

	City of Sioux Falls Council Meeting Minutes	
	Carnegie Town Hall, 235 West Tenth Street	
	REGULAR MEETING OF Monday, November 3, 2008 at 7:00 p.m.	

ROLL CALL #6

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Knudson	None.
Council Member Litz	
Council Member Staggers	
Council Member Anderson Jr.	
Council Member Beninga	
Council Member Brown	
Council Member Costello	
Council Member Jamison	
Mayor Dave Munson	

INVOCATION

A. REV. DWAYNE WILLIAMS, FRIENDSHIP BAPTIST CHURCH

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Knudson and seconded by Council Member Jamison to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, OCTOBER 20, 2008, AT 4:00 P.M.

B. REGULAR COUNCIL MEETING OF MONDAY, OCTOBER 20, 2008, AT 7:00 P.M.

C. INFORMATIONAL MEETING OF MONDAY, OCTOBER 27, 2008, AT 4:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM SOUTHEASTERN BEHAVIORAL HEALTHCARE STATING ITS INTENT TO SELL RAFFLE TICKETS AT THE FESTIVAL OF TREES ON NOVEMBER 21,

2008 FOR 1(ONE) DIAMOND JEWELRY PIECE VALUED AT \$3000.00. TICKETS WILL BE \$10.00 EACH. THE PROCEEDS ARE TO BE USED TO PROVIDE SERVICES TO SOUTHEASTERN CONSUMERS WHO HAVE LIMITED RESOURCES.

2. A COMMUNICATION WAS RECEIVED FROM MY FISHING POND INC. STATING ITS INTENT TO SELL RAFFLE TICKETS FROM NOVEMBER 21, 2008 THROUGH MARCH 27, 2009 FOR 3 (THREE) PRIZE PACKAGES VALUED AT APPROXIMATELY \$900.00 EACH AND 1 (ONE) HUNTING PACKAGE VALUED AT \$1,049.00. TICKETS WILL BE \$10.00 EACH. THE PROCEEDS ARE TO BE USED FOR GENERAL OPERATING EXPENSES FOR THE YEAR.

#### NOTICE OF HEARINGS

Set hearing date for Monday, November 17, 2008, at 7:00 p.m. on Items 3 through 11:

DOC: ITEMS 3-11 MEMO

3. 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.
4. 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.
5. 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.
6. 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.
7. RENEWAL OF THE 2009 PACKAGE LIQUOR LICENSE FOR THE LITTLE CELLAR WINE COMPANY LLC, THE LITTLE CELLAR WINE COMPANY, 2425 SOUTH SHIRLEY AVENUE #116.
8. 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.
9. 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.

10. 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.
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 A.

Exhibit A

#### APPROVAL OF REGULAR AGENDA

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

A motion was made by Council Member Costello and seconded by Council Member Beninga to amend the main motion by moving Item 26 before Item 22 on the Regular Agenda.

Vote to amend: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

Vote to approve as amended: Roll Call: Yeses, Knudson, Litz, Staggers, Anderson Jr., Beninga, Brown, Costello, Jamison, 8. Noes, 0. Motion Passed.

#### PUBLIC INPUT

There was none.

#### UNFINISHED BUSINESS

DOC: ITEMS 12-15 MEMO

12. TRANSFER OF A 2008 RETAIL LIQUOR LICENSE FROM MINERVA INC, MINERVA'S, 301 SOUTH PHILLIPS AVENUE, TO MINERVA INC, MINERVA'S, TO BE OPERATED AT 301-307 SOUTH PHILLIPS AVENUE, TO EXPAND THE LICENSE AREA, WITH THE CONDITIONAL USE PERMIT (2008-09-06) BEING APPROVED ON 10-01-08. PENDING FINAL INSPECTIONS PER FIRE AND BUILDING SERVICES.
13. RESCIND 2008 RETAIL WINE LICENSE ISSUED TO PARAMOUNT STUDIO INC., PARAMOUNT STUDIO, 307 SOUTH PHILLIPS AVENUE.
14. RESCIND 2008-09 RETAIL MALT BEVERAGE LICENSE ISSUED TO PARAMOUNT STUDIO INC., PARAMOUNT STUDIO, 307 SOUTH PHILLIPS AVENUE.

