



# City Council Meeting & Public Hearing

MAY 18, 2026

OFFICIAL MINUTES

Office of the City Clerk

ALPHARETTA CITY HALL

COUNCIL CHAMBERS | 2 PARK PLAZA | 6:30 PM

## OFFICIAL MINUTES

The public is advised that the following minutes are not a verbatim transcription of business presented at the Council Meeting of the date shown; but are a synopsis of pertinent information. The public is further advised that the video recording for said meeting is a matter of public record and is available to be viewed at the City Clerk's office during normal business hours or viewed online at <https://www.youtube.com/user/alpharettagov>.

### 1. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 6:30 p.m.

### 2. ROLL CALL

- **Council Members**

- Mayor Jim Gilvin
- Mayor Pro Tem Dan Merkel
- T. Kirk Driskell
- Katie Reeves
- Douglas J. DeRito
- John Hipes

- **Absent:**

- Fergal M. Brady

- **Staff**

- John Robison, Assistant City Administrator
- Molly Esswein, City Attorney
- Grace Orehosky, Municipal Records Officer
- Adam Montgomery, Director of Information Technology
- Kathi Cook, Director of Community Development

- Morgan Rodgers, Director of Recreation, Parks, and Cultural Services
- Pete Sewczwicz, Director of Public Works
- Trent Lindgren, Chief of Police
- Tom Harris, Director of Finance
- Brad Dekinger, Fire Chief
- Charlie Jewell, Director of Economic Development
- Shawn Mitchell, Budget & Procurement Manager
- Michael Woodman, Planning & Development Services Manager
- Deanna McKay, Public Communication & Engagement Coordinator
- George Doyle, Traffic Engineer

### 3. PLEDGE TO THE FLAG

### 4. BOARDS & COMMISSIONS

#### A. Appointment of Design Review Board Member by Council Member Brady

- Due to Council Member Brady's absence, this item was deferred to the June 1, 2026 City Council meeting.

### 5. CONSENT AGENDA

#### A. City Council Special Called Meeting Minutes (Meeting of 05/04/2026)

*Consideration and approval of the City Council special called meeting minutes from the special called meeting of May 4, 2026.*

#### B. Correcting Agenda Item: Request For Proposal 26-113: Design/Build: Wills Park Field Artificial Turf Conversion

*Consideration and approval of a correction to the April 27, 2026, award of RFP 26-113, Design/Build: Wills Park Field Artificial Turf Conversion, to Sprinturf, LLC to clarify the correct contract amount of \$564,286.00, and with authorization for the Mayor to execute all necessary documents.*

#### C. Financial Management Report (Month Ending March 31, 2026)

*Consideration and approval of the Financial Management Report for the month ending March 31, 2026.*

**PUBLIC COMMENTS:**

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the consent agenda.
  - Council Member Reeves seconded the motion.
  - The motion was approved unanimously (6-0).

**6. PUBLIC HEARING**

**A. Announcement of Public Hearing Procedures**

- City Attorney, Molly Esswein, read the public hearing procedures aloud.

**B. V-26-05 DeBacco/12385 Charlotte Drive**

*Consideration of a variance request to allow a fence in a landscape strip along Charlotte Drive. A variance is requested to Unified Development Code (UDC) Subsection 2.3.6(B) to eliminate the 5' setback of a fence from a landscape strip and to allow the fence on the front property line. The property is located at 12385 Charlotte Drive and is legally described as being located in Land Lot 1205, 2nd District, 2nd Section, Fulton County, Georgia.*

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, Steve DeBacco, is requesting consideration of a variance to allow a four-foot (4'), four (4) rail horse fence within the ten-foot (10') landscape strip along Charlotte Drive. A variance is requested to Unified Development Code (UDC) Subsection 2.3.6(B) to allow the fence to remain on the front property line. The subject property is located at 12385 Charlotte Drive at the southeast corner of Charlotte Drive and Pruitt Drive.
- Staff recommends that Mayor and Council approve V-26-05 DeBacco/12385 Charlotte Drive Fence Variance, subject to the following conditions:
  1. A 4-board horse fence (painted black) with a 0' setback from the front property line along Charlotte Drive shall be permitted with the required landscape strip behind the fence, as depicted on the submitted exhibits and site plan.

