to this proposed change of zone, which can be found on pp.28-29. The applicant's rebuttal is found on p.30.
5. The Historic Preservation Commission held public hearing on this application on June 20, 2019, and recommended approval (See pp.23-25).
6. The Preservation Guidelines will be attached to the County Board resolution (See pp.13-22)
7. On July 10, 2019, the Planning Commission voted 7-0 (2 vacant seats) to recommend approval of this change of zone request.
8. On July 10, 2019, the Planning Commission voted 7-0 to recommend conditional approval of the associated Special Permit 19033.
9. To access all public comments and information on this application, click on the following link [www.lincoln.ne.gov](http://www.lincoln.ne.gov) and (Keyword = PATS). Click on the "Selection Screen" under "Featured Links", type in the application number (i.e. CZ19018); click on "Search", then "Select". Go to "Related Documents".

The Planning staff is scheduled to brief the County Board on this amendment at their regular staff meeting on Thursday, July 25, 2019, at 9:30 a.m., in Room 113 of the County-City Building, 555 South 10<sup>th</sup> Street, Lincoln, Nebraska. The public hearing before the County Board has been scheduled for Tuesday, July 30, 2019, at 9:00 a.m., in Room 112 of the County-City Building, 555 South 10<sup>th</sup> Street, Lincoln, Nebraska.

If you need any further information, please let me know (402-441-6365).

cc: County Board  
Jenifer Holloway, County Attorney's Office  
Tom Cajka  
Greenwood City Clerk

Ann Ames, County Commissioners  
Kerry Eagan, County Commissioners  
Waverly City Clerk  
Cass County Clerk

**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

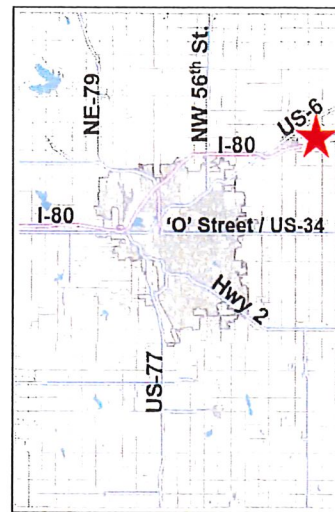
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Change of Zone #19018	FINAL ACTION? No	DEVELOPER/OWNER Carol Hartweg
PLANNING COMMISSION HEARING DATE July 10, 2019	RELATED APPLICATIONS SP19033	PROPERTY ADDRESS/LOCATION 17185 Bluff Rd., Waverly

**RECOMMENDATION: APPROVAL**

**BRIEF SUMMARY OF REQUEST**

This is a request for a change of zone from AG Agricultural to AG Agricultural with landmark overlay on approximately 17 acres. The owner is requesting the landmark designation to allow application for a special permit to construct and operate an event center.



**JUSTIFICATION FOR RECOMMENDATION**

The change of zone/landmark designation is in conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan. The Plan encourages the identification and designation of a wide range of historic resources throughout the County and their continued use and maintenance. The Plan specifically encourages expansion of historic preservation activities into areas of the County beyond Lincoln’s jurisdiction and this is the first landmark application since the County expanded its zoning regulations to include designation of historic properties.

**APPLICATION CONTACT**

Carol Hartweg, 402-202-5974,  
[carolmidwesthomes@gmail.com](mailto:carolmidwesthomes@gmail.com)

**STAFF CONTACT**

Ed Zimmer, (402) 441-6360 or  
[ezimmer@lincoln.ne.gov](mailto:ezimmer@lincoln.ne.gov)

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

The proposed AG Agricultural with landmark overlay zoning is compatible with the surrounding land use. The area is shown for Agricultural use in the 2040 Lancaster County Future Land Use Plan.



## KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 12.2 - This site is shown as Agricultural on the 2040 Lincoln Area Future Land Use Plan.

P. 12.4 - Agricultural land may be in transition to more diversified agribusiness ventures such as growing and marketing of products...on site.

P. 1.2 - Lincoln and Lancaster County: One Community Vision Statements:

- An important relationship exists between the urban, rural, and natural landscapes. Urban and rural development maximize the use of land in order to preserve agriculture and natural resources.
- Policies of managing urban growth, maintaining an "edge" between urban and rural land uses, and preserving prime agricultural land form a distinctive and attractive built environment for Lincoln and Lancaster County.

P. 4.9 Continue to inventory, research, evaluate, and celebrate the full range of historic resources including standing structures, distinctive neighborhoods and regions, landscapes, and buried cultural materials throughout Lancaster County, collaborating with individuals, associations, and institutions.

P. 4.9 Expand the community's historic preservation program to include Lancaster County through interlocal agreements between Lancaster County, the City of Lincoln, and other incorporated communities. Widen the scope of the mission and membership of the Historic Preservation Commission to include all of Lancaster County.

## ANALYSIS

1. This request is for a change of zone from AG to AG with landmark overlay on 17 acres. The site consists of a farmstead with the shelter of tree plantings and open pasture to the north and west.
2. The area of the requested change of zone is shown as Agricultural on the 2040 Future Land Use Plan in the Lincoln/Lancaster County Comprehensive Plan.
3. The Cooley-Dodge farmstead consists of an ensemble of well-preserved and well-maintained buildings including a large farmhouse, barn, corncrib, and chicken coop, within a shelterbelt of trees, exemplifying a typical Lancaster County farmstead of the early 20<sup>th</sup> century.
4. The Cooley family was prominent in the early development of Waverly-area farming. See attached landmark application. The Dodge family, also well-known in Lancaster County, owned the property from the 1970s until the early 20<sup>th</sup> century. Because the Dodge family is still commonly associated with the site, they are referenced in the Cooley-Dodge Farmstead name.
5. The Historic Preservation Commission (HPC) met June 20<sup>th</sup> and unanimously recommended approval of the Landmark application and of the Special Permit, with conditions that the site plan and design of the new building be approved for "Certificates of Appropriateness" prior to issuance of building permit and commencement of construction. Excerpts from the record of the HPC meeting are attached.

**CONDITIONS OF APPROVAL:** None.

**EXISTING LAND USE & ZONING:** AG-Agriculture                      One single family dwelling, farmstead and farm ground.

## SURROUNDING LAND USE & ZONING

North: AG-Agriculture	Camp Creek Threshers grounds
South: AG-Agriculture	Farm ground and Interstate 80
East: AG-Agriculture	Farm ground and Interstate 80.
West: AG-Agriculture	Farm ground.

