

	City of Sioux Falls Council Meeting Minutes
	Carnegie Town Hall, 235 West Tenth Street
	MEETING OF Monday, April 6, 2009 at 7:00 p.m.

ROLL CALL #

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Jamison	Council Member Knudson
Council Member Litz	
Council Member Anderson Jr.	
Mayor Dave Munson	
Council Member Brown	
Council Member Staggers	
Council Member Beninga	
Council Member Costello	

INVOCATION

A. PASTOR PHILL TAGUE, THE RANSOM CHURCH

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Brown and seconded by Council Member Anderson Jr. to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, MARCH 16, 2009, AT 4:00 P.M.

B. REGULAR COUNCIL MEETING OF MONDAY, MARCH 16, 2009, AT 7:00 P.M.

C. INFORMATIONAL MEETING OF MONDAY, MARCH 30, 2009, AT 4:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE KNIGHTS OF COLUMBUS, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM APRIL 15, 2009, THROUGH JANUARY 10, 2010, FOR A 2010 TOYOTA CAMRY (APPROXIMATE VALUE \$24,000.00) OR 50% OF TICKET

SALES. TICKETS COST \$100.00 A PIECE. PROCEEDS WILL GO TOWARDS ESTABLISHING THE KNIGHTS OF COLUMBUS FOUNDATION.

2. A COMMUNICATION WAS RECEIVED FROM THE SOUTH DAKOTA DENTAL FOUNDATION, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM APRIL 15, 2009, THROUGH MAY 15, 2009, FOR A \$10,000.00 PRIZE. TICKETS COST \$125.00 A PIECE. PROCEEDS WILL GO TOWARDS SCHOLARSHIPS AND CHARITABLE DENTAL PROGRAMS.
3. A COMMUNICATION WAS RECEIVED FROM THE AVERA MCKENNAN FOUNDATION, STATING ITS INTENT TO SELL RAFFLE TICKETS AT THE BIG GRAPE, FROM APRIL 16, 2009, THROUGH APRIL 17, 2009, FOR A FLAT SCREEN TV (APPROXIMATE VALUE IS \$400.00), LAPTOP COMPUTER (APPROXIMATE VALUE IS \$1,000.00), AND TWO TOY FILLED WAGONS (APPROXIMATE VALUE IS \$250.00). TICKETS COST \$10.00 FOR ONE CHANCE OR \$20.00 FOR THREE CHANCES. PROCEEDS WILL GO TOWARDS VARIOUS PROGRAMS TO BENEFIT PATIENTS AND FAMILIES SERVED BY THE AVERA CHILDREN'S HOSPITAL AND CLINICS.
4. A COMMUNICATION WAS RECEIVED FROM WAL-MART STORES #1535 AND #3237, STATING ITS INTENT TO SELL RAFFLE TICKETS ON APRIL 18, 2009, DURING A CAKE DECORATING CHALLENGE, FOR ONE OF THE DECORATED CAKES (APPROXIMATE VALUE IS \$100.00). TICKETS COST \$1.00 A PIECE. PROCEEDS WILL GO TO THE CHILDREN'S MIRACLE NETWORK.
5. A COMMUNICATION WAS RECEIVED FROM DEBRA K. MCCOY REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, LIQUOR, WINE, AND/OR MALT BEVERAGES AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET, ON FRIDAY, AUGUST 7, 2009, FROM 6:00 P.M. TO 12:00 A.M. FOR HER SON'S WEDDING REHEARSAL DINNER.
6. A COMMUNICATION WAS RECEIVED FROM MR. AND MRS. DAVID R. SALMEN REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT THE OLD COURTHOUSE MUSEUM AT 200 WEST SIXTH STREET, ON SATURDAY, SEPTEMBER 5, 2009, FROM 5:00 P.M. TO 12:00 A.M. FOR THE PURPOSE OF A WEDDING RECEPTION.

APPLICATIONS

7. BARRY WILLIAMS, PARCEL 70294, A 1993 FRIENDSHIP MOBILE HOME IN PINEVIEW MOBILE HOME COURT, FOR 2005 PROPERTY TAXES, IN THE AMOUNT OF \$247.16. THE MOBILE HOME WAS MOVED TO BROOKINGS IN APRIL 2004 AND ADDED TO THE BROOKINGS COUNTY TAX ROLL FOR 2005. TAXPAYER IS NOW REQUESTING AN ABATEMENT FOR DOUBLE ASSESSMENT.
8. ANDY CURRY, PARCEL 68191, A 1995 SKYLINE MOBILE HOME IN MARION MANOR MOBILE HOME COURT, FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$165.95. THE MOBILE HOME WAS MOVED TO ELK POINT IN JULY 2007 AND ADDED TO THE UNION COUNTY TAX ROLL FOR 2008. TAXPAYER IS NOW REQUESTING AN ABATEMENT FOR DOUBLE ASSESSMENT.
9. JOYCE JONES, 900 S. WESTERN AVE., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$785.06. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.

