

COUNTY BOARD SUMMARY REPORT

RECEIVED

JUL 19 2019

LANCASTER COUNTY
CLERK

TO : County Clerk: Attn: Monet McCullen
FROM : David R. Cary, Director of Planning
RE : **County Special Permit 19033**
(Allow for the hosting of special events at a Historic Landmark, 17185 Bluff Road)
DATE : July 10, 2019

1. On July 10, 2019, County Special Permit 19033, and the associated Change of Zone 19018, as submitted by Carol and Jed Hartweg, had public hearing before the Lincoln-Lancaster County Planning Commission.
2. Attached is the Planning staff report that includes the proposed special permit request to build and operate an event center on the site, north of the historic farmstead, 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 proposed development is compatible with the surrounding land use. Bluff Road is paved from Waverly to a point beyond the driveway of the subject property. Camp Creek Threshers' grounds are adjacent to the property to the east. There are no other residences in the near vicinity. The site is large enough to accommodate a new structure and extensive landscaping without impinging on the historic farmstead. The staff presentation is found on p.14.
4. The applicant's testimony is found on p.15. There was significant testimony both in support to and in opposition to this proposed special permit request, which can be found on pp.16-17. The applicant's rebuttal is found on p.18.
5. The Historic Preservation Commission held public hearing on this application on June 20, 2019, and recommended conditional approval (See pp.11-13).
6. On July 10, 2019, the Planning Commission voted 7-0 (2 vacant seats) to recommend conditional approval of this special permit request.
7. On July 10, 2019, the Planning Commission voted 7-0 to recommend approval of the associated Change of Zone 19018.
8. To access all public comments and information on this application, click on the following link www.lincoln.ne.gov and (Keyword = PATS). Click on the "Selection Screen" under "Featured Links", type in the application number (i.e. SP19033); 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 10th 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 10th 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

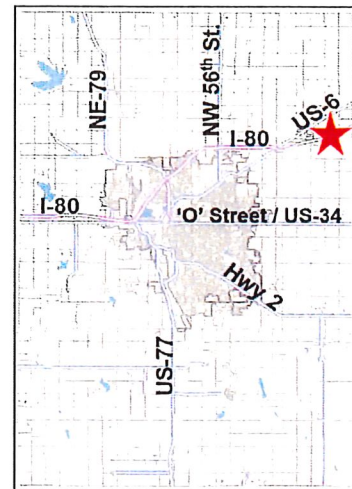
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Special Permit #19033	FINAL ACTION? No	DEVELOPER/OWNER Carol Hartweg
PLANNING COMMISSION HEARING DATE July 10, 2109	RELATED APPLICATIONS CZ19018	PROPERTY ADDRESS/LOCATION 17185 Bluff Rd.

RECOMMENDATION: CONIDTIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a Special Permit for Historic Preservation to build and operate an event center on the site, north of the historic farmstead.



JUSTIFICATION FOR RECOMMENDATION

The proposed development is compatible with the surrounding land use. Bluff Road is paved from Waverly to a point beyond the driveway of the subject property. Camp Creek Threshers' grounds are adjacent to the property to the east. There are no other residences in the near vicinity. The site is large enough to accommodate a new structure and extensive landscaping without impinging on the historic farmstead.

APPLICATION CONTACT

Carol Hartweg, 402-202-5974,
carolmidwesthomes@gmail.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The area of application is shown for Low-Density Residential in the 2040 Lancaster County Future Land Use Plan. The development meets the goals of the comprehensive plan to support continued utilization and upkeep of historic properties.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

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. 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. 2.8 Preservation and renewal of historic buildings, districts, and landscapes is encouraged. Development and redevelopment should respect historical patterns, precedents, and boundaries in towns, cities and existing neighborhoods.

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 is a request for a special permit to construct and operate an event facility on the subject property, to help support the continued utilization and upkeep of the historic farmstead.
2. Camp Creek Threshers grounds are directly north of the subject property on Bluff Road.
3. Bluff Road has recently been paved from Waverly to just east of the subject property.
4. The proximity to an activity venue such as Camp Creek Threshers grounds and the availability of a paved road for access, along with the paucity of nearby residences and the nearness of Interstate 80, combine to make this site particularly suited for an event building.
5. Locating the new building and associated parking outside the existing farmstead, while incorporating landscaping inspired by the existing windscreens of mixed coniferous and deciduous trees, minimizes impact on the historic property.
6. The applicant has supplied "inspiration" images of the general type of barn-like building they propose to build, in the general style of a historic barn, probably with a clerestory roof. See attached.
7. The applicant has supplied a conceptual site plan locating the event building north of the windbreak of the farmstead, with parking between the building and Bluff Road, and landscape screening for the parking. See attached. Prior to building, a more detailed site plan is required.
8. The Historic Preservation Commission (HPC) met June 20th and 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: See attached.

