



## CITY COUNCIL MEMORANDUM

**To:** Mayor Graham and City Council  
**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator  
**Date:** October 6, 2008  
**Subject:** **City Council Right-of-Review:** Special Use Permit for Papa Vito's

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**Project Overview:** The Planning Commission has authority to approve Special Use Permits, with the City Council having a 21 day right of review over their decision. At their meeting on September 23, 2008, the Planning Commission approved the Special Use Permit for a sunroom expansion for Papa Vito's restaurant at 102/104 West State Street. The 21 day Council review period will expire on October 14, 2008. If the City Council does not take action by then, the decision of the Planning Commission stands.

This was not taken to the Community Development Committee for review because the 21 days would have expired before the City Council could act on the decision.

The project report and meeting minutes are attached for your reference.

**Staff Recommendation:** Staff recommends that a motion be made at the October 6<sup>th</sup> City Council meeting to affirm the Planning Commission's decision to approve the Special Use Permit. This affirmation will allow the applicant to move forward with the project, rather than waiting until the 21-day right of review expires. However, it is the right of the City Council to take the full 21 days to review the decision.