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RECEIVED**FEB 09 2004****CITY MANAGERS OFFICE
LAWRENCE, KS**

February 7, 2004

Lawrence City Commission
PO Box 708
Lawrence, Kansas 66044

via facsimile

Re: Replay Lounge, Drinking Establishment License.

Honorable Mayor and Members of the City Commission:

I am writing on behalf of the Replay Lounge.

The purpose of this communication is to respectfully request that you approve the waiver of the location requirement for the renewal of the Drinking Establishment License for the Replay.

The Replay has been in business for ten years and has faithfully renewed their city license for nine years. Unfortunately the Replay had come to rely on the renewal notice received each year and did not have another "tickler" mechanism in place. In 2003, a change in city procedures resulted in the elimination of the renewal notice and the Replay missed their renewal date (April 1). As a result the license was lapsed for more than 60 days, and because the business is within 400 feet of a church it is necessary to request a waiver of the locational requirement pursuant to Chapter 4, Section 113 of the City Code.

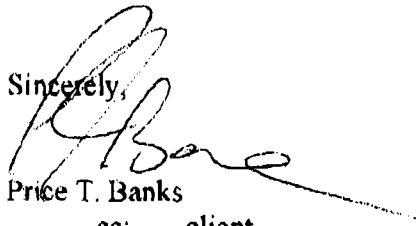
This business has, in the past, demonstrated that it is a responsible citizen of Downtown Lawrence. As some Commissioners will recall, the management has been proactive in working with the City and with neighbors to solve problems before they occur. In 2003, the Replay provided employment to 40 persons, paid over \$60,000 in sales and liquor taxes, and paid about \$3,000 for eight licenses.

Should the waiver not be granted, the owners will be subjected to severe hardship. The Replay will be put out of business. The owners have a long term lease on the property with almost two years left, and have invested approximately \$66,000 in improvements to the site in the past four years.

We respectfully request that the City Commission grant the waiver of the locational requirement and issue the license renewal for the Replay Lounge.

Mr. Nick Carroll and I will be present at your meeting on February 10, 2004, to answer any questions you may have.

Sincerely,



Price T. Banks

cc: client