**APPROXIMATE LAND AREA:** 17.01 acres, more or less.

**LEGAL DESCRIPTION:** Lot 18 in the northeast quarter of Section 23, Township 11 North, Range 8 East; Lancaster County, NE

Prepared by

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Ed Zimmer, Planner

Date: June 27, 2019

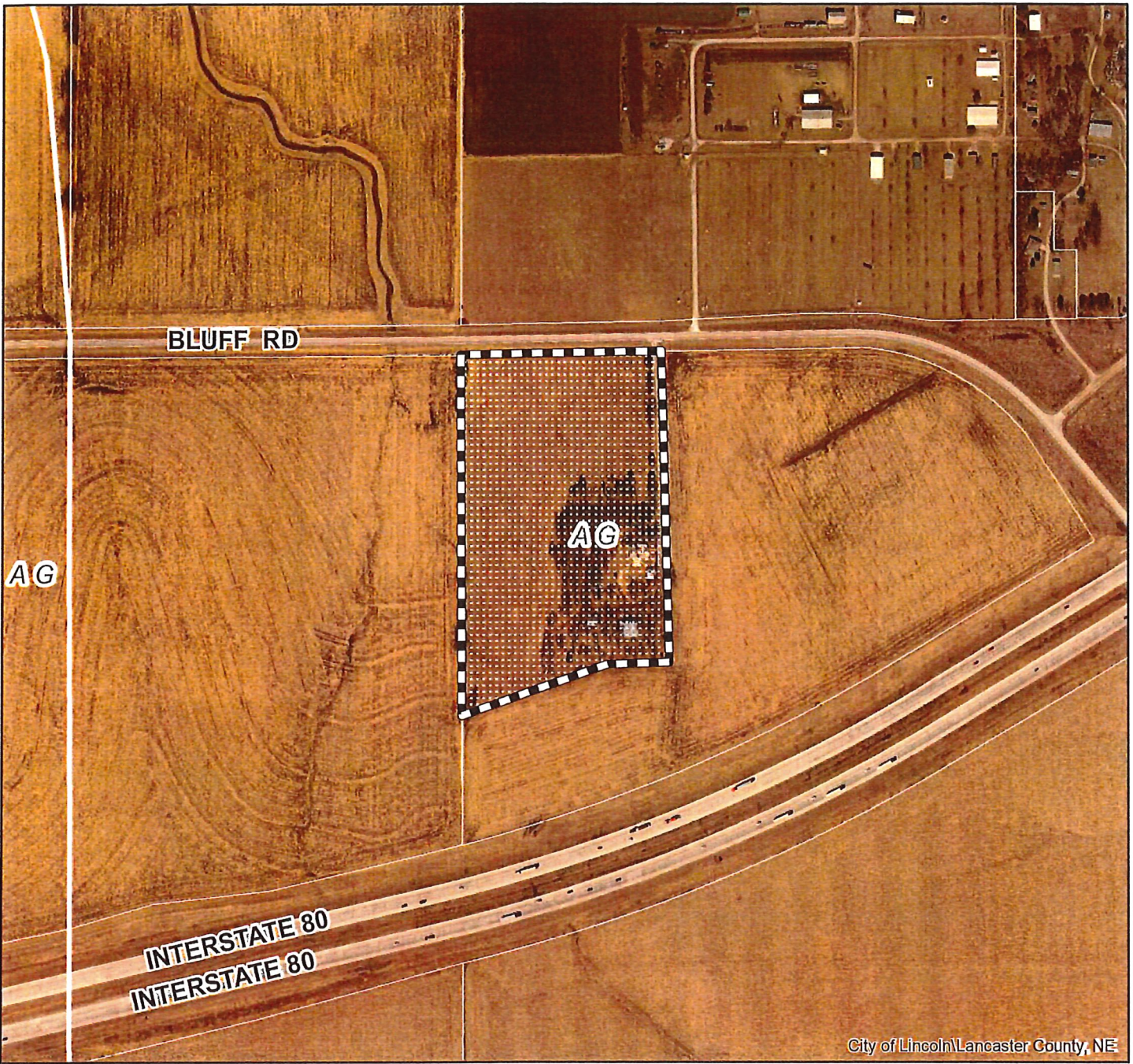
Applicant: Carol & Jed Helweg  
17185 Bluff Road  
Waverly, NE 68462  
402-202-5974

Contact: Carol Helweg  
17185 Bluff Road  
Waverly, NE 68462  
402-202-5974

Owner: Carol Helweg  
17185 Bluff Road  
Waverly, NE 68462  
402-202-5974

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City of Lincoln \ Lancaster County, NE

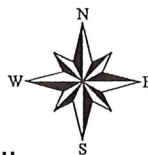
2018 aerial




**Special Permit #: SP19033 &  
Change of Zone #: CZ19018  
Cooley-Dodge Farmstead  
N 162nd St & Bluff Rd**

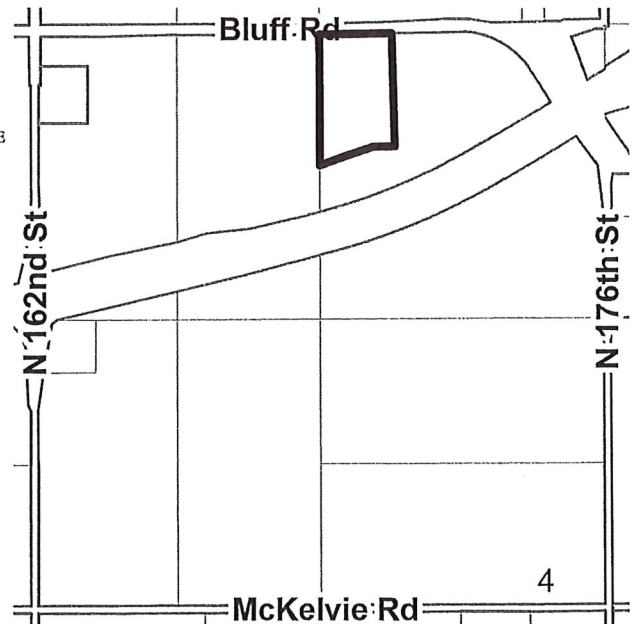
**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile:  
Sec.23 T11N R08E



	Area of Application
	Zoning Jurisdiction Lines
	City of Lincoln Jurisdiction





APPLICATION FOR LANDMARK OR LANDMARK DISTRICT DESIGNATION  
ADDENDUM TO PETITION TO AMEND THE ZONING ORDINANCE  
LINCOLN, NEBRASKA

1. NAME

Historic: **Cooley-Dodge Farmstead**  
(and/or) Common: **White Pine Farm**  
NeHBS Site: **LC00:E142**

2. LOCATION

Address: **17185 Bluff Road, Waverly, NE 68462**

3. CLASSIFICATION

<u>Proposed Designation</u>	<u>Category</u>	<u>Present Use</u>		
<input type="checkbox"/> Landmark District	<input type="checkbox"/> District	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Industrial	<input type="checkbox"/> Religious
<input checked="" type="checkbox"/> Landmark	<input checked="" type="checkbox"/> Building(s)	<input type="checkbox"/> Commercial	<input type="checkbox"/> Military	<input type="checkbox"/> Scientific
	<input type="checkbox"/> Structure	<input type="checkbox"/> Educational	<input type="checkbox"/> Museum	<input type="checkbox"/> Transportation
	<input checked="" type="checkbox"/> Site	<input type="checkbox"/> Entertainment	<input type="checkbox"/> Park	<input type="checkbox"/> Other (vacant)
	<input type="checkbox"/> Object	<input type="checkbox"/> Government	<input checked="" type="checkbox"/> Private Residence	

4. OWNER OF PROPERTY

Name: **Carol Hartweg**  
Address: **17185 Bluff Road, Waverly, NE 68462**

5. GEOGRAPHICAL DATA

Legal Description: **Lot 18 in NE ¼ of S23/T11/R8, 6<sup>th</sup> PM**  
Property ID Number: **2423200001000**  
Number of Acres or Square Feet: **17.01 acres (more or less)**

6. REPRESENTATION IN EXISTING SURVEYS

Title: **Historic & Architectural Survey of Lincoln, NE**  
Date: **on-going**       State     County     Local  
Depository for Survey Records: **Lincoln/Lancaster County Planning Dept.**  
City: **Lincoln**  
State: **Nebraska**

Is the proposed Landmark or Landmark District listed in the National Register?

