



**Action Requested/Required:**

- Vote/Action Requested
  - Discussion or Presentation Only
  - Public Hearing
- Report Date: 5/26/26  
Hearing Date: 6/4/26  
Voting Date: 7/2/26

**Department:** Community Development      **Presenter(s) & Title:** Jakob Allen  
City Planner

**Agenda Item Title:**

Public Hearing for Case CUP2604-002 - Request for Conditional Use Permit Approval for Multi-Family Residential Component of Proposed Mixed-Use Development at 261 East Main Street

**Summary:**

James Case has filed for the approval of a Conditional Use Permit for the multi-family residential component of an in-fill, mixed-use development at 261 East Main Street. The proposed development consists of a four-story building with street-level retail, three floors of residential space and associated, underground parking. Currently, ten, two-bedroom residential units are proposed.

**Budget Implications:**

Budgeted?  Yes  No  N/A

Total Cost of Project:       Check if Estimated

Fund Source: General Fund     Water & Sewer     Sales Tax     Other:

**Staff Recommendations:**

A staff recommendation will be provided at the action meeting on July 2, 2026.

**Reviews:**

Has this been reviewed by Management and Legal Counsel, if required?     Yes     No

**Attachments:**

- 1) Staff report
- 2) Application
- 3) LOI
- 4) Site Plan
- 5) Renderings



**PLANNING & ZONING STAFF REPORT**

June 4, 2026

**Case Numbers:** CUP2604-002

**Applicant:** James Case

**Property Address:** 261 East Main Street  
Canton, GA 30114

**Council Ward:** Ward 2 – Roach / Tolan

**Parcel Number:** 91N16 012 (14-0167-0129)

**Current Zoning:** CBD (Central Business District)

**Character Area / Future Land Use:** Downtown / Urban Center

**Acreage:** + / - 0.212 acres

**Proposed Use:** Approximately 20,000-square-foot in-fill, mixed-use development with associated, underground parking

REQUEST

The Applicant is seeking conditional use permit approval for the multi-family residential component of an in-fill, mixed-use development at 261 East Main Street. The proposed development consists of a four-story building with street-level retail, three floors of residential space and associated, underground parking. Currently, ten, two-bedroom residential units are proposed.

SITE

The subject property is located along East Main Street within the City of Canton’s Historic District. It is currently zoned CBD (Central Business District) and has a Downtown / Urban Center character area / future land use per the City of Canton’s Comprehensive Plan. This + / - 0.212-acre site is currently a vacant gravel lot used for additional parking for the surrounding businesses.

SURROUNDING USES

North	Commercial / office	CBD
South	Commercial / office	CBD

East	Commercial / office	CBD
West	Commercial / office	CBD

DEPARTMENT COMMENTS

Fire:

An NFPA 13 automatic sprinkler system is required for the commercial first floor and underground parking level. An NFPA 13R automatic sprinkler system is required for all residential floors above the first floor.

A standpipe system is required because the building is four stories tall.

If over 12,000 square feet, more than two stories in height or containing any subterranean level, compliance with International Fire Code Section 510 is required by means of an Emergency Responder Communication Enhancement System (ERCES). An FCC-licensed radio contractor may field test and verify an ERCES is not required. One of the three approved vendors must be hired to perform those tests – e.g., Diversified Electronics, Mobile Communications America or Bear Communications.

Engineering / Development / Utilities / Transportation:

Private utilities, power meters or gas meters may be located on site. These will be located and identified prior to the issuance of a land disturbance permit.

Planning and Zoning:

This property is located within the City of Canton’s Historic District and requires a Certificate of Appropriateness from the Historic Preservation Commission prior to the issuance of any land disturbance or building permits.

The Applicant held their community input meeting on Wednesday, May 27, 2026. All feedback – if any – will be presented at the public hearing.

RECOMMENDATION

Staff will provide a recommendation at the action meeting on July 2, 2026.



Community Development Department  
110 Academy Street, Canton, GA 30114  
(770) 704-1500

## PUBLIC HEARING APPLICATION

**Project #(s):**

CUP2604-002

This Application is for:

- |   |   |
|---|---|
| <input type="checkbox"/> <b>A</b> Annexation                          | <input type="checkbox"/> <b>I</b> Temporary Use Permit            |
| <input type="checkbox"/> <b>B</b> Rezoning                            | <input type="checkbox"/> <b>J</b> Zoning Ordinance Text Amendment |
| <input type="checkbox"/> <b>C</b> Master Plans                        |   |
| <input type="checkbox"/> <b>D</b> Master Plan Amendment               | <input type="checkbox"/> Appeal                                   |
| <input checked="" type="checkbox"/> <b>E</b> Conditional Use Permit   | <input type="checkbox"/> Adjustment                               |
| <input type="checkbox"/> <b>F</b> Land Use Modification               | <input type="checkbox"/> Special Exception                        |
| <input type="checkbox"/> <b>G</b> Zoning Condition Amendment          |   |
| <input type="checkbox"/> <b>H</b> Density Transfer within Master Plan |   |

- Please check all information supplied on the following pages to ensure that all spaces are filled out completely and accurately before signing this form. State **N/A**, where Not Applicable.
- If you are not paying online, please make your check payable to "**City of Canton.**"
- If you have questions regarding this form, please contact the Community Development Department by calling (770) 704-1500.

