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October 27, 2008

Jane M. Eldredge  
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Mayor Mike Dever and  
Lawrence City Commissioners  
6 East 6<sup>th</sup> Street  
Lawrence, Kansas 66044

Re: Jayhawk Bookstore Rezoning, Z-05-10-08

Dear Mayor Dever:


On behalf of the Jayhawk Bookstore, we submit the following suggested language for consideration of condition 2 in Ordinance 8331. This suggestion is based on the assumption, that if there is a change of use and the new use is one that is permitted in the MU district (other than the two that have been specifically excluded), the new use does not need a second specific approval; but the modification of the existing site plan or the new site plan for that new use must come before the City Commission for approval, rather than being approved administratively by the Planning Director, as required in the Development Code. The intent is not to leave open the issue of whether a use permitted within the MU district, must be approved a second time. In that light, please consider the following:

**Option 4:** Except for those uses prohibited in condition no.1, any use permitted in the MU district by the Development Code shall be permitted at this location. Any site plan required as a result of a new use shall be approved by the Governing Body after public notice has been provided and applying the criteria required in the Development Code.

Thank you for your consideration.

Sincerely,

BARBER EMERSON, L.C.

  
Jane M. Eldredge