Yes, Date Listed:  
 No

7. DESCRIPTION AND HISTORY

Condition

- |   |                                       |   |   |
|---|---------------------------------------|---|---|
| <input checked="" type="checkbox"/> Excellent | <input type="checkbox"/> Deteriorated | <input type="checkbox"/> Unaltered          | <input checked="" type="checkbox"/> Original Site                               |
| <input type="checkbox"/> Good                 | <input type="checkbox"/> Ruins        | <input checked="" type="checkbox"/> Altered | <input type="checkbox"/> Moved, Date: <a href="#">Click here to enter text.</a> |
| <input type="checkbox"/> Fair                 | <input type="checkbox"/> Unexposed    |   |   |

**DESCRIPTION:**

The Cooley-Dodge Farmstead consists of a large, modified American Foursquare farmhouse and an ensemble of five outbuildings within a substantial tree mass/windbreak, on a 17 acre site. The west and north portions are pasture/fields.



*Aerial from south, 2013*



An entrance drive accesses the farmstead from Bluff Road, with remnants of rows of cedars flanking the length of the drive. The farmstead is screened by a substantial tree mass/windbreak of coniferous and deciduous trees from Bluff Road to the north and from the west.





*South (left) and east (right) facades of farmhouse*

The house is oriented with its principal entrance façade to the east, with a two-story enclosed porch under a façade gable roof with wide eaves. The first-floor porch wraps around most of the length of the south façade, under a hipped roof. The main body of the house is under a taller gable roof with a north-south ridge. The numerous windows around the house are in traditional one-over-one configuration.



*Garage & farmhouse from SE, 2019*

There is a small wood-frame garage south of the house, near the end of the gravel entrance drive.



A gable- roofed frame barn is located to the south-central portion of the farm yard, with a north-south ridge and its principal entrances to the north. The west pitch of the barn roof is longer and extends nearer the ground than the east pitch. The interior of the barn has only a partial upper-level haymow but there is an upper door on the north end with a hay hood extension over that door.



*Barn & outbuildings from south*



*North (left) and south (right) facades of barn.*





*Chicken coop from south (corn crib at right)*

West of the barn is a small, wood-frame chicken coop abutting a gable roofed, drive-through corncrib now used as a stable. A lower, gable roofed machine shed stands north of the corncrib, southwest of the house, completing the ensemble of outbuildings. The farmhouse and outbuildings are all well-maintained and are in active use by the Hartweg family.



*Corncrib from north (left) and view of corncrib and machine shed from northwest (right)*



## HISTORY:

Roswell. D. Cooley settled in Waverly, Nebraska in 1867, homesteading 80 acres of Section 22. R. D. and Mary (Kile) Cooley had a daughter, Carrie, in 1876 and a son, Edward L., in 1880. The family began acquiring substantial portions of Section 23, Township 11, Range 8 east of Waverly in the 1910s. The farmstead on the west half of the NW ¼ of the NW ¼ appears to have been built around the time that R. D.'s son Edward consolidated his ownership in 1914.

Edward and his wife Edith Cooley were recognized as substantial members of their community, raising four daughters and two sons on the farm through the 1930s. They lost the farm in the early 1940s and moved five miles east of College View around 1942. Edward died in 1944 and was interred in Waverly. Edith was honored as a "Master Farm Homemaker" in 1930. She died in 1962 and was also interred in Waverly's Rosehill Cemetery.

*Lincoln Star*  
31 Dec. 1930, p. 11

# FARM WOMEN HONORED AS HOME MAKERS

## Five Receive Master Recognition for Their Work.

## Public Ceremony Will Be Feature of Ag Meeting.

Nebraska's five Master Farm Homemakers of 1930 were announced today at the college of agriculture. They are: Mrs. Jacob Norris, Laurel; Mrs. Edward L. Cooley, Waverly; Mrs. Howard F. Capwell, Elmwood; Mrs. Delmer S. Anderson, Lexington; and Mrs. James W. Miller, Beaver Crossing.

A public recognition ceremony is planned for January 7 as one of the features of Organized Agriculture. This will honor not only the master homemakers but is in recognition of the contribution of all Nebraska farm women in building the state.

The recognition is sponsored annually by The Farmer's Wife the national farm women's magazine, St. Paul, Minn., with the cooperation of the agricultural extension service of the University of Nebraska. Similar recognitions are given in nineteen other states by the magazine and cooperating colleges of agriculture, and 320 outstanding women of the nation have been honored so far.

### Eligibility Requirements.

To be eligible a woman must be nominated by five neighbors, then she answers over 500 questions concerning all phases of her home-making ability, and a state judging committee makes the selection.

Believing that every woman should have hobbies, Mrs. Norris has chosen children, flowers and a garden for hers. She has been a school board member eight years, has boarded rural teachers for 20 years, is a leader in many community activities, and won \$105 premium money on canned goods at fairs last year. Nevertheless her first ambition is to be a good wife and mother.

With the recognition of Mrs. Anderson, Nebraska will have its first Master Farm Family, for Mr. Anderson is a Master Farmer. Mrs. Anderson says that a successful homemaker is a good housekeeper, wife, mother, business woman, and neighbor.

### Trains Useful Citizens.

Mrs. Cooley believes that "The real function of a home is to raise the children to be useful citizens, able to take their part in the work of the world" and points out that a parent's job is "to furnish the right home setting and the example." Her children have been active in 4-H club work and the Future Farmers. Mrs. Cooley has been a leader in Parent-Teacher associations, is county chairman of women's work in the farm bureau and helped organize a Farmers' club.



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## Edward L. Cooley, 64, dies suddenly

Edward Louis Cooley, 64, whose home is five miles east of College View, died unexpectedly Sunday morning. A resident of Lancaster county all his life, he moved a year and one-half ago from near Waverly to his present home.

He was a member of the Waverly grange No. 369 and the Congregational church of Waverly.

Surviving are his wife, Edith; five daughters, Mrs. C. A. Althouse, Waverly, Margaret Cooley, McCook, Mrs. J. A. Martin, Broken Bow, Kathryn Cooley, Boise, Ida., and WAC Sgt. Betty Malmleaf, Camp Ellis, Ill.; son, Louis, at home; one sister, Mrs. Dan Munn, Waverly, and eight grandchildren.