10. ELLEN STRAUSS, 2805 S. DULUTH AVE., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$847.17. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.

NOTICE OF HEARINGS

Set hearing date for Monday, April 20, 2009, at 7:00 p.m. on Items 11 through 20:

DOC: MEMO

11. TRANSFER OF A 2009 RETAIL LIQUOR LICENSE FROM MMLK INC., THE BRASS RAIL, 1213 NORTH CLIFF AVENUE, TO JTJ HOLDINGS LLC, TOPPER'S, TO BE OPERATED AT 1213 NORTH CLIFF AVENUE, INCLUDING VIDEO LOTTERY TERMINALS (CUP NOT REQUIRED; THIS IS AN EXISTING LICENSE WHICH PREDATES THE ORDINANCE).
12. TRANSFER OF A 2008-09 RETAIL MALT BEVERAGE LICENSE FROM MINT CASINO INC., MINT CASINO, 3601 EAST TENTH STREET, TO JPTS INC., MINT CASINO, TO BE OPERATED AT 3601 EAST TENTH STREET, INCLUDING VIDEO LOTTERY TERMINALS (CUP NOT REQUIRED; THIS IS AN EXISTING LICENSE WHICH PREDATES THE ORDINANCE).

Memo

13. TRANSFER OF A 2008-09 RETAIL MALT BEVERAGE LICENSE FROM EXECUTIVE SUBS & SALADS INC., EXECUTIVE CASINO, 2218 SOUTH MINNESOTA AVENUE, TO PINBALL INC., EXECUTIVE CASINO, TO BE OPERATED AT 2218 SOUTH MINNESOTA AVENUE, INCLUDING VIDEO LOTTERY TERMINALS (CUP NOT REQUIRED; THIS IS AN EXISTING LICENSE WHICH PREDATES THE ORDINANCE).

Memo

14. TRANSFER OF A 2008-09 RETAIL MALT BEVERAGE LICENSE FROM JERRY A. HAUCK, MONK'S, 420 EAST EIGHTH STREET, TO HAUCK TOBIN LLC, MONK'S HOUSE OF ALE REPUTE, TO BE OPERATED AT 420 EAST EIGHTH STREET, WITH THE CONDITIONAL USE PERMIT (2007-08-14) BEING APPROVED ON 09-05-07.

CUP 2007-08-14

15. TRANSFER OF A 2009 RETAIL WINE LICENSE FROM JERRY A. HAUCK, MONK'S, 420 EAST EIGHTH STREET, TO HAUCK TOBIN LLC, MONK'S HOUSE OF ALE REPUTE, TO BE OPERATED AT 420 EAST EIGHTH STREET, WITH THE CONDITIONAL USE PERMIT (2007-08-14) BEING APPROVED ON 09-05-07.
16. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR SMG TO BE OPERATED AT THE ORPHEUM THEATER, 315 NORTH PHILLIPS AVENUE, FOR WEDDING RECEPTIONS ON JUNE 20, AUGUST 1, AND AUGUST 29, 2009.

17. SPECIAL ONE-DAY LIQUOR LICENSE FOR JEAN AND AARON (TOM) SLATTERY, J&T SERVICES, TO BE OPERATED AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET, FOR A WEDDING RECEPTION ON MAY 16, 2009.
18. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR HY-VEE INC., ALL OCCASIONS BY HY-VEE, TO BE OPERATED AT THE DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 SOUTH KIWANIS AVENUE, ON MAY 8, 2009, FOR THE NORTH CENTRAL HEART SEMINAR, AND ON THE FOLLOWING DATES FOR WEDDING RECEPTIONS IN 2009: MAY 2; JUNE 6, 13, 20, 27; JULY 18; AUGUST 22, 29; AND SEPTEMBER 26.
19. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR SANFORD HEALTH FOUNDATION TO BE OPERATED AT THE SANFORD CHILDREN'S HOSPITAL (FRONT LAWN), 1600 WEST 22ND STREET, ON JUNE 6, FOR THE 2009 SANFORD CHILDREN'S GALA FUNDRAISER.
20. SPECIAL ONE-DAY MALT BEVERAGE LICENSE FOR THE MINNEHAHA SERTOMA CLUB TO BE OPERATED AT THE SERTOMA BUTTERFLY HOUSE, 4320 SOUTH OXBOW AVENUE, ON MAY 2, 2009, FOR A REGIONAL CONFERENCE.