- The 0.96-acre property is zoned R-15 (Dwelling, 'For-Sale', Residential) and was recently redeveloped with a two (2) story, 5,084 square foot single-family detached home. A four-foot (4') horse fence was installed along Pruitt Drive and Charlotte Drive in conjunction with the redevelopment of the home. The City's land development inspector notified the property owner of the code violation related to placing the fence on the property line along Charlotte Drive. Surrounding properties are zoned R-15, except that the property to the west is located in the City of Milton.
- Unified Development Code (UDC) Subsection 2.3.6(B) Fence and wall, requires fences and walls to be placed a minimum five feet (5') from required landscape strips or buffers to accommodate construction and maintenance unless approved otherwise at a public hearing. With a ten-foot (10') landscape strip required along Charlotte Drive, the UDC would require that the fence be set back fifteen-foot (15') from the front property line. The applicant requests a variance to allow the four (4) rail horse fence to remain on the front property line along Charlotte Drive with a zero-foot (0') setback. The applicant states that the variance is necessary to avoid impacting two (2) existing drains associated with an infiltration system located in the front yard. The drains are approximately fifteen feet (15') from the front property line. The required landscape strip material (trees and shrubs) has been planted behind the existing fence.
- City Staff conducted a site visit to measure sight distance in order to verify if the fence obstructed sight lines. Using the City's sight distance methodology, which measures sight lines from a distance of eighteen feet (18') back from the edge of Charlotte Drive and looking south at a height of three and a half feet (3.5'), it was determined that the fence does not obstruct sight lines.
- The Citizen Participation Plan Report states applicant notified adjacent property owners of the variance request and intent for the property. The report states that comments were received with concerns that the fence may block visibility on Charlotte Drive from Pruitt Drive.
- The Community Zoning Information Meeting was held on April 8, 2026. There was one (1) public comment that the fence partially blocks visibility on Charlotte Drive.
- Staff has reviewed the applicant's proposal against the review criteria for a variance. Application of the ordinance would create an unnecessary hardship, and the property

has peculiar conditions which adversely affect its reasonable use. The presence of an underground infiltration system in the front yard of the property would push the fence back closer to the home leaving the fence in the middle of the front yard. The applicant provided several examples of horse fencing along Charlotte Drive with fencing placed on or near the front property line. Also, Staff has determined that the fence does not obstruct sight lines.

- The Applicant, Steve DeBacco, came forward to speak on behalf of this application.

#### **PUBLIC COMMENTS:**

- Michael Dean, 200 Pruitt Drive, came forward to speak in opposition to this item.
- John Boggs, 185 Pruitt Drive, came forward to speak in opposition to this item.
- The Applicant, Steve DeBacco, came forward to offer rebuttal to the public comments in opposition.

❖ Mayor Pro Tem Merkel made a motion to approve V-26-05 DeBacco/12385 Charlotte Drive, subject to the following conditions:

1. A 4-board horse fence (painted black) with a 0' setback from the front property line along Charlotte Drive shall be permitted with the required landscape strip behind the fence, as depicted on the submitted exhibits and site plan.

- Council Member DeRito seconded the motion.
- The motion was approved unanimously (6-0).

#### **C. PH-26-10 Portman Brookside Change of Conditions/Brookside MP**

*Consideration of a public hearing request to change conditions of zoning related to the Portman Brookside mixed-use development located in Pod A of the Brookside Master Plan. Changes to conditions of zoning are requested to amend the site plan, to increase restaurant use from 32,000 SF to 40,000 SF, to modify roadway section plans, and to delete a condition related to access to the retail area. The property is located at 3625 & 3655 Brookside Parkway and is legally described as being located in Land Lots 2, 3, & 44, 1st District, 1st Section, Fulton County, Georgia.*

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.

- Staff recommends that Mayor and Council approve PH-26-10 Portman Brookside – Change of Condition, subject to the following conditions related to MP-25-03/CLUP-25-01/Z-25-02/CU-25-03/V-25-02 Portman Holdings/Brookside MP Pod A , (Original 2025 conditions are included below with amended conditions depicted in RED):
  1. The 19.68-acre property shall be zoned MU, and the site shall be developed substantially similar to the site plan by Kimley Horn, revised 4/16/26, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
  2. The comprehensive land use designation of the property shall be 'Mixed Use'.
  3. Architectural style shall be representative of the submitted renderings prepared by SK+I, dated 3/20/25, with final approval by DRB.
  4. Development regulations shall be as follows (The entitlements below shall be deducted from the Brookside Master Plan non-residential density, including an exchange rate of 800 square feet of non-residential density for each residential unit):
    - a. Office – Office use shall be limited to no more than 130,000 square feet, which shall include the existing office building. Office uses shall be permitted in the ground floor space along the storefront street in the For-Rent building and shall not count against the maximum office area above. Office building shall have a maximum height of 5 stories or 85'.
    - b. Commercial – Retail and restaurant (no drive-through) uses shall be limited to no more than 60,000 square feet, of which no more than 40,000 square feet shall be used for restaurant (no drive-through) use. Retail uses shall be limited to service retail incidental to office and residential uses. Retail/restaurant buildings shall have a maximum height of 2 stories or 40'.
    - c. 'For-Sale' Residential – Up to 75 'For-Sale' Townhome units shall be permitted with a maximum height of 4 stories or 50'. No more than 10% shall be rented as stated in the HOA documents.
    - d. 'For-Rent' Residential – After January 1, 2027, 335 'Dwelling, 'For-Rent' units shall be permitted a Certificate of Occupancy (CO) in accordance with UDC 'For-Rent'