*Nebraska State Journal*, 30 Oct. 1944, p. 1

### 8. SIGNIFICANCE

#### Period

- Prehistoric
- 1400-1499
- 1500-1599
- 1600-1699
- 1700-1799
- 1800-1899
- 1900-

#### Areas of Significance (check and justify)

- |   |  |
|---|--|
| <input type="checkbox"/> Archeology (Prehistoric) | <input checked="" type="checkbox"/> Landscape Architecture |
| <input type="checkbox"/> Archeology (Historic)    | <input type="checkbox"/> Law                               |
| <input checked="" type="checkbox"/> Agriculture   | <input type="checkbox"/> Literature                        |
| <input type="checkbox"/> Architecture             | <input type="checkbox"/> Military                          |
| <input type="checkbox"/> Art                      | <input type="checkbox"/> Music                             |
| <input type="checkbox"/> Commerce                 | <input type="checkbox"/> Philosophy                        |
| <input type="checkbox"/> Communications           | <input type="checkbox"/> Politics/Government               |
| <input type="checkbox"/> Community Planning       | <input type="checkbox"/> Religion                          |
| <input type="checkbox"/> Conservation             | <input type="checkbox"/> Science                           |
| <input type="checkbox"/> Economics                | <input type="checkbox"/> Sculpture                         |
| <input type="checkbox"/> Education                | <input type="checkbox"/> Social/Humanitarian               |
| <input type="checkbox"/> Engineering              | <input type="checkbox"/> Theater                           |
| <input type="checkbox"/> Exploration/Settlement   | <input type="checkbox"/> Transportation                    |
| <input type="checkbox"/> Industry                 | <input type="checkbox"/> Other (specify)                   |

Specific dates: **ca. 1914**

Builder/Architect: **Unknown**

Statement of Significance:

The Colley-Dodge farmstead is a well-preserved and well-maintained ensemble of agricultural buildings emblematic of Lancaster County farming in the early 20<sup>th</sup> Century.

9. STANDARDS FOR DESIGNATION (check one(s) that apply)

- Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States;
- Represents a distinctive architectural style or innovation, or is the work of a craftsman whose individual work is significant in the development of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States; or
- Represents archeological values in that it yields or may be likely to yield information pertaining to pre-history or history.

10. MAJOR BIBLIOGRAPHICAL REFERENCES

*Portrait & Biographical Album of Lancaster County, Nebraska.* Chicago: Chapman Bros., 1888, pp. 396-7.

U. S. Census 1900, 1910, 1920, 1930

Lancaster County deeds

*SEE clippings*

11. FORM PREPARED BY:

Name/Title: **Ed Zimmer**

Organization: **Lincoln/Lanc. County Planning Dept.**

Street & Number: **555 S. 10<sup>th</sup> St.**

City or Town: **Lincoln**

Date Submitted: **June 18, 2019**

Telephone: **402-441-6360**

State: **NE**

Signature:

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Property Owner:

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FOR HISTORIC PRESERVATION COMMISSION USE ONLY

DATE LANDMARK/LANDMARK DISTRICT DESIGNATED: Click here to enter text.

LANDMARK/LANDMARK DISTRICT NUMBER: Click here to enter text.



Approved:

City Council \_\_\_\_\_  
(date)

**PRESERVATION GUIDELINES FOR  
Cooley-Dodge Farmstead  
17185 Bluff Road, Waverly, NE 68462**

**1. Architectural Review of Landmark:**

- a. Photographs: On file in Planning Department.
- b. Important architectural features: **Exterior:** Frame buildings with predominantly gable, some shed roofs; ample one-over-one windows on house, original doors on outbuildings
- c. Remnants of cedar-tree planting lining driveway, tree belts north and west of farmstead
- d. Architectural style and date: American foursquare house with two-story front porch, wrap-around south porch; ca. 1912-15
- e. Additions and modifications: re-siding of house (well-done in narrow clapboard appearance), perhaps enclosure of porches; kitchen expansion

**2. Notice of Work Needing Certificate:**

- A. A Certificate for Certain Work can be granted by the Preservation Commission or, in certain instances, by the Director of Planning. The application for the Certificate can be obtained from \_\_\_\_\_ and should be filed with the Building and Safety Department. The following work to be conducted on the Landmark requires the procurement of a Certificate for Certain Work:
  1. Exterior work requiring a Building Permit as defined in the Lincoln/Lancaster County Building Code. Before conducting exterior work, check with the Building and Safety Department to determine whether a Building Permit is necessary;
  2. Demolition of a structure or portion of a structure as defined in the Lincoln Building Code;
  3. Work involving:
    - a. Replacement of exterior material and trim on east or south facades of house;
    - b. Replacement of doors, storm doors, door frames, windows, storm windows, and screens (excluding seasonal) on facades visible from east or south house;
    - c. Addition of awnings;
    - d. Placement of mechanical systems, such as but not limited to, window air conditioners, solar collectors, etc.;
    - e. The addition or replacement of signs;
    - f. Moving structures on or off the site;
    - g. Installation of electrical, utility, and communications services on principal (east or south) facades of house;
    - h. Placement of high intensity overhead lighting, antennae, and utility poles within the areas of the east or south facades of house.

- i. Any addition of pavement west of house.
  - j. Painting of unpainted masonry.
  - k. Removal of oak tree in front yard, except if documented to be hazardous.
- B. The following work to be conducted on the Landmark does not require the procurement of a Certificate for Certain Work:
  1. Changes involving routine maintenance and repair for the general cleaning and upkeep of the buildings but which include no direct physical change in design or material;
  2. Changes involving color and landscaping, except as previously noted;
  3. Interior changes involving no exterior alteration.
- C. The penalty upon conviction for conducting work which requires a Certificate for Certain Work without procuring the Certificate or for doing work contrary to an issued Certificate is a fine not to exceed \$100.00. Each and every day that such violation continues after notification may constitute a separate offense. Lancaster County may also pursue the remedies of injunction, mandamus, or other appropriate action to correct a violation.

### 3. Standards for Owner and Preservation Commission:

The following standards serve as a guide to the Landmark property owner in the preservation of their building. It is also intended that these Standards will aid the Commission in making decisions regarding issuance or denial of a Certificate.

When a decision on issuing or denying a Certificate is requested, the more definitive the presentation by the applicant, the easier it will be to convey and comprehend the effect of the proposed change. The owner or representative should plan to attend the public hearing to discuss the proposed work. When an application is being reviewed, it will be the responsibility of the applicant to demonstrate that the new work is compatible with these Standards.

A strict interpretation of these guidelines may be waived by the Preservation Commission if the applicant develops a design solution which meets the spirit and intent of the Historic Preservation Ordinance. In addition, although the owner of the landmark must receive Certificates for work identified above, a broader interpretation of the Guidelines for this property may be allowed by the Preservation Commission.

#### **(Based on the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings)**

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be physical, based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future the essential form and integrity of the structure would be unimpaired.



**GUIDELINES FOR APPLYING  
THE SECRETARY OF INTERIOR'S STANDARDS FOR REHABILITATION**

**THE ENVIRONMENT**

*Recommended*

Retaining distinctive features such as the size, scale, mass, color, and materials of buildings, including roofs, porches, and stairways that give a neighborhood its distinguishing character.

Retaining landscape features such as parks, gardens, street lights, signs, benches, walkways, streets, alleys and building set-backs that have traditionally linked buildings to their environment.

Using new plant materials, fencing, walkways, street lights, signs and benches that are compatible with the character of the neighborhood in size, scale, material and color.

*Not Recommended*

Introducing new construction into neighborhoods that is incompatible with the character of the district because of size, scale, color, and materials.

Destroying the relationship of buildings and their environment by widening existing streets, changing paving material, or by introducing inappropriately located new streets and parking lots that are incompatible with the character of the neighborhood.

Introducing signs, street lighting, benches, new plant materials, fencing, walkways and paving materials that are out of scale or inappropriate to the neighborhood.

**BUILDING SITE**

*Recommended*

Identifying plants, trees, fencing, walkways, outbuildings, and other elements that might be an important part of the property's history and development.

Retaining plants, trees, fencing, walkways, street lights, signs, and benches that reflect the property's history and development.