15. SPECIAL ONE-DAY LIQUOR LICENSE FOR SMG TO BE OPERATED AT THE SIOUX FALLS ARENA, 1201 NORTH WEST AVENUE, ON DECEMBER 27, 2008, FOR A HOLIDAY CONCERT.

A motion was made by Council Member Brown and seconded by Council Member Costello to approve Items 12 and 15 with one vote.

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

A motion was made by Council Member Beninga and seconded by Council Member Knudson to defer Items 13 and 14 to the City Council meeting on Monday, November 17, 2008, at 7:00 p.m.

Vote to defer: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

#### INTRODUCTION AND ADOPTION OF ORDINANCES

16. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 57TH ST. AND S. SERTOMA AVE. FROM THE SERTOMA HILLS PLANNED DEVELOPMENT DISTRICT TO THE RS-2, RESIDENTIAL, RD, RESIDENTIAL, RA-1, RESIDENTIAL, AND RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2008-09-33, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0006

PC Report

PC Exhibits

Granicus Minutes- item 8

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said Ordinance 128-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

17. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 41ST ST. AND S. GATEWAY BLVD. FROM THE GATEWAY BOULEVARD PLANNED DEVELOPMENT DISTRICT TO THE RA-2, RESIDENTIAL DISTRICT, PETITION NO. 2008-

09-32, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0015

PC Report

PC Exhibits

Granicus Minutes- item 7

A motion was made by Council Member Beninga and seconded by Council Member Anderson Jr. to adopt said Ordinance 129-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

18. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 69TH ST. TO W. 85TH ST., EAST AND WEST OF S. HUGHES AVE. FROM THE PLATINUM VALLEY PLANNED DEVELOPMENT DISTRICT TO THE O, OFFICE, RS-2, RESIDENTIAL, RD, RESIDENTIAL, RA-1, RESIDENTIAL, AND RC, RECREATION/ CONSERVATION DISTRICT, PETITION NO. 2008-09-31, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0014

Proposed Ord0014a

PC Report

PC Exhibits

Granicus Minutes- item 6

A motion was made by Council Member Litz and seconded by Council Member Beninga to adopt said Ordinance 130-08.

A motion was made by Council Member Knudson and seconded by Council Member Litz to amend the main motion by amending the legal description in the second paragraph by adding the words "Plantinum Valley Addition" after the words "That blocks 18 and 20," and adding the words "Tracts A and B" after each of the following: Lot 6, Lot 7A, Lot 8A, Lot 9A, and Lot 10.

Vote to amend: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

Vote to adopt as amended: Roll Call: Yeses, Knudson, Litz, Staggers, Anderson Jr., Beninga, Brown, Costello, Jamison, 8. Noes, 0. Motion Passed.

19. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. WESTERN AVE. AND W. BITTERROOT ST. FROM THE AG, AGRICULTURAL DISTRICT AND RS-1, RESIDENTIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2008-09-29, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0012

PC Report

PC Exhibits

Granicus Minutes- item 5

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to adopt said Ordinance 131-08.

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

Motion Passed

20. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3900 S. TERRY AVE. FROM THE RS-1, RESIDENTIAL DISTRICT TO THE RA-1, RESIDENTIAL DISTRICT, PETITION NO. 2008-09-26, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0011

PC Report

PC Exhibits

Granicus Minutes- item 4

A motion was made by Council Member Beninga and seconded by Council Member Knudson to adopt said Ordinance 132-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

21. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4709 S. LOUISE AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE O, OFFICE DISTRICT, PETITION NO. 2008-08-20, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0008

PC Report

PC Exhibits

Granicus Minutes- item 3

A motion was made by Council Member Litz and seconded by Council Member Beninga to adopt said Ordinance 133-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

22. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 41ST ST. AND SD HWY. 11 FROM THE O, OFFICE DISTRICT AND RA-1, RESIDENTIAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT AND THE RA-1, RESIDENTIAL DISTRICT, PETITION NO. 2008-08-10, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0007

