

**Action Requested/Required:**

Vote/Action Requested
 Discussion or Presentation Only
 Public Hearing
Report Date: 1/27/26
Hearing Date: 1/8/26
Voting Date: 1/5/26

Department: Community Development

Presenter(s) & Title: Steve Green, Zoning Administrator

Agenda Item Title:

ZCA2510-003 / VAR2510-001- Applicant seeks to amend previous zoning conditions to allow commercial and office uses. Applicant also seeks two variances to eliminate the required gates on private streets and provide sidewalks along one side of the private streets.

Summary:

The applicant seeks to have office and commercial uses at River Green Village in lieu of the approved condominiums. The applicant also seeks to eliminate the required gates on private streets and place sidewalk along one side of the street only.

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:

The Community Development Staff recommends Approval of these applications.

Reviews:

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

Attachments:

Applications
Survey/location map
Community Input Meeting report
Staff report
Response to comments and questions



Land Use Petition: ZCA2510-003/VAR2510-001

Date of Staff Report Preparation: 1/27/26

Mayor and City Council Public Hearing Date: 01/08/26

Mayor and City Council Action Date: 02/05/26

Project Name/Applicant: Michelle Horstemeyer

Property Location: River Green Village, 154 River Green Avenue

Parcel ID: 14N12A 010B

District/Land Lot: LL 91, 14th District

Acreage: 9.2 acres

Existing Zoning District: PD-MU (Planned Development-Mixed Use)

Existing Land Use: Townhomes and office

Proposed Development: Elimination of approved condominiums and replace with additional office and retail space.

Owner/Petitioner: Village at River Green, LLC

District Standards:

<u>Zoning District Standards (Primary Street)</u>			
Impervious Surface (max.)	N/A	Front Yard Setback (min.)	N/A
Open Space (min.)	N/A	Side Yard Setback (min.)	N/A
Building Height (max.)	N/A	Rear Yard Setback (min.)	N/A
Building Height (min.)	N/A	Buffer Planting (min.)	N/A
Zoning Buffer	N/A	Overlay Zone	N/A

Surrounding Land Uses and Zoning:

GC, Cherokee County

and R-40, Cherokee County

PD-MU

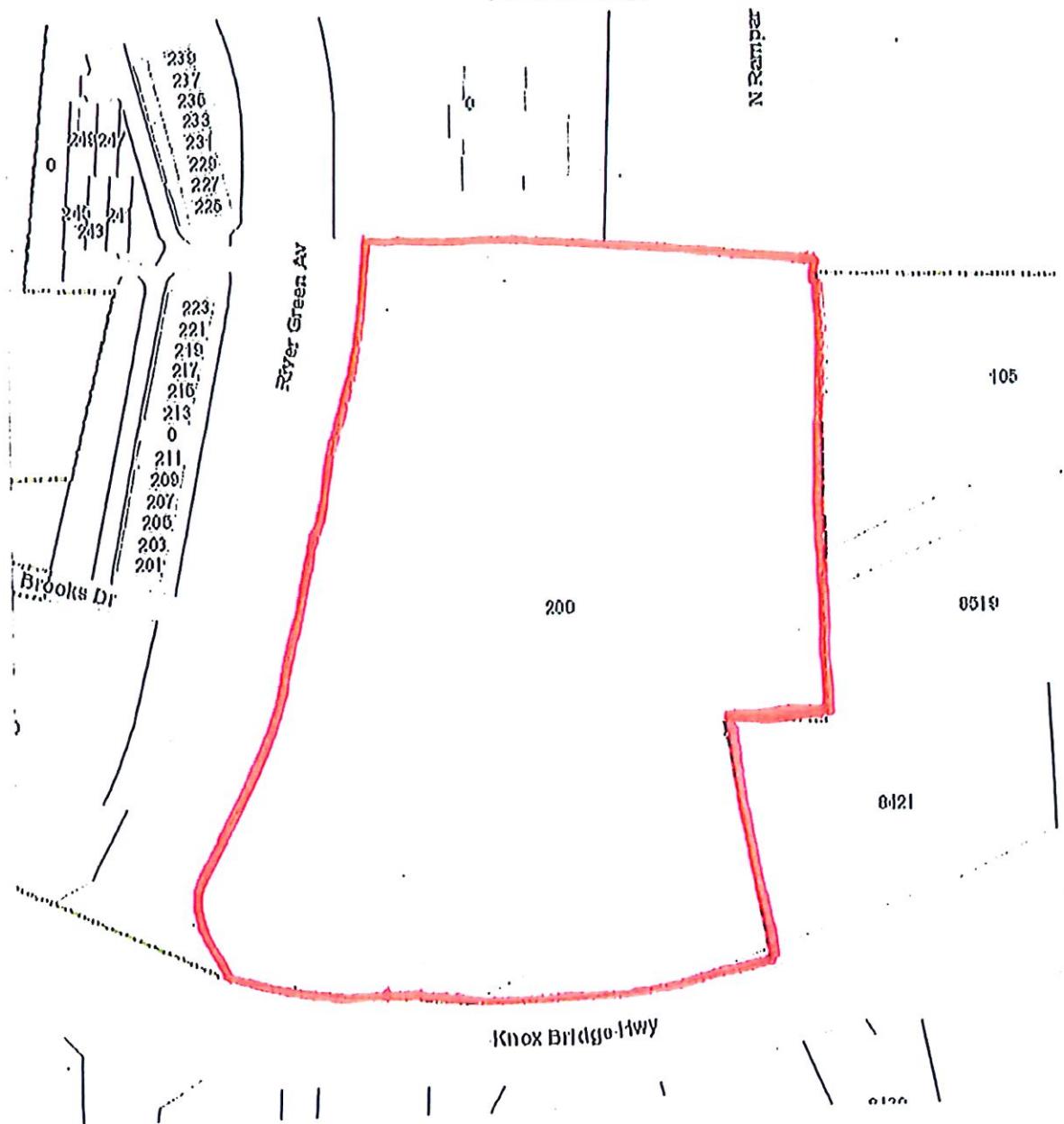
North – Daycare and townhomes – PD-MU
South – Vacant lots and a commercial business,

