JUSTIFICATION FOR MODIFICATION TO SPECIAL USE PERMIT
FOR EVOLVE 1701 NORTH (the "Project")

This Special Use Permit was approved for this Project as mixed-use with 25% office and commercial. The owner has aggressively tried to lease the commercial space without success. Therefore, the owner is requesting the Special Use Permit be modified to convert the commercial space to six additional one-bedroom apartments. The Project is not otherwise being modified.

In looking at the area, an 8,000 square foot bank is to be constructed on the adjacent property which will more than compensate for the loss of 5,800 in commercial space on this site. The area is already well served by existing commercial and office space in the to the east and northeast of the project located at the intersection of MLK Jr. Boulevard and Weaver Dairy Road. Such abundant existing space has prevented the owner from leasing its commercial space as the market in this area is saturated with existing office and commercial uses. As a result, the Project already has significant office and commercial uses in close walking distance to serve its residents. In addition, the Project is at the intersection of two major thoroughfares with convenient access to public transit. In this instance the area when viewed as a whole has an excellent mix of uses without the need for any commercial space within this Project.

This request is consistent with good planning and the comprehensive plan by providing residential properties in close proximity to commercial and office properties which reduces trips. Also, converting the commercial space to residential will reduce traffic as well.