

The following are minutes of the Bettendorf Board of Adjustment and are a synopsis of the discussion that took place at this meeting and as such may not include the entirety of each statement made. The minutes of each meeting do not become official until approved at the next board meeting.

**MINUTES
BETTENDORF BOARD OF ADJUSTMENT
JANUARY 8, 2009
5:00 P.M.**

Chairman Stelk called the meeting to order at 5:00 p.m.

Item 1. Roll Call

PRESENT: Howe, McElhiney, Stelk, Voelliger
ABSENT: Eikenberry
STAFF: Connors, Fuhrman

Item 2. Review of Board Procedures.

Item 3. The Board to review and approve the minutes of the meeting of December 11, 2008.

On motion by Howe, seconded by Voelliger, that the minutes of the meeting of December 11, 2008 be approved as submitted.

ALL AYES

Motion carried.

Item 4. The Board to review and approve the 2008 Board of Adjustment Annual Report.

On motion by McElhiney, seconded by Voelliger, that the 2008 Board of Adjustment Annual Report be approved as submitted.

Howe commented that the Board has remained very consistent with regard to the cases that were presented. Other Board members concurred.

ROLL CALL ON MOTION

ALL AYES

Motion carried.

Annual Report is Annex #2 to these minutes.

Item 5. Election of officers.

On motion by Voelliger, seconded by Howe, that Stelk and McElhiney remain in their offices of Chairman and Chairman Pro Tem, respectively.

ALL AYES

Motion carried.

Item 6. The Board to hold a public hearing on the following items:

- a. Case 09-001; 3200 Devils Glen Road (C-3) – A request for a special use permit to allow a car wash, submitted by DFCA, Inc.

Stelk asked if there was an affidavit of publication. Connors stated that notice of public hearing had been received. Notice and affidavit of publication are Annex #3 to these minutes.

Connors reviewed the staff report. Staff report is Annex #4 to these minutes.

Howe asked if all of the retail buildings would be under sole ownership. Connors confirmed this, adding that it is possible that the retail space would be leased.

Voelliger asked if the impact that three separate businesses would have on the traffic pattern in the area had been considered. Connors explained that most of the discussion with regard to the project at the Planning and Zoning Commission and Council levels had been related to adequate parking being available on the site. He stated that the proposed parking meets ordinance requirements.

McElhiney asked if the vehicles exiting the car wash would do so on Devils Glen Road. Connors confirmed this.

Voelliger asked if the car wash would be staffed with employees who dry the cars. Connors explained that it is his understanding that the car wash would be a drive-through with dryers located at the end and that there would be no staff on site.

Stelk asked if there was anyone present wishing to speak in favor of the request.

Dan Alias, the applicant, explained that there would be one person to run the car wash and collect payment. He added that the building will be approximately 90 feet long and will have a conveyor system which will wash the car, shine the tires, and dry the vehicle. He stated that the concept is new to the Quad Cities, adding that it will take approximately 5 minutes for a complete cycle.

Howe asked if the owners of the repair shop would also own the car wash. Alias confirmed this.

McElhiney asked if the exit would be directly aligned with Maplecrest Road. Connors explained that if the driveway is widened to accommodate an entrance and exit, it will be fully aligned.

Stelk asked if there was anyone present wishing to speak in opposition to the request.

John Boesch, 3468 Maple Glen Drive, expressed concern about what type of business might replace the car wash if it is not successful. He indicated that he would prefer that the city not allow a body and paint shop if the car wash is unsuccessful.

Connors explained that if the special use permit is approved, a car wash would be allowed. He added that if the car wash ceases to exist, any business which is an allowable use in the C-3 District would be allowed. He indicated that a body repair shop is one of the allowable uses.

Boesch asked if the applicant has applied for a building permit. Connors explained that the property must be rezoned and a site development plan approved prior to issuance of a building permit.

Boesch asked if the Board would consider requiring that the rezoning revert to C-2 if the project has not been started within one year. Stelk explained that the Board does not have the authority to impose such a requirement. McElhiney added that the City Council and Planning and Zoning Commission would be responsible for that type of decision.

Howe commented that if the City Council approves the third reading of the ordinance and a special use permit is granted, those approvals will be applicable to the lot in question. He indicated that regardless of who owns the property in the future, a car wash would be allowed and the zoning designation would be C-3.

Boesch expressed concern that other lots in the subdivision will be rezoned to C-3 in the future. Connors stated that the lots in the proposed development are zoned C-2, adding that the only lot that is being rezoned is the one on which the car wash will be located. He added that a precedent has been established with regard to the proposed rezoning as there are other lots in the area that have been rezoned to C-3.

Voelliger asked if the remainder of the properties would have the C-2 zoning designation. Connors confirmed this.

Stelk reiterated that it would be up to the Planning and Zoning Commission and the City Council as to whether the other lots would be allowed to be rezoned as well.

Boesch asked again if an auto body paint shop would be allowed if the car wash fails. Connors explained that any use that is allowed in a C-3 district could be located on the property.

Howe stated that the only issue that is in the Board's purview is the requested special use permit for a car wash.

There being no one else present wishing to speak in favor of or in opposition to the request, Stelk closed the public hearing.

On motion by McElhiney, seconded by Howe, that the request for a special use permit to allow a car wash be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #5 to these minutes.

There being no further business, it was unanimously approved to adjourn the meeting at approximately 5:35 p.m.

These minutes and annexes approved _____

Bill Connors
Community Development Director