



Action Requested/Required:

- Vote/Action Requested
 - Discussion or Presentation Only
 - Public Hearing
- Report Date: 3/23/26
Hearing Date: 3/5/26
Voting Date: 4/2/26

Department: Community Development **Presenter(s) & Title:** Zoning Administrator

Agenda Item Title:

RZON2511-008 and VAR2601-001 - 631 Marietta Road - Request to rezone property from O-I (Office-Institutional) to GC (General Commercial) - Properati, LLC

Summary:

The applicant proposes to rezone the subject property from O-I to GC for the purpose of constructing a new building to be used as a grocery store and renovating the existing building to be used as office space.

The applicant has also submitted a concurrent variance request seeking to reduce the required 50' buffer along the exterior of the property and reduce the required building setback.

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:

Staff recommends approval of this application. Suggested conditions can be found in the staff report.

Reviews:

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

Attachments:

Agenda cover sheet
Application
Survey and site plan
Community Input Meeting report
Bethany comment
Jay comment



Land Use Petition: RZON2511-008 / VAR2601-001
Date of Staff Report Preparation: 2/23/26
Mayor and City Council Public Hearing Date: 3/5/26
Mayor and City Council Action Meeting: 4/2/26

Project Name/Applicant: Properati, LLC

Property Location: 631 Marietta Road

Parcel ID: Tax Map Book 91N09 B018

District/Land Lot: 14th District, Land Lot 165

Acreage: 1.64 acres

Existing Zoning District: O-I (Office-Institutional)

Proposed Zoning: GC (General Commercial).

Existing Land Use: Currently vacant with one existing structure

Future Development Map Designation: TRNA (Traditional Neighborhood Redevelopment Area)

Proposed Development: Grocery store and office suites

Owner: Salvador Gonzalez Diaz

District Standards:

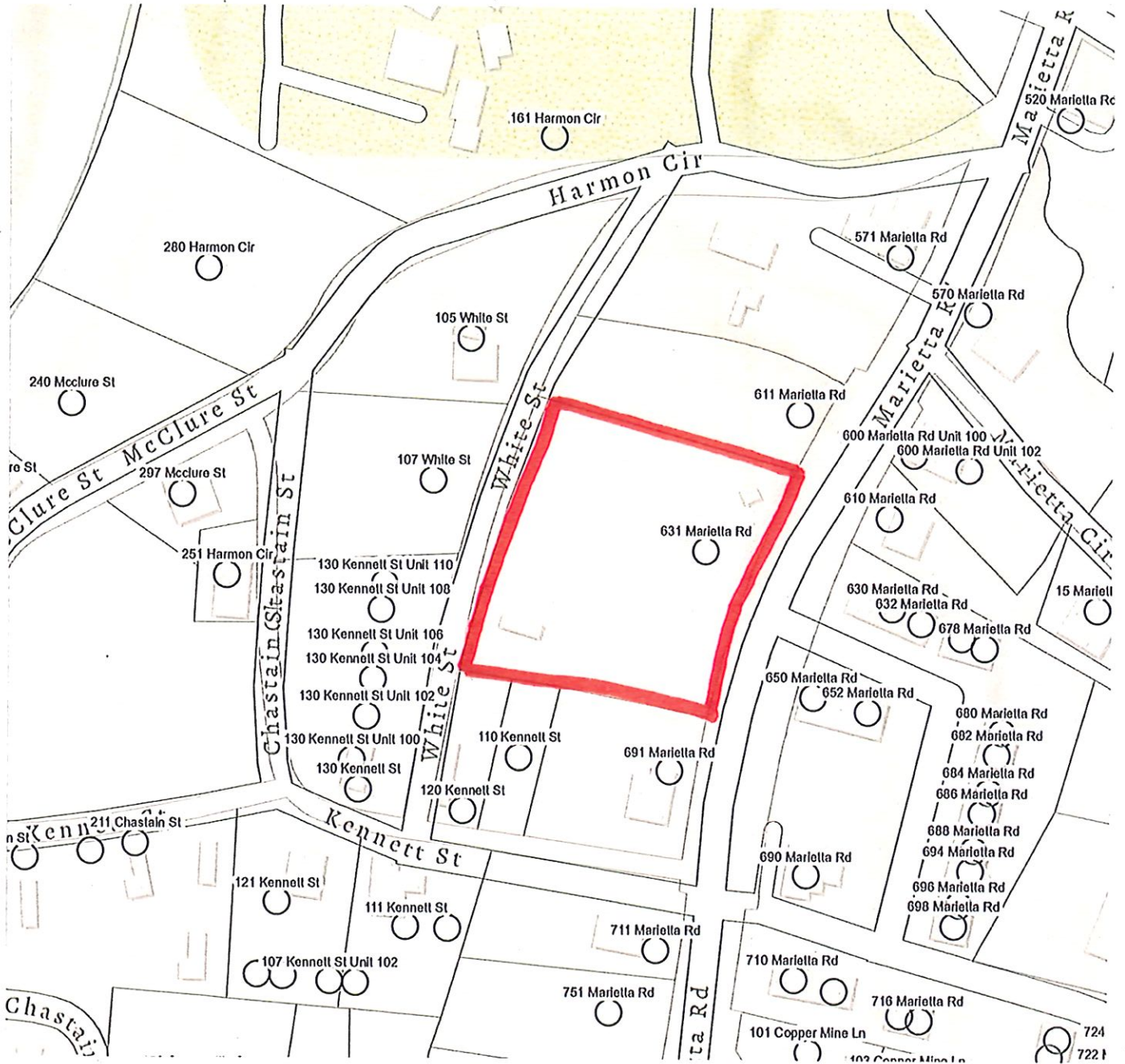
___ Zoning District Standards (Primary Street)			
Impervious Surface (max.)	75%	Front Yard Setback (min.)	50'
Open Space (min.)	25%	Side Yard Setback (min.)	15'
Building Height (max.)	80'	Rear Yard Setback (min.)	15'
Building Height (min.)	N/A	Buffer Planting (min.)	50'
Zoning Buffer	50'	Overlay Zone	Yes

Surrounding Land Uses and Zoning:

North – Single family home – R-4
 South – Single family homes – R-4
 East – Duplexes – RA-8 and Single family home –
 West – Single family homes – RA-6