PC Report

PC Exhibits

Granicus Minutes- item 29

A motion was made by Council Member Litz and seconded by Council Member Beninga to adopt said Ordinance 134-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

23. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2008-09-24 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT W. 77TH ST. AND S. MINNESOTA AVE. AMENDING THE GARDEN VILLAGE PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0010

PC Report

PC Exhibits

Granicus Minutes- item 9

A motion was made by Council Member Anderson Jr. and seconded by Council Member Litz to adopt said Ordinance 135-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

Set a hearing date and 2nd Reading for Monday, November 10, 2008, at 7:00 p.m. for Item 24:

24. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING CERTAIN REAL PROPERTY OF THE CITY SURPLUS AND AUTHORIZING THE DISPOSITION THEREOF. (4700 BLOCK OF S. LOUISE AVENUE)

Proposed Ord1068

Item 24-Land Appraisal Report

Exhibits

A motion was made by Council Member Knudson and seconded by Council Member Litz to set a hearing date and 2nd Reading for Monday, November 10, 2008, at 7:00 p.m. for Item 24.

Vote to set a hearing date: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

HEARINGS AND RESOLUTIONS



25. A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015 GROWTH MANAGEMENT PLAN PETITION NO. 2008-09-18 AT SOUTHWEST CORNER OF E. 41ST ST. AND SIX MILE RD. FROM THE SINGLE-FAMILY FUTURE LAND USE TO AN ALLOCATION OF COMMERCIAL, OFFICE/INSTITUTIONAL, AND MULTI-FAMILY RESIDENTIAL FUTURE LAND USE. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0018

PC Report

PC Exhibits

Granicus Minutes- item 27

A motion was made by Council Member Jamison and seconded by Council Member Anderson Jr. to adopt said Resolution 172-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 172-08

A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015 GROWTH MANAGEMENT PLAN PETITION NO.2008-09-18 AT SOUTHWEST CORNER OF E. 41ST ST. AND SIX MILE RD. FROM THE SINGLE-FAMILY FUTURE LAND USE TO AN ALLOCATION OF COMMERCIAL, OFFICE/INSTITUTIONAL, AND MULTI-FAMILY RESIDENTIAL FUTURE LAND USE.

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

[This paragraph is optional.]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 multi-family land use(s) in regard to the Future Land Use Map of the 2015 Growth Management Plan of Sioux Falls, South Dakota.

Date adopted: 11/03/08.

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

26. A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015 GROWTH MANAGEMENT PLAN PETITION NO. 2008-09-25 AT SOUTHEAST CORNER OF E. 41ST ST. AND SD HWY. 11 FROM THE OFFICE/ INSTITUTIONAL FUTURE LAND USE TO AN ALLOCATION OF COMMERCIAL FUTURE LAND USE. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0019

PC Report

PC Exhibits

Granicus Minutes- item 28

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said Resolution 173-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 173-08

A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015 GROWTH MANAGEMENT PLAN  
PETITION NO. 2008-09-25 AT SOUTHEAST CORNER OF E. 41ST ST. AND SD HWY. 11 FROM THE OFFICE/ INSTITUTIONAL  
FUTURE LAND USE TO AN ALLOCATION OF COMMERCIAL FUTURE LAND USE.

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

[This paragraph is optional.] 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 multi-family land use(s) in regard to the Future Land Use Map of the 2015 Growth Management Plan of Sioux Falls, South Dakota.

Date adopted: 11/03/08.

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

S. MINNESOTA AVE. AND W. 85TH ST. TO ADD AN ALLOCATION OF COMMERCIAL FUTURE LAND USE. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0014

PC Report

PC Exhibits

Granicus Minutes- item 25

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said Resolution 174-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 174-08

A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015 GROWTH MANAGEMENT PLAN  
PETITION NO. 2008-09-02 AT SOUTHEAST CORNER OF S. MINNESOTA AVE. AND W. 85TH ST.  
TO ADD AN ALLOCATION OF  
COMMERCIAL FUTURE LAND USE.

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

[This paragraph is optional.] 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 multi-family land use(s) in regard to the Future Land Use Map of the 2015 Growth Management Plan of Sioux Falls, South Dakota.