East – Commercial and single family home – GC

West – Vacant commercial lot and townhomes,

CANTON

Location Map



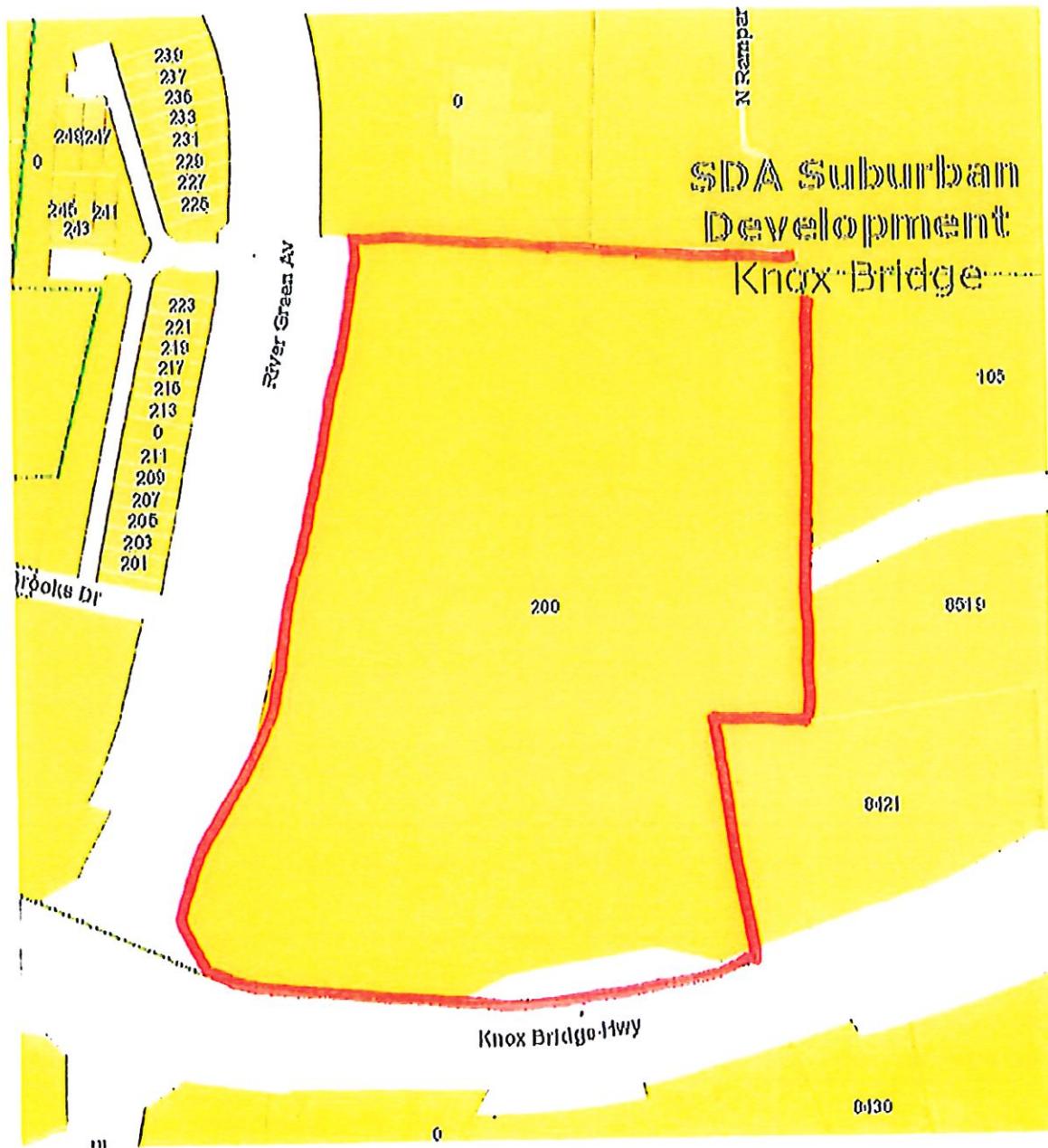
CANTON

Existing Land Use Map



CANTON

Future Development Map





Site Description: The parcel is currently under development with the construction of townhomes to the rear and commercial/office space along River Green Avenue.

Site History: The property is part of the original River Green development which was approved in March of 2001. This parcel was originally approved for commercial uses. In 2021 a Zoning Condition Amendment was approved which allowed the construction of townhomes, condominiums and office /retail space.

CRITERIA TO BE APPLIED – LAND USE PETITION (ZONING CONDITION AMENDMENT)

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties; The parcel is currently under development with townhomes to the rear and office/retail space along River Green Avenue. Previously approved Zoning Condition Amendment was for additional residential use (Condos) and office retail space. Diagonally across SR. 20 is a convenience store.
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; The parcel is currently approved for commercial/retail use with a vacant parcel across River Green Avenue approved for commercial use. The parcel diagonally across SR 20 is a convenience store.
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; The current approved use has a reasonable economic use however the townhome sales have not been as expected and the office/retail space has been successful.
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; The proposed increase in office/retail space will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and Future Development Map; One of the compatible uses in the Suburban Development area is the development of neighborhood level commercial, mixed-use opportunities. The proposed added commercial/retail space fits this recommendation.
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal. The housing market for townhomes in this area is not as expected when the current uses were approved in 2021 however the commercial/office use has been successful.



- 7. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources. **There are no historical buildings, sites, districts or archaeological sites on the parcel.****
- 8. Whether the aesthetic and architectural design of the site is compatible with the intent and requirements of the Comprehensive Plan, the Character Areas, and any Overlay Districts. **All commercial or office buildings must be reviewed by and approved by the Canton Design Review Team prior to construction.****

CRITERIA TO BE APPLIED – CONDITIONAL USE PERMIT (N/A)

- a. Whether the proposed use is consistent with the comprehensive plan and other adopted policies of the City;**
- b. Whether the proposed use complies with the requirements of this zoning ordinance;**
- c. Whether public services, public facilities and utilities are adequate to serve the proposed use;**
- d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of:**
 - 1. Noise, smoke, order, dust or vibration generated by the proposed use;**
 - 2. Hours or manner of operation of the proposed use; and**
 - 3. Traffic volumes generated by the proposed use;**
- e. Whether the proposed use would result in an over-concentration of the subject use type within the area of the proposed use;**
- f. Whether the aesthetic and architectural design of the site is compatible with the intent and requirements of the comprehensive plan, the character areas, and all applicable zoning ordinance regulations; and**



g. Whether the proposed use is compatible with adjacent properties and land uses, based on consideration of the size, scale and massing of proposed buildings and the overall site design.

DEPARTMENT COMMENTS

BUILDING AND SAFETY SERVICES

- BUILDING SERVICES:

No comment

- SAFETY SERVICES:

- *International Building Code, 2018 Edition, with Georgia Amendments*
 - [2020](#)
 - [2022](#)
 - [2024](#)
 - [2025](#)
- *International Residential Code, 2018 Edition, with Georgia Amendments*
 - [2020](#)
 - [2024](#)
- *International Fire Code, 2018 Edition (GA 120-3-3 Amendments – 27 May 2025)*
- *Life Safety Code, 2024 Edition (GA 120-3-3 Amendments – 27 May 2025)*
- *International Plumbing Code, 2018 Edition, with Georgia Amendments*
 - [2020](#)
 - [2022](#)
 - [2023](#)
 - [2024](#)
- *International Mechanical Code, 2018 Edition, with Georgia Amendments*
 - [2020](#)
 - [2024](#)
- *International Fuel Gas Code, 2018 Edition, with Georgia Amendments*
 - [2020](#)



- 2022

National Electrical Code, 2023 Edition, no Georgia amendments

- *International Energy Conservation Code, 2015 Edition, with Georgia Supplements and Amendments*
 - 2020
 - 2022
 - 2022
 - 2023
- *International Swimming Pool and Spa Code, 2018 Edition, with Georgia Amendments*
 - 2020

The City of Canton has an automatic sprinkler system ordinance. All multi-family residential construction (three family dwellings or more) an NFPA 13R automatic sprinkler system. For commercial development, any structure over 3,500 square feet shall require an NFPA 13 automatic sprinkler system.

This project may require two or more fire apparatus access roads (entrances) based on the number of dwelling units constructed, the height of the structure or the square footage of the structure. This requirement is in the 2018 International Fire Code Appendix "D" and the City of Canton Unified Development Code (UDC), section 109.03.12 - Development access.

Approved fire apparatus access roads shall be provided within 150 feet of the exterior walls of all buildings or facilities at grade level as measured along an approved route around the exterior of the building. The distance may be extended to 200 feet on one side of the building or facility when equipped with a full NFPA 13 fire sprinkler system and when approved by the fire code official.

Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING – FIRE LANE signs and red painted curbs. All sign locations must be *approved* by the fire code official.

The minimum diameter fire main size is 8". Fire hydrant placement is based on both the City of Canton UDC, section 110.02.02 (f)- Design criteria and appendix B and C of the 2018 International Fire Code which has been adopted as law in the City of Canton.

Mail Kiosks shall meet the 2010 Federal ADA standard and USPS-STD-4C. A van accessible handicap parking space and access aisle is required to serve an accessible route to the mail kiosk.



Specific 2018 IFC requirements for civil plans:

1. The 2018 International Fire Code, appendix "D" requires fire apparatus access roads not exceeding 10% grade and for local Cherokee County fire apparatus requirements, access road cross grades may not exceed 5%.
2. Roads throughout the development must be at a minimum, made of asphalt or concrete capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds.
3. Turn radiiuses for all streets shall be 35' minimum for development entrances and 25' for interior streets. Proof of turning radius compliance shall be demonstrated using software analysis such as "AutoTURN" or other clearance/swept path analysis software for a 50' emergency vehicle. For tire curb clearances, bumper swing clearances or inside crimp angles or break over/Break under angles, contact Cherokee County Fire & Emergency Services.
4. Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
5. Aerial fire apparatus streets are required where the vertical distance between the grade plane and the highest roof surface exceeds 30'. The required width of an aerial apparatus road shall be 26' minimum and constructed as noted in note #2 above. One or more of the aerial access routes meeting the building height condition shall be located not less than 15' and not greater than 30' from the building and shall be positioned parallel to one entire side of the building. Overhead utilities and power lines shall not be located over the aerial apparatus road.
6. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.
7. Fire Department Connections (FDC) serving commercial properties shall be remote. All FDC's shall be within 100' of a fire hydrant.
8. PIVs, or other approved indicating valves, serving buildings 40 feet or more in height shall be located a minimum of 40 feet from the



building. For buildings less than 40 feet tall, the valve shall be located no closer than the height of the building.

9. FDCs and PIVs shall be painted OSHA safety red.

10. Private gates for single-family homes, multi-family complexes or commercial properties shall be installed with back-up batteries that are programmed to fail safe (open completely) during a power outage and stay open when back-up battery power fails. This applies to all gate configurations. Depending on the gate configuration, you may need a double pole "Knox switch" keyed for the City of Canton from knoxbox.com.