requirements. At-grade 'For-Rent' units shall be limited to no more than 3 sides of the building and shall have walkouts with sidewalk connections. Maximum building height shall be 5 stories or 72'. Units shall be 1, 2, and 3 bedrooms with no more than 40% of the units being 2-bedroom and no more than 5% being 3-bedroom. A CO shall not be issued for rental units until the street level exterior of the existing office building has been renovated or is substantially under construction to facilitate the proposed commercial conversion of the 7,000 square feet of ground floor space in the existing office building and the retail village (free-standing buildings) is substantially under construction, as determined by Staff. The exterior improvements shall include creation of a pedestrian approach from the exterior of the building into the proposed commercial space with sidewalks and awning improvements. 'For-Rent' units shall be part of a mixed-use development containing a minimum 19 acres and incorporating retail/restaurant uses, 'For-Sale' residential uses, a neighborhood grocery, and the existing office building depicted on the site plan to be saved. 'For-Rent' units shall have first class amenities, which shall include a private pool, fitness center, secure parking, resident's lounge, business center, on-site management office, concierge services and secure elevator access. If a building permit is not issued by April 28, 2028, residential units shall revert to 'For-Sale' only.

e. **Parking Deck – Maximum 6 levels, substantially as depicted on the site plan prepared by Kimley Horn, revised 4/16/26. Parking decks visible from Old Milton Parkway and Brookside Parkway shall be treated with comparable materials and finishes as the buildings they serve or art such as a mural, as approved by Staff. Screening of parking decks with evergreen landscaping of sufficient size shall be required, as approved by Staff. Suitability of parking deck elevation, visibility and landscape screening shall be approved by the DRB.**

5. Brookside Master Plan Pod A shall be limited to the following uses and further restricted by conditions of zoning:

- a. Office
- b. Service Retail
- c. Restaurant (no drive thru)
- d. Residential – 'For-Sale' and 'For-Rent'

6. Service retail uses shall be those customarily accessory to or amenities for office and residential uses, restricted to the following:
  - a. Art Gallery
  - b. Bakery
  - c. Barber Shop/Beauty Shop
  - d. Book Store
  - e. Brewery
  - f. Computer Supply Store
  - g. Copy Center/Print Shop
  - h. Dance Studio
  - i. Drug Store (not to exceed 2,000 SF)
  - j. Dry Cleaning Pick-up Station
  - k. Fitness Studio
  - l. Florist, Retail without Greenhouse
  - m. Nail Salon (subject to approval of a conditional use)
  - n. Neighborhood Grocery (min. 3,000 SF)
  - o. Office Supply Store (not to exceed 2,000 SF)
  - p. Package Shipping Store
  - q. Recreation Facilities (Indoor)
  - r. Restaurant (no drive-through)
  - s. Retail Sales and Services Establishment
  - t. Shop or Studio, Craftsman/Artist
  - u. School, Commercial
  - v. Spa Services (subject to approval of a conditional use)
7. Minimum setbacks shall be 20' on Old Milton Parkway and Brookside Parkway and 10' on the private street to the south. Side and rear setbacks shall be 15' and shall be

in addition to required buffers. Building setbacks along new streets shall be as depicted on the site plan prepared by Kimley Horn, revised 4/16/26.