R-4

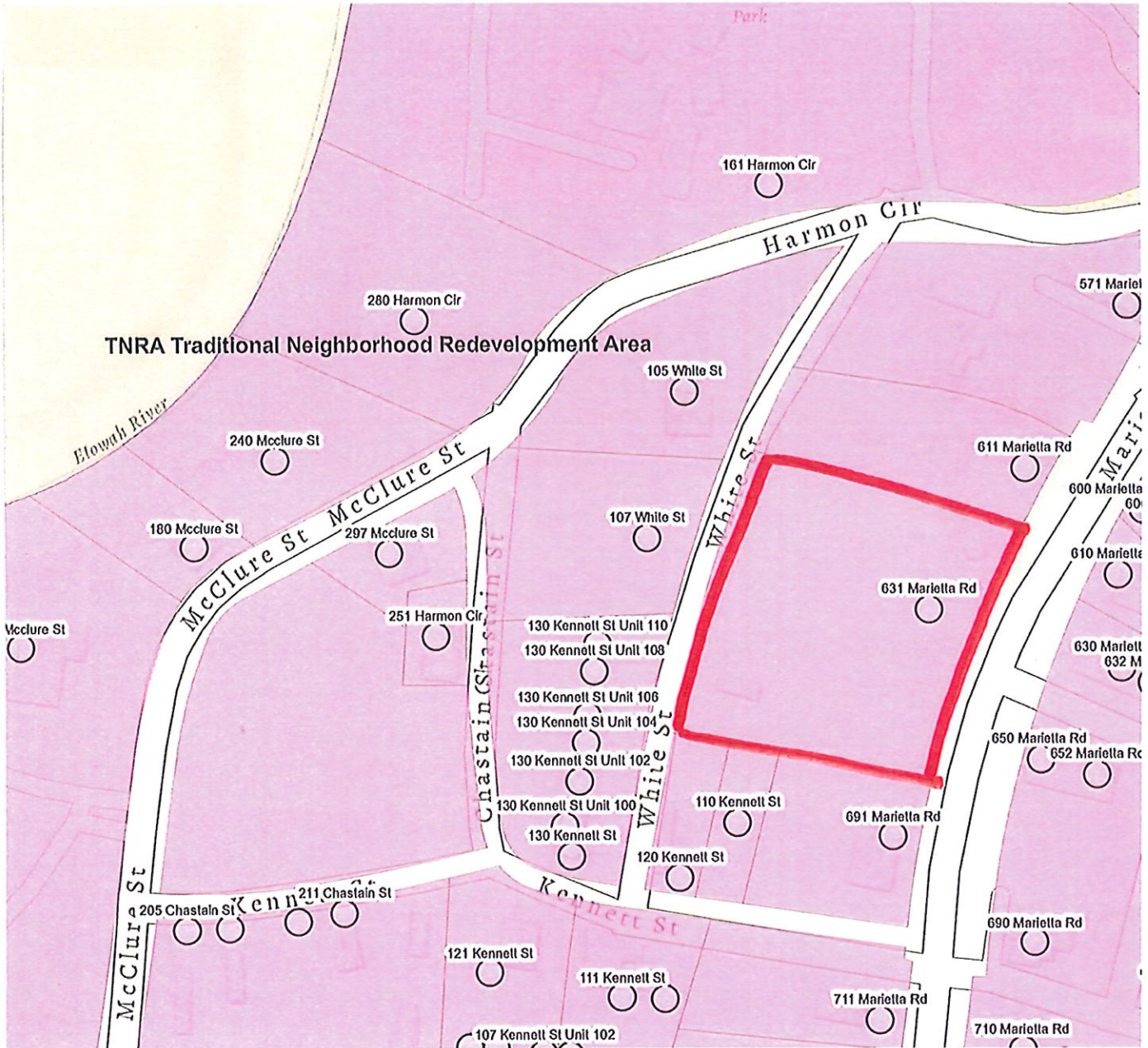
Location Map



Existing Land Use Map



Future Development Map





Site Description: The property is currently occupied a single building. The area is mostly paved with asphalt.

There is a large masonry wall that encircles the entire property.

Site History: The site was originally used as a chicken hatchery by Tyson Foods and later the property was used as a church. The property has been largely unused the last several years with the exception of the storage of building materials.

Code Enforcement and the Fire Inspector have recently have received complaints about people living in the existing building.

CRITERIA TO BE APPLIED – LAND USE PETITION (REZONING)

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 general area has a significant Latino population, and the proposed use should serve this group of residents. The closing of a grocery store just down the street has created a need for this type of development.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The area is a mixture of single family detached and attached residential homes with commercial just north of the subject property. There should not be any adverse impacts to the neighboring and nearby properties.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The current zoning of the property would allow for a variety of uses however there is a need for a grocery store in the immediate area. In addition, the applicant proposes to renovate the existing building into office space.**
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 use will not create 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; **The subject property lies within the Traditional Neighborhood Redevelopment Area. One of the listed compatible uses is "Neighborhood-level commercial". The proposed size of the grocery store fits well within this characterization.**
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 proposed use will serve the immediate area for those who do not drive or do not have vehicles. This use will add an additional grocery store to serve the area.**



7. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources. **The proposed use will not adversely affect historic buildings, sites, districts or archaeological resources.**

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. **The proposed new structure and renovations to the existing structure will require review and approval by the Canton Design Review Team.**

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, odor, 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:

- 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 radiuses 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 proposed development will serve an immediate need for the surrounding neighborhood by adding an additional grocery store.

The Community Input Meeting report is included with the staff report. The meeting was attended by two residents and they seemed to appreciate the proposed use.

The proposed use is in conformity with compatible uses as suggested by the Future Land Use Plan (Neighborhood level commercial).

The requested variances seem to be appropriate with the existing conditions on the subject property.

During the public hearing held on March 5, 2026 the following comments and questions were raised: 1) Site lighting, 2) Speed of traffic on Marietta Road, 3) Increased traffic due to the number of parking spaces provided, 4) What happens if the grocery store fails, 5) Limit the types of



businesses that can operate on the property, 6) Redirect delivery trucks, 7) Blind drive, 8) The area is not underserved for Latino grocery stores, 9) Property is located just outside of a TAD area, 10) The number of approved apartments and townhomes currently under construction further west on Marietta Road and 11) Uses allowed in the O-I zoning district.

These concerns can be addressed in the following manner: 1) Site lighting can be directed inward to the property and the light be downcast, 2) Traffic speed on Marietta Road is currently 35 mph, 3) Traffic volume is not based on the number of spaces provided for a business but rather the type of business, 4) If the grocery store fails than any business allowed in the GC zoning district can locate on the property UNLESS the Mayor and City Council limits the types of business that are permitted, 5) The Mayor and City has the ability to limit the types of businesses that are permitted through zoning conditions, 6) The redirection of delivery trucks is not feasible, 7) If it is determined that a issue exists with the line of sight distance the City Engineer can restrict traffic movement into and out of the property, 8) There are several business just east of the subject property that do cater to the Latino/Mexican community, 9) No control over the property location and the limit of the TAD area, 10) Currently approved for construction west of the subject property on Marietta Road are 154 townhomes and 252 apartment units, 11) A table is provided at the end of the staff report which shows the allowed uses in the O-I and GC zoning districts whether by right, conditional use or by an approved Master Plan. Should the Mayor and City Council wish to prohibit certain uses within the GC zoning district they may do so.

