

City of Sioux Falls Council Meeting Agenda

CarnegieTown Hall, 235 West Tenth Street

MEETING OF Monday, September 18, 2006, at 7:00 p.m.

ROLL CALL #2

MEMBERS PRESENT/ABSENT

OFFICIAL AGENDA

Council Member Gerald Beninga

Council Member Vernon Brown

Council Member J. Pat Costello

Council Member Bob Jamison

Council Member Kevin Kavanaugh

Council Member De Knudson

Council Member Bob Litz

Council Member Kermit L. Staggers

Mayor Dave Munson

INVOCATION

Pastor Cindy Hoy, Director of Pastoral Care Sioux Valley Hospital

PLEDGE OF ALLEGIANCE

MEETING ASSISTANCE: UPON REQUEST, ACCOMMODATIONS FOR MEETINGS WILL BE PROVIDED FOR PERSONS WITH DISABILITIES. PLEASE CONTACT THE CITY CLERK S OFFICE, CARNEGIE TOWN HALL, AT (605) 367-8080 (VOICE) OR (605) 367-7039 (TDD) 24 HOURS IN ADVANCE OF THE MEETING.

ADDRESSING THE COUNCIL: PERSONS ADDRESSING THE COUNCIL SHALL USE THE MICROPHONE AT THE PODIUM. PLEASE STATE YOUR NAME AND ADDRESS. PRESENTATIONS ARE LIMITED TO FIVE MINUTES.

LIVE BROADCASTS OF COUNCIL MEETINGS ON CITYLINK 16: CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD MONDAYS OF EACH MONTH AT 7 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE THIRD MONDAY OF EACH MONTH AT 5:00 P.M.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK 16. CITYLINK 16 REBROADCAST: CITY COUNCILMEETINGS AT 10:00 A.M. ON WEDNESDAYS, 1:00 A.M. ON THURSDAYS, AND 7 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 10:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR VIEWING ON DEMAND AT WWW.SIOUXFALLS.ORG. LINKS TO EACH MEETING S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

- ⊗ Informational Meeting of Monday, September 11, 2006, at 4:00 p.m.
- ⊗ Closed Executive Briefing of Monday, September 11, 2006, at 4:45 p.m.
- ⊗ Regular Council Meeting of Monday, September 11, 2006, at 7:00 p.m.

COMMUNICATIONS

1. Communications were received from the Great Plains Zoo and Delbridge Museum of Natural History requesting permission to consume, but not sell, wine on Tuesday, September 19th from 6:00 p.m. to 8:00 p.m. and on Friday, September 22, 2006, from 6:00 p.m. to 8:00 p.m. at the Great Plains Zoo and Delbridge Museum. The purpose is for hosting a special event Dinner with Giraffes.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