8. Property owner shall provide a public access easement over the existing sidewalk along Old Milton Parkway.
9. It is anticipated that the Brookside Parkway Lane Diet project to reduce the existing 4-lane road section and add enhanced bicycle and pedestrian facilities on one side of Brookside Parkway will be accomplished within the existing right-of-way. If it is determined that right-of-way is needed for the project, developer shall provide right-of-way and/or construction easements.
10. Minimum parking requirements shall be as depicted on the site plan and parking study prepared by Kimley Horn, revised 4/16/26 and dated 3/10/25, respectively. The proposed development shall incorporate parking management plans, standard operating procedure plans, as well as other related plans and/or infrastructure that support the shared parking efforts identified for the site, as approved by Staff.
11. New streets shall be private and substantially similar to the submitted Roadway Section plans prepared by CORE, dated 4/22/26, except for modifications required to comply with the conditions below. Roadway Section B planter (bump outs at the beginning and end of on-street parking) shall be planted with trees. ~~Roadway Section E drive aisle width shall be reduced to 10' with the additional area split between the planter and landscape strip on both sides of the street. Planter and landscape strips shall be planted with trees.~~
12. Minimum 20' landscape strip (not including sidewalk) shall be provided along Old Milton Parkway and minimum 10' landscape strip shall be provided along Brookside Parkway. Existing landscape strip and planter trees along Old Milton Parkway and Brookside Parkway, determined to be healthy, shall be preserved, except at relocated curb cuts along Old Milton Parkway and Brookside Parkway and as needed to install a deceleration lane on Old Milton Parkway (if required by GDOT), as approved by Staff. A row of shrubs, minimum 2' at planting, shall be planted in the planter adjacent to the deceleration lane along Old Milton Parkway, as permitted by GDOT.
13. Minimum 10' natural or landscaped buffer shall be provided along the private street to the south, except where the proposed new local street comes within 5' of the southern

property line the buffer may be reduced to 5'. Developer shall make reasonable efforts to save the existing trees along the private street to the south.

14. Site landscaping shall be substantially similar to the Landscape Strategy prepared by CORE, dated 3/20/25, with final approval by DRB. A detailed landscape plan shall be approved prior to issuance of a LDP.
15. Storefront streets shall include foundation plantings and/or planted decorative pots, as approved by DRB.
16. In order to obscure parking lots, surface parking shall be screened from Old Milton Parkway and Brookside Parkway with architectural features and/or landscaping, with final approval by DRB.
17. Parking lot islands shall be planted with trees, shrubs and ground covers.
18. Developer shall save healthy trees in the area adjacent to Brookside Park, except where to grade and install pedestrian amenities, as depicted on the site plan prepared by Kimley Horn, revised 4/16/26.
19. Minimum 13.72 acres of open space shall be provided which shall include the off-site Big Creek Greenway trail connection, as depicted on the site plan prepared by Kimley Horn, revised 4/16/26.
20. At-grade pedestrian and bicycle connections shall be provided throughout the site, including between buildings and open space within the development. Pedestrian crossings within the development shall be ramped and surface materials shall be brick pavers, cobblestones, or architecturally treated concrete, as approved by DRB. Pedestrian bridges, stairs, elevators, and escalators may encroach over and into public spaces provided that they do not impede pedestrian circulation or safety. Bicycle facilities shall be provided throughout the development, including a bicycle-share station.
21. Detention facilities shall not be visible from the public right-of-way, except as a decorative water feature, as approved by Staff.
22. Runoff reduction and water quality treatment measures shall add to the decorative or aesthetic nature of the development. Features like bioretention, tree wells, pervious pavers, etc. shall be prioritized in the design.

23. The 2 main entrances off Old Milton Parkway and Brookside Parkway shall include a minimum 750 square feet greenspace incorporating an entrance monument and decorative landscaping, as approved by DRB. Installation shall be required prior to the 1<sup>st</sup> CO for the development.
24. Developer is encouraged to work with the Brookside Association to improve the corner of Old Milton Parkway and Brookside Parkway as a decorative greenspace incorporating landscaping and entrance monumentation.
25. Developer shall provide a minimum 1 original sculpture, a minimum 1 alternative art installation utilizing light or sound, and minimum 4 murals, as well as entry monumentation as depicted on the Site Program + Amenities Exhibit prepared by CORE, dated 4/22/26, with final locations approved by Staff. Sculptures and murals are subject to final approval by the Cultural Arts Commission. Completion of sculptures shall be required concurrent with the CO for the 'For-Rent' building and murals shall be completed concurrent with the CO for the building where they are located.
26. Parking decks and retaining walls shall have architectural façade treatment or be heavily landscaped, as approved by DRB. Retaining walls visible from developed areas exceeding 16' in height shall be terraced.
27. Developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters, kiosks, and other street furniture, where appropriate, throughout the development. Existing MARTA bus shelter along Brookside Parkway shall be replaced with a new bus shelter with design subject to final approval by Staff.
28. Developer shall improve a multi-use trail connection through Brookside Park connecting the subject property to the Big Creek Greenway, as depicted on the Connectivity + Pedestrian Circulation Exhibit prepared by CORE, dated 3/20/25, including a minimum 12' concrete (or similar), accessible multi-use trail and bridge with final alignment, design and materials, as approved by Staff. Trail connection shall include lighting (pedestrian and bollard), landscape, hardscape, and amenities. Trail entrance gateways shall be provided in the southwest and northwest corners of the property. Developer shall promote the use of the Big Creek Greenway trail connection by providing a min. 5 shared parking spaces for the public. Wayfinding signage shall be provided at key locations along the trail, as approved by Staff. The trail connection shall