The Department of Community Development recommends **APPROVAL** of the rezoning and variance requests.

Conditions for Consideration

Possible conditions for the subject property if approved by the Mayor and City Council:

- 1) The owner/developer shall dedicate sufficient property to provide a right turn lane into the parcel from Marietta Road. This right-of-way dedication shall be approved by the City Engineer during the Land Disturbance Permit application.
- 2) The building elevation facing Marietta Road shall have a store front finish or the appearance of a store front as approved by the Design Review Team.
- 3) Unfinished or smooth face concrete masonry shall be prohibited as an exterior building material.
- 4) Wall mounted lighting shall be prohibited on any building.
- 5) Site lighting shall face inward toward the property and shall not cause a disturbance to neighboring properties or the motoring public.

DEVELOPMENT SERVICES

Per the City Engineer a right turn lane will be required. A hydrology study will be required during the Land Disturbance Permit process.

Conditions for Consideration



POLICE DEPARTMENT

Conditions for Consideration

PUBLIC WORKS

Conditions for Consideration

UTILITY ENGINEER

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

102.04.02 - How to read the table of standards.

- A. Within table 102-5 a dash "—" indicates no development standard applies for the specified category.
- B. The letters "SFD" indicate "Single-family detached."
- C. The letters "SFA" indicate "Single-family attached."
- D. The letters "MF" indicate "Multiple-family."

Table 102-4 Land Use Table																
P - Permissible C - Conditional M - Allowed upon Master Plan Approval C/M - Allowed as Conditional Use upon Master Plan Approval Blank - Prohibited	Additional Requirements by section Number)	R-40	R-20	R-15	R-10	R-4	RA-6	RA-8	MHP	RM- 15	PD	GC	CBD	O-I	L-I	SU
Residential																
Single-family detached dwelling		P	P	P	P	P	P				M		P			
Duplex							P	P			M		P			
Tri-plex, quad-plex							C	C			M		C			
Accessory dwelling unit	<u>104.02.02</u>	P	P	P	P	P	P				P					
Conservation subdivision		P	P	P	P											
Townhouse								C		C	M		C			
Manufactured home	4.03.15								P							
Multiple-family dwelling										C	M		C			

Assisted-living services (personal care home):	4.03.03																
Family personal care home (2—6 residents)		P	P	P	P	P	P	P			C/M	P	P	P			
Group personal care home (7—15 residents)										P	C/M	P	P	P			
Congregate personal care home (16 or more residents)										P	C/M	P		P			C
Life care services (continuing care retirement center)	4.03.14										C/M	P		P			
Skilled-nursing services (nursing home)	4.03.21										M	P		P			
Short-term rental units		P	P	P	P	P	P	P		P	P	P	P				
Accommodations																	
Bed and breakfast inn (B&B)	4.03.04													P	P		
Rooming and boarding												P					
Hotel, motel or tourist court	4.03.12										M	P	P				
Institutional or Community Facilities																	
Health and human services, medical											M	P	P	P			
Hospital												P		P			P
Health and human services, non-medical											M	P	P	P			
Child day care:	4.03.07																

Adult day care, 1 to 6 adults												P				
Family day care home (3—6 children)		P	P	P	P	P	P	P			C/M	P		P		
Group day care home (7—18 children)										C	C/M	P		P		
Child day care center (19 or more children)										C	C/M	P		P		
Grade schools	4.03.11	C	C	C	C	C	C	C		C	C/M	P	P	P		P
Colleges and universities	4.03.08										C/M	P		P		P
Technical, trade, and other specialty schools											C/M	P		P	P	P
Library building											M	P	P	P		P
Museum, exhibition, or similar facility											M	P	P	P		P
Zoos, botanical gardens, arboreta											C/M	P	C			P
Public safety-related facility											M	P	P	P		P
Correctional facility															P	P
Cemetery	4.03.06	C	C	C	C	C	C	C		C	C/M	P	P	C	P	P
Funeral home												P	P	P	P	
Social club, civic or fraternal												C	C	C		C
Public Assembly and Recreation																
Exhibition, convention, or conference structure											C/M	P	P	P		P
Banquet hall											C/M	P	P			

Religious facilities	4.03.18	C	C	C	C	C	C	C	C	C	C/M	C	C	C	C	C
Performance theater											C/M	P	P			
Movie theater											M	P	P			
Amphitheater											C/M				P	P
Drive-in theater												C			P	
Indoor games facility											M	P	P		P	
Sports stadium or arena	4.03.22										C/M	C			P	P
Racetrack	4.03.17											C			P	
Amusement or theme park	4.03.01										C/M	C			P	
Miniature golf												P			P	
Fitness, gym or athletic club											M	P	P		P	
Outdoor recreational sports facility											C/M	P			P	
Archery or shooting range	4.03.02											C			P	
Golf course	4.03.09	P	P	P	P						M					P
Golf driving range	4.03.10	C	C	C				C	C		M	P				P
Campground/RV park	4.03.05											C				
Parks		P	P	P	P	P	P	P	P	P	M	P	P	P	P	P
Trails		P	P	P	P	P	P	P	P	P	M	P	P	P	P	P
Commercial																
Office or bank building, without drive-through facility											M	P	P	P	P	

Office or bank building, with drive-through facility											M	P		P						
Office or store building with residence on top											M		P							
Office building over storefronts											M	P	P	P						
Services to buildings and dwellings											M	P							P	
Retail sales - heavy consumer goods											M	P	P							
Department store, warehouse club or superstore											M	P								
Lumber yard and building materials												P							P	
Heating and plumbing equipment												P							P	
Retail sales - durable consumer goods											M	P	P							
Retail sales - other consumer goods											M	P	P							
Mail order or direct selling establishment											C/M	P	P							
Antique shops, flea markets (indoor)											M	P	P							
Grocery store, supermarket, bakery, or specialty food store											M	P	P							
Catering business											M	P	P	P	P					

Convenience store, with or without fuel pumps										M	P				
Health and personal care store (excluding personal services)										M	P	P			
Personal services										M	P	P	P		
Personal services - Restricted											C				C
Pet services:															
Pet or pet supply store										M	P	P			
Animal and pet services										M	P				P
Veterinary services										M	P		P		P
Restaurant, without drive-through facility										M	P	P			
Restaurant, with drive-through facility	4.03.19									M	P	P			
Bar or drinking place											P	P			
Brew pub													P		
Beer, wine and liquor store										C/M	P	P			
Retail package liquor store										P	P				
Vehicle and marine craft sales											P				P
Car rental										C/M	P				P
Truck, trailer, RV rental											P				P
Automobile repair and service	4.03.24										P				P