2. New 2006-07 Retail Malt Beverage License for AmWest Entertainment LLC, Riders Up OTB, to be operated at 301 South Garfield Avenue, Suite #7. Pending final inspection per Health and permits obtained for change in use from the Building Services Department.
3. New 2006-07 Retail Malt Beverage License for Juan Herrera, Juanito s Taco Shop, to be operated at 210 South Main Avenue. Pending final inspection per Health.
4. New 2006-07 Package Malt Beverage License for Luverne Supermarket Inc., Sunshine Gas #9, to be operated at 1231 East 57th Street. Pending final inspections per Health and Fire.
5. Transfer of a 2006-07 Retail Malt Beverage License from SD Wings LLC, Wings, 1914 South Sycamore Avenue, to D & J Management LLC, Dean-O s Grille, to be operated at 1914 South Sycamore Avenue. Pending final inspections per Health and Fire.
6. Transfer of a 2006 Package Liquor License from Ash Retail LLC, Four Hills Cenex #107, 2800 East Marson Drive, to JeJo LLC, BP Shop, to be operated at 2800 East Marson Drive.
7. Transfer of a 2006 Retail Liquor License from Waterfall Plaza LLC, Waterfall Plaza, 6121 South Minnesota Avenue, to Beakon Centre Partners LLC, (No Name), to be operated at 4801-4836 South Louise Avenue (one suite), subject to approval of an application to the City Planning Commission identifying the on-sale establishment and its location, and subject to an approved security management plan being submitted prior to commencement of business for this applicant only. Pending final inspections per Health and Fire and subject to plan submittal, permit issuance, and final inspections.
8. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion of Arts and Science, 301 South Main Avenue, as follows: Rescind license issued for 09/08/06; request dates of October 6 and 14, 2006, for wedding receptions, and November 4, 2006, for a SD Symphony Orchestra Gala.
9. Special One-Day Liquor License requests for SMG, Sioux Falls Arena, 1201 West Avenue North, as follows: December 2, 2006, for the Citibank Holiday Party; January 15-17, 2007, for the National Basketball Development League Showcase; all 2006-07 Home Season Games for the Stampede; all 2006-07 Home Season Games for the Skyforce; and possible playoff dates for both the Stampede and Skyforce between March 25 and May 15, 2007.
10. Special One-Day Malt Beverage License and Special One-Day Wine License for Senior Citizen Services Inc., to be operated on April 15, 2007, at the Center for Active Generations, 2300 West 46th Street, for the Gourmet Guys Fundraiser.
11. Special One-Day Malt Beverage License and Special One-Day Wine License for Ronald McDonald House Charities of SD Inc., to be operated on September 23, 2006, at Nelson Park, 200 South Fairfax Avenue, for the Taste of South Dakota Fundraiser.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Set a hearing date and 2nd Reading for Monday, October 2, 2006, at 7:00 p.m. for Items 12 through 24:

12. 1st Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City by increasing permitted front foot street assessments.

13. 1st Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City amending the standards of conditional use plans. The Planning Commission recommends approval.

14. 1st Reading: An Ordinance of the City of Sioux Falls, SD, rezoning property at 1219 E. Rice Street from the I-1, Light Industrial District to the C-2, General Commercial District (2006-07-30), and amending the official zoning map of the City of Sioux Falls. To allow commercial expansion including

a parking lot. The Planning Commission recommends approval. Applicants and Owner(s): Carol J. Denbow.

15.1st Reading: An Ordinance of the City of Sioux Falls, SD, rezoning property at the SE corner of HWY 11 and E. 26th Street, from AG, Agricultural District to the RS-2, Residential and the RC, Recreation/Conservation District, (2006-08-24), and amending the official zoning map of the City of Sioux Falls. To allow single family development. The Planning Commission recommends approval. Applicants and Owner(s): Perry Kolb, Wilsey & Associates; Steve Van Buskirk, Savanna Development, LLP.

16.1st Reading: An Ordinance of the City of Sioux Falls, SD, rezoning property at 57th Street and Old Yankton Road from the Meadow Lark Estates Planned Development District to the O, Office District (2006-08-10), and amending the official zoning map of the City of Sioux Falls. To reflect current land uses. The Planning Commission recommends approval. Applicants and Owner(s): Planning Staff.

17.1st Reading: An Ordinance of the City of Sioux Falls, SD, rezoning property at W. Ninth Street and Minnesota Ave. from the C-2, General Commercial District to the C-3, Central Business District, and amending the official zoning map of the City of Sioux Falls. (2006-08-19). To allow expansion of downtown. The Planning Commission recommends approval. Applicants and Owner (s): Spencer Ruff / Donald A. Dunham, Jr.

18.1st Reading: An Ordinance of the City of Sioux Falls, SD, rezoning property at W. Third Street from the RS-2, Residential District to the RD, Residential District (2006-08-27), and amending the official zoning map of the City of Sioux Falls. To allow development of twin homes. The Planning Commission recommends approval. Applicants and Owner(s): Dan Lemme.

19.1st Reading: An Ordinance of the City of Sioux Falls, SD, rezoning property at W. 57th Street and Old Yankton R d., from the Crystal Springs Planned Development District to the O, Office District and the RC, Recreation/Conservation District to reflect current land uses (2006-08-11), and amending the official zoning map of the City of Sioux Falls. To reflect current land uses. The Planning Commission recommends approval. Applicants and Owner(s): Planning Staff.

