

	City of Sioux Falls Council Meeting Agenda
	Carnegie Town Hall, 235 West Tenth Street
	REGULAR MEETING OF Monday, December 1, 2008 at 7:00 p.m.

ROLL CALL #1

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Council Member Beninga
Council Member Brown
Council Member Costello
Council Member Jamison
Council Member Knudson
Council Member Litz
Council Member Staggers
Mayor Dave Munson

INVOCATION

A. DR. RON TOTTINGHAM, EMPIRE BAPTIST TEMPLE

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, NOVEMBER 17, 2008, AT 4:00 P.M.

B. JOINT CITY COUNCIL/MINNEHAHA COUNTY MEETING OF MONDAY, NOVEMBER 17, 2008, AT 5:00 P.M.

C. REGULAR COUNCIL MEETING OF MONDAY, NOVEMBER 17, 2008, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM RONALD MCDONALD HOUSE CHARITIES, INC., STATING ITS INTENT TO CONDUCT A 50/50 RAFFLE AT THEIR EVENT ON DECEMBER 31, 2008. FIFTY PERCENT OF THE PROCEEDS WILL GO TO ONE PERSON AND THE OTHER HALF WILL BENEFIT RONALD MCDONALD HOUSE CHARITIES OF SD.

NOTICE OF HEARINGS

Set hearing date for Monday, December 15, 2008, at 7:00 p.m. on Items 2 through 11:

DOC: ITEMS 2-11 MEMO-COUNCIL

2. NEW 2008 RETAIL WINE LICENSE FOR HY-VEE FOOD STORES INC., HY-VEE FOOD STORE #1, TO BE OPERATED AT 1601 SOUTH SYCAMORE AVENUE, WITH THE CONDITIONAL USE PERMIT (2008-09-07) BEING APPROVED ON 10-01-08.

Conditional Use Permit Documentation

3. NEW 2008 RETAIL WINE LICENSE FOR HY-VEE FOOD STORES INC., HY-VEE FOOD STORE #4, TO BE OPERATED AT 1900 SOUTH MARION ROAD, WITH THE CONDITIONAL USE PERMIT (2008-09-08) BEING APPROVED ON 10-01-08.
4. NEW 2009 RETAIL WINE LICENSE FOR SUBURBAN LANES INC., SUBURBAN LANES PLAYERS PUB, TO BE OPERATED AT 2621 SOUTH SPRING AVENUE, EFFECTIVE 1-1-09 (CUP NOT REQUIRED; THIS IS AN ADDITION TO AN EXISTING LICENSE WHICH PREDATES THE ORDINANCE).
5. TRANSFER OF A 2008 RETAIL WINE LICENSE FROM KAREN MCPARLAND, A TASTE OF THE BIG APPLE, 600 NORTH MAIN AVENUE SUITE 110, TO A TASTE OF THE BIG APPLE LLC, A TASTE OF THE BIG APPLE, TO BE OPERATED AT 600 NORTH MAIN AVENUE SUITE 110, WITH THE CONDITIONAL USE PERMIT (2008-04-14) BEING APPROVED ON 05-07-08.

Conditional Use Permit Document

6. TRANSFER OF A 2008-09 RETAIL MALT BEVERAGE LICENSE FROM KAREN MCPARLAND, A TASTE OF THE BIG APPLE, 600 NORTH MAIN AVENUE SUITE 110, TO A TASTE OF THE BIG APPLE LLC, A TASTE OF THE BIG APPLE, TO BE OPERATED AT 600 NORTH MAIN AVENUE SUITE 110, WITH THE CONDITIONAL USE PERMIT (2008-04-14) BEING APPROVED ON 05-07-08.
7. TRANSFER OF A 2009 PACKAGE LIQUOR LICENSE FROM WANG ENTERPRISES INC., KING'S MART, 5512 WEST 41ST STREET, TO HKV GILBERTSON LIQUOR INC., HKV GILBERTSON LIQUOR, TO BE OPERATED AT 5512 WEST 41ST STREET, EFFECTIVE 1-1-09.
8. NEW 2008-09 PACKAGE MALT BEVERAGE LICENSE FOR HKV GILBERTSON LIQUOR INC., HKV GILBERTSON LIQUOR, TO BE OPERATED AT 5512 WEST 41ST STREET, EFFECTIVE 1-1-09.
9. TRANSFER OF A 2008-09 PACKAGE MALT BEVERAGE LICENSE FROM ELITANIA VALENCIA, MEXICAN STORE LA MICHOACANA, 2319 WEST 12TH STREET, TO MARIA LUZ LIMA, LA MICHOACANA, TO BE OPERATED AT 2319 WEST 12TH STREET.
10. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, FOR THE FOLLOWING DATES/EVENTS IN 2009: JANUARY 13 FOR A CORPORATE MEETING; JUNE 13, JULY 3, JULY 25, AND AUGUST 29 FOR WEDDING RECEPTIONS.