Car wash											M	P					P	
Gas station											M	P					P	
Storage facility (indoor, rental)	4.03.23										C/M	P					P	
Boat/RV storage												P					P	
Sexually oriented business	4.03.20																P	
Industrial																		
Manufacturing:																		
Artisan and small scale manufacturing	<u>104.03.27</u>																P	
Food, textiles and related products (not including breweries)											M							P
Brewery											M							P
Wood, paper and printing products											M							P
Chemicals, metals, machinery and electronics											M							P
Brewery											C	C	C					C
Distillery											C	C	C					C
Winery											C	C	C					C
Miscellaneous manufacturing											M							P
Wholesale trade establishment:																		
Durable goods											M							P
Nondurable goods											M							P
Warehouse storage (indoor, warehouse products)											M	P						P

Charter bus terminal												P			P	
Bus stop shelter		P	P	P	P	P	P	P	P	P	M	P	P	P	P	P
Bus or truck maintenance facility															P	
Airport															P	P
Railroad facility (excluding train station)															P	
Train station															P	
Wireless telecommunication facility	4.03.25									C	C/M	C	C	C	C	C
Communications and information establishments												P		P	P	
Utility substation		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Agricultural and Resource Use																
Greenhouse, nursery, and floriculture												P			P	

Table 102-5 Development Standards Table

	Lot size (minimum, square feet)	Density (maximum, dwelling units per gross acre)	Lot Coverage (maximum, percent)	Frontage a (minimum, feet)	Lot Width (minimum, feet)	Front Setback (minimum, feet)	Side Setback (minimum, feet)	Corner Setback (minimum, feet)	Rear Setback (minimum, feet)	Height (maximum, stories/feet)	Lands and Buffe
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Community Development Department
 110 Academy Street, Canton, GA 30114
 (770) 704-1500

PUBLIC HEARING APPLICATION

Project #(s):

RZON2511-008

This Application is for:

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

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: Properati, LLC
 Address: 713 Flag St,
 City: Canton,
 State: GA, ZIP Code: 30114
 Telephone: 770-894-2589
 Email Address: 8942589@gmail.com

Owner Information:

Name: Salvador Gonzalez Diaz
 Address: 248 Green Valley Farm
 City: Jasper
 State: GA ZIP Code: 30143
 Telephone: 404-345-9400
 Email Address: eloisas@hotmail.com

I, Salvador Gonzalez Diaz, 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, Salvador Gonzalez Diaz, have received and thoroughly read the Public Hearing Procedures.

This _____ day of _____, 20_____.

Applicant Signature:

Salvador Gonzalez

Print Name:

SALVADOR GONZALEZ

CANTON

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

AUTHORIZATION OF OWNER AND APPLICANT

Project #(s):
RZON2511-008

This form is to be executed under oath. I, Salvador Gonzalez Diaz, 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 1 day of December, 20 25.

Owner Signature: Salvador Gonzalez Print Name: SALVADOR GONZALEZ

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

Name of Authorized Applicant: Properati, LLC (Att. Oswaldo Zeas Authorized Agent)

Signature: [Signature]

Mailing Address: 225 Marietta Rd

City: Canton

State: GA Zip Code: 30114

Telephone: 470-475-6899

E-mail: oswaldozeas@elitetotalservices.com

Applicant Status:

Owner

Option to Purchase

Leasee

Area Resident

Other (Explain): Authorized Agent for Properati, LLC

This Authorization of Owner and Applicant Form has been completed and the property owner's signature is Sworn To and Subscribed Before Me This 1 Day Of December, 20 25.

Notary Signature: Juan Cardona



(Seal)



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

DISCLOSURE FORM

Project #(s):

RZON 2511-008

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: Propemti, LLC

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
\$ _____	_____
\$ _____	_____
\$ _____	_____

CANTON

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

PROPERTY INFORMATION

Project #(s):

RZON2511-008

Address:

631 Marietta Rd Canton GA 30114

Land Lot(s): LL 165 14th D PB26G120 District: 14 Section: D Parcel ID(s) 91N09 B018

Existing Zoning Of Property: O-I City County Total Acreage Of Property: 1.64

Proposed Zoning Of Property: GC (General Commercial) Existing Use(s) Of Property Former Church (no longer in use)

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	Unknown (Residential / Mixed-Use)	R-40 /O-I	Residential/Vacant
SOUTH	Public Right-of-Way	N/A	Roadway
EAST	Unknown (Industrial / Storage / Commercial mix)	GC/LI (City border mix)	Commercial/Storage
WEST	Unknown (Residential)	R-40	Residential
OTHER			
OTHER			
OTHER			

UTILITY INFORMATION:

How is sewage from this development to be managed? Connection to City of Canton sewer system

Proposed managing jurisdiction: City of Canton

How will water be provided to the site? Serviced by City of Canton Water & Sewer Authority

Proposed managing jurisdiction: City of Canton Size Limit: To be confirmed by final engineering

CANTON

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

REVIEW CRITERIA

Project #(s):

RZON2511-008

How will this proposal be compatible with surrounding properties? The proposal introduces a small-scale commercial use that is consistent with the character of Marietta Rd and the nearby mixed residential and commercial uses. The layout, access, parking, lighting, and landscaping are designed to buffer and transition smoothly to the adjacent residential areas, ensuring compatibility and minimal impact.

How will this proposal affect the use and value of surrounding properties? The project replaces a long-vacant institutional building with a modern, attractive development, which is expected to enhance corridor appearance and increase surrounding property values.

Redevelopment of an underutilized site reduces blight and encourages continued investment in the area.

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

No. The existing O-I zoning no longer supports a viable economic use. Demand for office/institutional uses at this location is extremely limited, and the former church building is functionally obsolete. GC zoning is needed to allow reasonable redevelopment consistent with surrounding corridor uses.

What would be the increase to population and traffic if the proposal were approved? No population increase will occur because the request does not include residential units. Traffic impacts will be modest and appropriate for neighborhood-scale commercial activity. Access points and internal circulation have been designed to operate safely and efficiently.

What would be the impact to schools and utilities if the proposal were approved? There is no impact to schools because the use is strictly commercial. Water and sewer service already exist at the site and have sufficient capacity to support the proposed development without any expansion of city infrastructure.