Conditions for Consideration

COMMUNITY DEVELOPMENT

The approved conditions for the subject parcel allows for the development of 55 townhomes, 24 condominium units and 18,000 square feet of office and retail space. The applicant seeks to eliminate 10 condo units and replace them with an additional 8,900 square feet of office/retail space. The applicant also seeks two variances: 1) Eliminate the side along one side of the private street and 2) Eliminate the required gate for the private street.

The applicant has provided answers to questions and concerns that were raised during the public hearing. They are included in the packet.

Conditions for Consideration

The Community Development staff recommends **approval** of these applications.

DEVELOPMENT SERVICES

No comments

Conditions for Consideration

POLICE DEPARTMENT



Conditions for Consideration

PUBLIC WORKS

Conditions for Consideration

UTILITY ENGINEER

No comments

Conditions for Consideration

CHEROKEE COUNTY SCHOOL SYSTEM

Conditions for Consideration

CHEROKEE COUNTY (AS NEEDED)

CHEROKEE COUNTY PLANNING AND ZONING DEPARTMENT

Conditions for Consideration

CHEROKEE COUNTY ENGINEER

Conditions for Consideration

CHEROKEE COUNTY FIRE MARSHAL



Conditions for Consideration

STAFF CONDITIONS FOR CONSIDERATION

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

PUBLIC HEARING APPLICATION

Project #(s):

ZCA 2510 - 003

This Application is for:

<input type="checkbox"/> A Annexation <input type="checkbox"/> B Rezoning <input type="checkbox"/> C Master Plans <input type="checkbox"/> D Master Plan Amendment <input type="checkbox"/> E Conditional Use Permit <input type="checkbox"/> F Land Use Modification <input checked="" type="checkbox"/> G Zoning Condition Amendment <input type="checkbox"/> H Density Transfer within Master Plan	<input type="checkbox"/> I Temporary Use Permit <input type="checkbox"/> J Zoning Ordinance Text Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Adjustment <input type="checkbox"/> Special Exception
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1. 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.
2. If you are not paying online, please make your check payable to "**City of Canton**."
3. If you have questions regarding this form, please contact the Community Development Department by calling (770) 704-1500.

Applicant Information:

Name: Michelle Horstemeier
 Address: 2355 Log Cabin
 City: Atlanta
 State: GA ZIP Code: 30339
 Telephone: 770.809.5010
 Email Address: mhorsemeyer@jwcaatlanta.com

Owner Information:

Name: Village at Rivergreen, LLC
 Address: 2355 Log Cabin
 City: Atlanta
 State: GA ZIP Code: 30339
 Telephone: 770.809.5010
 Email Address: mhorsemeyer@jwcaatlanta.com

I, Michelle Horstemeier, 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, Michelle Horstemeier, have received and thoroughly read the Public Hearing Procedures.

This 27 day of October, 20 25.

Applicant Signature: Michelle Horstemeier Print Name: Michelle Horstemeier



AUTHORIZATION OF OWNER AND APPLICANT

Project #(s):

ZCA 2510-003

This form is to be executed under oath. I, Michelle Horstemeyer, 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 theron.

This 27 day of October, 2025.

Owner Signature: Michelle Horstemeyer Print Name: Michelle Horstemeyer

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:

- A Annexation
- B Rezoning
- C Master Plans
- D Master Plan Amendment
- E Conditional Use Permit
- F Land Use Modification
- G Zoning Condition Amendment
- H Density Transfer within Master Plan

- I Temporary Use Permit
- J Zoning Ordinance Text Amendment
- Appeal
- Adjustment
- Special Exception

Name of Authorized Applicant: Michelle Horstemeyer

Signature: Michelle Horstemeyer

Mailing Address: 2355 Log Cabin Dr.

City: Atlanta

State: GA Zip Code: 30334

Telephone: 770-804-5010

E-mail: mhastemeyer@jwcalumni.com

This Authorization of Owner and Applicant Form has been completed and the property owner's signature is

Sworn To and Subscribed Before Me This 27
Day Of October, 2025.

Notary Signature: Lara D. Hutson

Applicant Status:

- Owner
- Option to Purchase
- Leaseee
- Area Resident
- Other (Explain): _____





DISCLOSURE FORM

Project #(s):

ZCA 2510-003

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: Michelle Wostemeyer

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

\$	
\$	
\$	



PROPERTY INFORMATION

Project #(s):

ZCA2510-003

Address:

1st River Green Ave.

Land Lot(s):

91

District:

14

Section:

2

Parcel ID(s):

Existing Zoning Of Property:

RUD

City
 County

Total Acreage Of Property:

0.2

Proposed Zoning Of Property:

RUD/ZCA

Existing Use(s) Of Property:

Comm Bldg Residential TH

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
NORTH	Multiple parcels. See Add. Pages		
SOUTH	Multiple parcels. See Add. Pages		
EAST	Multiple parcels. See Add. Pages		
WEST	Multiple parcels. See Add. Pages		
OTHER			
OTHER			
OTHER			

UTILITY INFORMATION:

How is sewage from this development to be managed?

Public sewer available to property

Proposed managing jurisdiction:

City of Canton

How will water be provided to the site?

Public water available to property

Proposed managing jurisdiction:

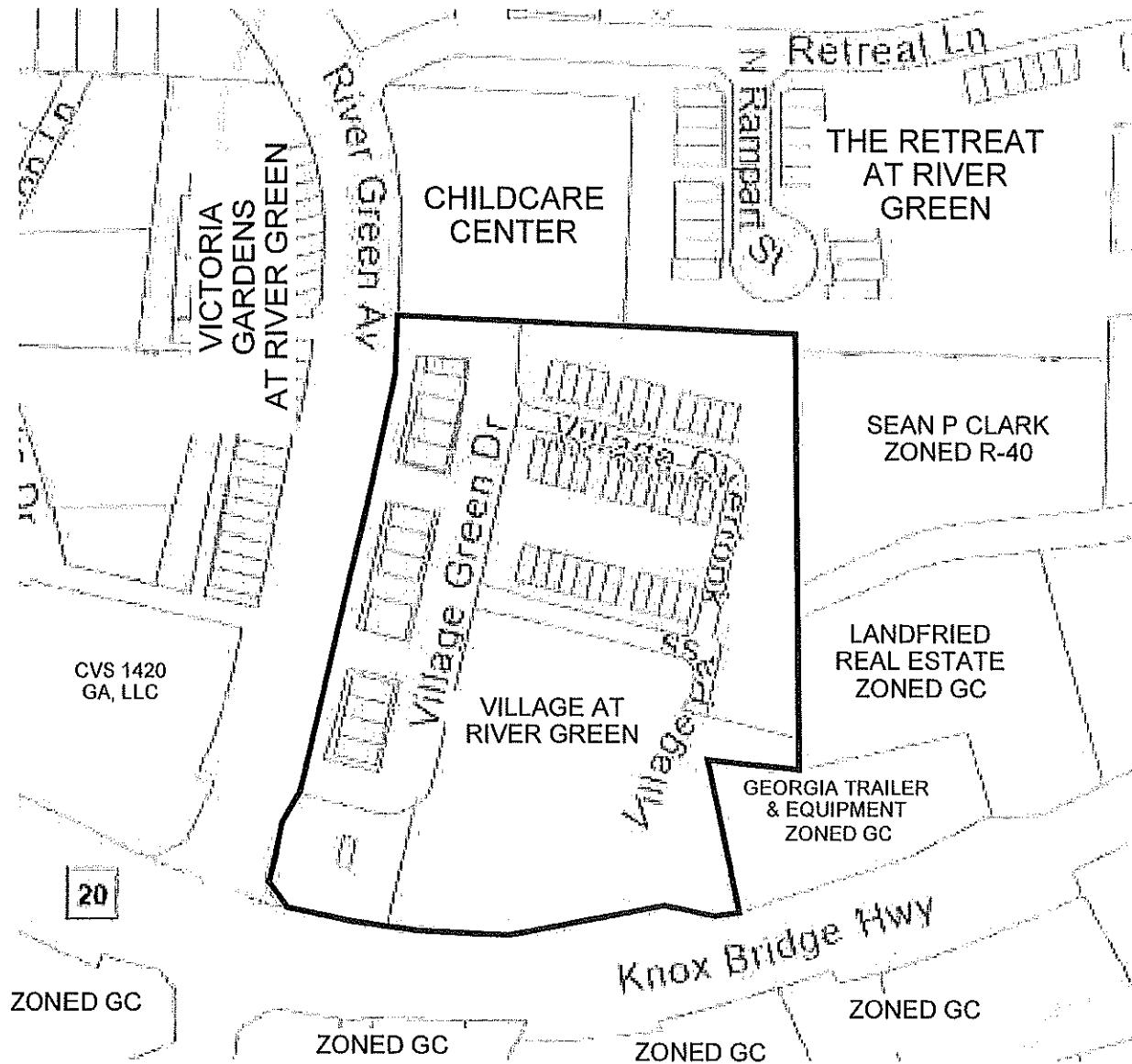
City of Canton

Size Limit:

Additional Pages #1: Adjacent Parcel Zoning & Use - City of Canton

The adjacent parcels within the City Limits are zoned Planned Unit Development (PUD). The uses area Residential Single Family Detached and Attached; with the Child Care Center use being Commercial.