### Applicant Information:

Name: James Case  
Address: 550 Riverstone Parkway  
B-125  
City: Canton  
State: GA ZIP Code: 30114  
Telephone: 770-896-5559  
Email Address: james@forrplaces.com

### Owner Information:

Name: Mark Stasevich  
Address: 715 Hammond Dr  
City: Woodstock  
State: GA ZIP Code: 30188  
Telephone: 678-654-7037  
Email Address: mark@hvabee.com

I, James Case  
(Applicant), do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in the Application for Public Hearing is true and correct and contains no misleading information. I, James Case  
(Applicant), have received and thoroughly read the Public Hearing Procedures.

This 1st day of April, 2026.

Applicant Signature: James Case Print Name: James Case

# CANTON

Community Development Department  
110 Academy Street, Canton, GA 30114  
(770) 704-1500

## AUTHORIZATION OF OWNER AND APPLICANT

**Project #(s):** CUP2604-002

This form is to be executed under oath. I, Mark Stasevich  
do solemnly swear and attest, subject to criminal penalties for false swearing,  
that I am the owner of the property, which is the subject matter of the  
attached application, as is shown in the records of Cherokee County, Georgia.  
I hereby authorize the City of Canton and its representatives to inspect the  
property, which is the subject of this application, and post any notices  
required thereon.

This 3rd day of April, 2026.

**Owner Signature:** [Signature] **Print Name:** Mark Stasevich

I, the above signed legal owner of the subject property, do hereby authorize the following application to be submitted to the City of Canton and do hereby authorize the following person named below to act as Applicant in the pursuit of a request for:

This Application is for:

<input type="checkbox"/> <b>A</b> Annexation	<input type="checkbox"/> <b>I</b> Temporary Use Permit
<input type="checkbox"/> <b>B</b> Rezoning	<input type="checkbox"/> <b>J</b> Zoning Ordinance Text Amendment
<input type="checkbox"/> <b>C</b> Master Plans	
<input type="checkbox"/> <b>D</b> Master Plan Amendment	
<input checked="" type="checkbox"/> <b>E</b> Conditional Use Permit	<input type="checkbox"/> Appeal
<input type="checkbox"/> <b>F</b> Land Use Modification	<input type="checkbox"/> Adjustment
<input type="checkbox"/> <b>G</b> Zoning Condition Amendment	<input type="checkbox"/> Special Exception
<input type="checkbox"/> <b>H</b> Density Transfer within Master Plan	

**Name of Authorized Applicant:** James Case

**Signature:** [Signature]

**Mailing Address:** 550 Riverstone Parkway  
B-125

**City:** Canton

**State:** GA **Zip Code:** \_\_\_\_\_

**Telephone:** 770-896-5559

**E-mail:** james@forrplaces.com

**Applicant Status:**  
 Owner  
 Option to Purchase  
 Leasee  
 Area Resident  
 Other (Explain): \_\_\_\_\_

This Authorization of Owner and Applicant Form has been completed and the property owner's signature is Sworn To and Subscribed Before Me This Day Of April, 2026.

**Notary Signature:** [Signature]





Community Development Department  
 110 Academy Street, Canton, GA 30114  
 (770) 704-1500

# DISCLOSURE FORM

**Project #(s):**  
 CUP2604-002

**O.C.G.A. § 36-67A-2 / O.C.G.A. § 36-67A-3 requires disclosure of campaign contributions to government officials by an Applicant or opponent of a Public Hearing petition. Applicants must file this form with the Department of Community Development. Please complete a separate form for each authorized Applicant.**

Name of Applicant/Opponent: James Case

## Section 1

If the answer to any of the following questions is "Yes," complete Section 2.

- A) Are you, or anyone else with a property interest in the subject property, a member of the City of Canton Mayor and City Council?  
 YES  NO
- B) Does an official of such public bodies have any financial interest in any business entity which has a property interest in the subject property?  
 YES  NO
- C) Does a member of the family of such officials have an interest in the subject property as described in (A) and (B)?  
 YES  NO
- D) Within Two (2) years of immediately preceding this application have you made campaign contributions(s) or given gifts to such public officials aggregating \$250 or more?  
 YES  NO

## Section 2

1. Name and the official position of the Canton Official to whom the campaign contribution was made **(Please use a separate form for each official to whom a contribution has been made in the past (2) years):**

2. List the dollar amount/value and description of each campaign contribution made over the past two (2) years by the Applicant/Opponent to the named Canton Official:

	Description
\$	_____
\$	_____
\$	_____



Community Development Department  
 110 Academy Street, Canton, GA 30114  
 (770) 704-1500

## PROPERTY INFORMATION

**Project #(s):**

CUP2604-002

Address: 261 E Main street, Canton, GA 30114

Land Lot(s): \_\_\_\_\_ District: 14th Section: 2nd Parcel ID(s) 14-0167-0129

Existing Zoning Of Property: CBD  City  County Total Acreage Of Property: 0.212

Proposed Zoning Of Property: CBD Existing Use(s) Of Property Gravel Lot

## ADJACENT PROPERTY/OWNER INFORMATION:

Please provide the following information for all adjacent properties, including property connected by public rights-of-way. Attach additional sheets as necessary.