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

Ed Zimmer, Planner

Date: June 27, 2019

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

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

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

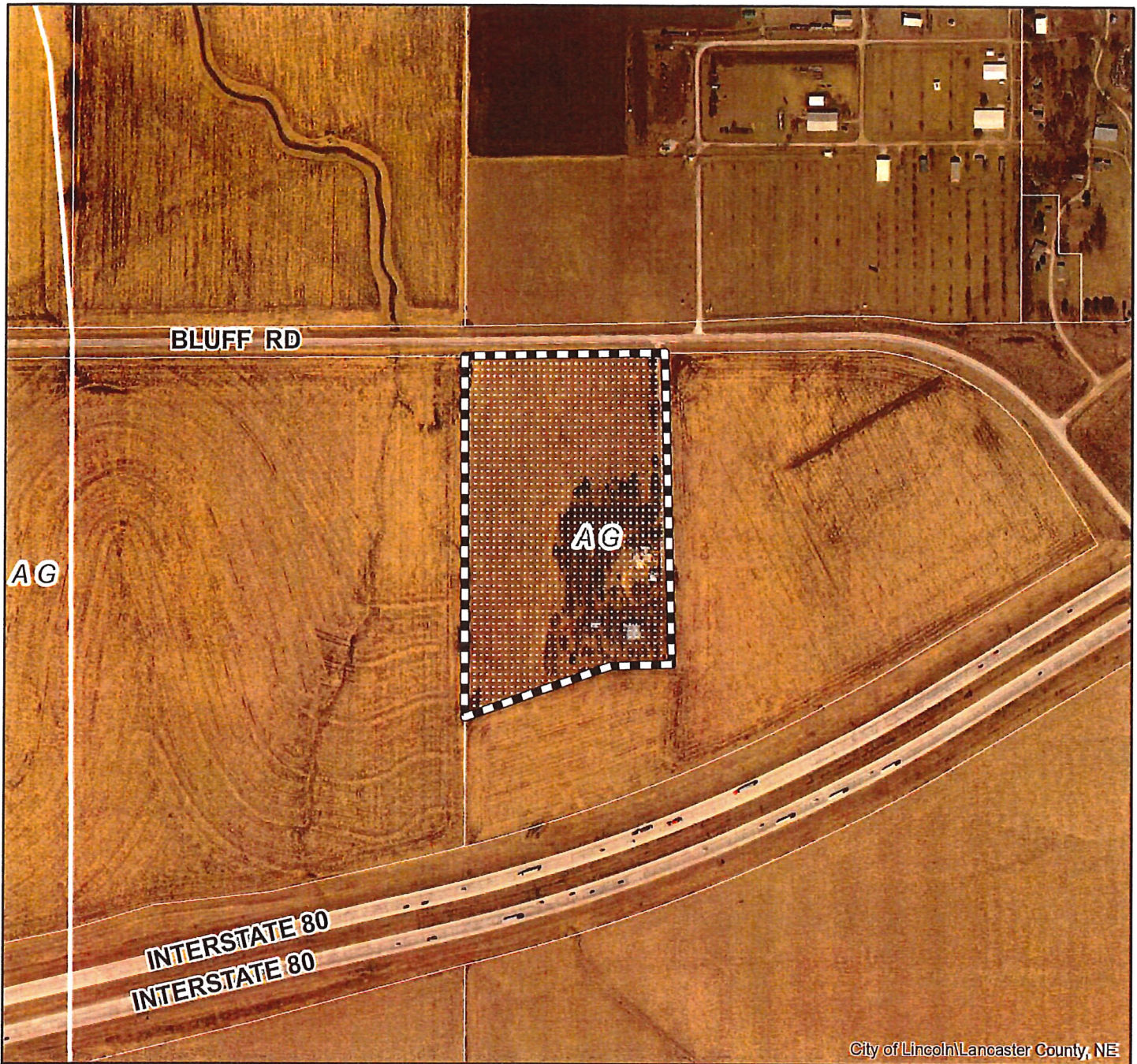
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CONDITIONS OF APPROVAL - SPECIAL PERMIT #19033

Per Article 13.041 this approval permits construction and operation of an event facility in conformance with the conceptual designs presented, as part of the preservation of a local historic landmark.