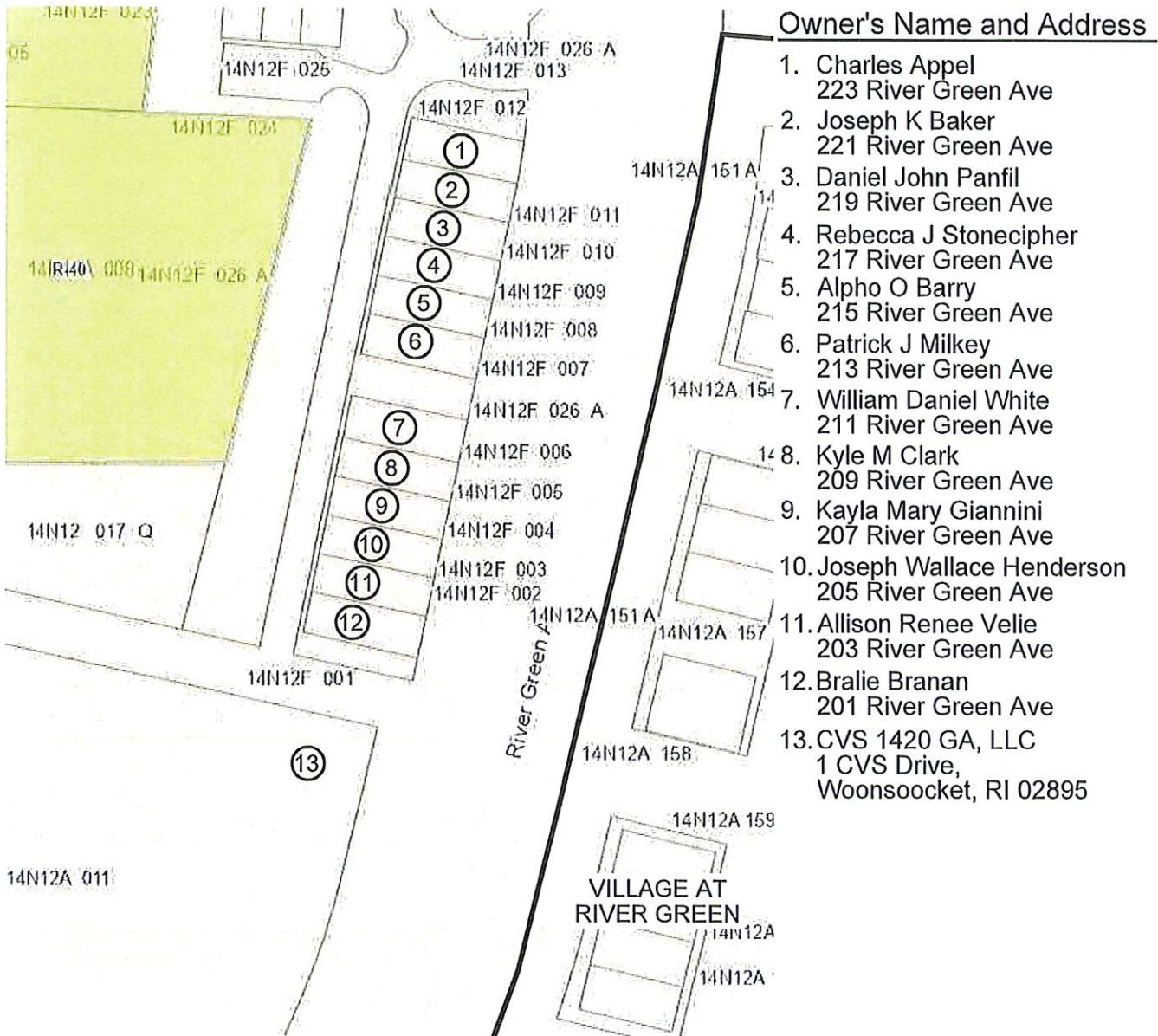
Note: the City of Canton's limits are denoted in opaque and Cherokee County's limits are denoted in white. The Village at River Green's boundary is denoted with a thicker bold line.



Additional Pages #1: Adjacent Parcel Zoning & Use - City of Canton
 Adjacent Parcels with owner's information to the West of the Subject Tract.

The adjacent parcels within the City Limits are zoned Planned Unit Development (PUD). The uses area Residential Single Family Detached and Attached; with the Child Care Center use being Commercial.

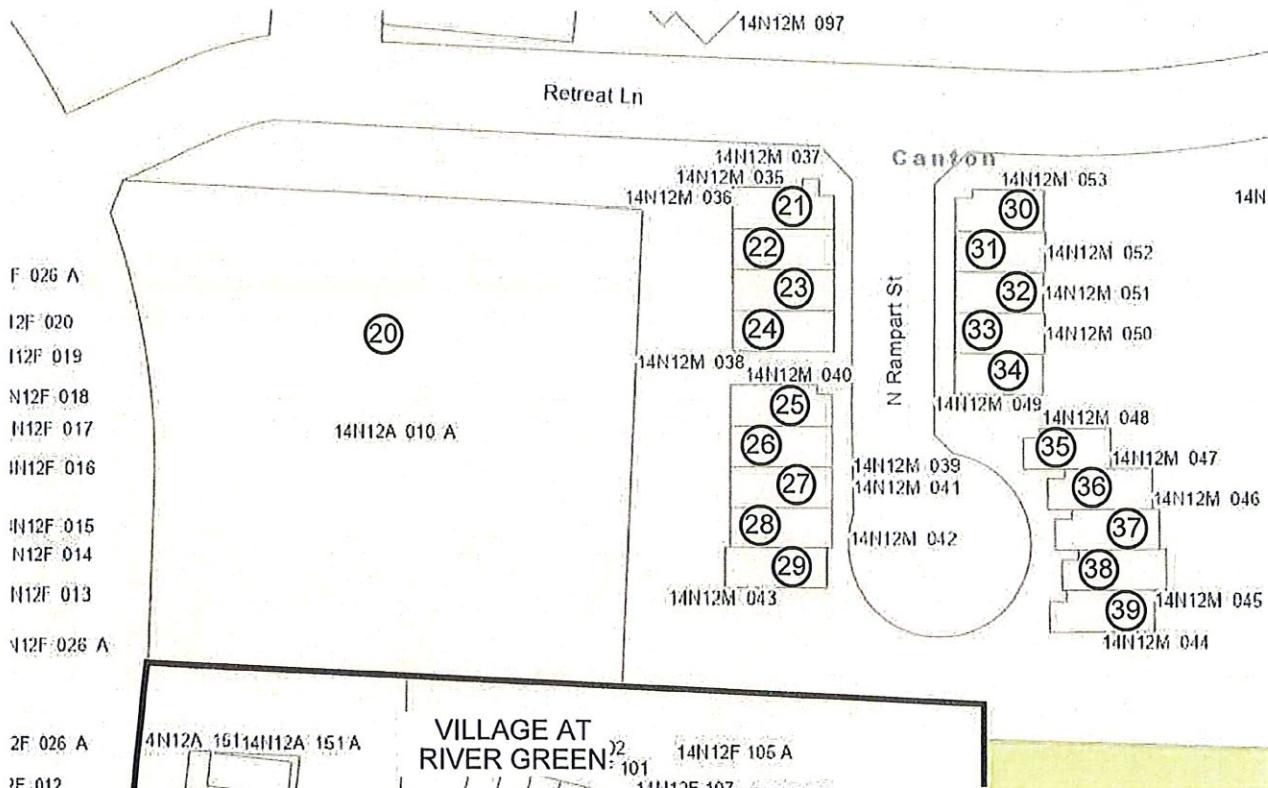
Note: the City of Canton's limits are denoted in opaque and Cherokee County's limits are denoted in white. The Village at River Green's boundary is denoted with a thicker bold line.



Additional Pages #1: Adjacent Parcel Zoning & Use - City of Canton
 Adjacent Parcels with owner's information to the North of the Subject Tract.

The adjacent parcels within the City Limits are zoned Planned Unit Development (PUD). The uses area Residential Single Family Detached and Attached; with the Child Care Center use being Commercial.