11. VARIOUS RETAIL LIQUOR, PACKAGE LIQUOR, AND RETAIL WINE LICENSE RENEWALS FOR 2009 TO BE OPERATED AT VARIOUS LOCATIONS IN THE CITY OF SIOUX FALLS IDENTIFIED AS EXHIBIT C.

Item 11 Exhibit C 2009

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

12. DEFERRED ACTION: REVOCATION: CONDITIONAL USE PERMIT (2006-12-23): ALLOWING MOTOR VEHICLE DISPLAY AND SALES IN THE I-1, LIGHT INDUSTRIAL DISTRICT. THE PLANNING COMMISSION RECOMMENDED APPROVAL ON FEBRUARY 7, 2007.

PC Report

PC Exhibit

PC Minutes - Item 16

UNFINISHED BUSINESS

DOC: ITEMS 13-29 MEMO-COUNCIL

13. DEFERRED ACTION: RESCIND 2008 RETAIL WINE LICENSE ISSUED TO PARAMOUNT STUDIO INC., PARAMOUNT STUDIO, 307 SOUTH PHILLIPS AVENUE.
14. DEFERRED ACTION: RESCIND 2008-09 RETAIL MALT BEVERAGE LICENSE ISSUED TO PARAMOUNT STUDIO INC., PARAMOUNT STUDIO, 307 SOUTH PHILLIPS AVENUE.
15. NEW 2008-09 PACKAGE MALT BEVERAGE LICENSE FOR GREVCO INC., SHOP ?N CART EAST, TO BE OPERATED AT 4301 EAST 12TH STREET.
16. NEW 2008-09 PACKAGE MALT BEVERAGE LICENSE FOR GREVCO INC., SHOP ?N CART NORTHEAST, TO BE OPERATED AT 2701 EAST 6TH STREET.
17. TRANSFER OF THE 2008 RETAIL LIQUOR LICENSE FROM JCP ENTERPRISES INC., JOEY'S SEAFOOD & GRILL, 2209 WEST 57TH STREET, TO K&P ENTERPRISES INC., THE FIRESIDE CASINO, TO BE OPERATED AT 3221 SOUTH CAROLYN AVENUE, INCLUDING SUNDAY SALES AND VIDEO LOTTERY TERMINALS, EFFECTIVE 12-22-08, WITH THE

CONDITIONAL USE PERMIT (94-5-12) BEING APPROVED IN 1994.

18. RESCIND 2008-09 RETAIL MALT BEVERAGE LICENSE ISSUED TO K&P ENTERPRISES INC., THE FIRESIDE CASINO, OPERATED AT 3221 SOUTH CAROLYN AVENUE, EFFECTIVE 12-22-08.
19. NEW 2008-09 RETAIL MALT BEVERAGE LICENSE FOR JCP INC., JOEY'S SEAFOOD & GRILL, TO BE OPERATED AT 2209 WEST 57TH STREET, EFFECTIVE 12-22-08, WITH THE CONDITIONAL USE PERMIT (2006-11-02) BEING APPROVED ON 12-06-06.