be completed prior to a CO for the For-Rent building. Impact fee credits will be provided for the off-site trail connection improvements, as approved by Staff. Developer's financial obligation to implement the improvements in this condition 28 shall be limited to the amount of the impact fees generated for the development project.

29. Backside of buildings or 'back of house' functions (such as loading, trash, utilities, and similar) shall be screened from the public or private right-of-way or Brookside Park. Parapet walls shall be used as needed to screen rooftop mechanical equipment and views.
30. Min. 1 rooftop amenity shall be provided in the development. Restaurants shall include outdoor dining areas.
31. Prior to LDP, the applicant shall submit for approval a document to be entitled 'Portman Brookside Design Standards'. This document shall include elevations or architectural themes of buildings, specifications for street furniture including benches, trash receptacles, lighting, focal point features, bicycle racks, bus shelter, signage, landscaping themes, and entrance treatments and shall be substantially similar to the submitted renderings, as amended. Design standards will be presented to Staff and the DRB for review and approval.
32. Plans for buildings, landscaping, and signage shall be subject to review and approval by the DRB.
33. Prior to the first LDP, applicant shall submit a revised master plan for the property incorporating the approved conditions, as well as the following:
  - a. Approved specifications and standards identified for each use within the total development.
  - b. Pedestrian/bicycle network; and
  - c. Overall planned green space areas.
34. Every plan submitted for an LDP shall include an on-going density, open space, and acreage tabulation.
35. All site plans and civil design plans hereafter submitted to the City of Alpharetta shall state as the first note: "This plan reflects conditions stipulated through public hearing

regarding case MP-25-03/CLUP-25-01/Z-25-02/CU-25-03/V-25-02 Portman Brookside.”

GRTA Notice of Decision General Conditions of Approval (Conditions recommended by the Georgia Regional Transportation Authority and incorporated into a document, dated **May 4, 2026**, RE: DRI 4317 – Brookside West Alpharetta DRI):

Pedestrian, Bicycle and Transit Facilities

- 36. Provide pedestrian connectivity between all buildings, uses, and existing/future pedestrian access points.
- 37. Coordinate with the City of Alpharetta to identify opportunities for future connections to the Big Creek Greenway and to existing and proposed Brookside Trail alignments.
- 38. Coordinate with MARTA to identify opportunities to enhance existing or proposed bus stops adjacent to the project site.

Roadway Improvements

- 39. Coordinate with the City of Alpharetta during permitting to identify wayfinding opportunities internal to the site directing vehicular traffic to efficient routes to/from SR 400.

Old Milton Parkway (SR 120) at Site Driveway A

- 40. Reconstruct Driveway A to operate as a right-in-right-out driveway under driveway stop control including one (1) lane entering and one (1) lane exiting.

Brookside Parkway and Adjacent Roadway Site Access

- 41. Provide up to 2 new driveways along Brookside Parkway or along the Private Rd. South of the site, as approved by the City of Alpharetta.
- 42. Work with the City of Alpharetta to identify best practices for access configuration and make considerations for roadway and site safety.

~~Brookside Parkway at Site Driveway B (North Driveway)~~

- ~~43. Reconstruct Driveway B to operate as a full movement driveway under driveway stop control including one (1) lane entering and one (1) lane exiting.~~

~~Brookside Parkway at Site Driveway C (South Driveway)~~

~~44. Reconstruct Driveway C to operate as a full movement driveway under driveway stop control including one (1) lane entering and one (1) lane exiting.~~

~~45. Applicant will connect the parking lot on the south side of building marked R7 and connect that parking lot to the ingress from the curb cut that is to the south and east of the building currently shown as R7, leaving it to the applicant discretion to adjust the size of building R7 as they determine or find an alternative cut through to Brookside Parkway (either/or).~~

46. The townhomes will have a total of 15 street parking spots, the placement to be determined by the applicant, with agreement of staff.