Note: the City of Canton's limits are denoted in opaque and Cherokee County's limits are denoted in white. The Village at River Green's boundary is denoted with a thicker bold line.



Owner's Name and Address

- 20. JAJU Properties, LLC
200 River Green Ave
- 21. Zachary Dana Schroeder 300
300 N Rampart St
- 22. Debbie M Schndlter
302 N Rampart St
- 23. Sara Sanders
304 N Rampart St
- 24. Mario Gapud
306 N Rampart St
- 25. Todd Lewick
310 N Rampart St
- 26. Svetlana Tufanova
312 N Rampart St
- 27. Brenan Christopher Goldi 314
314 N Rampart St
- 28. Mary Katherine Huff
316 N Rampart St
- 29. Arlene A Vinci
318 N Rampart St

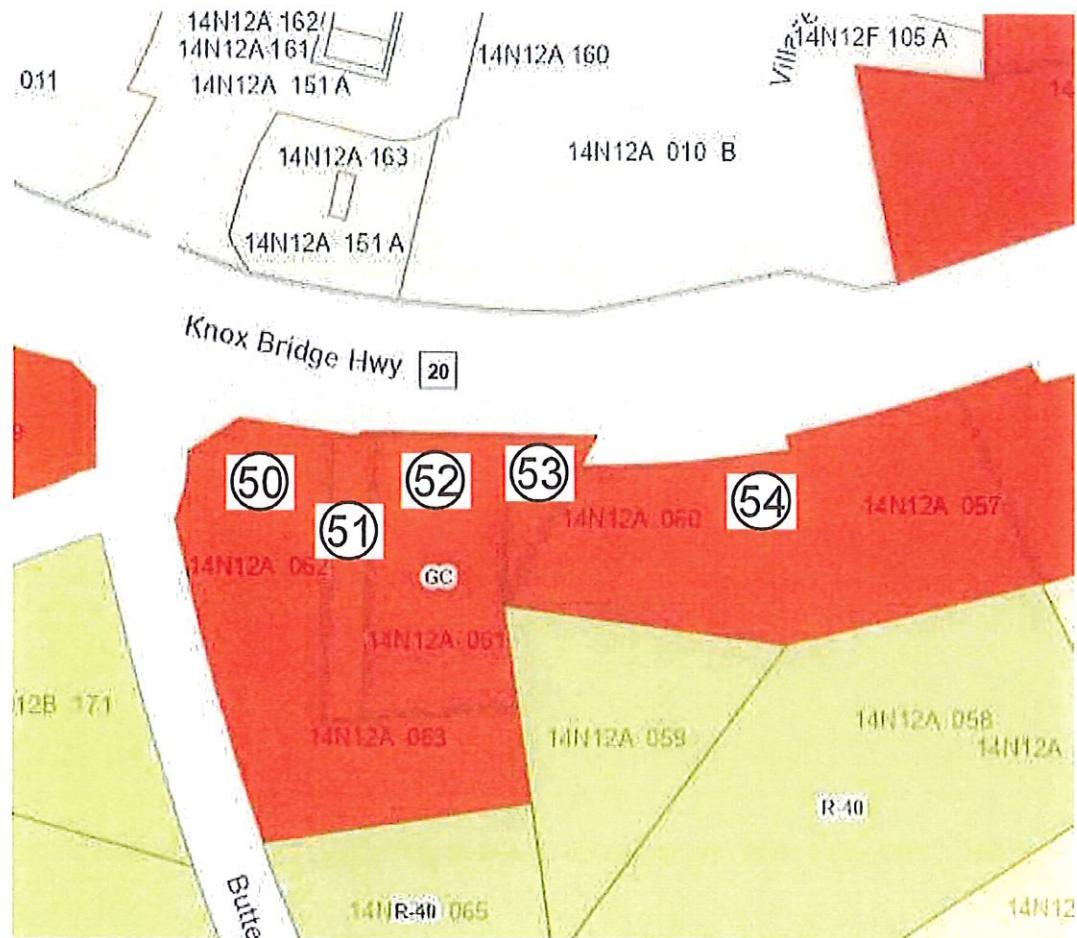
Owner's Name and Address

- 30. Tiffany L Snowden
301 N Rampart St
- 31. Jennifer Beverly Hamrick
303 N Rampart St
- 32. Lauren Elise Onuschak
305 N Rampart St
- 33. Andrew P Cornell
307 N Rampart St
- 34. Robert L Hosak
309 N Rampart St
- 35. David Keith Stadler
313 N Rampart St
- 36. Randy Buckspan
315 N Rampart St
- 37. Trustee for Jason R Holzemer
317 N Rampart St
- 38. Brett Orr
319 N Rampart St
- 39. Kimberly D Odom
321 N Rampart St

Additional Pages #1: Adjacent Parcel Zoning & Use - City of Canton
 Adjacent Parcels with owner's information to the South of the Subject Tract.

The adjacent parcels within the City Limits are zoned Planned Unit Development (PUD). The uses area Residential Single Family Detached and Attached; with the Child Care Center use being Commercial.

Note: the City of Canton's limits are denoted in opaque and Cherokee County's limits are denoted in white. The Village at River Green's boundary is denoted with a thicker bold line.



Owner's Name and Address

- 50. Persian Enterprises, LLC
P.O. Box 8719, Atlanta 31106
- 51. Persian Enterprises, LLC
P.O. Box 8719, Atlanta 31106
- 52. Persian Enterprises, LLC
P.O. Box 8719, Atlanta 31106
- 53. Persian Enterprises, LLC
P.O. Box 8719, Atlanta 31106

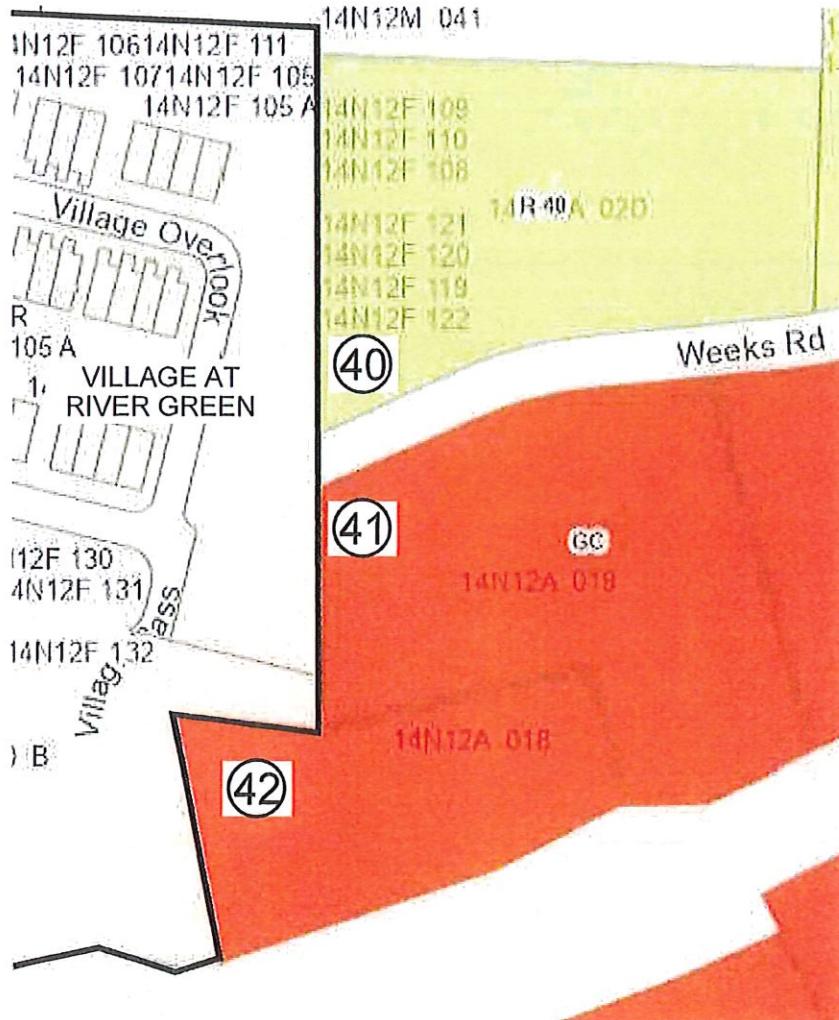
Owner's Name and Address

- 54. Butterworth Investments 2, LLC
8420 Knox Bridgw Hwy

Additional Pages #1: Adjacent Parcel Zoning & Use - City of Canton
Adjacent Parcels with owner's information to the East of the Subject Tract.

The adjacent parcels within the City Limits are zoned Planned Unit Development (PUD). The uses area Residential Single Family Detached and Attached; with the Child Care Center use being Commercial.