Conditional Use Permit Document

20. NEW 2008 RETAIL WINE LICENSE FOR JCP INC., JOEY'S SEAFOOD & GRILL, TO BE OPERATED AT 2209 WEST 57TH STREET, EFFECTIVE 12-22-08, WITH THE CONDITIONAL USE PERMIT (2006-11-02) BEING APPROVED ON 12-06-06.
21. TRANSFER OF A 2008 RETAIL LIQUOR LICENSE FROM GRANITE CITY FOOD & BREWERY LTD, GRANITE CITY FOOD & BREWERY, 2620 SOUTH LOUISE AVENUE, TO GRANITE CITY RESTAURANT OPERATIONS INC., GRANITE CITY FOOD & BREWERY, TO BE OPERATED AT 2620 SOUTH LOUISE AVENUE, INCLUDING SUNDAY SALES, WITH THE FINAL DEVELOPMENT PLAN BEING APPROVED IN MARCH OF 2000.
22. TRANSFER OF A 2008-09 PACKAGE MALT BEVERAGE LICENSE FROM GRANITE CITY FOOD & BREWERY LTD, GRANITE CITY FOOD & BREWERY, 2620 SOUTH LOUISE AVENUE, TO GRANITE CITY RESTAURANT OPERATIONS INC., GRANITE CITY FOOD & BREWERY, TO BE OPERATED AT 2620 SOUTH LOUISE AVENUE, WITH THE FINAL DEVELOPMENT PLAN BEING APPROVED IN MARCH OF 2000.
23. TRANSFER OF A 2008-09 RETAIL MALT BEVERAGE LICENSE FROM THE GRAND CHINA STAR INC., THE GRAND CHINA STAR, 1721 WEST 41ST STREET, TO THE NEW CHINA STAR INC., CHINA STAR, TO BE OPERATED AT 1721 WEST 41ST STREET, WITH THE CONDITIONAL USE PERMIT (98-11-14) BEING APPROVED IN 1998.
24. TRANSFER OF A 2008 RETAIL WINE LICENSE FROM THE GRAND CHINA STAR INC., THE GRAND CHINA STAR, 1721 WEST 41ST STREET, TO THE NEW CHINA STAR INC., CHINA STAR, TO BE OPERATED AT 1721 WEST 41ST STREET, WITH THE CONDITIONAL USE PERMIT (98-11-14) BEING APPROVED IN 1998.
25. SPECIAL ONE-DAY LIQUOR LICENSE FOR HY-VEE INC., ALL OCCASIONS BY HY-VEE, TO BE OPERATED AT THE DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 SOUTH KIWANIS AVENUE, ON DECEMBER 6, 2008, FOR A HOLIDAY PARTY.
26. SPECIAL ONE-DAY LIQUOR LICENSE FOR CATERING AMERICA, CHEF DOMINIQUE'S CATERING, TO BE OPERATED AT THE DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 SOUTH KIWANIS AVENUE, ON DECEMBER 13, 2008, FOR A HOLIDAY PARTY.
27. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR THE SIOUX EMPIRE CHAPTER OF THE AMERICAN RED CROSS TO BE OPERATED AT VERN EIDE MOTORCARS & MERCEDES-BENZ, 1500 SOUTH MINNESOTA AVENUE, FOR THE RED CROSS

HOLIDAY GALA TO BE HELD ON DECEMBER 6, 2008.

28. SPECIAL ONE-DAY WINE LICENSE FOR HABITAT FOR HUMANITY OF GREATER SIOUX FALLS, TO BE OPERATED AT THE TRAIL RIDGE RETIREMENT COMMUNITY, 3408 WEST RALPH ROGERS ROAD, ON DECEMBER 6, 2008, FOR A HABITAT FUNDRAISER.
29. VARIOUS RETAIL LIQUOR, PACKAGE LIQUOR, AND RETAIL WINE LICENSE RENEWALS FOR 2009 TO BE OPERATED AT VARIOUS LOCATIONS IN THE CITY OF SIOUX FALLS, IDENTIFIED AS EXHIBIT B.

Item 29 Exhibit B

Item 29 MP Sids

Item 29 MP Sunshine

Item 29 MP Wang

INTRODUCTION AND ADOPTION OF ORDINANCES

30. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REPEALING THE REGULATION OF THE LIMOUSINE RATES.

Proposed Ord0177a

31. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (PARKS AND RECREATION - \$8,480)

Proposed Ord1072

Memo

32. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2008-10-01 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT W. 16TH ST. AND 17TH ST. FROM GRANGE AVE. TO WEST AVE. ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS, AND REZONING PROPERTY AT W. 16TH ST. AND 17TH ST. FROM GRANGE AVE. TO WEST AVE. FROM THE O, GENERAL OFFICE, RD AND RS-2, RESIDENTIAL DISTRICTS TO THE SANFORD USD MEDICAL CENTER PLANNED DEVELOPMENT DISTRICT AS AMENDED, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0022

PC Report

PC Exhibits

PC Minutes - Item 22

33. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2008-10-21 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT NORTH SIDE OF W. 85TH ST., WEST OF S. WESTERN AVE. TO REVISE SUBAREA BOUNDARIES AND ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0028

PC Report

PC Exhibits

PC Minutes - Item 25

34. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SOUTHEAST CORNER OF E. 85TH ST. AND S. MINNESOTA AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2008-09-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0020

PC Report

PC Exhibits

PC Minutes - Item 3

35. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY SOUTH SIDE OF INTERSTATE 90 AND WEST OF N. CLIFF AVE. FROM UNZONED TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2008-10-04, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed ord0023

PC Report

PC Exhibits

PC Minutes - Item 4

36. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2900 N. FOURTH AVE. FROM THE RA-1, RESIDENTIAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2008-10-06, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed ord0024