	OWNER NAME AND ADDRESS/PARCEL ID	CURRENT ZONING	CURRENT LAND USE
<b>NORTH</b>	The paces Building LLC 14-0167-0095	CBD	Mixed use
<b>SOUTH</b>	One Forty East Marietta LLC 14-0166-0108	CBD	Mixed use
<b>EAST</b>	Providence Property Holdings LLC 14-0167-001	CBD	Office
<b>WEST</b>	The Old Municipal Building 14-0167-0130	CBD	Mixed use
<b>OTHER</b>	Neise Kevin trustee 14-0167-0093	CBD	Office
<b>OTHER</b>	Schkabla Properties LLC 14-0166-0097	CBD	Office
<b>OTHER</b>	One Forty East Marietta LLC 14-0166-0015	CBD	Paved Parking Lot

## UTILITY INFORMATION:

How is sewage from this development to be managed? Sanitary sewer service provided by the City of Canton Water and Sewer Department \_\_\_\_\_

Proposed managing jurisdiction: City of Canton Water and Sewer Department

How will water be provided to the site? Public water service provided by the City of Canton Water and Sewer Department \_\_\_\_\_

Proposed managing jurisdiction: City of Canton Water and Sewer Department Size Limit: \_\_\_\_\_



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 110 Academy Street, Canton, GA 30114  
 (770) 704-1500

## PUBLIC SCHOOL INFORMATION

**Project #(s):**

CUP2604-002

### PUBLIC SCHOOL POLICY STATEMENT:

“The Mayor and Council of the City of Canton hereby recognize that growth and development can, at times, have an effect on school capacity within the county and therefore recognize the need to share information on developments that have regional impact. In an effort to cooperate with the Cherokee County School [District] and share information on residential rezoning requests, master plan applications, and land use modifications to the comprehensive land use plan, the Mayor and Council hereby encourage open dialogue and meeting between the Applicant and the appropriate school board representative.” (105.10.04)

- **Developers whose projects consist of 25 or more residential units shall contact the Cherokee County School District and communicate with a school board representative to discuss their intent.**
- **This communication between the Applicant and the school board should take place, at a minimum, prior to the Informational Item meeting in Month Two (see Pages iii and iv).**
- The Applicant should be prepared to address such communication if requested by the Mayor and Council at the meeting in which final action is to be taken.

The current Cherokee County School District contact regarding any potential mitigation required for this application and proposal is:

**Mitch Hamilton**  
**Director of Planning, Facilities, and Compliance**  
 200 Mountain Brook Court  
 Canton, GA 30115  
 (770) 721-8429  
 mitch.hamilton@cherokeek12.net

### ZONED SCHOOLS: *(circle one each)*

HIGH:                      CHEROKEE              CREEKVIEW      ETOWAH      SEQUOYAH

MIDDLE:                      CREEKLAND              DEAN RUSK              FREEDOM              TEASLEY

ELEMENTARY:                      AVERY              BALL GROUND              CLAYTON              HASTY

INDIAN KNOLL              KNOX              R.M. MOORE              SIXES



Community Development Department  
110 Academy Street, Canton, GA 30114  
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## REVIEW CRITERIA

**Project #(s):**

CUP2604-002

How will this proposal be compatible with surrounding properties? \_\_\_\_\_  
The proposed development is consistent with the existing character of the downtown area, which includes a mix of commercial, residential, retail, service, and office uses. The property is surrounded on all sides by developed parcels, and the proposed use complements the established pattern of compact, walkable, mixed-use development in downtown Canton.

How will this proposal affect the use and value of surrounding properties? \_\_\_\_\_  
The proposed development is expected to have a positive impact on surrounding properties by increasing residential presence in the downtown area. Additional residents will support existing local businesses, enhance economic activity, and contribute to the overall vitality and desirability of downtown Canton.

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.  
Due to the property's size, configuration, and location within a fully built-out downtown environment, its current zoning limits its ability to be developed to its highest and best use. The proposed rezoning will allow for a more appropriate and economically viable use that aligns with surrounding development patterns and market demand.

What would be the increase to population and traffic if the proposal were approved? \_\_\_\_\_  
The proposed development is expected to result in a modest increase in population consistent with downtown residential infill. Traffic impacts are anticipated to be minimal due to the property's central location within a walkable area, with many trips occurring on foot and via existing roadway infrastructure.

What would be the impact to schools and utilities if the proposal were approved? \_\_\_\_\_  
The impact on schools is expected to be minimal due to the nature of downtown residential development. Utilities, including water and sewer, are available and adequate to serve the proposed development through the City of Canton. No significant strain on public infrastructure is anticipated.