- The submitted request, if approved, would allow for changes to conditions of zoning related to the Portman Brookside mixed-use development located in Pod A of the Brookside Master Plan. Changes to conditions of zoning are requested to amend the site plan, to increase restaurant use from 32,000 square feet to 40,000 square feet, to modify roadway section plans, to modify site program and amenities plan, and to delete a condition related to access to the retail area. The subject property is located at 3625 & 3655 Brookside Parkway near the southwest corner of Old Milton Parkway and Brookside Parkway.
- The property is developed with two (2) office buildings, consisting of approximately 289,720 square feet, and 1,136-space surface parking lot. The property was rezoned to MU (Mixed Use) in 2025 to allow for a 19.68-acre mixed-use development consisting of 130,000 square feet of office (existing), 60,000 square feet of retail/restaurant use, 75 'For-Sale' townhome units, and 335 'For-Rent' units. Surrounding properties are zoned O-I to the west, south, east, and north and O-P (Office-Professional) and CUP (Community Unit Plan) to the north. Olde Milton Commons, a strip shopping center, and Touchmark National Bank are located to the north, Brookside Park is located to the west, Georgia State University is located to the south, and a five (5) story office building is located to the east. The property has a comprehensive land use plan designation of 'Mixed Use'.
- The applicant requests the following changes to conditions of zoning related to MP-25-03/CLUP-25-01/Z-25-02/CU-25-03/V-25-02 Portman Holdings/Brookside MP Pod A:
  - Revisions to Conditions 1, 4(e), 7, 10, 18 and 19 to replace the referenced site plan by Kimley-Horn with the site plan enclosed with the application;

- Revision to the first sentence of Condition 4.b to increase the 32,000 square feet of restaurant (no drive-through) use allowed to 40,000 square feet;
  - Revision to Condition 11 to replace the referenced Roadway Section plans prepared by CORE with the revised Roadway Sections enclosed in this application;
  - Revision to Condition 11 to delete the third sentence requiring a 10' drive aisle width to align with the updated Roadway Sections and the cohesive roadway widths within the project;
  - Deletion of Condition 43 because the required parking lot connections are no longer applicable based on the modified commercial design area; and
  - Revision to Condition 25 to replace the referenced Site Program and Amenities Exhibit prepared by CORE.
- The applicant had the NOD (Notice of Decision) for DRI 4317 Brookside Mixed-Use revised to allow for the proposed change to the configuration of site access along Brookside Parkway.
  - The submitted site plan depicts changes primarily to the retail area of the site plan. The retail buildings have been condensed into a more walkable area with parking shifted to the edges of the retail area, instead of located between the retail buildings. In the proposed condition, the access from Brookside Parkway has been shifted south away from the intersection at Old Milton Parkway and Brookside Parkway.
  - The Citizen Participation Plan Report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The report states that no public comments were received.
  - The Community Zoning Information Meeting was held on May 13, 2026. There were no public comments.
  - Staff has reviewed the applicant's proposal for changes to conditions of zoning. The proposed changes would result in a more thoughtful site layout for the retail environment, which places a focus on walkability and gathering space. If approved, the conditions of zoning should be updated to reflect GRTA's revised NOD, dated May 4, 2026.

- Jessica Hill, representing Portman Holdings, came forward to speak on behalf of this application.
- The Applicant, Clayton Cheek, Senior Development Manager with Portman Holdings, came forward to speak on behalf of this application.

#### CITY COUNCIL DISCUSSION:

- Council Member Hipes asked staff about how the new curb cut on the new plan lines up with any existing curb cuts in Brookside West.
- Council Member Reeves asked staff about the number of stories recommended for approval for the parking deck versus what was previously approved.
- Council Member Reeves asked the applicant about the road between R7, R5, and R6 on the proposed site plan and if it is intended to be a private road.

#### PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel made a motion to approve PH-26-10 Portman Brookside – Change of Condition, subject to the following conditions related to MP-25- 03/CLUP-25-01/Z-25-02/CU-25-03/V-25-02 Portman Holdings/Brookside MP Pod A:
  1. The 19.68-acre property shall be zoned MU, and the site shall be developed substantially similar to the site plan by Kimley Horn, revised 4/16/26, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
  2. The comprehensive land use designation of the property shall be 'Mixed Use'.
  3. Architectural style shall be representative of the submitted renderings prepared by SK+I, dated 3/20/25, with final approval by DRB.
  4. Development regulations shall be as follows (The entitlements below shall be deducted from the Brookside Master Plan non-residential density, including an exchange rate of 800 square feet of non-residential density for each residential unit):
    - a. Office – Office use shall be limited to no more than 130,000 square feet, which shall include the existing office building. Office uses shall be permitted in the

ground floor space along the storefront street in the For-Rent building and shall not count against the maximum office area above. Office building shall have a maximum height of 5 stories or 85'.