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Brown and seconded by Council Member Jamison to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

PUBLIC INPUT

Theresa Stehly expressed her concerns about consulting and professional service fees. She also discussed Project TRIM.

Dr. Allen Unruh invited the public to attend the Tax Day Tea Party on April 15th at Covell Lake.

INTRODUCTION AND ADOPTION OF ORDINANCES

21. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CORRECTING CLERICAL ERRORS IN CERTAIN REZONING ORDINANCES. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

A motion was made by Council Member Beninga and seconded by Council Member Brown to adopt said Ordinance 25-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.

Motion Passed

Ord. 0055

PC Report

PC Minutes - Item 3

22. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. NORTH POWDER HOUSE RD. (NORTH OF E. MADISON ST.) FROM THE RS-2, RESIDENTIAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2009-02-09 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

A motion was made by Council Member Anderson Jr. and seconded by Council Member Jamison to adopt said Ordinance 26-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.

Motion Passed

Ord. 0060

PC Report

PC Exhibits

PC Minutes - Item 7

23. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 57TH ST. & S. DUBUQUE AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT; RD, RESIDENTIAL DISTRICT; AND RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2009-02-07 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

A motion was made by Council Member Beninga and seconded by Council Member Litz to adopt said Ordinance 27-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.

Motion Passed

Ord. 0059

PC Report

PC Exhibits

PC Minutes - Item 6

24. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE CORNER OF W. 85TH ST. AND S. WESTERN AVE. FROM THE C-4, PLANNED COMMERCIAL DISTRICT, THE RD & RS-2, RESIDENTIAL DISTRICTS AND THE RC, RECREATION/CONSERVATION DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, RD, RESIDENTIAL DISTRICT AND RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2009-01-13 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

A motion was made by Council Member Litz and seconded by Council Member Beninga to adopt said Ordinance 28-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

Ord. 0058

PC Report

PC Exhibits

PC Minutes - Item 5

25. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 26971 MINNESOTA AVE. (SOUTH OF 77TH ST. & S. MINNESOTA AVE.) FROM THE AG, AGRICULTURE DISTRICT TO THE GARDEN VILLAGE PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-01-12 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

A motion was made by Council Member Beninga and seconded by Council Member Brown to adopt said Ordinance 29-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

Ord. 0057

PC Report

PC Exhibits

PC Minutes - Item 4

26. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 57TH ST. AND S. DUBUQUE AVE. FROM THE BROOKS CROSSING PLANNED DEVELOPMENT DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2009-02-10 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

A motion was made by Council Member Litz and seconded by Council Member Jamison to adopt said Ordinance 30-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.

Motion Passed

Ord. 0061

PC Report

PC Exhibits

PC Minutes - Item 17

27. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2009-02-01 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 801 N. CLIFF AVE. AMENDING THE SCOOTER PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to adopt said Ordinance 31-09.

Ord. 0056

PC Report

PC Exhibits

PC Minutes - Item 16

Set hearing date and 2nd Reading for Monday, April 13, 2009, at 7:00 p.m. on Item 28:

28. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA, AUTHORIZING THE REFUNDING OF A PORTION OF THE CITY'S MULTIFAMILY HOUSING REVENUE REFUNDING BONDS (INN ON WESTPORT PROJECT), SERIES 2006; AUTHORIZING THE REISSUANCE OF A PORTION OF THE CITY'S MULTIFAMILY HOUSING REVENUE REFUNDING BONDS (INN ON WESTPORT PROJECT), SERIES 2006; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER AMENDMENT AGREEMENT; AND APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE REISSUED BOND IN AN AMOUNT NOT TO EXCEED \$5,500,000 AND CERTAIN RELATED DOCUMENTS.

A motion was made by Council Member Beninga and seconded by Council Member Litz to set a hearing date and 2nd Reading for Monday, April 13, 2009, at 7:00 p.m.