Site Specific Conditions:

1. The County Board approves associated request:
 - 1.1 Change of Zone #19018
2. Before building permits are approved the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below:
 - 2.1 Site plan with dimensions of buildings, parking areas, and associated landscaping; and a legal description and boundary of the special permit.
 - 2.2 Show existing road right-of-way width along Bluff Road.
 - 2.3 On Bluff Road – Sight Distance profile, label end of stationing West and East respectively.
 - 2.4 Locations, type and dimensions of any signs are indicated on the site plan.
3. Before building and sign permits are approved the permittee shall cause to be prepared and submitted to the Planning Department a revised design for the event building and any signs.
4. The site plan, sign, and building designs are reviewed and approved by the Historic Preservation Commission for Certificates of Appropriateness, under the adopted Preservation Guidelines for the historic property.
5. Before a site plan is approved provide the following documents to the Planning Department:
 - 5.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
 - 5.2 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
6. The following conditions are applicable to all requests:
 - 6.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.
 - 6.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 6.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 6.4 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.



City of Lincoln/Lancaster County, NE

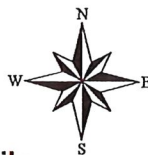
**Special Permit #: SP19033 &
Change of Zone #: CZ19018
Cooley-Dodge Farmstead
N 162nd St & Bluff Rd**




2018 aerial

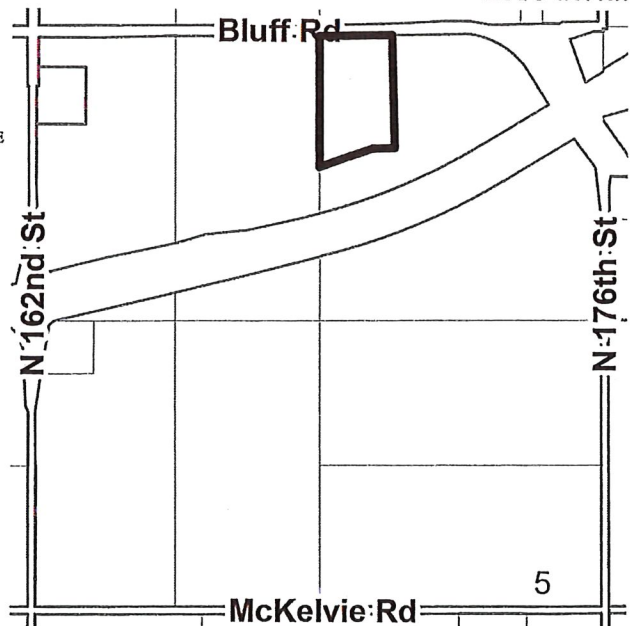
Zoning:

