

16PD013

Marvin Development of South Dakota, LLC

5425 Boone Ave. N
New Hope, MN 55428
763-489-2970

March 28, 2016

Community Planning & Development Services
City of Rapid City
300 Sixth Street
Rapid City, South Dakota 57701

Re: Written Statement of Intended Use

Marvin Development of South Dakota, LLC is proposing to develop the SW corner of E. Stumer Road and Shelby Avenue, Rapid City, SD into a Taco Bell restaurant with a drive thru window. This site is .59 acres and the intended use is allowed under the zoning designation.

After a preliminary review by staff, it was determined that the site layout does not meet the requirements for the minimum drive aisle width of 26'. Marvin Development is requesting relief from this requirement for the following reasons. This lot is burdened by the 25' setback along the easterly lot line. Typically, a lot would encounter a setback only the front and rear. When the 25' setback was imposed on the lot, the property line to the west should have been moved as well in consideration of the third easterly setback and the resulting narrow buildable area. It would be difficult for a wider building to meet the code requirements and develop the lot. By industry standards, the Taco Bell building is very narrow and our design could not accommodate the 26' width. Marvin Development typically uses a 24' drive aisle for Taco Bell locations and that width has worked well in our experience.

There are two options for the requested relief for the drive aisle width. The first option would be to allow the 24' drive aisle. The second option would be to reduce the easterly 25' setback to 23' and move the building and sidewalk over by 2' to provide a 26' wide aisle.

It has also been determined that with the outdoor patio area, the parking requirement is thirty (30) spaces, not twenty-eight (28) as previously thought. The common approaches force the curb cuts to positioning not aligned with the drive aisle and results in areas of the parcel, normally dedicated to parking stalls, to be used for common access and turning movements. Without the pre-determined placement of the common approaches, the site plan could easily accommodate the addition of the necessary parking stalls. We are requesting that approval be granted for twenty-eight (28) parking stalls.

Marvin Development did not create these burdens and believe our requests for relief does not change the overall character of the zoning code or prevents the development of other lots. Marvin Development respectfully asks your approval for relief to each of the issues.

Sincerely,

Barbara Schneider