- b. Commercial – Retail and restaurant (no drive-through) uses shall be limited to no more than 60,000 square feet, of which no more than 40,000 square feet shall be used for restaurant (no drive-through) use. Retail uses shall be limited to service retail incidental to office and residential uses. Retail/restaurant buildings shall have a maximum height of 2 stories or 40'.
- c. 'For-Sale' Residential – Up to 75 'For-Sale' Townhome units shall be permitted with a maximum height of 4 stories or 50'. No more than 10% shall be rented as stated in the HOA documents.
- d. 'For-Rent' Residential – After January 1, 2027, 335 'Dwelling, 'For-Rent' units shall be permitted a Certificate of Occupancy (CO) in accordance with UDC 'For-Rent' requirements. At-grade 'For-Rent' units shall be limited to no more than 3 sides of the building and shall have walkouts with sidewalk connections. Maximum building height shall be 5 stories or 72'. Units shall be 1, 2, and 3 bedrooms with no more than 40% of the units being 2-bedroom and no more than 5% being 3-bedroom. A CO shall not be issued for rental units until the street level exterior of the existing office building has been renovated or is substantially under construction to facilitate the proposed commercial conversion of the 7,000 square feet of ground floor space in the existing office building and the retail village (free-standing buildings) is substantially under construction, as determined by Staff. The exterior improvements shall include creation of a pedestrian approach from the exterior of the building into the proposed commercial space with sidewalks and awning improvements. 'For-Rent' units shall be part of a mixed-use development containing a minimum 19 acres and incorporating retail/restaurant uses, 'For-Sale' residential uses, a neighborhood grocery, and the existing office building depicted on the site plan to be saved. 'For-Rent' units shall have first class amenities, which shall include a private pool, fitness center, secure parking, resident's lounge, business center, on-site management office, concierge services and secure elevator access. If a building

permit is not issued by April 28, 2028, residential units shall revert to 'For-Sale' only.

- e. Parking Deck – Maximum 6 levels, substantially as depicted on the site plan prepared by Kimley Horn, revised 4/16/26. Parking decks visible from Old Milton Parkway and Brookside Parkway shall be treated with comparable materials and finishes as the buildings they serve or art such as a mural, as approved by Staff. Screening of parking decks with evergreen landscaping of sufficient size shall be required, as approved by Staff. Suitability of parking deck elevation, visibility and landscape screening shall be approved by the DRB.
5. Brookside Master Plan Pod A shall be limited to the following uses and further restricted by conditions of zoning:
    - a. Office
    - b. Service Retail
    - c. Restaurant (no drive thru)
    - d. Residential – 'For-Sale' and 'For-Rent'
  6. Service retail uses shall be those customarily accessory to or amenities for office and residential uses, restricted to the following:
    - a. Art Gallery
    - b. Bakery
    - c. Barber Shop/Beauty Shop
    - d. Book Store
    - e. Brewery
    - f. Computer Supply Store
    - g. Copy Center/Print Shop
    - h. Dance Studio
    - i. Drug Store (not to exceed 2,000 SF)
    - j. Dry Cleaning Pick-up Station

- k. Fitness Studio
  - l. Florist, Retail without Greenhouse
  - m. Nail Salon (subject to approval of a conditional use)
  - n. Neighborhood Grocery (min. 3,000 SF)
  - o. Office Supply Store (not to exceed 2,000 SF)
  - p. Package Shipping Store
  - q. Recreation Facilities (Indoor)
  - r. Restaurant (no drive-through)
  - s. Retail Sales and Services Establishment
  - t. Shop or Studio, Craftsman/Artist
  - u. School, Commercial
  - v. Spa Services (subject to approval of a conditional use)
7. Minimum setbacks shall be 20' on Old Milton Parkway and Brookside Parkway and 10' on the private street to the south. Side and rear setbacks shall be 15' and shall be in addition to required buffers. Building setbacks along new streets shall be as depicted on the site plan prepared by Kimley Horn, revised 4/16/26.
8. Property owner shall provide a public access easement over the existing sidewalk along Old Milton Parkway.
9. It is anticipated that the Brookside Parkway Lane Diet project to reduce the existing 4-lane road section and add enhanced bicycle and pedestrian facilities on one side of Brookside Parkway will be accomplished within the existing right-of-way. If it is determined that right-of-way is needed for the project, developer shall provide right-of-way and/or construction easements.
10. Minimum parking requirements shall be as depicted on the site plan and parking study prepared by Kimley Horn, revised 4/16/26 and dated 3/10/25, respectively. The proposed development shall incorporate parking management plans, standard operating procedure plans, as well as other related plans and/or

infrastructure that support the shared parking efforts identified for the site, as approved by Staff.

