

# Memorandum

## City of Lawrence

### Planning & Development Services

**TO: David L. Corliss, City Manager**

**FROM: Scott McCullough, Director**

**CC: Cynthia Boecker, Assistant City Manager**  
**Diane Stoddard, Assistant City Manager**

**Date: October 23, 2008**

**RE: Z-05-10-08 - Jayhawk Bookstore Rezoning**

On October 14<sup>th</sup> the City Commission approved rezoning approximately .48 acres from RMG (multi-dwelling residential-greek housing) district to the MU (mixed use) district, at a location commonly known as Jayhawk Bookstore. Approval on first reading of Ordinance No. 8331 was made with two conditions:

1. The following uses shall be prohibited
  - a. Sexually-Oriented Media Store
  - b. Manufacturing & Production, Limited
2. Any change in use for the property described in Section Two shall be approved by the Governing Body applying the criteria required in the Development Code.

On October 21<sup>st</sup> the second reading of the item was pulled from the consent agenda for discussion of condition no. 2. The commission directed staff to propose alternative language. Staff understands that the majority of the commission is interested in insuring that neighborhood residents are provided an opportunity to provide comments in changes of use and other site developments and that approvals for such would be considered by the governing body after administrative review. Options to condition no. 2 are provided below.

Option 1: Keep the existing language as currently proposed in Ordinance No. 8331 and as noted above.

Option 2: 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 change in use for the property described in Section Two shall be reviewed and approved by the Governing Body after public notice has been provided and applying the criteria required in the Development Code.

Option 3: Any request for site plan approval, which may or may not include a change in use, for the property described in Section Two shall be approved by the Governing Body after public notice has been provided and applying the criteria required in the Development Code.

Staff stands ready to revise the ordinance as directed by the commission.