Basing decisions for new site work on actual knowledge of the past appearance of the property found in photographs, drawings, newspapers, and tax records. If changes are made, they should be carefully evaluated in light of the past appearance of the site.

Providing proper site and roof drainage to assure that water does not splash against building or foundation walls, nor drain toward the building.

*Not Recommended*

Making changes to the appearance of the site by removing old plants, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance in the property's history and development.

Leaving plant materials and trees in close proximity to the building that may be causing deterioration of the historic fabric.

### BUILDING: STRUCTURAL SYSTEMS

#### *Recommended*

Recognizing the special problems inherent in the structural systems of historic buildings, especially where there are visible signs of cracking, deflection, or failure.

Undertaking stabilization and repair of weakened structural members and systems.

Replacing historically important structural members only when necessary. Supplementing existing structural systems when damaged or inadequate.

#### *Not Recommended*

Disturbing existing foundations with new excavations that undermine the structural stability of the building.

Leaving known structural problems untreated that will cause continuing deterioration and will shorten the life of the structure.

### BUILDING: EXTERIOR FEATURES

#### MASONRY: Adobe, Brick, Stone, Terra Cotta, Concrete, Stucco and Mortar\*

#### *Recommended*

Retaining original masonry and mortar, whenever possible, without the application of any surface treatment.

Repointing only those mortar joints where there is evidence of moisture problems or when sufficient mortar is missing to allow water to stand in the mortar joint.

Duplicating old mortar in composition, color and texture.

Duplicating old mortar in joint size, method of application, and joint profile.

#### *Not Recommended*

Applying waterproof or water repellent coatings or surface consolidation treatments unless required to solve a specific technical problem that has been studied and identified. Coatings are frequently unnecessary, expensive, and can accelerate deterioration of the masonry.

Repointing mortar joints that do not need repointing. Using electric saws and hammers to remove mortar can seriously damage the adjacent brick.

Repointing with mortar of high Portland cement content can often create a bond that is stronger than the building material. This can cause deterioration as a result of the differing coefficient of expansion and the differing porosity of the material and the mortar.

Repointing with mortar joints of a differing size or joint profile, texture or color.



Repairing stucco with a stucco mixture that duplicates the original as closely as possible in appearance and texture.

Cleaning masonry only when necessary to halt deterioration or to remove graffiti and stains and always with the gentlest method possible, such as low pressure water and soft natural bristle brushes.

Repairing or replacing, where necessary, deteriorated material with new material that duplicates the old as closely as possible.

Replacing missing significant architectural features, such as cornices, brackets, railings, and shutters.

Retaining the original or early color and texture of masonry surfaces, including early signage wherever possible. Brick or stone surfaces may have been painted or whitewashed for practical and aesthetic reasons.

Sandblasting, including dry and wet grit and other abrasives, brick or stone surfaces; this method of cleaning erodes the surface of the material and accelerates deterioration. Using chemical cleaning products that would have an adverse chemical reaction with the masonry materials, i.e., acid on limestone or marble.

Applying new material which is inappropriate or was unavailable when the building was constructed, such as artificial brick siding, artificial cast stone or brick veneer.

Removing architectural features such as cornices, brackets, railings, shutters, window architraves and doorway pediments.

Removing paint from masonry surfaces indiscriminately. This may subject the building to damage and change its appearance.

\* For more information consult Preservation Briefs: 1: "The Cleaning and Waterproof Coating of Masonry Buildings" and Preservation Briefs: 2: "Repointing Mortar Joints in Historic Brick Buildings." Both are available from Technical Preservation Services Division, Heritage Conservation & Recreation Service, U. S. Department of the Interior, Washington, D.C. 20240

### WOOD: Clapboard, Weatherboard, Shingles and Other Wooden Siding

#### *Recommended*

Retaining and preserving significant architectural features, whenever possible.

Repairing or replacing, where necessary, deteriorated material that duplicates in size, shape and texture the old as closely as possible.

#### *Not Recommended*

Removing architectural features such as siding, cornices, brackets, window architraves, and doorway pediments. These are, in most cases, an essential part of a building's character and appearance that illustrates the continuity of growth and change.

Resurfacing frame buildings with new material that is inappropriate or was unavailable when the building was constructed such as artificial stone, brick veneer, asbestos or asphalt shingles, and plastic or aluminum siding. Such material can also contribute to the deterioration of the structure from moisture and insects.

ARCHITECTURAL METALS: Cast Iron, Steel, Pressed Tin, Aluminum, Zinc

*Recommended*

Retaining original material, whenever possible.

Cleaning when necessary with the appropriate method. Metals should be cleaned by methods that do not abrade the surface.

*Not Recommended*

Removing architectural features that are an essential part of a building's character and appearance, illustrating the continuity of growth and change.

Exposing metals which were intended to be protected from the environment. Do not use cleaning methods which alter the color, texture, and tone of the metal.

Roofs and Roofing

*Recommended*

Preserving the original roof shape.

Retaining the original roofing material, whenever possible.

Providing adequate roof drainage and insuring that the roofing materials provide a weather-tight covering for the structure.

Replacing deteriorated roof coverings with new material that matches the old in composition, size, shape, color, and texture.

Preserving or replacing, where necessary, all architectural features that give the roof its essential character, such as dormer windows, cupolas, cornices, brackets, chimneys, cresting, and weather vanes.

*Not Recommended*

Changing the essential character of the roof by adding inappropriate features such as dormer windows, vents, or skylights.

Applying new roofing material that is inappropriate to the style and period of the building and neighborhood.

Replacing deteriorated roof coverings with new materials that differ to such an extent from the old in composition, size, shape, color, and texture that the appearance of the building is altered.

Stripping the roof of architectural features important to its character.

Windows and Doors

*Recommended*

Retaining and repairing existing window and door openings including window sash, glass, lintels, sills, architraves, shutters, doors, pediments, hoods, steps, and all hardware.

*Not Recommended*

Introducing new window and door openings into the principal elevations, or enlarging or reducing window or door openings to fit new stock window sash or new stock door sizes.



Duplicating the material, design, and the hardware of the older window sash and doors if new sash and doors are used.

Installing visually unobtrusive storm windows and doors, where needed, that do not damage existing frames and that can be removed in the future.

Using original doors and door hardware when they can be repaired and reused in place.

Altering the size of window panes or sash. Such changes destroy the scale and proportion of the building.

Installing inappropriate new window or door features such as aluminum storm and screen window insulating glass combinations that require the removal of original windows and doors.

Installing plastic, canvas, or metal strip awnings or fake shutters that detract from the character and appearance of the building.

Discarding original doors and door hardware when they can be repaired and reused in place.

#### Entrances, Porches, and Steps

##### *Recommended*

Retaining porches and steps that are appropriate to the building and its development. Porches or additions reflecting later architectural styles are often important to the building's historical integrity and, wherever possible, should be retained.

Repairing or replacing, where necessary, deteriorated architectural features of wood, iron, cast iron, terra cotta, tile, and brick.

##### *Not Recommended*

Removing or altering porches and steps that are appropriate to the building's development and style.

Stripping porches and steps of original material and architectural features, such as handrails, balusters, columns, brackets, and roof decoration of wood, iron, cast iron, terra cotta, tile and brick.

Enclosing porches and steps in a manner that destroys their intended appearance.

#### Exterior Finishes

##### *Recommended*

Discovering the historic paint colors and finishes of the structure and repainting with those colors to illustrate the distinctive character of the property.