- 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

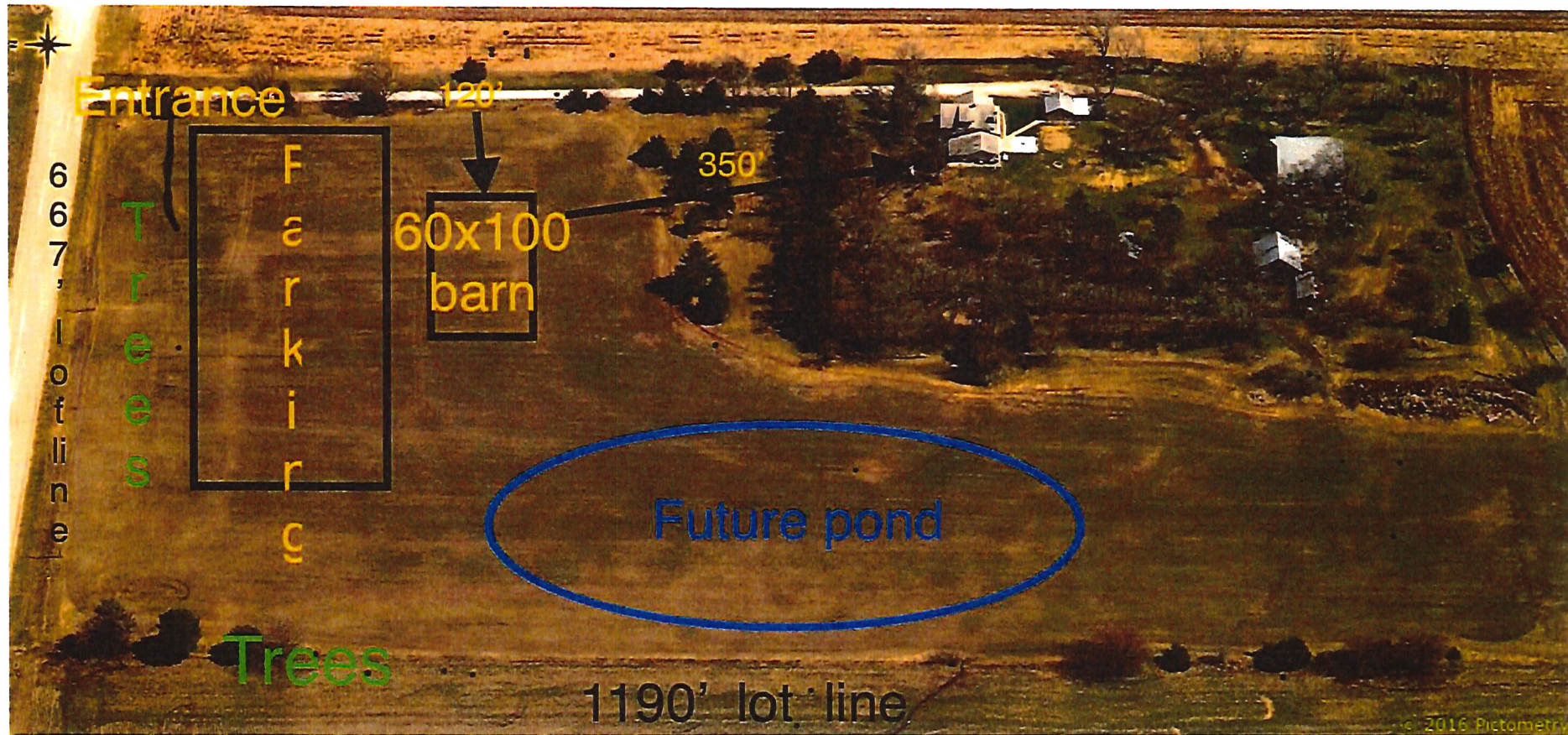
**One Square Mile:
Sec.23 T11N R08E**



	Area of Application
	Zoning Jurisdiction Lines
	City of Lincoln Jurisdiction



PLOT PLAN



June 20, 2019

We are requesting a special permit for 17185 Bluff Rd. We believe we have an excellent site to host weddings and special events, and would like to be designated as a historical site so that we may be able to host such events on the North side of our property.

Our home is on 17.5 acres, just off a paved road, and sits back off the road. We are 1.75 miles east of Waverly, and directly across from Camp Creek Threshers. The pavement ends shortly after passing our driveway heading east. The paved road was put in mainly for the annual event in July held at camp creek threshers directly across the road from our property.

We are also located one mile south of highway six and fairly close to the interstate.

We believe our home and the buildings would fit nicely into the historical designation criteria, given that it was built in or around 1912. This remarkable home has been well maintained. The front porch has been enclosed, and a larger kitchen area added on the east side of the home. Other than keeping the home modern and in good repair, I believe the home is still close to its original state, as well as all of the out-buildings.

If we are granted the special permit, we plan to build a new building that would be kept away from our house a bit, to ensure our privacy, but that would also fit in with the current setting, and architectural standards that the farm currently has. We are currently working with the Fire Marshal to ensure we design the building correctly to host around 300 people. We plan to request for a minimum of 45 events to be held per year in the future building, we would prefer to rent the building for the entire weekend, to cut back on chaos that trying to host two to three events per weekend could create for our schedules, and our Family.

Not only do we feel that we have an excellent location for a wedding venue, but given our construction knowledge and success in the design industry we feel that we would be excellent at designing, building, and carrying out all necessary tasks to complete the construction of a beautiful addition to our acreage. Also our background/education in healthcare, and teaching respectfully, along with our years of experience in sales, business, construction, marketing, design and as landlords, would also lend a hand to our success in this endeavor.