Note: the City of Canton's limits are denoted in opaque and Cherokee County's limits are denoted in white. The Village at River Green's boundary is denoted with a thicker bold line.



Owner's Name and Address

40. Sean P Clarke
105 Weeks Rd
41. Landfried Real Estate
8521-C Knox Bridge Hwy
42. Georgia Trailer & Equipment
8421 Knox Bridge Hwy



PUBLIC SCHOOL INFORMATION

Project #(s):

ZCA2510-003

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)

<u>HIGH:</u>	<u>CHEROKEE</u>	CREEKVIEW	ETOWAH	SEQUOYAH
<u>MIDDLE:</u>	CREEKLAND	DEAN RUSK	FREEDOM	<u>TEASLEY</u>
<u>ELEMENTARY:</u>	AVERY	BALL GROUND	CLAYTON	HASTY
	INDIAN KNOLL	<u>KNOX</u>	R.M. MOORE	SIXES



REVIEW CRITERIA

Project #s:

ZCA2510-003

How will this proposal be compatible with surrounding properties? _____

Converting the planned residential condominiums to fee-simple commercial buildings will create a more cohesive development. The frontage of Hwy 20 is more compatible for commercial usage than residential especially with the proposed widening and round-about. The River Green Avenue frontage is currently approved for six commercial buildings. We feel adding two more only enhances the entire Village Commercial development.

How will this proposal affect the use and value of surrounding properties? _____

The value of the surrounding properties would be enhanced with retail and services within walking distance. Eliminating the one bedroom condominiums will result in higher average sales prices and positively affect River Green and other surrounding homes.

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not. _____

The application request is compliant with the current zoning. We believe commercial space for retail use and services is a higher and better use for this parcel fronting Hwy 20 than residential condominium units.

What would be the increase to population and traffic if the proposal were approved? _____

The application reduces the resident population by 24 residences and increases the available commercial space by 8,700 square feet. This should result in a net reduction in traffic, especially during peak times.

What would be the impact to schools and utilities if the proposal were approved? _____

This proposal would reduce the potential burden on the school system. Utility usage, especially sanitary sewer, would also be greatly reduced by converting 24 residences to a proposed 7 commercial spaces.

How is the proposal consistent with the Comprehensive Plan and the Future Land Use Map? _____

Goals of the comprehensive plan include providing resources for small business start-ups and ensuring a mix of residential, commercial, class A office space and industrial development. The Village at River Green provides an unique opportunity for retail and professional businesses in South Canton. This neighborhood center will meet the service needs of area residents while maintaining the sense of place that River Green provides and reducing the need to make automobile trips.

How is the proposal consistent with the City of Canton Roadmap of Success? _____

Key goals of the 'Roadmap for Success' include economic development and the improved quality of life for residents. Adding the opportunity for more owner occupied small businesses will facilitate economic development in South Canton and having services within walking or golf cart distance will certainly improve the quality of life for area residents.

Are there existing or changing conditions which affect the development of the property and support the proposed

request? – The GDOT expansion of Hwy 20 and the proposed round-about at the entrance to River Green support the conversion of a residential usage to a commercial usage.

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

RIVER GREEN VILLAGE

ZCA - LETTER OF INTENT

This Letter of Intent is intended to address the City of Canton's list of information necessary to review the Zoning Condition Amendment with concurrent variances for River Green Village.

This Zoning Condition Amendment proposes to convert existing condominium flats to additional Commercial square footage. The applicant proposes two additional Commercial buildings totaling approximately 8900 sf in place of the approved (2) 12 unit stacked flat condo buildings eliminating the drive-through design of Commercial F building and converting it to an approximately 4500 sf building.

General History and Overall Description of the Proposed Development:

The River Green Village is intended to be a dynamic and innovative mixed-use development, to be developed in multiple phases, at the main entrance of River Green providing its own unique village of fee-simple commercial and townhome residences with pedestrian connectivity. Proposed commercial uses include professional offices, retail, café/coffee shop and other service providers. Currently the development has a nail salon, a hair salon, a dentist and an veterinarian operating or under contract.

River Green is 20-year old master plan community, with 900+ residences. As the community matures, a mixed use development within a village setting at the northeast corner of Highway 20 [SR 20 / Knox Bridge Highway] and River Green Avenue is timely. Providing additional commercial opportunities will positively enhance the overall development.

Traffic Analysis:

The applicant believes the planned additional commercial space would result in lower overall traffic volume (daily trips) vs. the currently approved 24 residential condominiums.

A: How traffic will impact or not impact adjoining land uses. Commercial use may produce some additional trips during business hours but would likely reduce traffic during peak hours and in the evenings and on weekends.

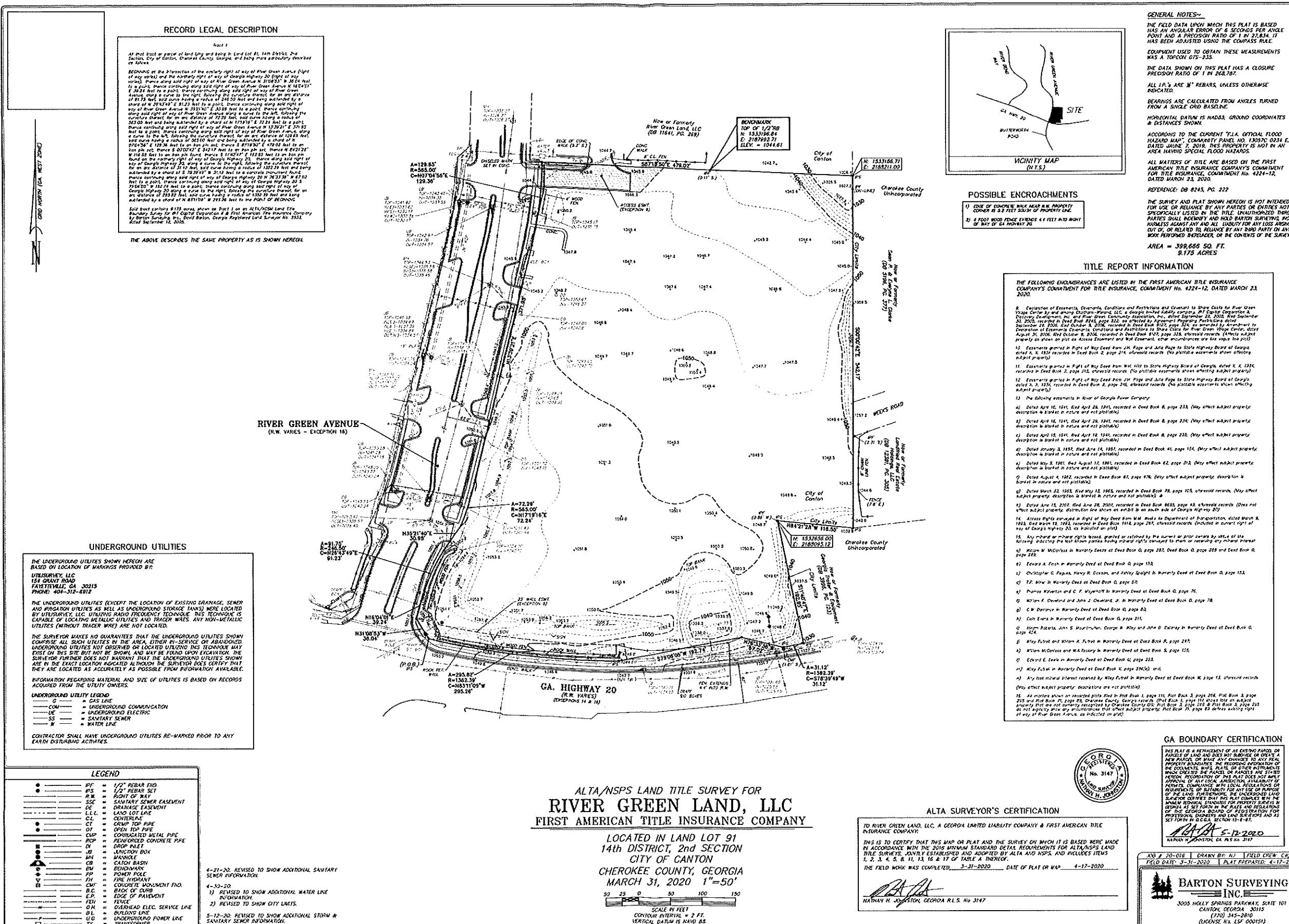
B: Impacts to existing roadway network. There would be minimal impact to the existing roadway network. An additional small private street is proposed for the interior of the subdivision to provide parking and access to the commercial spaces.