##### *Not Recommended*

Removing paint and finishes down to the bare surface; strong paint strippers whether chemical or mechanical can permanently damage the surface. Also, stripping obliterates evidence of the historical paint finishes.

Repainting with colors that cannot be documented through research and investigation to be appropriate to the building and neighborhood.

NEW CONSTRUCTION

*Recommended*

Keeping new additions and adjacent new construction to a minimum, making them compatible in scale, building materials, and texture.

Designing new work to be compatible in materials, size, scale, color, and texture with the earlier building and the neighborhood.

Using contemporary designs compatible with the character and mood of the building or the neighborhood.

Protecting architectural details and features that contribute to the character of the building.

*Not Recommended*

Designing new work which is incompatible with the earlier building and the neighborhood in materials, size, scale, and texture.

Imitating an earlier style or period of architecture in new additions, except in rare cases where a contemporary design would detract from the architectural unity of an ensemble or group. Especially avoid imitating an earlier style of architecture in new additions that have a completely contemporary function such as a drive-in bank or garage.

Adding new height to the building that changes the scale and character of the building. Additions in height should not be visible when viewing the principal facades.

Adding new floors or removing existing floors that destroy important architectural details, features and spaces of the building.

MECHANICAL SYSTEMS: Heating and Air Conditioning, Electrical, Plumbing, Fire Protection

*Recommended*

Installing necessary mechanical systems in areas and spaces that will require the least possible alteration to the structural integrity and physical appearance of the building.

Utilizing early mechanical systems, including plumbing and early lighting fixtures, where possible.

Installing the vertical runs of ducts, pipes, and cables in closets, service rooms, and wall cavities.

*Not Recommended*

Causing unnecessary damage to the plan, materials, and appearance of the building when installing mechanical system.

Attaching exterior electrical and telephone cables to the principal elevations of the building.

Installing the vertical runs of ducts, pipes, and cables in places where they will be a visual intrusion.



PRESERVATION GUIDELINES FOR  
Cooley-Dodge Farmstead, Waverly, NE  
P. 10

Insuring adequate ventilation of attics, crawlspaces, and cellars to prevent moisture problems.

Installing thermal insulation in attics and in unheated cellars and crawlspaces to conserve energy.

Placing television antennas and mechanical equipment, such as air conditioners, in an inconspicuous location.

Concealing or “making invisible” mechanical equipment in historic walls or ceilings. Frequently this concealment requires the removal of historic fabric.

Installing “dropped” acoustical ceilings to hide mechanical equipment. This destroys the proportions and character of the rooms.

Installing foam, glass fiber, or cellulose insulation into wall cavities of either wooden or masonry construction. This has been found to cause moisture problems when there is no adequate moisture barrier.

Placing television antennas and mechanical equipment, such as air conditioners where they can be seen from the street.

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Excerpt from MEETING RECORD

**NAME OF GROUP:** HISTORIC PRESERVATION COMMISSION

**DATE, TIME AND PLACE OF MEETING:** Thursday, June 20, 2019, 1:30 p.m., Conference Room 214, 2<sup>nd</sup> Floor, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska

**MEMBERS IN ATTENDANCE** Melissa Gengler, Jim Johnson, Greg McCown, Jim McKee and Greg Newport; (Liz Bavitz absent).

**OTHERS IN ATTENDANCE** Ed Zimmer, David Cary, Rhonda Haas and Teresa McKinstry of the Planning Department; Justin Schultz; Carol and Jed Hartweg; Jonathan Camp; Brendan Williams; and Matt Olberding of the Lincoln Journal Star.

**STATED PURPOSE OF MEETING:** Historic Preservation Commission Meeting

**RECOMMENDATION ON COUNTY LANDMARK DESIGNATION OF COOLEY-DODGE FARMSTEAD, 17185 BLUFF ROAD, WAVERLY AND RECOMMENDATION ON A SPECIAL PERMIT TO CONSTRUCT AND OPERATE AN EVENT CENTER AND ASSOCIATED IMPROVEMENTS AT 17185 BLUFF ROAD, WAVERLY**

**PUBLIC HEARING:**

June 20, 2019

Members present: Gengler, Johnson, McCown, McKee and Newport; Bavitz absent.

Zimmer stated this application is over a 17 acre parcel. The area is directly across the street from the Camp Creek Thresher campground. The Hrtwegs' acreage includes the farmstead, set well back from the road. There is a substantial windbreak around the house. The house has a screened in porch. The barn has an offset roof pitch. It is in nice condition. The barn alone is not suitable for the intended use by special permit and probably wouldn't warrant a landmark designation by itself, but the ensemble of the farmstead is a strong candidate. The request will be to construct another building to the north and operate an event facility, with parking on the grass between the new building and Bluff Rd. There is a chicken coop and corn crib on the property. There is a nice intact collection of the outbuildings.

McCown inquired if all the buildings were built at the same time. Zimmer replied it has the appearance that these are the original buildings. The E.L. Cooley family lost the farm in the early 1940's. He identifies the significance of this property in the landmark application as landscape architecture and agriculture. There is the absence of close neighbors. The nearest one is roughly one mile away. Staff felt this would be an appropriate location for an event



center, especially with the adjacency to the Camp Creek Threshers' grounds, paved road, and proximity to Highway 6.

Carol Hartweg explained that she grew up on a farm similar to this in central Nebraska. Over the years, their barns and outbuildings were destroyed. She found it wonderful that this location was still intact. When they purchased this property, they had no intention of opening an event venue. The barn gave them the idea for a venue. They didn't feel the barn was appropriate for large gatherings or modern building codes for assembly spaces. They talked about the possibility of building a new building. The trees would provide a nice block from the Interstate.

Gengler asked how the new building size of 60 x 100 compares to the old barn. Jed Hartweg responded the old barn is about 60 x 50.

McCown asked if the new barn has been designed yet. Carol Hartweg presented a sketch. Nothing has been officially designed yet. She also provided a picture of her idea for the landscaping. Jed Hartweg added that the existing building is more than likely 60 x 80, with a center peak around 16 feet.

McCown wanted to know how the applicant sees the building being mostly used. Carol Hartweg foresees weddings. Gengler wondered if there will be any overnight accommodations. Carol Hartweg responded that nothing is planned for that.

Newport wondered if anything is known about previous structures. Zimmer stated that Carol Hartweg found an article about the 1888 predecessor who farmed a different section in the vicinity. It looks as if the family expanded onto this property about when the buildings were constructed. Jed Hartweg stated that some documentation on the main barn was found. It was a certificate of when it was built. It has been temporarily misplaced.

Zimmer stated that the special permit runs with the land but that the Commission may be interested that these applicants are experienced in construction. Carol Hartweg stated that they remodel homes for a living. They have done historical buildings in the past. The name of the company is Midwest Home Design.

Zimmer noted that this application is a little unusual that this is not a Bed and Breakfast or apartments. He believes they would be hard pressed to meet the fire standards for a place of assembly and still retain the historic character of the existing barn. Planning staff reviewed this application and believes we can recommend it. It will go onto Planning Commission for review, then to County Board for action. This would be the first application under the new County ordinance addressing landmarks.

Newport asked if the Hartwogs have met with neighboring property owners. Carol Hartweg

stated that the Mayor of Waverly approached them. There is nothing in Waverly to accommodate any special event space. They are more than happy to fill the void.

