

|| City of Sioux Falls Council Meeting Agenda
|| Carnegie Town Hall, 235 West Tenth Street
|| MEETING OF Monday, November 17, 2008 at 7:00 p.m. |

ROLL CALL #8

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Council Member Stagers
Council Member Anderson Jr.
Council Member Beninga
Council Member Brown
Council Member Costello
Council Member Jamison
Council Member Knudson
Council Member Litz
Mayor Dave Munson

INVOCATION

A. PASTOR DENNIS THOMAS, FREE METHODIST CHURCH

PLEDGE OF ALLEGIANCE

A. WOODROW WILSON KEEBLE DAY - NOVEMBER 17, 2008

APPROVAL OF CONSENT AGENDA

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, NOVEMBER 10, 2008, AT 4:00 P.M.

B. REGULAR COUNCIL MEETING OF MONDAY, NOVEMBER 10, 2008, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE SIOUX EMPIRE CHAPTER OF THE AMERICAN RED CROSS STATING ITS INTENT TO SELL RAFFLE TICKETS, FROM DECEMBER 5, 2008 THROUGH DECEMBER 6, 2008, FOR \$20.00 PER TICKET. FIFTY PERCENT OF THE PROCEEDS WILL GO TO ONE PERSON AND THE OTHER HALF WILL BE USED FOR DISASTER AND MILITARY SERVICES COST.

NOTICE OF HEARINGS

Set hearing date for Monday, December 1, 2008, at 7:00 p.m. on Items 2 through 16:

DOC: ITEMS 2-16 MEMO

2. NEW 2008-09 PACKAGE MALT BEVERAGE LICENSE FOR GREVCO INC., SHOP ?N CART EAST, TO BE OPERATED AT 4301 EAST 12TH STREET.
3. NEW 2008-09 PACKAGE MALT BEVERAGE LICENSE FOR GREVCO INC., SHOP ?N CART NORTHEAST, TO BE OPERATED AT 2701 EAST 6TH STREET.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.

12. 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.
13. 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.
14. 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.
15. 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.
16. 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 16 MP Wang

Item 16 MP Sunshine

Item 16 MP Sids

Exhibit B

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

17. 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 Exhibits (Large File)

UNFINISHED BUSINESS

DOC: ITEMS 18-28 MEMO

18. DEFERRED ACTION: RESCIND 2008 RETAIL WINE LICENSE ISSUED TO PARAMOUNT STUDIO INC., PARAMOUNT STUDIO, 307 SOUTH PHILLIPS AVENUE.
19. DEFERRED ACTION: RESCIND 2008-09 RETAIL MALT BEVERAGE LICENSE ISSUED TO PARAMOUNT STUDIO INC., PARAMOUNT STUDIO, 307 SOUTH PHILLIPS AVENUE.
20. 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.
21. 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.
22. NEW 2008-09 SOUTH DAKOTA FARM WINERY PACKAGE LICENSE FOR WAL-MART STORES INC., WAL-MART SUPERCENTER #1535, TO BE OPERATED AT 3209 SOUTH LOUISE AVENUE, IN CONJUNCTION WITH THE APPLICANT'S EXISTING PACKAGE MALT BEVERAGE LICENSE.
23. NEW 2008-09 SOUTH DAKOTA FARM WINERY PACKAGE LICENSE FOR WAL-MART STORES INC., WAL-MART SUPERCENTER #3237, TO BE OPERATED AT 5521 EAST ARROWHEAD PARKWAY, IN CONJUNCTION WITH THE APPLICANT'S EXISTING PACKAGE MALT BEVERAGE LICENSE.
24. RENEWAL OF THE 2009 PACKAGE LIQUOR LICENSE FOR THE LITTLE CELLAR WINE COMPANY LLC, THE LITTLE CELLAR WINE COMPANY, 2425 SOUTH SHIRLEY AVENUE #116.
25. TRANSFER OF A 2009 PACKAGE LIQUOR LICENSE FROM THE LITTLE CELLAR WINE COMPANY LLC, THE LITTLE CELLAR WINE COMPANY, 2425 SOUTH SHIRLEY AVENUE #116, TO THE LITTLE CELLAR WINE COMPANY LLC, THE LITTLE CELLAR WINE COMPANY, TO BE OPERATED AT 2320 SOUTH LOUISE AVENUE, APPROXIMATELY FEBRUARY 19, 2009, OR UPON COMPLETION OF CONSTRUCTION.
26. NEW 2009 RETAIL WINE LICENSE FOR THE LITTLE CELLAR WINE COMPANY LLC, THE LITTLE CELLAR WINE COMPANY, TO BE OPERATED AT 2320 SOUTH LOUISE AVENUE, EFFECTIVE 1-1-09, WITH THE SPECIAL USE PERMIT (2008-09-19) BEING APPROVED ON 10-01-08.
27. TRANSFER OF A 2008-09 PACKAGE MALT BEVERAGE LICENSE FROM HILDA PEREZ, LA

COSTENA, 615 WEST 11TH STREET, TO JOSEFINA MARQUEZ, LA COSTENA, TO BE OPERATED AT 615 WEST 11TH STREET.

28. 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 A.

Exhibit A

INTRODUCTION AND ADOPTION OF ORDINANCES

29. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (ADDITIONAL REVENUE AND UNRESERVED FUND BALANCE - TRANSIT FUND. (\$350,000.)

Ord. 0019

Transit Memo

Set a hearing date and 2nd Reading for Monday, December 1, 2008, at 7:00 p.m. for Items 30 through 39:

30. 1ST 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.

Ord. 0177a

31. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (PARKS AND RECREATION - \$8,480)

Ord. 1072

Memo

32. 1ST 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.

Ord. 0022

PC Report

PC Exhibits

PC Minutes - Item 22

33. 1ST 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.

Ord. 0028

PC Report

PC Exhibits

PC Minutes - Item 25

34. 1ST 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.

Ord. 0020

PC Report

PC Exhibits

PC Minutes - Item 3

35. 1ST 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.

Ord. 0023

PC Report

PC Exhibits

PC Minutes - Item 4

36. 1ST 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.

Ord. 0024

PC Report

PC Exhibits

PC Minutes - Item 5

37. 1ST 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.

Ord. 0025

PC Report

PC Exhibits

PC Minutes - Item 6

38. 1ST 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.

Ord. 0026

PC Report

PC Exhibits

PC Minutes - Item 23

39. 1ST 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.

Ord. 0029

PC Report

PC Exhibits

PC Minutes - Item 7

HEARINGS AND RESOLUTIONS

40. A RESOLUTION AMENDING THE 2008-2012 CAPITAL PROGRAM TO ADD AN ALL-TERRAIN VEHICLE (ATV) AND ENCLOSED TRAILER.

Res. 1639

41. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 2008-09-01 MARION ROAD AND 54TH STREET NORTH PACK LLC)

Res. 1638

Annexation Map

Report

Concept Plan

ADJOURNMENT