How is the proposal consistent with the Comprehensive Plan and the Future Land Use Map? The plan supports reinvestment along established corridors and encourages converting outdated or vacant structures into productive commercial uses. The request aligns with the Comprehensive Plan's goals for compatible infill, revitalization, and economic development in transitional areas.

How is the proposal consistent with the City of Canton Roadmap of Success? The project promotes economic growth, enhances visual quality along Marietta Rd, supports small businesses, and strengthens the tax base. Redeveloping an outdated property directly supports the city's long-term strategy for vibrant commercial corridors.

Are there existing or changing conditions which affect the development of the property and support the proposed request? Yes. The current facility is no longer in use and cannot be economically adapted under current zoning. Surrounding development patterns have shifted toward commercial and service uses, and the corridor is transitioning accordingly. Rezoning reflects these changes and allows productive reuse of the property.

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



November 30, 2025

City of Canton
Community Development Department
110 Academy Street
Canton, GA 30114

RE: LETTER OF INTENT FOR REZONING APPLICATION

Property: 631 Marietta Road, Canton, GA 30114

Parcel: 91N09 B018

Applicant: Properati, LLC

Owner: Salvador Gonzalez Diaz

To the Mayor and City Council:

Properati, LLC, on behalf of the property owner, Salvador Gonzalez Diaz, respectfully submits this Letter of Intent requesting the rezoning of the property located at **631 Marietta Road**. The subject property consists of approximately **1.64 acres** and is currently zoned **O-I (Office Institutional)**. We are requesting a rezoning to **GC (General Commercial)** to allow the adaptive reuse and revitalization of this underutilized site.

History of the Parcel:

The parcel historically operated as a small church facility, serving the local community for several decades. The building has been vacant for many years, is no longer functional, and is legally non-conforming under current zoning standards. Due to the lack of demand for institutional uses in this location, the existing O-I zoning is no longer economically viable.

Development Description:

The proposed redevelopment includes renovating the existing structure and constructing one additional commercial building. The intended use is a small neighborhood grocery store and a professional office space—both serving the immediate community and compatible with the character of Marietta Road. The project replaces an obsolete institution with an active commercial use that enhances the corridor's appearance and economic potential.

The redevelopment also includes a new parking layout providing **70 spaces**, improved access, internal circulation, ADA-compliant parking, and updated landscaping. Buffers and screening are incorporated to ensure compatibility with nearby residential areas. Access points have been designed for safe ingress and egress. This submittal reflects a **conceptual plan for rezoning purposes**; a **final engineered site plan will be provided following rezoning approval**.

Traffic Considerations:

The proposed commercial uses are neighborhood-oriented and are not expected to generate significant traffic volumes. The impacts to the surrounding roadway network will be modest and appropriate for this corridor. No residential units are proposed; therefore, there is **no increase in population**, and no impact to the **Cherokee County School System**.

Compatibility With Surrounding Properties:

The proposal is compatible with the surrounding mix of residential and commercial uses along Marietta Road. The project introduces a visually appealing and modern redevelopment that provides transition and buffering to adjacent residences. Redeveloping the long-vacant church will improve corridor appearance,



Increase surrounding property values, and encourage continued reinvestment in the area.

Consistency With Comprehensive Plan and Roadmap of Success:

This application aligns with the City's Comprehensive Plan and the "Roadmap of Success" by supporting **infill development**, revitalizing underutilized land, and strengthening commercial activity along existing corridors. The proposal advances the City's long-term strategy to enhance small business opportunities, improve visual quality, and transform aging properties into productive commercial nodes. The request directly supports the Comprehensive Plan's goals for compatible infill, reinvestment, and economic development within transitional areas.

Requested Variances:

Concurrent with this rezoning request, the applicant seeks variances to modify required buffers and setbacks. These variances are necessary due to the specific configuration of the parcel and the location of the existing structure. Granting these variances will accommodate required parking and circulation while maintaining compatibility and adequate separation from adjacent residential properties.

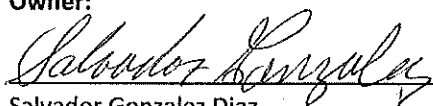
The requested variances **do not reduce life-safety standards**. Required buffers will be replaced with appropriate **landscaping, fencing, and screening**, ensuring visual protection and compatibility with the neighborhood. The proposed design aligns with the City's development guidelines and supports the intent of the General Commercial district.

Commitment to the City:

Properati, LLC and the property owner are committed to working collaboratively with City staff and the community to ensure the successful redevelopment of this site. We respectfully request your approval of the rezoning from O-I to GC and the associated variances that allow this revitalization effort to move forward.

Properati, LLC
Applicant

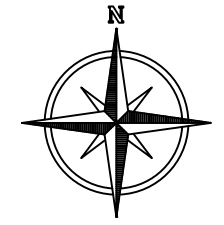
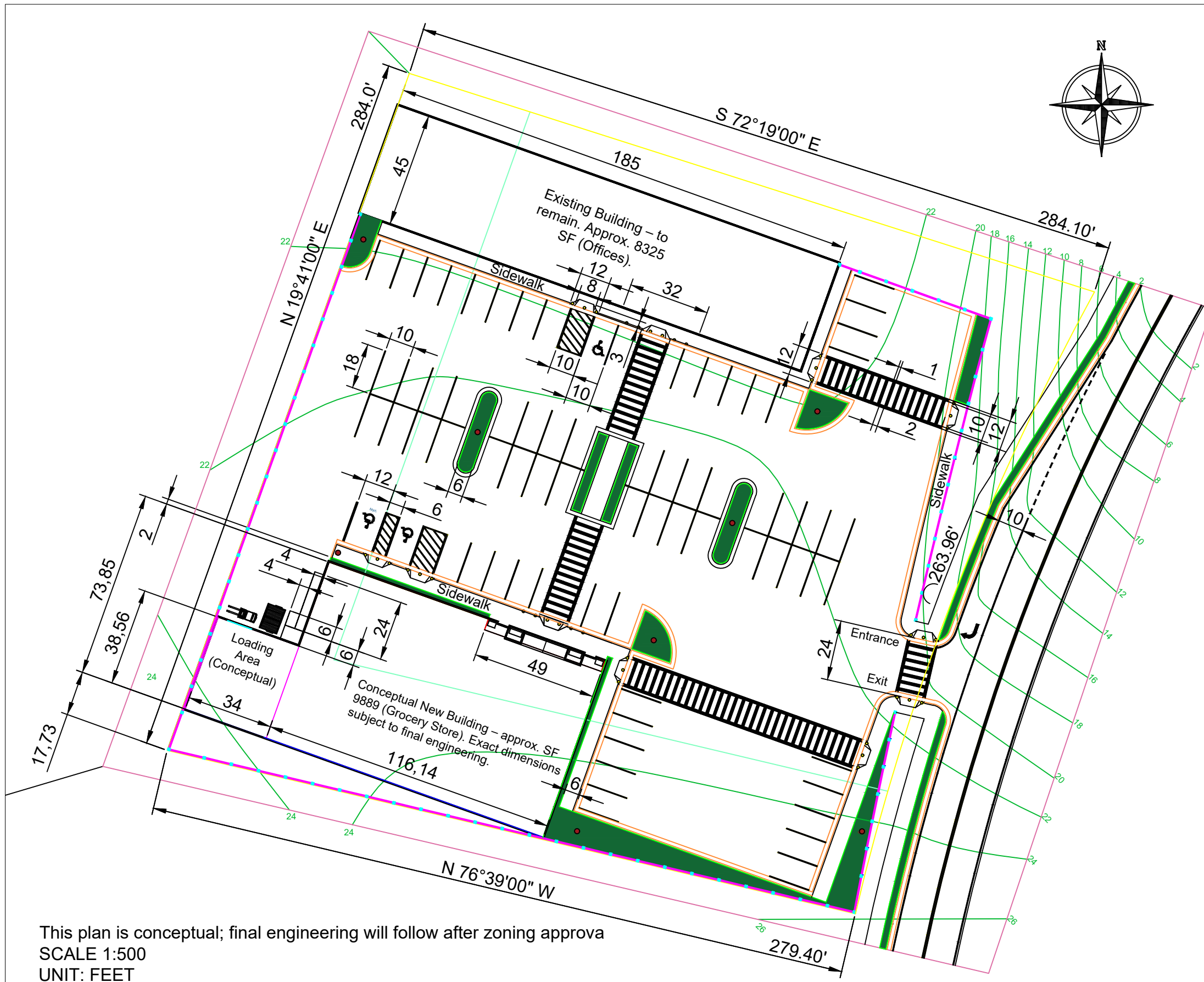
By: _____
Name: Rosa Loarca
Title: Managing Member