**ACTION:**

Gengler moved to recommend approval of the landmark designation of the Cooley-Dodge farmstead, 17185 Bluff Rd. and of the special permit to construct and operate an event center and associated improvements at 17185 Bluff Rd., seconded by Johnson. Gengler asked and Zimmer noted that the recommendation will include conditions that the site plan and the event building plan will come back to the Commission for Certificate of Appropriateness prior to issuance of building permits. Motion carried 5-0: Gengler, Johnson, McCown, McKee and Newport voting 'yes'; Bavitz absent.

The meeting was adjourned at 2:40 p.m.

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**CHANGE OF ZONE 19018 AND  
SPECIAL PERMIT 19033**

CHANGE OF ZONE 19018  
FROM AG (AGRICULTURAL DISTRICT) TO AG WITH HISTORIC LANDMARK OVERLAY, ON PROPERTY  
LOCATED AT 17185 BLUFF ROAD  
AND

SPECIAL PERMIT 19033  
TO ALLOW FOR THE HOSTING OF SPECIAL EVENTS AT A HISTORIC LANDMARK, ON PROPERTY  
GENERALLY 17185 BLUFF ROAD  
PUBLIC HEARING:

July 10, 2019

Members present: Beckius, Corr, Joy, Campbell, Edgerton, Scheer and Finnegan.

Staff recommendation:           Approval of Change of Zone 19018  
  Conditional Approval of Special Permit 19033

There were no ex parte communications disclosed on this item.

Rorabaugh noted that there have been a number of public comments submitted to the Planning Department, both in support and opposition to these applications.

**Staff Presentation:** Stacy Hageman, Planning Department, stated this property is located roughly at the intersection of Interstate 80 and Bluff Road. The Cooley-Dodge Farmstead is an ensemble of well preserved and maintained buildings that includes a large farmhouse, garage, barn, chicken coop, corn crib and machine shop. The farmstead, is surrounded by shelter belt of trees and an open pasture to the north. This being a good example of an early farmstead in the early 20<sup>th</sup> century. The house is in the American Foursquare style that is oriented to the east towards the driveway. It has a two story enclosed porch on the east side and on the first floor that porch wraps around. The farmhouse and the outbuilding are well maintained and in active use. The landmark application was unanimously approved by the Historic Preservation Committee. **Steve Henrichsen, Planning Department**, stated once the property has been designated for Historic Preservation, the local landmark has the option to use a special permit. The special permit, would allow for any use to preserve the local landmark. In this case, the application is on the north side of the homestead, just outside the tree line is where the event center would go with a small parking lot. The site plan will be detailed once approved. The final decision of what the site will look like will go through the Historic Preservation Commission for review. They wouldn't want something that is a false representation of history, so this will be something modern that fits in nicely with the site. The impact of this special permitted use on the surrounding areas would be compatible with the adjacent uses around it, with the closest residences being 1100 feet to ¼ mile away and farther. In terms of the traffic flow, most of the people will be coming from the west on Bluff Road. The County Engineer does not have any objection to the plan as presented.

Corr asked if the parking area would be paved or rock and if there is a requirement. Henrichsen stated there is not a parking chapter in county regulations. This would be looked at as part of the future application when it comes forward, and would probably be a detail that is worked out as part of the application. If there became an issue with dust the Health Department does have the ability to regulate in terms of a dust complaint, or it could be looked at as part of the special permit. Corr asked if putting historic overlay on something would decrease the property tax bill. Henrichsen stated this would be a separate decision of the County Assessor, who in the past has ignored a historic overlay. On a local landmark the owner not able to make any additions or changes to the buildings on their property, without prior approval. New construction on the property would increase the value of the property. Corr stated that in theory there is no tax break for pursuing a historic landmark designation and may make it harder for the land owner to comply with the standards of any changes to property. Hageman said yes, with there being an additional layer of review. Corr inquired about tax incentives from the State Government for some of the improvements, although it would not change the tax you paid. Hageman stated the incentives would not include a newly constructed building. There is an even higher level of review with the State and detached single family units would not qualify for the tax credit. Corr wanted more clarification on the newly constructed building, and that it would not fall under the historic overlay. Henrichsen stated the new building is not being designated historic itself. Corr asked if they needed to adhere to the historic standards on this building. Hageman stated they would have to adhere to the historic standards, because of the condition that HPC has recommended that it comes to them for a certificate of appropriateness. Corr stated there have been questions on how a business could be appropriate in an Ag zoned area. Henrichsen stated that Ag Zoning District area does allow for other uses by a special permit. There are recreational facilities, campgrounds and other things that are truly not farming, but are allowed and an agricultural area.

Edgerton stated because of the use in this circumstance, without the historic landmark overlay this use would not be entitled to a special permit, asking if that would that be correct? Henrichsen stated the county does have an expanded home occupation special permit, which could have been another route that they could have gone. Edgerton inquired if through the process there was any kind of evaluation of the traffic on Bluffs Road. Henrichsen said not in terms of a traffic study.

Corr stated that on the Camp Creek Thresher grounds in was noted there are couple of residences, is there someone living there? Henrichsen stated one is owned by the campground, but he is unsure of how it is being use.

**APPLICANT: Carol and Jed Hartweg, 17185 Bluff Road**, came forward and stated she grew up on farm like the one she currently lives on and has a deep appreciation of the agriculture community. She stated that there have been conversations with the Mayor of Waverly, Mike Werner, on the paved road and how close it is to town. The Mayor, then suggested to them that it would be a great place to have a Christmas tree farm or pumpkin patch. Looking into the Christmas tree farm idea then there was the flood, and that is when it was decided to hold a fundraiser in the barn to help the farmers and ranchers. It was discovered, during that process the barn does not meet any of the standards that are required for hosting any events. She stated that they have received several requests regarding the use of their barn and that is what gave them the idea. With the expense of getting their current barn up to code to hold events, they decided to build a new building away from their house.

Edgerton asked how long they have owned the property. Carol Hartweg stated over a year.



Corr thanked the Hartwegs' for doing their due diligence upfront and going through the proper process and asked if they would be employing anyone. Carol Hartweg stated it would just be their children. Corr asked if caterers would be helping with the events. Carol Hartweg said yes. Corr asked about the Thresher campground and if someone was living there. Carol Hartweg stated the past owner has moved and she has not been able to contact her.

Campbell asked about an agreement to use some of the Threshers property for parking at the events. Carol Hartweg stated they had contacted the Threshers Camp, in the past, when they were wanting to do the event for the flood relief, if extra parking was needed. Jed Hartweg stated it was just going to be the backup plan if needed.

Corr asked if they have had discussions with the neighbors in the area. Carol Hartweg said yes, she has stopped by the homes on Bluff Road in the surrounding area. She stated that almost everyone that she has spoken with is in support.

Edgerton asked about new concerns of traffic increase on 176<sup>th</sup> and McKelvie, south of the interstate. Jed Hartweg stated that there would not be traffic coming from that area. Carol Hartweg stated that Google maps would keep drivers on the paved roads and not direct them in that direction.

#### **Proponents:**

**1. Mike Warner, Mayor of Waverly,** stated that the City of Waverly supports this type of venue. Currently, the city struggles on where to have a larger event. He stated that he likes the idea of a restricted building use. He also wants to protect the 80 acres of the Threshers Camp and the surrounding area. He stated he would like a building built that blends into the surrounding and the general area. There is a need for a place like this for people to go.