Vote to set a hearing date: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

Ord. 1086

HEARINGS AND RESOLUTIONS

29. DEFERRED ACTION: A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF BRIARWOOD ESTATES ADDN. TO DEVELOP COMMERCIAL, OFFICE, APARTMENT AND LOW-DENSITY RESIDENTIAL USES EAST OF S. SYCAMORE AVE. BETWEEN E. 57TH AND E. 69TH STREETS, PETITION 2009-01-14. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to adopt said Resolution 25-09..

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

RESOLUTION NO. 25-09

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF BRIARWOOD ESTATES ADDN. TO DEVELOP COMMERCIAL, OFFICE, APARTMENT AND LOW-DENSITY RESIDENTIAL USES EAST OF S. SYCAMORE AVE.

BETWEEN E. 57TH AND E. 69TH STREETS, PETITION 2009-01-14.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the preliminary plan of Briarwood Estates Addn. to the City of Sioux Falls, Lincoln County,

SD, is hereby approved subject to:

1. Re-label Tracts 5, 6, 7, and 8 with existing zoning.
2. Landlocked parcels are not allowed in plats, and Final Plans should not cause adjacent properties to be denied access.

3. Coordinate extension of roadways and utilities to adjoining properties.
and the City Clerk of the City of Sioux Falls is hereby directed to endorse on s
uch plan a copy of
this resolution and certify the same thereon.

Date adopted: 04/06/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen
City Clerk

Res. 0051

PC Report

PC Exhibits

PC Minutes - Item 22

30. A RESOLUTION REAPPOINTING AN AUDIT COMMITTEE MEMBER TO THE AUDIT COMMITTEE.
(BRAD WHITSELL, CPA)

A motion was made by Council Member Litz and seconded by Council Member
Costello to adopt said Resolution 24-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Beninga,
Costello, 6. Noes Staggars, 1.
Motion Passed

RESOLUTION NO. 24-09

A RESOLUTION REAPPOINTING AN AUDIT COMMITTEE MEMBER TO THE AUDIT COMMITTEE.
BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:
That the City Council appoints the following member to serve on the Audit Commit
tee pursuant to
Ordinance 120-05:

Name	Committee	Term
Brad Whitsell, CPA	Audit Committee	Appointed for a term from March 2009 to May 2010.

Date adopted: 04/06/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen
City Clerk

Res. 0058

31. A RESOLUTION TO ADOPT SHAPE SIOUX FALLS LAND USE AND DEVELOPMENT POLICIES.
THE PLANNING COMMISSION RECOMMENDS APPROVAL.

A motion was made by Council Member Staggers and seconded by Council Member
Anderson Jr. to defer to Monday, May 4, 2009, at 7:00 p.m.

Vote to defer: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers,
Beninga, Costello, 7. Noes, 0.
Motion Passed

Res. 0047

PC Report

PC Minutes - Item 11

Link - Shape Sioux Falls

32. A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS
2015 GROWTH MANAGEMENT PLAN PETITION NO. 2009-02-11 AT THE NE CORNER OF SD
HWY 11 AND E. 41ST ST. FROM AN ALLOCATION OF FUTURE SINGLE-FAMILY AND
MULTI-FAMILY RESIDENTIAL LAND USE TO AN ALLOCATION OF SINGLE-FAMILY AND
MULTI-FAMILY RESIDENTIAL, OFFICE, COMMERCIAL, AND MIXED-USE FUTURE LAND
USES. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

A motion was made by Council Member Litz and seconded by Council Member Beninga
to adopt said Resolution 26-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers,
Beninga, Costello, 7. Noes, 0.
Motion Passed

RESOLUTION NO. 26-09

A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015
GROWTH MANAGEMENT

PLAN PETITION NO.2009-02-11 AT THE NE CORNER OF SD HWY 11 AND E. 41ST ST. FROM A N ALLOCATION OF FUTURE SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL LAND USE TO AN ALLOCATION OF SINGLE-FAMILY AND

MULTI-FAMILY RESIDENTIAL, OFFICE, COMMERCIAL, AND MIXED-USE FUTURE LAND USES.

WHEREAS, there has been presented to Planning Commission an application for a future land use map to the Sioux Falls 2015 Growth Management Plan.

WHEREAS, the petitioner has notified landowners within 500' of the subject property by mail and

provided an affidavit to the City Planning Office.