Owner:


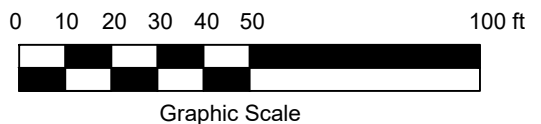
Salvador Gonzalez Diaz
Property Owner

Prepared and Submitted By:

Oswaldo Zeas
Agent for the Applicant
Elite Total Services



This plan is conceptual; final engineering will follow after zoning approval
 SCALE 1:500
 UNIT: FEET
 Total parking: 67 spaces (including 3 ADA).



NAME	SIMBOL	DESCRIPTION
VAN ADA		Painted stripes 0.33 Ft wide, lots of 12 x 18 Ft and 6 x 18 Ft
ADA		Painted stripes 0.33 Ft wide, lots of 10 x 18 Ft and 10 x 18 Ft
PARKING LOTS		Painted stripes 0.33 ft wide, lots of 10 x 18 ft
Bars and Light Poles		The Bars are 1 Ft in diameter and Light Poles vary
Pedestrian White Stripes		The width of the stripes is 1 Ft and they are separated every 2 Fts.
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Existing buffer shown 1 (to be revised under variance request)		50 ft buffer with lines parallel to the boundary of the land
Applicant will request a variance to reduce the required 50-ft buffer/setback due to existing site conditions and existing structures		21.29 ft buffer with lines parallel to the boundary of the land
Dumspster		It measures 7.409 inches wide by 23.250 inches long by 8 feet high



Steve Green <steve.green@cantonga.gov>

Community Input Meeting Summary Report - 631 Marietta Road | Properati, LLC

Oswaldo Zeas <OswaldoZeas@elitetotalservices.com>

Tue, Feb 17, 2026
at 1:03 PM

To: Steve Green <steve.green@cantonga.gov>

Cc: Kevin Turner <kevin.turner@cantonga.gov>

Dear Steve,

Please find attached the Community Input Meeting Summary Report for the rezoning application at [631 Marietta Road, Canton, GA 30114](#) (Parcel ID: 91N09 B018).

Meeting Details:

- Date: Monday, February 16, 2026
- Time: 6:30 PM – 7:30 PM
- Location: R.T. Jones Memorial Library, Programming Room
- Attendees: 2 neighboring property owners (Cindy Williams – 130 Edwards St. and Susan Woodard – 610 Marietta Rd.)

Summary of Outcome:

The meeting was conducted in accordance with the City of Canton Community Input Meeting Policy. Both attendees expressed general support for the proposed grocery store and co-working office space. No strong opposition was raised. The concerns discussed were primarily operational in nature, including parking lot lighting, landscaping buffers, delivery hours, operating hours, and traffic. All concerns were addressed during the meeting, and the applicant has

committed to specific design and operational measures to accommodate neighborhood preferences.

Two items have been identified as pending city review:

1. Conditional use restrictions – to ensure that if the grocery store does not materialize, only compatible uses are permitted under the GC zoning.
2. Security gate – feasibility of installing a gate at the property entrance to prevent after-hours loitering.

We would appreciate your guidance on both of these items prior to the Public Hearing on March 5, 2026.

Attachments included with this email:

- Community Input Meeting Summary Report
- Sign-In Sheet (2 attendees)
- Project Handout distributed at the meeting
- Conceptual Site Plan

Please do not hesitate to contact me if you need any additional information or documentation.

Thank you for your continued assistance with this application.

Best regards,

Oswaldo Zeas


Properati, LLC

[225 Marietta Rd, Canton, GA 30114](#)

Phone: 678-694-7545

Email: oswaldozeas@elitetotalservices.com

4 attachments

 **Community_Input_Meeting_Summary_Report.pdf**
130K

 **Sign in Sheet.pdf**
1537K

 **2_Project_Handout_UPDATED.pdf**
117K

 **PLANO FINAL (2).pdf**
199K



Steve Green <steve.green@cantonga.gov>

Community Input Meeting Summary Report - 631 Marietta Road | Properati, LLC

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Oswaldo Zeas

Properati, LLC

[225 Marietta Rd, Canton, GA 30114](https://www.properati.com)

Phone: 678-694-7545

Email: oswaldozeas@elitetotalservices.com

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COMMUNITY INPUT MEETING SUMMARY REPORT

631 Marietta Road, Canton, GA 30114
Rezoning Application: O-I to GC (General Commercial)

1. Meeting Details

Project:	Rezoning Application - 631 Marietta Road, Canton, GA 30114
Applicant:	Oswaldo Zeas / Properati, LLC
Date:	Monday, February 16, 2026
Time:	6:30 PM - 7:30 PM
Location:	R.T. Jones Memorial Library, Programming Room
Address:	116 Brown Industrial Pkwy, Canton, GA 30114
Parcel ID:	91N09 B018
Requested Change:	From O-I (Office-Institutional) to GC (General Commercial)
Proposed Use:	Grocery store with multi-tenant retail and co-working office space

2. Attendance

Two (2) community members attended the meeting, in addition to the applicant. Both attendees are neighboring property owners within the notification area:

Name	Address	Email
Cindy Williams	130 Edwards St., Canton, GA 30114	cinwill1@windstream.net
Susan Woodard	610 Marietta Rd., Canton, GA 30114	scwoodard@gmail.com

The meeting was open to the public as required by the City of Canton Community Input Meeting Policy. Notification letters were mailed to 102 property owners within 1,000 feet of the subject property, with proof of mailing postmarked February 5, 2026.