How is the proposal consistent with the Comprehensive Plan and the Future Land Use Map? \_\_\_\_\_  
The proposed development is consistent with the City's Comprehensive Plan and Future Land Use Map, which support higher-density, mixed-use, and residential infill development within the downtown area. The proposal reinforces the vision of a vibrant, walkable urban core.

How is the proposal consistent with the City of Canton Roadmap of Success? \_\_\_\_\_  
The proposal supports the City of Canton's Roadmap of Success by promoting smart growth, encouraging downtown revitalization, and increasing residential density to support local businesses and economic development within the city center.

Are there existing or changing conditions which affect the development of the property and support the proposed request? Yes. The property is currently a gravel lot surrounded by fully developed uses in the downtown core. Market demand for downtown living, combined with the City's focus on revitalization and infill development, supports the proposed request as a logical and appropriate use of the site.

**(These criteria should additionally be addressed in the required Letter of Intent.)**

## PUBLIC HEARING NOTICE

The City of Canton shall hold a public hearing concerning this property

TYPE: Conditional Use Permit

CASE #: CUP2604-002

DATE: 06-04-2026 TIME: 6:00 p.m.

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

REQUEST: Applicant seeks conditional use permit approval for multi-family residential component of proposed in-fill, mixed-use development at 261 East Main Street.

THE PUBLIC HEARING WILL BE HELD AT CANTON CITY HALL,  
110 ACADEMY STREET, CANTON, GEORGIA 30114  
FOR FURTHER INFORMATION CALL: 770-704-1500.

## **Letter of Intent – Conditional Use Permit**

**CUP2604-002**

**Property Address:** 261 E Main Street, Canton, GA 30114

**Parcel ID:** 14-0167-0129

### **1. Overview of Proposed Development**

This Letter of Intent is submitted on behalf of Forrplaces Development LLC, by James Case, for a Conditional Use Permit request for the property located at 261 E Main Street in downtown Canton, Georgia.

The Conditional Use Permit is required solely for the multi-family residential component of the proposed mixed-use building. The subject property is currently a gravel lot located within the Central Business District (CBD) and is surrounded by fully developed parcels consisting of a mix of retail, restaurant, office, residential and service-oriented uses. The proposed development is intended to introduce residential infill within the downtown core to support existing businesses and enhance overall economic activity. The approval is necessary to allow the construction of multi-family dwellings in this zoning district. The proposed development consists of a 4-story mixed-use building with a parking garage, street level retail, 2 floors of residential, and rooftop penthouse units.

### **2. General History of the Parcel**

The property has historically been utilized as a vacant or underutilized gravel lot within the downtown area. As surrounding properties have developed into active commercial and mixed-use buildings, the subject parcel remains an infill opportunity consistent with the City's vision for downtown revitalization.

### **3. Traffic Analysis**

The proposed development is expected to generate a modest level of traffic consistent with urban residential infill projects.

#### **a. Traffic Impact:**

Traffic generated will be minimal and compatible with existing downtown traffic patterns. Due to the walkable nature of the area, many trips are expected to occur on foot.

#### **b. Roadway Network Impact:**

The surrounding roadway network, including East Main Street, is designed to accommodate existing and projected traffic volumes. No adverse impacts are anticipated.

**c. Proposed Improvements:**

No significant roadway improvements are proposed at this time. Any required improvements will be coordinated with the City of Canton during the site development process.

**4. Impact on Adjoining Properties**

The proposed development is expected to have a positive impact on adjoining land uses by increasing residential presence in the downtown area. This will support local businesses, enhance property values, and contribute to a more vibrant and active downtown environment.

**5. Proposed Land Use**

The proposed development is a mixed-use project consisting of 5,000 SF Commercial (Retail and or Restaurant) Space at the street level, 15,000 SF of Residential Space consisting 2 floors of residential units and 1 floor of rooftop penthouses units.

**6. Phasing**

The development is anticipated to be constructed in a single phase. No temporary uses are proposed.

**7. Acreage**

The subject property consists of 0.212 acres.

**8. Density**

The proposed density will be consistent with downtown development patterns and CBD zoning expectations. The current unit count is for 10 residential units each with 2 bedrooms for a total of 20 bedrooms.

**9. Development Standards (CBD – Conditional Approval)**

As the property is located within the CBD zoning district, development standards are subject to approval by the City of Canton.

- Building Height: 4 stories 58 feet
- Building Coverage: Urban infill (high coverage consistent with downtown)
- Impervious Surface: Majority of site, consistent with CBD development
- Open Space: Limited due to urban context
- Minimum Lot Size: Not applicable

- Setbacks: Dependent upon Conditional Approval per the CBD development standards
- Parking: To be provided in compliance with City of Canton regulations or as approved

## **10. Landscaping**

Due to the urban, zero-lot-line nature of the site, traditional landscaping buffers are not applicable. Any landscaping provided will be consistent with downtown streetscape standards and subject to City approval.

## **11. Signage**

All signage will comply with City of Canton regulations unless otherwise approved. No variances are requested at this time.