PC Report

PC Exhibits

PC Minutes - Item 5

37. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 18TH ST. AND S. MARION RD. FROM THE RA-1, RESIDENTIAL DISTRICT TO THE WILLOW CREEK PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2008-10-11, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0025

PC Report

PC Exhibit

PC Minutes - Item 6

38. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT QUARRY AVE. BETWEEN ROBUR DR. AND DIKE AVE. FROM THE GRANITE VALLEY PLANNED DEVELOPMENT DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2008-10-16, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0026

PC Report

PC Exhibit

PC Minutes - Item 23

39. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NORTHWEST CORNER OF E. 69TH ST. AND S. SOUTHEASTERN AVE. FROM THE RA-1, RESIDENTIAL DISTRICT; RS-2, RESIDENTIAL DISTRICT; AND C-4, PLANNED COMMERCIAL DISTRICT TO THE EMERALD VALLEY PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2008-10-22, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0029

PC Report

PC Exhibits

PC Minutes - Item 7

Set a hearing date and 2nd Reading for the Monday, December 8, 2008, at 7:00 p.m. for Items 40 through 42:

40. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING AMENDMENT NO. 1 TO THE LEASE OF CITY PROPERTY TO THE UNIVERSITY OF SOUTH DAKOTA.

Proposed Ord1035

41. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCE OF THE CITY BY REVISING THE ORDER OF BUSINESS FOR COUNCIL MEETINGS.

Proposed Ord0035

42. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING TWO WEB-CAM LEASE AGREEMENTS TO BE LOCATED AT SIOUX FALLS VISITORS' CENTER TOWER WITHIN FALLS PARK.

Proposed ord1074

Set a hearing date and 2nd Reading for the Monday, December 15, 2008, at 7:00 p.m. for Item 43:

43. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ESTABLISHING THE PROCEDURE FOR THE ISSUANCE AND REGULATION OF ON-SALE LICENSES FOR FULL-SERVICE RESTAURANTS IN

THE CITY OF SIOUX FALLS, SOUTH DAKOTA, AS SET FORTH IN CHAPTER 5, ALCOHOLIC BEVERAGES.

Proposed Ord1050b

Ord0037

HEARINGS AND RESOLUTIONS

44. A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015 GROWTH MANAGEMENT PLAN PETITION NO. 2008-10-23 AT SOUTHEAST CORNER OF E. 69TH ST. AND S. SOUTHEASTERN AVE. TO REALLOCATE SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL, COMMERCIAL, OFFICE, AND INSTITUTIONAL FUTURE LAND USES TO AN ALLOCATION OF COMMERCIAL, OFFICE, INSTITUTIONAL, AND MULTI-FAMILY RESIDENTIAL FUTURE LAND USES. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0026

PC Report

PC Exhibits

PC Minutes - Item 20

45. A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015 GROWTH MANAGEMENT PLAN PETITION NO. 2008-09-12 AT NORTH SIDE OF E. 69TH ST. BETWEEN S. SYCAMORE AVE. AND SD HIGHWAY 11 TO ADD AN ALLOCATION OF COMMERCIAL, SINGLE-FAMILY RESIDENTIAL, AND PARKS AND OPEN SPACES FUTURE LAND USES. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0028

PC Report

PC Exhibits

PC Minutes - Item 19

46. A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015 GROWTH MANAGEMENT PLAN PETITION NO. 2008-08-21 AT E. 57TH ST. BETWEEN HIGHWAY 11 AND S. SIX MILE RD. FROM THE UNALLOCATED LAND USE TO AN ALLOCATION OF MIXED-USE FUTURE LAND USE. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0029

PC Report

PC Exhibits

PC Minutes - Item 18

47. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF MINNESOTA CROSSING ADDITION, PETITION NO. 2008-09-04 THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0027

PC Report

PC Exhibits

PC Minutes - Item 14

48. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY?MCKENNAN PARK. THE VISUAL ARTS COMMISSION AND PARKS & RECREATION BOARD RECOMMEND APPROVAL.

Proposed Res0025

Exhibit

49. A RESOLUTION APPOINTING A MEMBER TO THE AUDIT COMMITTEE (JOE MARSH - FEBRUARY 2009 TO FEBRUARY 2012)

Proposed Res0136

50. A RESOLUTION ESTABLISHING THE SIOUX FALLS CITY COUNCIL'S PRIORITIES FOR THE 2009 STATE LEGISLATIVE SESSION.

Proposed Res0031

ADJOURNMENT