C: Proposed improvements to existing roadway network: The applicant has previously improved the ROW at River Green Avenue to extend the left-turn lane onto Hwy 20 and reworking the center median for improved traffic flow.

Impact of development of adjacent land uses:

The proposed commercial development is compatible with surrounding properties and will be designed with architectural features and landscaping that mirrors and complements the existing commercial uses. The scale and building heights remain modest and in fact would be shorter than the approved condominiums. No residential population will be added and there will be zero impact on schools or utility demand. This type of development supports the Comprehensive Plan and FLU map designations for employment-supporting nodes and is consistent with Canton's Roadmap for success goals for diversified job growth and sustainable commercial expansion. The proposed commercial space enhances economic activity, maintains neighborhood harmony and imposes minimal burden on infrastructure – it is compatible, preserves value and provides responsible growth.

The applicant respectfully requests a single, limited Zoning Condition Amendment to substitute an already-approved land use — commercial office — in place of previously, LDP-approved 24 condominiums. This amendment maintains full compliance with the underlying zoning while better aligning with current market demand and the City's long-term economic goals.



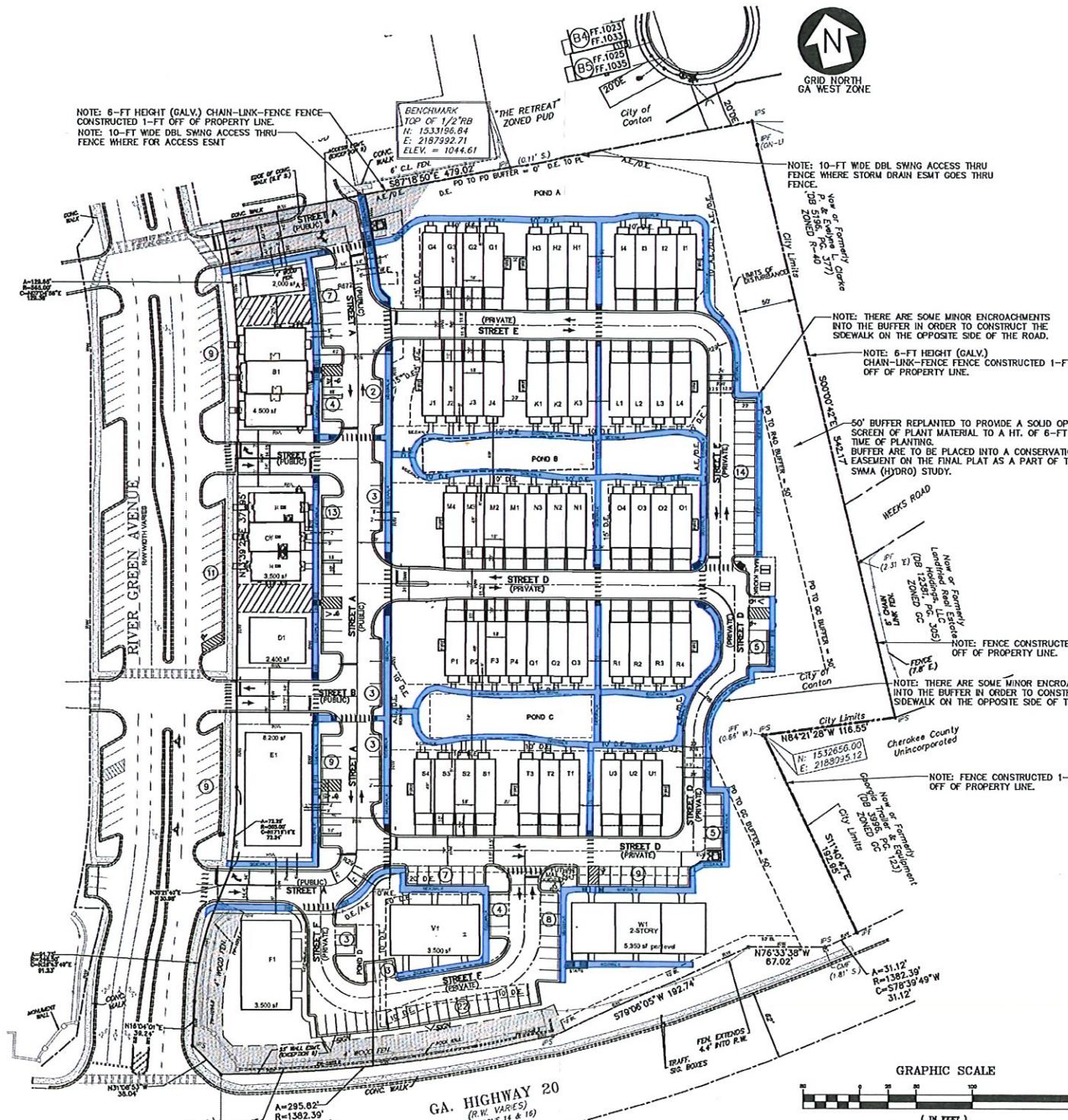
SITE PLAN DATA FROM PERMITTED PLAN SET:

1. **TOTAL ACREAGE:** 9.2 ACRES
WETLANDS IMPACTS: NO WETLANDS OR STREAM IMPACTS DUE TO THIS DEVELOPMENT
2. **LOCATION:** (PIN No.: 14-0088-0175; TIN No:14N 12 017M)
LAND LOT 14
14th DISTRICT
CITY OF CANTON, CHEROKEE COUNTY, GEORGIA
3. **ZONING:** P.U.D.
4. **TOTAL UNITS:** COMMERCIAL 8 BLDGS, RESIDENTIAL T-HOMES 55 UNITS
RES: MIN. LOT AREA=540 S.F. AVG. LOT AREA=7,500 S.F. (55 UNITS)
DEPTH: 6.0 UNITS/ACRES
5. **SETBACKS:** FRONT YARD: 5'
SIDE YARD: 0' WHEN ATTACHED, 10' BETWEEN BLDGS
MAJOR SIDE YARD: 5' TO PL (UNLESS SIGHT LINE NEEDED)
REAR YARD: 10' MIN. TO PL OR AS SHOWN
HEIGHT: 60' OR 4 STORIES OVER BASEMENT
6. **THE SITE HAS BEEN INVESTIGATED AS TO THE EXISTENCE OF CEMETERIES AND ARCHITECTURAL OR ARCHAEOLOGICAL LANDMARKS AND TO THE BEST OF OUR KNOWLEDGE, NONE EXIST.**
7. **BOUNDARY INFORMATION TAKEN FROM BOUNDARY SURVEY BY : BARTON LAND SURVEYING, INC. DATED JAN 7, 2002**
8. **FIELD RUN TOPOGRAPHY BY BARTON LAND SURVEYING, DATED 1-7-22.**
9. **THIS PARCEL IS NOT IN THE 100 YEAR FLOOD PLAIN ACCORDING TO F.E.M.A. (F.I.A.) COMMUNITY NUMBER #1307002310, DATED 09-29-2006.**
10. **NO HISTORIC STRUCTURE APPEARS ON AERIAL TOPOGRAPHY.**
11. **THE ROAD AND SIDEWALKS ARE PUBLIC STREETS AND E ARE CONSIDERED PRIVATE STREETS FOR MAINTENANCE PURPOSES.**
12. **STREETS A, B AND C ARE PUBLIC STREETS AND WILL BE ACCEPTED AFTER THE MAINTENANCE BOND PERIOD FOR OWNERSHIP AND MAINTENANCE.**
13. **THE PURPOSE OF THIS ZZA IS TO MODIFY THE INTERNAL SIDEWALKS AS SHOWN, TO REMOVE THEM FROM THE TOWNHOME GARAGE AREAS WHERE THEY INTERFERE WITH THE DRIVEWAYS AND SIDEWALKS, AND TO MODIFY THE SIDEWALKS ALONG THE SIDEWALK WHERE THERE ARE NO SIDEWALKS OR SIDEWALKS WHICH ARE PART OF THE COURTYARD AREAS BETWEEN THE SIDEWALKS ARE ALSO MODIFIED WITHIN THE COURTYARD AREAS BETWEEN THE SIDEWALKS THAT CONNECT TO THE SIDEWALK ALONG STREET A.**

STREET NAME	LENGTH (L.F.)
STREET A	797.1
STREET B	107.0
STREET C	107.0
TOTAL	1,011.1
TOTAL AREA	- 1.16 ACRES
PUBLIC ROADWAY R/W	

STREET NAME	LENGTH (L.F.)
STREET D	540.3
STREET E	884.5
STREET F	359.8
TOTAL	1,784.6
TOTAL AREA = 1.11 ACRES	
PRIVATE ROADWAY R/	
DEDICATION CHART	