3. Presentation Summary

The applicant presented the proposed development project to the attendees, covering the following topics:

- Current property status: former church building, vacant and underutilized, currently zoned O-I
- Proposed rezoning: O-I to GC (General Commercial) to allow neighborhood-serving commercial uses
- Proposed development: grocery store (approx. 11,500 sq ft) with multi-tenant retail and co-working office space
- Site plan overview: 70 parking spaces including 3 ADA-compliant, landscaping, buffer zones, and signage
- 3D renderings of the proposed development from multiple perspectives
- Community benefits: local jobs, increased tax revenue, improved corridor aesthetics, neighborhood-serving services
- Next steps: Public Hearing on March 5, 2026 at Canton City Hall

4. Community Concerns, Questions & Applicant Responses

The following concerns and questions were raised during the meeting. The table below summarizes each concern and the applicant's response:

#	Concern / Question	Applicant's Response	Status
1	Landscaping / Buffer along street entrance	Applicant committed to planting trees and landscaping in the buffer area between the street and the entrance to enhance aesthetics and provide a visual buffer for the neighborhood.	Addressed
2	Parking lot lighting - brightness concerns	Applicant committed to using downward-facing, shielded lighting that redirects light away from residential properties. Lighting will not remain on all night and will be designed to avoid disturbing neighboring homes.	Addressed
3	Traffic concerns / Speeding trucks on the curve	Attendees noted that existing speeding trucks on the nearby curve are already a safety concern, particularly for children playing in the area. They indicated the city had previously proposed a speed feedback sign (speedometer display) for that area. Applicant acknowledged this is primarily an existing infrastructure issue separate from the project, but noted that the development will not significantly increase heavy truck traffic in that area. Delivery hours will be limited to no later than 4:00 PM.	Noted - City Infrastructure Issue

#	Concern / Question	Applicant's Response	Status
4	Operating hours of the grocery store	Applicant confirmed that operating hours will be a maximum of 8:00 AM to 10:00 PM. No late-night operations are planned.	Addressed
5	Delivery truck hours	Applicant confirmed that delivery hours will end no later than 4:00 PM to avoid disturbing the neighborhood in the evening or early morning.	Addressed
6	Need for office space / co-working concept	Attendees asked about the necessity of office space. Applicant explained that the co-working component is designed to be a flexible, modern workspace rather than traditional long-term leased offices. This concept is currently underserved in the area and will add stability and economic activity to the neighborhood.	Addressed
7	Concern about future use if grocery store does not come in	Attendees expressed concern that if the grocery store does not materialize after GC zoning is approved, the property could be used for a nightclub or other late-night businesses that attract undesirable activity. Applicant acknowledged this concern and committed to exploring conditional zoning restrictions or proffers with the City of Canton to limit allowable uses and ensure the development remains appropriate for the neighborhood.	Pending City Review
8	Request for a security gate at the entrance	Attendees requested a gate at the property entrance to prevent loitering and illegal activity after hours, based on past experience in similar areas. Applicant indicated willingness to explore this option and committed to discussing feasibility with the City of Canton, acknowledging that city approval may be required.	Pending City Review

5. Level of Community Support

The two attendees expressed general support for the concept of a grocery store and co-working space in the area, recognizing the need for neighborhood-serving commercial uses. Their primary concerns were operational in nature (lighting, hours, traffic, security) rather than opposition to the project itself.

No strong opposition to the rezoning was expressed. Attendees indicated they would be more comfortable with the project if the concerns outlined in Section 4 were adequately

addressed, particularly items 7 and 8 regarding future use restrictions and security measures.

6. Proposed Modifications Based on Community Input

Based on the feedback received at the Community Input Meeting, the applicant proposes or commits to the following:

- Landscaping Plan: Include trees and landscaping in the buffer area between Marietta Road and the site entrance as part of the final site design.
- Lighting Design: Specify shielded, downward-facing LED parking lot lighting in the site design to prevent light spillage onto adjacent residential properties. Lighting will not remain on all night.
- Operating Hours: Confirm and adhere to operating hours of 8:00 AM to 10:00 PM maximum.
- Delivery Hours: Limit all delivery and loading operations to no later than 4:00 PM.
- Use Restrictions: Applicant will engage with the City of Canton to explore whether conditions or proffers can be added to the rezoning approval to restrict certain incompatible uses (such as bars, nightclubs, or late-night entertainment), ensuring the development remains neighborhood-appropriate.
- Security Gate: Applicant will consult with the City of Canton regarding the feasibility of installing a security gate at the property entrance and will pursue this option if permitted by city code.

7. Conclusion

The Community Input Meeting was conducted in accordance with the City of Canton Community Input Meeting Policy. Two neighboring property owners attended and engaged in productive dialogue with the applicant.

The overall reception was positive. Attendees supported the concept of a grocery store and co-working space as neighborhood-serving uses. The concerns raised were operational and security-related, and the applicant has committed to addressing these through project design modifications and by engaging the City regarding conditional zoning and security measures.

The applicant believes the proposed rezoning from O-I to GC is appropriate for this location and that the proposed development will be a positive addition to the Marietta Road corridor and the surrounding community.