#### **Opponents:**

**1. Clarence Althouse, 8650 N. 134<sup>th</sup> Street, Waverly,** came forward and stated he is in opposition to the landmark designation and doesn't understand what it does. He has spent several hours on this land, with his grandparents working hard, and they would not want this. He stated that neighbors were not contacted. He found out about this from the newspaper.

**2. Andrew Stock, 9503 286<sup>th</sup> Street, Murdock,** stated that he owns property that borders the south & east of this property and he did not hear about this proposal until he received a letter for the City. Using the historical overlay is just a way to get a commercial facility onto a farm. He stated that he actively farms his land and is concerned about being restricted to do his farming. Thresher with their activities understands this is a farm and there will be dust and noise.

Corr asked Stock about events at Camp Creek Thresher and if he has had to make any changes to what he would be doing. Stock said he operates as normal. Corr asked if Camp Creek Thresher and there activities interferes with his operations. Stock said no.

**3. Marlan Johnson, 5218 N. 202<sup>nd</sup> Street, Alvo,** stated he owns property to the east northeast of this property and more property to the east, which is at a "T" intersection. He stated that people are always driving onto his property because of this intersection and not seeing the turn. With this event center people will be drinking and they do not need this type of traffic. Adding, with all of the farm equipment

on the roads there could be more accidents. He stated the first he heard of this was when he received a letter from the city in the mail.

**4. Mary Johnson 17705 Bluff Road, Waverly**, stated that they purchased their land in 2017 and are currently remodeling the house. She stated that the letter from the City is how she first heard of this. Having concerns about needing more security in the area for events. There needs to be more information about this project.

Corr inquired what it is like when Camp Creek Thresher has an event. Johnson stated it is very well organized and quiet, they don't have alcohol at events.

**5. Mary Alice Johnson, 11651 N. 176<sup>th</sup> Street, Waverly**, stated she had lived on this property for 41 years and it is located ½ mile to the north. Over the years, people have dumped trash on her property and with this event center and alcohol it will get worse. She stated the noise level will affect them and they moved to the country for peace and quiet. If this is something that Waverly wants then they should build it.

#### **Staff Questions:**

Scheer asked Henrichsen for a brief summary of this project if it moves forward today with the approval of the motions to consider. Henrichsen stated the site plan needs to be revised on what the building will look like. There will be additional meetings with planning on the building and parking on this site. It will go before the Historic Preservation Committee for review and also Building & Safety. Certainly, there will be SDL's applied for and the County Board can revoke any special permit if there are issues or if they are not following the rules.

Finnegan inquired if they would need to get an SDL for events. Henrichsen stated they (property owners) would use a vendor and the vendor is the one to get the permit.

Corr stated that she did not see anything in the report to show that the County Engineer has weighed in on the roads and asked if they were concerned about the traffic. Henrichsen stated he believed it was routed to them and has heard nothing back. Corr inquired about putting up a sign on Bluff Road and if this would be allowed if the county has not required it. Henrichsen stated that sign permits go through the Planning Department and the County Engineer does not always require a sign be put up.

Joy inquired if you need this to be a historic designation to have an event center. Henrichsen said no, he stated that you might need to ask for a waiver, because there is a limit of two persons engaged in the home occupation that do not live there.

Edgerton stated that this type of opportunity would be a limiting factor in terms of the types of events you could have. Henrichsen said yes, with the expanded home occupation you would have some type of limits.

Finnegan stated there have been questions on if this is really a historical landmark and asked Hageman if she is comfortable that this meets those requirements. Hageman said yes, explaining that this property meets the requirement because of the people and events, namely the Cooley Family. This is a typical example of what a farmstead would have looked like in the early 20<sup>th</sup> Century.

Edgerton wanting to clarify, asking without the historical overlay the special permit as presented would not be allowed on this site. Henrichsen said correct. Edgerton stated that is because we are in an Ag Zoning



District and that would have been seen as not compatible with traditional uses of agricultural land. Henrichsen state this special permit is specifically for the Historic Preservation and you are allowed to have additional uses. Edgerton asked if the numbers would be determined later in the process for the event center. Henrichsen said that is correct, and that the site plan shows a 60' by 100' building for this site and that is what you are approving.

Campbell inquired if the Fire Marshal would set a limit on the number with this being a public facility. Henrichsen said correct.

Corr inquired if it's a normal process for someone to make sure they have a solid business plan that passes before they put money into more details. Steve said yes, they don't want to spend a lot of money and then be turned down. Corr asked if this would be considered a commercial building. Henrichsen said yes, this would be considered a commercial building. Corr inquired about the right to farm. Henrichsen stated it does not put restrictions on someone else's farm and that this would not change the farming environment.

**Applicant Rebuttal:** Carol Hartweg stated that they do want to be good neighbors. She stated that anyone that comes to them for an event should know that this is in the country, and they will put something in their contract about the noise. Jed Hartweg stated that the neighbors that were contact we not the farm land owners, but the nearby houses. Corr asked if they would be willing to have neighborhood meeting and if they would put up signs. Carol Hartweg said of course. Corr inquired on the size of the building and it capacity. Jed Hartweg stated it will be for a maximum of 300. Carol Hartweg stated it would be for 299, needing to stay under 300, otherwise they would need fire sprinklers. Corr asked how long before they would be up and running. Jed Hartweg stated by spring.

**CHANGE OF ZONE 19018**

**ACTION BY PLANNING COMMISSION:**

**July 10, 2019**

Campbell moved approval, seconded by Corr and carried 7-0: Beckius, Campbell, Edgerton, Finnegan, Joy, Corr and Scheer 'yes'.

Campbell stated he believe this meets the Historic Design standards.

Finnegan agreed with Campbell.

Joy stated that it appears to have gone through the processes that we have in place and a vote from a committee that recommends this.

Edgerton stating that it is an example of early 20<sup>th</sup> Century farming, which is important, especially here and to also preserve this area.

Scheer agreeing with Edgerton and that she has made a great point.

Corr stated that growing up with this type of property makes it seem normal, but they really are dwindling, so we have to take precautions to protect them.

**SPECIAL PERMIT 19033**

**ACTION BY PLANNING COMMISSION:**

**July 10, 2019**

Beckius moved approval, seconded by Finnegan and carried 7-0: Beckius, Campbell, Edgerton, Finnegan, Joy, Corr and Scheer 'yes'.

Beckius stated that the proposed special permit is appropriate in this site with the historic overlay and there is some distance from residence. He stated that he fully expects all of the agricultural uses will continue and would not support any restrictions on the surrounding properties.

Campbell stated with all of the emails that were received he noticed that the closest addresses were in support and the ones that were farther were the ones that are having problems with this, and he strongly believes they have done their due diligence.

Corr encourage the applicants to have a neighborhood meeting because of their concerns with the traffic. She also stated this was well thought out.

Scheer stated it fits the property and that the agricultural work will continue. He is impressed with the Mayors comments and thinks it will be a good addition for the City of Waverly.

[Break 2:50 P.M.

Resumed 3:00 P.M.]

There being no further business to come before the Commission, the meeting was adjourned at 4:14p.m.

Note: These minutes will not be formally approved by the Planning Commission until their next regular meeting on Wednesday, July 24, 2019.

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