Date adopted: 11/03/08.

Dave

Munson

Mayor  
ATTEST:  
Debra A. Owen  
City Clerk

28. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF PRAIRIE HILLS EAST ADDITION, PETITION NO. 2008-09-28. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0021

PC Report

PC Exhibits

Granicus Minutes- item 24

A motion was made by Council Member Beninga and seconded by Council Member Anderson Jr. to adopt said Resolution 175-08.

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

RESOLUTION NO. 175-08

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF PRAIRIE HILLS EAST ADDITION, PETITION NO. 2008-09-28.  
BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:  
That the preliminary plan of Prairie Hills East Addition to the City of Sioux Falls, Lincoln County, SD, is

hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 11/03/08.

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

29. A RESOLUTION AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR THE CLEAN WATER STATE REVOLVING FUND AND DRINKING WATER STATE REVOLVING FUND LOAN PROGRAMS AND DESIGNATING SIGNATORIES FOR THE LOAN DOCUMENTS.

Proposed Res0023

Memo from Mark Cotter

A motion was made by Council Member Litz and seconded by Council Member Beninga to adopt said Resolution 176-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 176-08

A RESOLUTION AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR THE CLEAN WATER STATE REVOLVING FUND AND DRINKING WATER STATE REVOLVING FUND LOAN PROGRAMS AND DESIGNATING SIGNATORIES FOR THE LOAN DOCUMENTS.

WHEREAS, the City Council has determined the City is in need of the Water Reclamation Facility Energy

Recovery; Basin 13 Trunk Sewer and Pipe Lining; Water Collection Well Improvements and Rehabilitation of

Collector Wells; Air Base Area Main Replacement, Western Heights Water Main Replacement, Pressure Zone

Improvements, and Valve Replacement Program projects; and

WHEREAS, loan assistance is necessary to enable the City to construct these projects; and

WHEREAS, an interest rate of 2.5 percent for 10 years from the Clean Water and Drinking Water State Revolving

Fund Loan Program is desirable.

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

1. That the Mayor is authorized to make application for a loan up to an amount not to exceed \$1,803,000 from

the Clean Water State Revolving Fund Loan Program for the Water Reclamation Facility

lity Energy Recovery project,  
including all understandings and assurances contained therein, and pledges waste  
water revenues for repayment  
of the loan.

2. That the Mayor is authorized to make application for a loan up to an amount n  
ot to exceed \$2,540,000 from  
the Clean Water State Revolving Fund Loan Program for the Basin 13 Trunk Sewer a  
nd Pipe Lining project,  
including all understandings and assurances contained therein, and pledges waste  
water revenues for repayment  
of the loan.

3. That the Mayor is authorized to make application for a loan up to an amount n  
ot to exceed \$3,578,750 from  
the Drinking Water State Revolving Fund Loan Program for the Water Collection We  
ll Improvements and  
Rehabilitation of Collector Wells project, including all understandings and assu  
rances contained therein, and  
pledges water revenues for repayment of the loan.

4. That the Mayor is authorized to make application for a loan up to an amount n  
ot to exceed \$7,606,900 from  
the Drinking Water State Revolving Fund Loan Program for the Air Base Area Main  
Replacement, Western Heights  
Water Main Replacement, Pressure Zone Improvements, and Valve Replacement Progra  
m projects, including all  
understandings and assurances contained therein, and pledges water revenues for  
repayment of the loan.

5. That the Mayor and/or Public Works Director or Assistant Public Works Directo  
r and/or the Finance Director  
or his designee is designated to act as signatory in connection with the applica  
tions, loan agreements,  
draw&#8209;down requests and other required forms, and to provide such additiona  
l information as may be  
required by the state of South Dakota.

Date adopted: 11/03/08.

Dave

Munson

Mayor  
ATTEST:  
Debra A. Owen  
City Clerk

ADJOURNMENT

A motion was made by Council Member Knudson and seconded by Council Member  
Anderson Jr. to adjourn at 7:30 p.m.

Vote to adjourn: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson,  
Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

Jamie L. Palmer

Assistant City Clerk