Existing and Proposed Sidewalk Network



OWNER:
RIVER GREEN LAND, LLC
JW ATLANTA COLLECTION
CHATTahoochee ENTERPRISES, LLC
ATTN: MR. CHRIS OLSON
V.P. - LAND DEVELOPMENT & ACQUISITION
2335 LOG CABIN DR.
ATLANTA, GA 30339
PHONE: (404) 392-5264
EMAIL: colson@jetsonla.com

24 HR. CONTACT PERSON
CHRIS OLSON
CELL (404) 392-5264

**VILLAGE AT RIVER GREEN
REZONING EXHIBIT
MASTER PLAN**

JWC ATLANTA, LL

JOB NO. DRAWING NUMBER REV.
4200900 42009-ZG-111 C

Digitized by srujanika@gmail.com

420900 42009-ZG-111 0

Public Input Report

Applicant: JW Collection

Contact: Chris Olson, colson@jwcatlanta.com

Subject: Property: River Green Village

Public Meeting date, time, location: **Tuesday, December 16, 2025; 6:30pm, The Heritage Club at River Green**

All attendees were asked to register. (5) people attended – one couple from the adjacent neighborhood to the East of RGV and three residents of River Green. Michelle Horstemeyer, COO for the JW Collection, presented the site plan for the proposed development and took questions. The meeting concluded at about 7:15 PM.

Summary of concerns:

- There were no objections to the site plan
- Some attendees misinterpreted the request and thought we were asking to convert all the townhomes to commercial. They were pleased to learn that the request is only to convert the commercial buildings.
- The attendees generally agreed that the commercial uses would ultimately create less traffic on River Green Ave which continues to be a topic of concern.
- We received positive comments about not gating the neighborhood.
- The proposed sidewalk system was viewed favorably.
- There was a general discussion about widening Hwy 20 the ultimate effect on River Green.

addressed concerns:

- An explanation of the proposed site plan assured the attendees that we have not plans to convert the entire townhome site to commercial eliminating concerns about high voltage lighting and late deliveries.

Concerns the applicant was unable or unwilling to address and why:

- JWC cannot make a commitment on traffic calming devices on River Green Ave. but committed to conveying the requests/desires.
- Hwy 20 improvements and timelines are outside our purview. Residents were directed to the GDOT website.

Concerns or topics not of discussion unrelated to the proposal:

- The future widening of Hwy 20 and the plans for roundabouts at both entrances was discussed. No one knew the timeline for these improvements.

Agreements made by the applicant to property owners at the meeting:

- JWC agreed to work with the City of Canton and the HOA to address speeding and congestion on River Green Ave.

JW Collection responses to January 8th Council Meeting

There were several issues raised by both Brooke Schmidt and the Council:

Finances for the Townhome HOA and potential impact on the River Green master association as well as the HOA structure:

- The townhome neighborhood is currently platted with private streets so permitting the private streets to not be gated would be a financial benefit to the townhomes, without any detriment to the City or other River Green residents.
- As required by the Georgia Condominium Act, the condominiums would have their own association. Converting these buildings to commercial usage would add these two buildings to the already established commercial association. The townhome association is unchanged by this conversion.
- There is a cost sharing agreement between the three front parcels (Daycare, CVS and JWC). The JWC obligation will be assigned to the commercial property owners association upon transition.
- As a practice, JW Collection establishes a multi-year proforma to the year of transition for each neighborhood. At transition, the townhome association is budgeted to have \$107,000 in reserves.

Questions were raised about River Green Avenue, the neighborhood monument and the eventual GDOT expansion of Knox Bridge Highway:

- The plat includes an easement for the River Green monument, wall, fencing and existing landscape. This request does not change that. If the monument were to be affected by the GDOT widening, GDOT would cover the cost of relocating the monument in the purchase price of the property they are taking. JW Collection will be happy to help facilitate the rebuilding if this were to happen.
- The sidewalk infrastructure on River Green Ave is not affected by our request. In addition to the existing sidewalks, JW Collection will add sidewalks on both sides of the interior public streets behind the commercial buildings and crosswalks to ensure connectivity. JWC is willing to participate in the installation of additional crosswalk controls on River Green Ave, if the City determines these are warranted.
- The request to allow sidewalks to service the fronts of the townhomes rather than the rears will not affect any public roads. The attached sidewalk exhibit confirms

the interconnectivity planned throughout the development. In addition to servicing the fronts of the homes and connecting the greenspaces, an added benefit for the planned sidewalks is that they will not impact the utilities currently running between the driveways on the rear of the homes.

- Parking for the townhomes was questioned. Because we have private streets, we are able to provide 40 overflow parking spaces for the townhomes in addition to the 81 commercial parking spaces we added - plus the 29 spaces on the east side of River Green Ave. The townhome covenants require owners to park in their garages and not use the garage space for storage. Additionally, all driveways are large enough to accommodate 2 cars.

Ensuring the completion of the development by JW Collection was questioned:

- JW Collection plans to complete the 54 townhomes as previously planned. The request related to the condominiums does not affect the townhome count.
- The Commercial owners have a separate property owners association with robust restrictions to ensure the intended uses conform to office, professional, business, medical or retail sales purposes.
- It was asked if the commercial space amendment could be limited to JW Collection only. We are open to this as a condition if acceptable to the city attorney.

SITE PLAN DATA FROM PERMITTED PLAN SET:

1. TOTAL ACREAGE: 0.2 ACRES
2. WETLANDS: IMPACTS: NO WETLANDS OR STREAM IMPACTS DUE TO THIS DEVELOPMENT.
3. LOCATION: (PIN NO: 14-0088-0175; TIN NO:14N 12 017M)
LAND LOT 14
14TH AVENUE
CITY OF CANTON, CHEROKEE COUNTY, GEORGIA
4. ZONING: P.U.D.
5. TOTAL UNITS: COMMERCIAL 8 BDLS, RESIDENTIAL T-HOME 55 UNITS
TOTAL UNITS: 63 UNITS, AVG. LOT AREA=7,500 S.F. (35 UNITS)
6. DENSITY: 60 UNITS/ACRES
7. SETBACKS: FRONT YARD: 5'
SIDE YARD: 0' WHEN ATTACHED, 10' WHEN UNATTACHED
REAR YARD: 10' MIN. TO THE STORM DRAINS
MEAN YARD: 10' MIN. TO THE PL. OR AS SHOWN
HEIGHT: 40' MAX. OVER EASEMENT
8. THE SITE HAS BEEN INVESTIGATED AS TO THE EXISTENCE OF
CEMETERIES AND ARCHITECTURAL OR ARCHAEOLOGICAL LANDMARKS AND
TO THE BEST OF OUR KNOWLEDGE, NONE EXIST.
9. BOUNDARY INFORMATION TAKEN FROM BOUNDARY SURVEY BY:
BARTON LAND SURVEYING CO., INC.
10. FILE RUN TOPOGRAPHY BY BARTON LAND SURVEYING C. 17-22.
11. THIS PARCEL IS NOT IN THE 100 YEAR FLOOD PLAIN ACCORDING TO
F.E.M.A. (F.I.A.) COMMUNITY PANEL #130052002310, DATED 09-29-2006.
12. THE HOA AND OWNERS UNDERSTAND THAT THE STREETS D AND E ARE
CONSIDERED PRIVATE STREETS FOR MAINTENANCE PURPOSES.
13. STREET E AND F ARE CONSIDERED PRIVATE STREETS AND ARE LOCATED AFTER
THE MAINTENANCE BOND PERIOD FOR OWNERSHIP AND MAINTENANCE.
14. THE PURPOSE OF THIS ZIA IS TO MODIFY THE INTERNAL SIDEWALKS AS
DETAILED ON THE SITE PLAN. THE INTERNAL SIDEWALKS ARE TO BE REMOVED IF THEY
INTERFERE WITH WALKERS AND DRIVEWAYS AND TO ADD THEM AGAIN ON DRIVEWAYS
AND WALKS. THE EXISTING SIDEWALKS ARE TO BE REMOVED AND THE INTERNAL
SIDEWALKS ARE ALSO MODIFIED WITHIN THE COURTYARD AREAS BETWEEN UNITS.

STREET NAME		LENGTH (L.F.)
STREET A		792.18
STREET B		102.00
STREET C		107.00
TOTAL	1,011.18	
TOTAL AREA = 1.16 ACRES		
PUBLIC ROADWAY R/W DEDICATION CHART		
STREET NAME		LENGTH (L.F.)
STREET D		540.31
STREET E		884.54
STREET F		350.84
TOTAL	1,784.65	

Proposed sidewalk network for townhomes and commercial buildings

Existing sidewalks on River Green Avenue to remain.