## **Conclusion**

The proposed mixed-use development represents a logical and appropriate infill use of an underutilized parcel within downtown Canton. The project aligns with the City's Comprehensive Plan and supports economic vitality.

The Conditional Use Permit request is specifically to allow the multi-family residential component within the CBD zoning district.

We respectfully request approval of this Conditional Use Permit.

Sincerely,

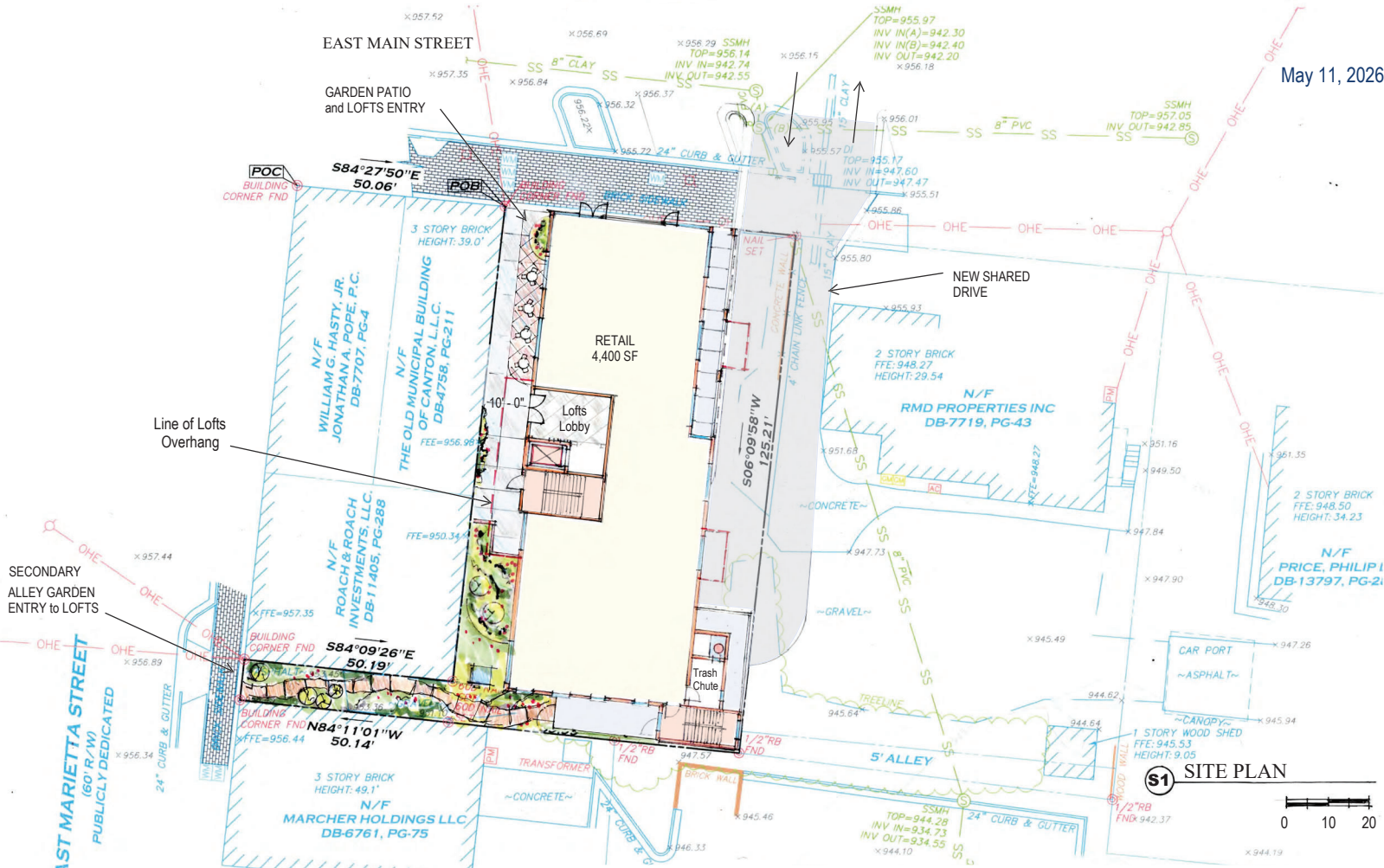
James Case

Forrplaces Development LLC

770-896-5559