20.1st Reading: An Ordinance of the City of Sioux Falls, SD, rezoning property at Old Yankton Road and Ralph Rogers Road, from the Yankton Trail Estates Planned Development District to the RS-2, Residential and the RD, Residential Districts (2006-08-09), and amending the official zoning map of the City of Sioux Falls. To reflect current land uses. The Planning Commission recommends approval. Applicants and Owner(s): Planning Staff.

21.1st Reading: An Ordinance of the City of Sioux Falls, SD, rezoning property at 29th Street and Summit Ave., from the RS-2, Residential District to the S, Institutional District (2006-08-03), and amending the official zoning map of the City of Sioux Falls. To allow campus expansion. The Planning Commission recommends approval. Applicants and Owner(s): Eugene Marko, Augustana College.

22.1st Reading: An Ordinance of the City of Sioux Falls, SD, rezoning property at S. Grinnell Ave. at W. 42nd Street and W. 44th St. from the AG, Agricultural to the RS-2, Residential District to allow single family land uses (2006-08-01), and amending the official zoning map of the City of Sioux Falls. To allow single family land uses. The Planning Commission recommends approval. Applicants and Owner(s): James P. Daniels.

23.1st Reading: An Ordinance of the City of Sioux Falls, SD, a Major Amendment, Petition No. 2006-08-21, to Chapter 15.45.070, Planned Development Districts at W. Benson Rd. and W. Cayman St. allowing changes in land use as reflected in the Subarea map, amending the official zoning map of the City of Sioux Falls. To allow expansion of Subarea B land uses. The Planning Commission recommends approval. Applicants and Owner(s): John Van De Walle, Van De Walle & Associates; Bob and Nelda Thelin, Mark and Virginia Thelin.

24.1st Reading: An Ordinance of the City of Sioux Falls, SD, a Major Amendment, Petition No. 2006-08-12, to Chapter 15.45.070, Planned Development

Districts at 1508 S. Sycamore Ave. allowing changes in land use as reflected in the revised Subarea regulations and amending the official zoning map of the City of Sioux Falls. To allow a Day Care Center. The Planning Commission recommends approval. Applicants and Owner(s): Leslie and David Klein/Jim Bruns.

Set a hearing date and 2nd Reading for Monday, October 16, 2006, at 5:00 p.m. at the Joint City Council/Minnehaha County Commission Meeting for Item 25:

25.1st Reading: An Ordinance of the City of Sioux Falls, SD, providing that the 2002 revised Joint zoning Regulations for Minnehaha County and the City of Sioux Falls be amended by providing for conditions for buildings in the A-1, Agricultural and the RC, Recreation/Conservation District.

#### HEARINGS AND RESOLUTIONS

26.Preliminary Subdivision Plan (2006-08-25): Sioux Empire Estates Addition to the City of Sioux Falls, Minnehaha County, SD. W. 6th Street and N. Valley View Road. The Planning Commission recommends approval. Applicants and Owner (s): Jim Schmidt.

27.A Resolution including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. 57th and Southeastern Avenue. Whispering Woods. 2006-06-06. Owners: Whispering Woods, LLC.

28.A Resolution including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. 82nd Street and Beal Avenue. 2006-08-02. Owners: City of Sioux Falls.

29.A Resolution including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. SD DOT 60th St. N and Marion Road. 2006-08-03. Owners: SD Department of Transportation.

30.A Resolution including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. ... Mile West of 85th Street and Western Avenue. 2006-08-01. Owners: Thomas S. and Joyce E. Olsen.

31.A Resolution of the City of Sioux Falls, SD, rescinding Resolution No. 106-06 and including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. Correction Fulcrum East 2006-06-02.

32.A Resolution of the City of Sioux Falls, SD, rescinding Resolution No. 107-06 and including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. Correction - Fulcrum West 2006-06-04.

33.A Resolution of the City of Sioux Falls, SD, rescinding Resolution No. 108-06 and including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. Correction Hein 2006-06-03.

The City Council may include such other business as may come before this body.

#### ADJOURNMENT

MOTION TO GO INTO EXECUTIVE SESSION