WHEREAS, it has been determined that the following criteria have been met:

1. The proposed amendment is consistent with the goals, policies, and overall intent of the text within the comprehensive plan;
2. The proposed amendment is warranted by changed conditions within the neighborhood surrounding and including the subject property;
3. The proposed amendment achieves an arrangement of activities which promote harmonious interaction and minimizes land use conflicts surrounding the subject property;
4. The proposed amendment would not adversely affect the environment, historic resources, natural resources, urban services, public facilities, and transportation system;
5. The proposed amendment is warranted by an approved engineering analysis including, but not limited to, adopted City-initiated master plans;
6. The proposed amendment would result in a logical and orderly development pattern;
7. The proposed amendment does not adversely affect any other part of the city, or create any direct or indirect adverse effects; and
8. The proposed amendment creates an undue impact on surrounding neighborhoods; whereas proposed developments should be consistent with the physical characteristics of the surrounding neighborhoods or improves their living environment and quality of life.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the following described properties per Exhibit A are hereby amended from the

single-family and multi-family residential land use(s) to the single-family and multi-family residential, office, commercial, and mixed-use future land uses in regard to the Future Land Use

Map of the 2015 Growth Management Plan of Sioux Falls, SD.

Date adopted: 04/06/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen
City Clerk

Res. 0049

PC Report

PC Exhibits

PC Minutes - Item 15

33. A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015 GROWTH MANAGEMENT PLAN PETITION NO. 2008-10-20 AT W. 54TH ST. N. AND NORTH MARION RD. FROM AN ALLOCATION OF FUTURE SINGLE-FAMILY LAND USE TO AN ALLOCATION OF SINGLE-FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, OFFICE, AND MIXED-USE FUTURE LAND USES. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

A motion was made by Council Member Litz and seconded by Council Member Jamison to adopt said Resolution 27-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

RESOLUTION NO. 27-09

A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015 GROWTH MANAGEMENT PLAN PETITION NO. 2008-10-20 AT W. 54TH ST. N. AND NORTH MARION RD. FROM AN ALLOCATION OF FUTURE SINGLE-FAMILY LAND USE TO AN ALLOCATION OF SINGLE-FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, OFFICE, AND MIXED-USE FUTURE LAND USES.

WHEREAS, there has been presented to Planning Commission an application for a future land use map to the Sioux Falls 2015 Growth Management Plan.

WHEREAS, the petitioner has notified landowners within 500' of the subject property by mail and provided an affidavit to the City Planning Office.

WHEREAS, it has been determined that the following criteria have been met:

1. The proposed amendment is consistent with the goals, policies, and overall intent of the text within the comprehensive plan;
2. The proposed amendment is warranted by changed conditions within the neighborhood surrounding and including the subject property;
3. The proposed amendment achieves an arrangement of activities which promote harmonious interaction and minimizes land use conflicts surrounding the subject property;
4. The proposed amendment would not adversely affect the environment, historic resources, natural resources, urban services, public facilities, and transportation system;
5. The proposed amendment is warranted by an approved engineering analysis including, but not limited to, adopted City-initiated master plans;

6. The proposed amendment would result in a logical and orderly development pattern;

7. The proposed amendment does not adversely affect any other part of the city, or create any direct or indirect adverse effects; and

8. The proposed amendment creates an undue impact on surrounding neighborhoods; whereas proposed developments should be consistent with the physical characteristics of the surrounding neighborhoods or improves their living environment and quality of life.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the following described properties per Exhibit A are hereby amended from the

single-family land use(s) to the single-family residential, multi-family residential, office,

and mixed-use future land uses in regard to the Future Land Use Map of the 2015 Growth

Management Plan of Sioux Falls, SD.

Date adopted: 04/06/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

Res. 0050

PC Report

PC Exhibits

PC Minutes - Item 14

NEW BUSINESS/ ITEMS ADDED AFTER AGENDA DEADLINE

REPORT OF OFFICERS/BOARDS/COMMITTEES/TRANSFERS OF UNENCUMBERED APPROPRIATION BALANCES AMONG PROGRAMS WITHIN A DEPARTMENT OR ORGANIZATIONAL UNIT AS PROVIDED IN THE SIOUX FALLS CITY CHARTER SECTION 5.07 (d)

34. REPORT OF THE MARCH 31, 2009, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

Memo

ADJOURNMENT

A motion was made by Council Member Litz and seconded by Council Member Jamison to adjourn at 7:37 p.m.

Vote to adjourn: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Stagers, Beninga, Costello, 7. Noes, 0.
Motion Passed