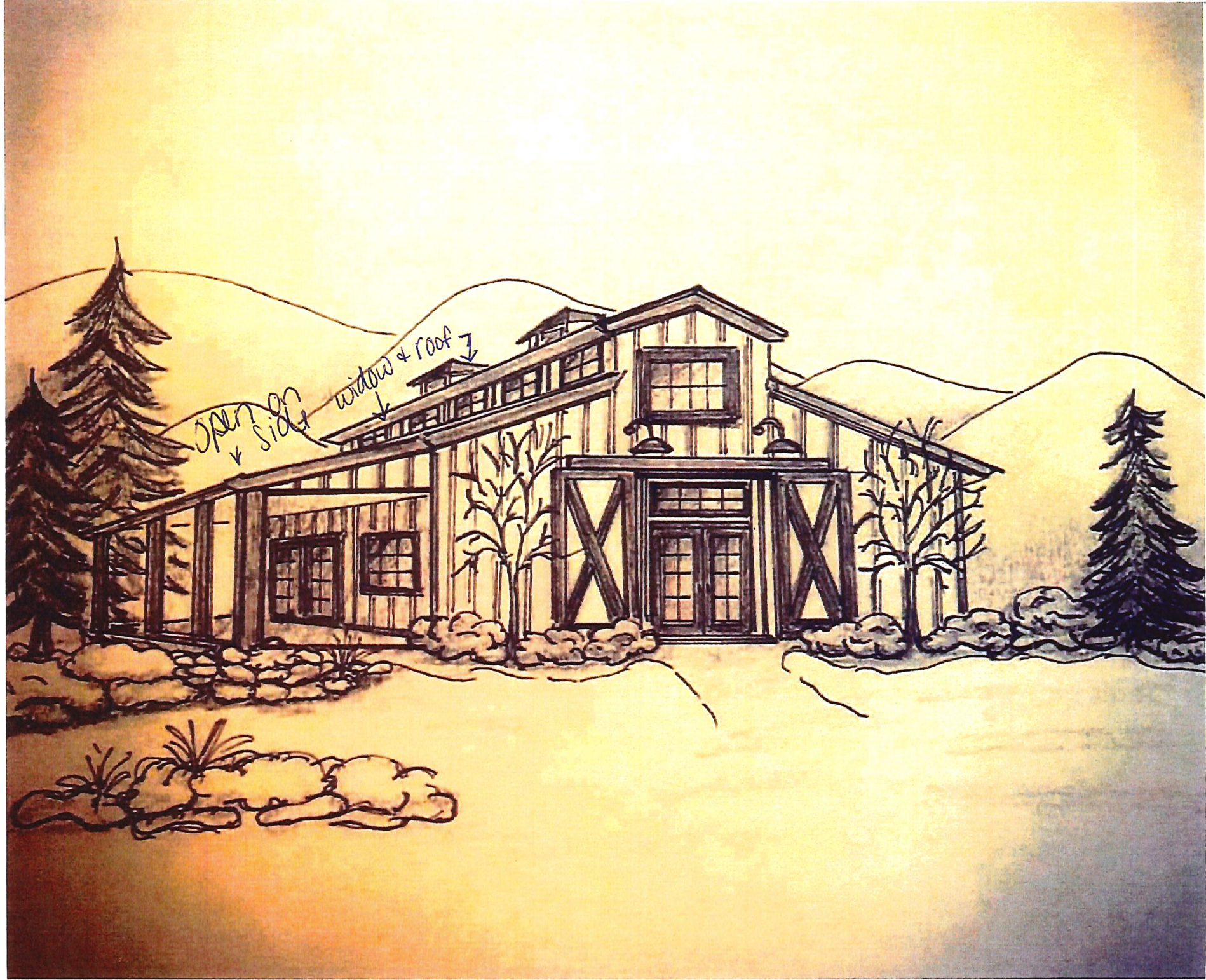
We have thoughtfully researched, interviewed venue owners, toured venues, met with the county planning and zoning departments as well as the Fire Marshall, architects, and subcontractors. We have spoken with the Mayor of Waverly, as well as our neighbors and friends in the community who all have expressed support for, as well as a community need for this type of business near Waverly.

Our Family and our property would also greatly benefit from a business such as this in that it would allow us to work together as a Family to help support the expenses of raising our children, but it would also help out with the expenses of maintaining our home and buildings, all over 100 years old, and all needing routine maintenance and updating.

The history of the farm is quite interesting. We have heard many stories about the past residents here, and have made connections with several family members of previous owners who have shared their fond memories of life here on the Farm. We haven't been able to locate early pictures of the farm, but given enough time, I'm sure we could.

We want to preserve the farm, update some of the damaged roofing and continue to make improvements to this beautiful and well preserved Nebraska Farm, but without an additional resource the buildings would prove to be too costly to continually repair. We appreciate the chance to work towards this goal for our future. Thank you very much for your consideration.

Carol Hartweg



Building Style





Landscaping
to Buffer parking area
on both roadside +
building

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, 2nd Floor, County-City Building, 555 S. 10th 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 Hrtweg's 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 Hartwegs 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 20th 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 176th 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. 134th 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 286th 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. 202nd 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. 176th 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 20th 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 contacted were 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 its 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 believes 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 stated that it is an example of early 20th 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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