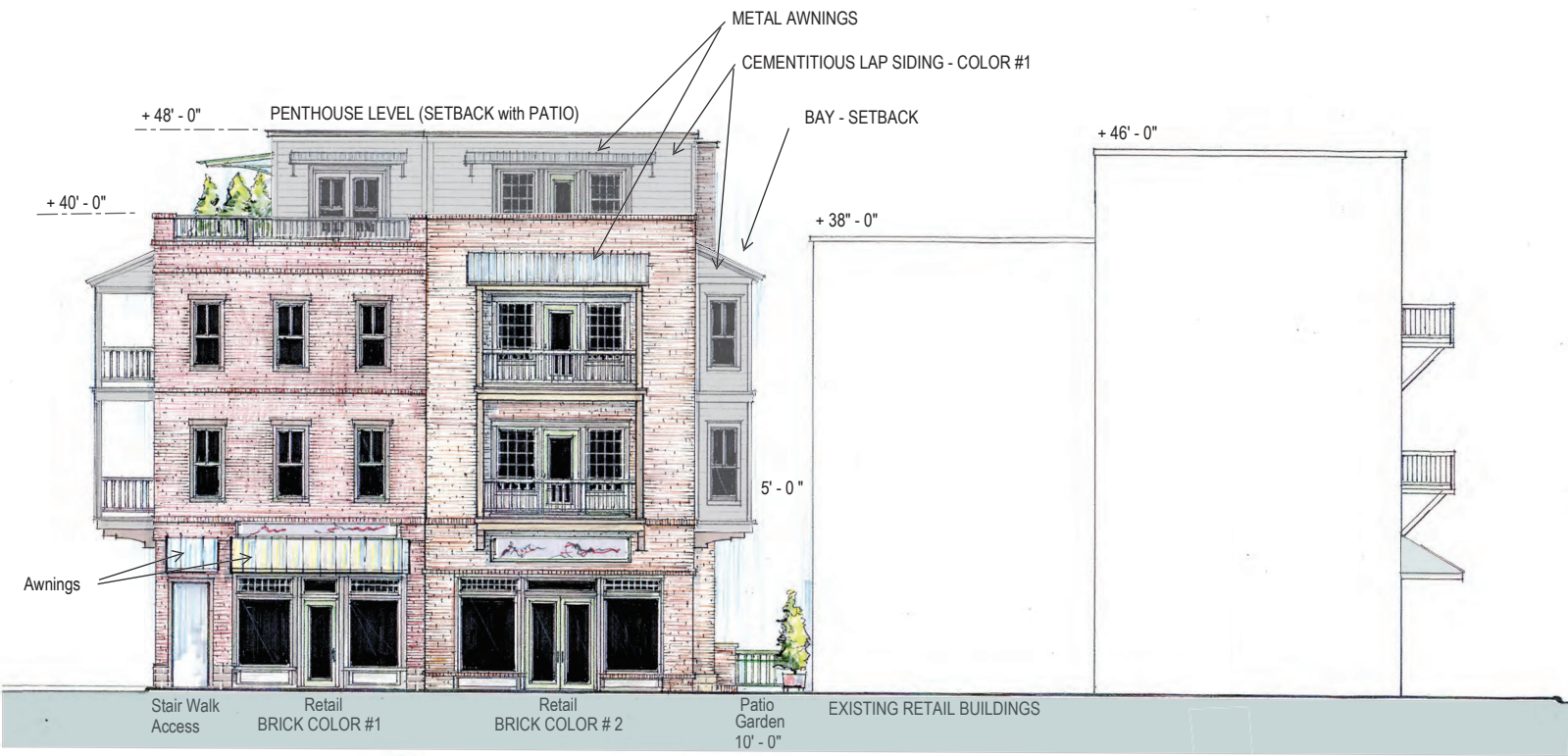
james@forrplaces.com

May 11, 2026



Gray Reese Architects - LLC, Big Canoe, Ga. 404.234.6002

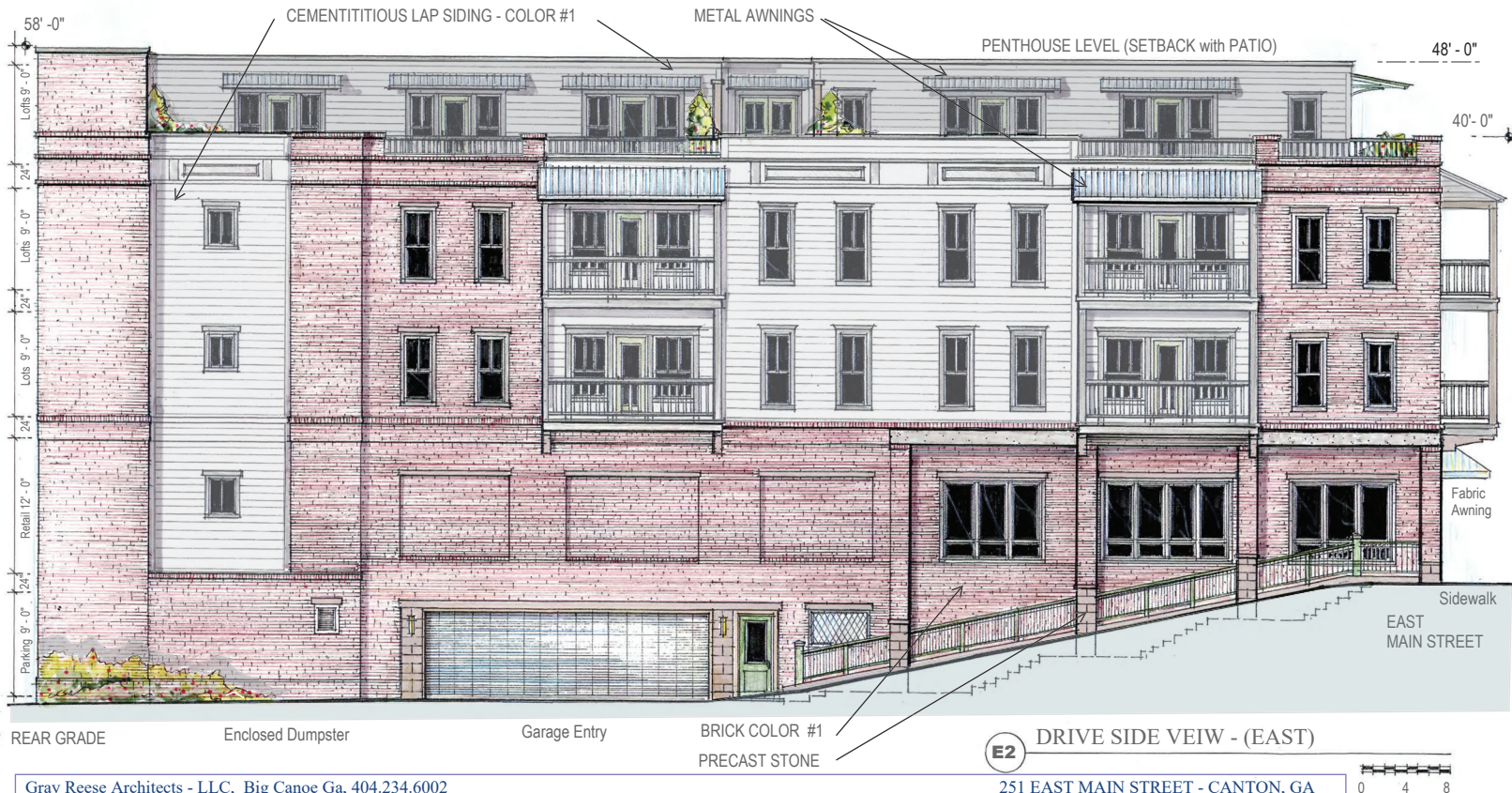
251 MAIN STREET EAST

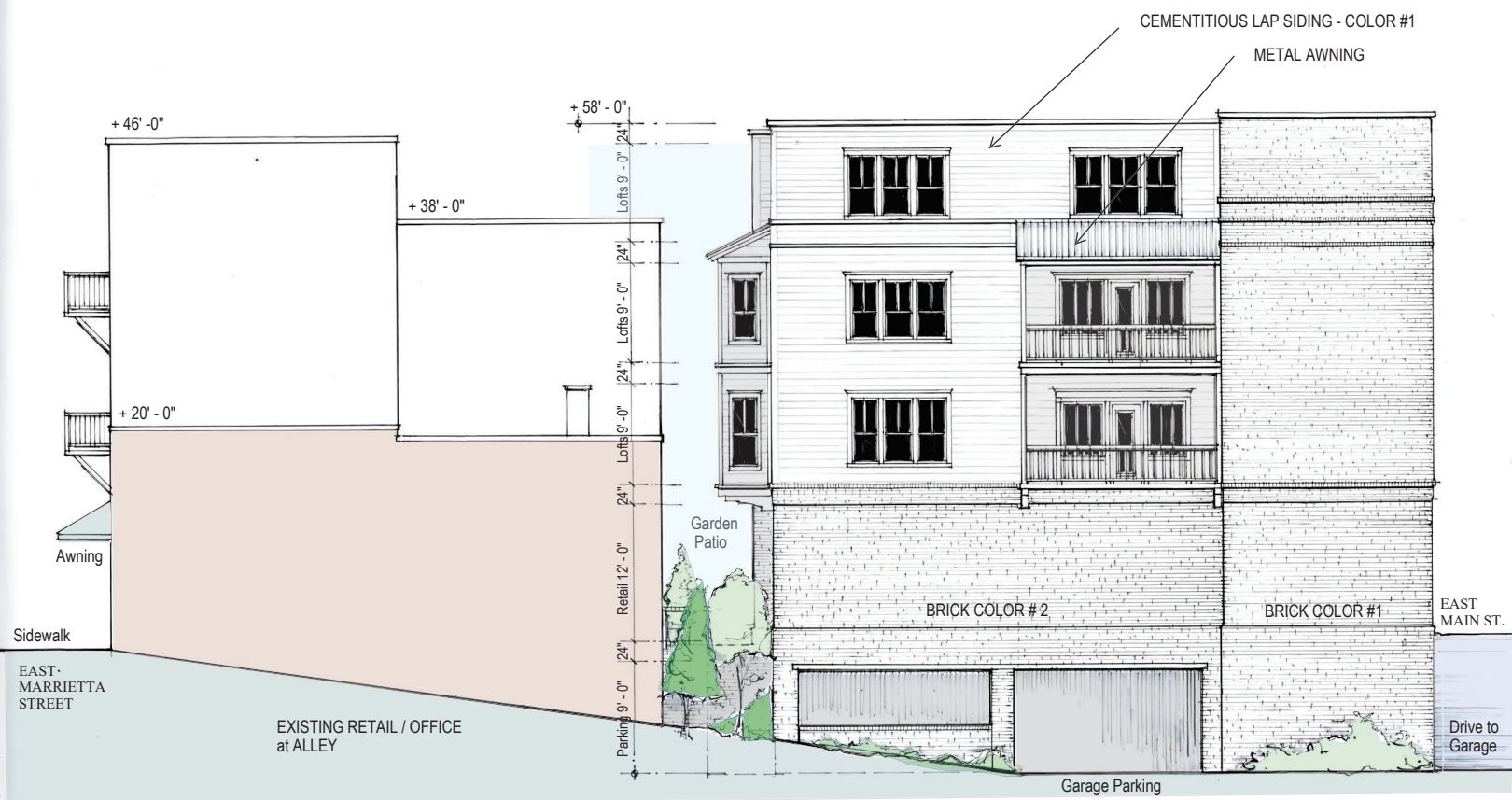