8. Attachments

- Attachment A: Community Input Meeting Sign-In Sheet

- Attachment B: Copy of Notification Letter
- Attachment C: Certificate of Mailing (Proof of Mailing) - 17 pages
- Attachment D: Project Handout distributed at meeting
- Attachment E: Conceptual Site Plan

Submitted by:

Oswaldo Zeas

Properati, LLC

225 Marietta Rd, Canton, GA 30114

Phone: 678-694-7545 | Email: oswaldozeas@elitetotalservices.com

Date: February 17, 2026

COMMUNITY INPUT MEETING

Rezoning Application - 631 Marietta Rd

PROJECT SUMMARY

Applicant: Oswaldo Zeas / Properati, LLC
Property: 631 Marietta Rd, Canton, GA 30114
Parcel ID: 91N09 B018
Size: 1.64 acres

CURRENT SITUATION

- **Current Zoning:** O-I (Office-Institutional)
- **Current Use:** Former church building (no longer in use)
- **Status:** Vacant and underutilized property

PROPOSED DEVELOPMENT

- **Zoning Change Request:** From O-I to GC (General Commercial)
- **Development Type:** Multi-tenant retail plaza with professional office space
- **Building Size:** Approximately 11,500 square feet total
- **Layout:** Multiple retail/office suites for local businesses
- **Parking:** 70 spaces (including 3 ADA-compliant)
- **Design:** Modern, attractive buildings with landscaping and buffer zones

COMMUNITY BENEFITS

- ✓ Replaces vacant building with active, productive development
- ✓ Provides space for local businesses and professional services
- ✓ Creates 15-25 local jobs (estimated)
- ✓ Increases property tax revenue for Canton
- ✓ Improves corridor aesthetics along Marietta Rd
- ✓ Provides convenient neighborhood-serving commercial uses
- ✓ Compatible with surrounding commercial corridor
- ✓ Includes attractive landscaping and buffer zones

IMPACT MITIGATION

- Adequate parking (70 spaces) to minimize street parking
- Landscaping and buffers adjacent to residential areas
- Professional design that enhances the corridor
- Appropriate lighting that minimizes impact on neighbors
- Storm water management per city requirements

NEXT STEPS

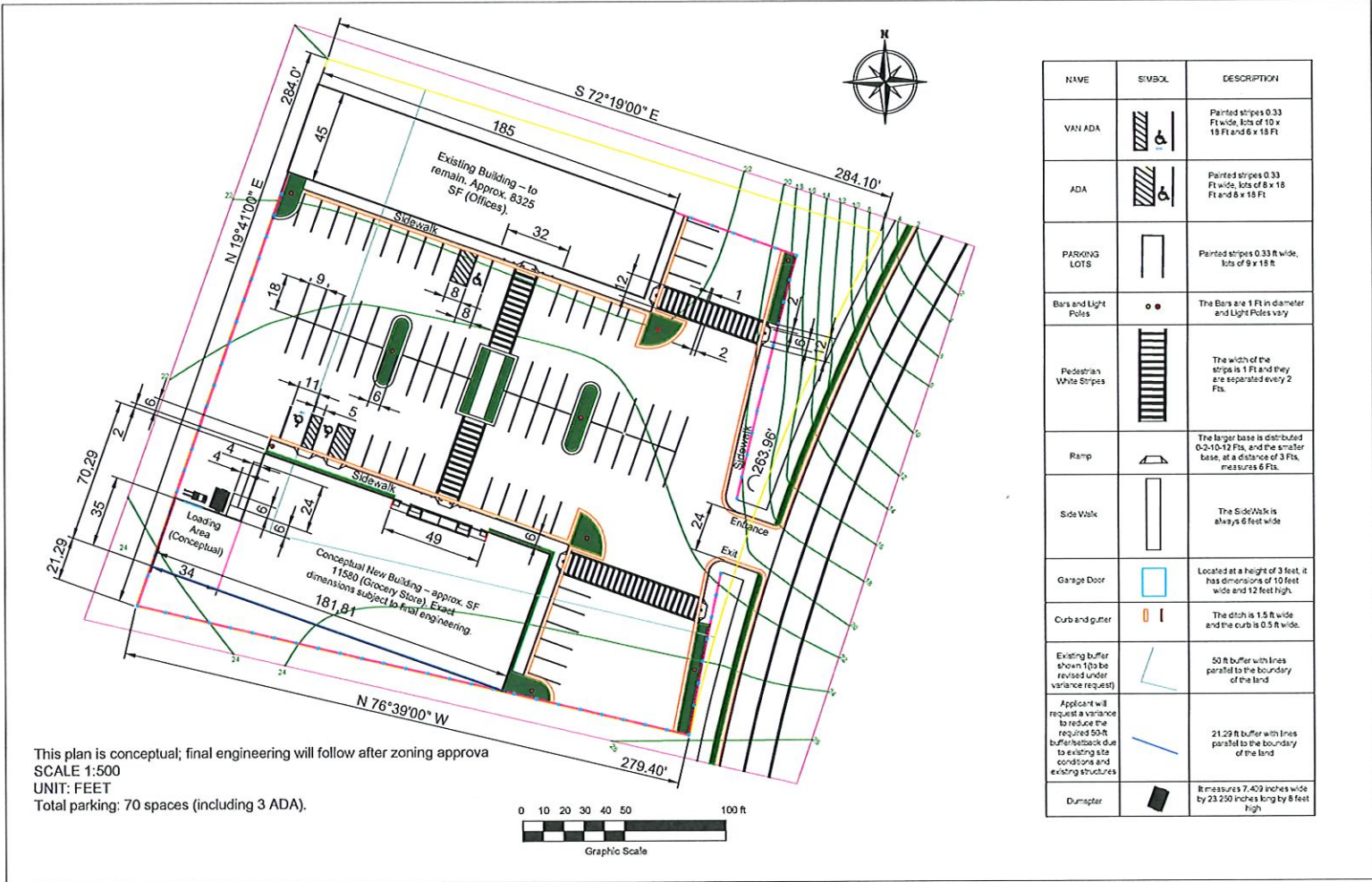
- 1. Community Input Meeting:** February 16, 2026 (TODAY)
Purpose: Present project and answer community questions
- 2. Public Hearing:** March 5, 2026 at 6:00 PM
Location: Canton City Hall, 110 Academy Street
Purpose: Official hearing before Mayor and City Council
- 3. City Council Decision:** March 2026 (date TBD)

CONTACT INFORMATION

For questions or comments:

Oswaldo Zeas
Properati, LLC
Phone: 678-694-7545
Email: oswaldozeas@elitetotalservices.com

City of Canton Community Development
110 Academy Street, Canton, GA 30114
Phone: (770) 704-1500



NAME	SYMBOL	DESCRIPTION
VAN ADA		Painted stripes 0.33 Ft wide, lots of 10 x 18 Ft and 6 x 18 Ft
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Side Walk		The SideWalk is always 6 feet wide
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Existing buffer shown (to be revised under variance request)		50 ft buffer with lines parallel to the boundary of the land
Applicant will request a variance to reduce the required 50-ft buffer/backset due to existing site conditions and existing structures		21.29 ft buffer with lines parallel to the boundary of the land
Dumpster		It measures 7.439 inches wide by 23.250 inches long by 8 feet high