**E1** E. MAIN ST. VIEW - (NORTH)

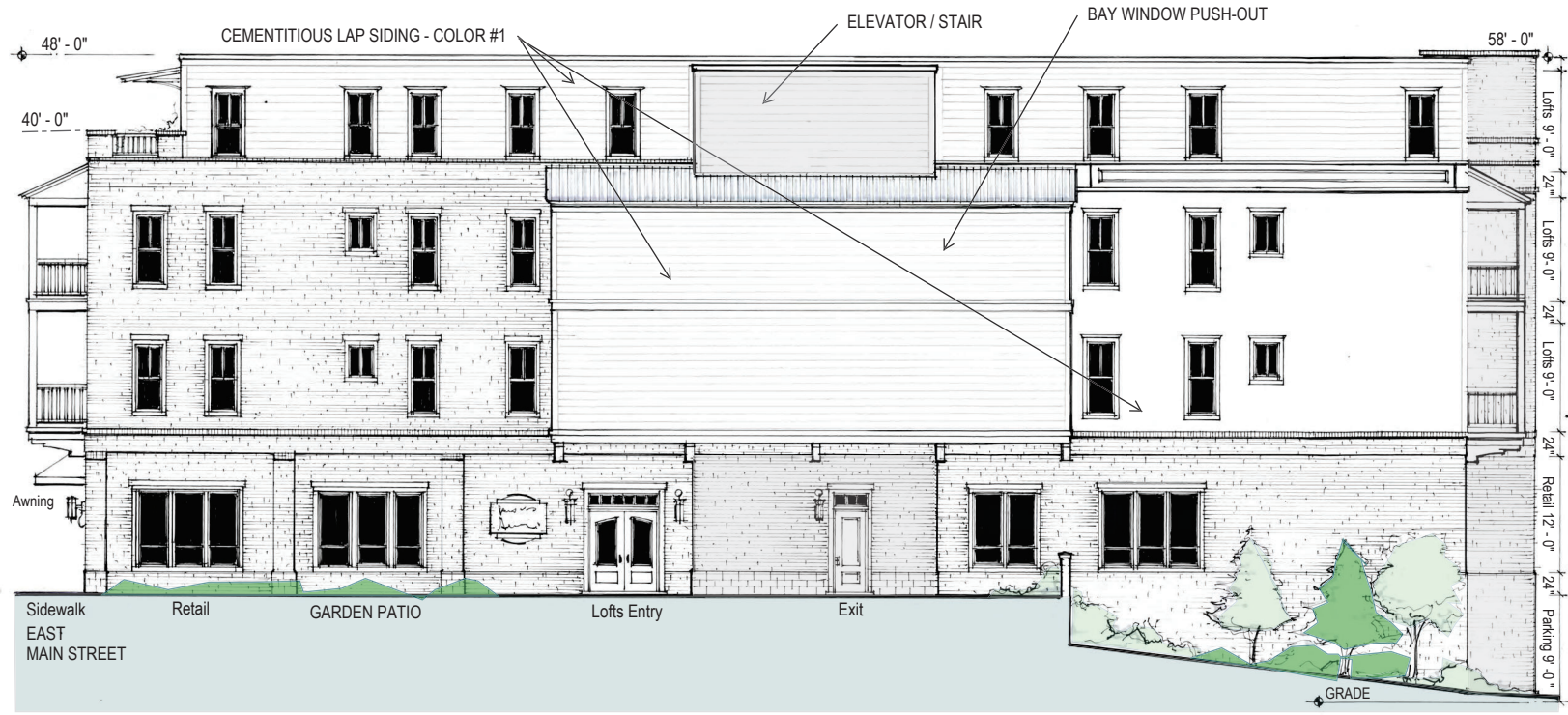


May 11, 2026

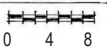




May 11, 2026



**G4** GARDEN / PATIO (WEST)



Gray Reese Architects - LLC, Big Canoe, Ga, 404.234.6002

251 EAST MAIN STREET - CANTON GA



May 11, 2026