11. New streets shall be private and substantially similar to the submitted Roadway Section plans prepared by CORE, dated 4/22/26, except for modifications required to comply with the conditions below. Roadway Section B planter (bump outs at the beginning and end of on-street parking) shall be planted with trees.
12. Minimum 20' landscape strip (not including sidewalk) shall be provided along Old Milton Parkway and minimum 10' landscape strip shall be provided along Brookside Parkway. Existing landscape strip and planter trees along Old Milton Parkway and Brookside Parkway, determined to be healthy, shall be preserved, except at relocated curb cuts along Old Milton Parkway and Brookside Parkway and as needed to install a deceleration lane on Old Milton Parkway (if required by GDOT), as approved by Staff. A row of shrubs, minimum 2' at planting, shall be planted in the planter adjacent to the deceleration lane along Old Milton Parkway, as permitted by GDOT.
13. Minimum 10' natural or landscaped buffer shall be provided along the private street to the south, except where the proposed new local street comes within 5' of the southern property line the buffer may be reduced to 5'. Developer shall make reasonable efforts to save the existing trees along the private street to the south.
14. Site landscaping shall be substantially similar to the Landscape Strategy prepared by CORE, dated 3/20/25, with final approval by DRB. A detailed landscape plan shall be approved prior to issuance of a LDP.
15. Storefront streets shall include foundation plantings and/or planted decorative pots, as approved by DRB.
16. In order to obscure parking lots, surface parking shall be screened from Old Milton Parkway and Brookside Parkway with architectural features and/or landscaping, with final approval by DRB.
17. Parking lot islands shall be planted with trees, shrubs and ground covers.

18. Developer shall save healthy trees in the area adjacent to Brookside Park, except where to grade and install pedestrian amenities, as depicted on the site plan prepared by Kimley Horn, revised 4/16/26.
19. Minimum 13.72 acres of open space shall be provided which shall include the off-site Big Creek Greenway trail connection, as depicted on the site plan prepared by Kimley Horn, revised 4/16/26.
20. At-grade pedestrian and bicycle connections shall be provided throughout the site, including between buildings and open space within the development. Pedestrian crossings within the development shall be ramped and surface materials shall be brick pavers, cobblestones, or architecturally treated concrete, as approved by DRB. Pedestrian bridges, stairs, elevators, and escalators may encroach over and into public spaces provided that they do not impede pedestrian circulation or safety. Bicycle facilities shall be provided throughout the development, including a bicycle-share station.
21. Detention facilities shall not be visible from the public right-of-way, except as a decorative water feature, as approved by Staff.
22. Runoff reduction and water quality treatment measures shall add to the decorative or aesthetic nature of the development. Features like bioretention, tree wells, pervious pavers, etc. shall be prioritized in the design.
23. The 2 main entrances off Old Milton Parkway and Brookside Parkway shall include a minimum 750 square feet greenspace incorporating an entrance monument and decorative landscaping, as approved by DRB. Installation shall be required prior to the 1st CO for the development.
24. Developer is encouraged to work with the Brookside Association to improve the corner of Old Milton Parkway and Brookside Parkway as a decorative greenspace incorporating landscaping and entrance monumentation.
25. Developer shall provide a minimum 1 original sculpture, a minimum 1 alternative art installation utilizing light or sound, and minimum 4 murals, as well as entry monumentation as depicted on the Site Program + Amenities Exhibit prepared by CORE, dated 4/22/26, with final locations approved by Staff. Sculptures and

murals are subject to final approval by the Cultural Arts Commission. Completion of sculptures shall be required concurrent with the CO for the 'For-Rent' building and murals shall be completed concurrent with the CO for the building where they are located.

26. Parking decks and retaining walls shall have architectural façade treatment or be heavily landscaped, as approved by DRB. Retaining walls visible from developed areas exceeding 16' in height shall be terraced.
27. Developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters, kiosks, and other street furniture, where appropriate, throughout the development. Existing MARTA bus shelter along Brookside Parkway shall be replaced with a new bus shelter with design subject to final approval by Staff.
28. Developer shall improve a multi-use trail connection through Brookside Park connecting the subject property to the Big Creek Greenway, as depicted on the Connectivity + Pedestrian Circulation Exhibit prepared by CORE, dated 3/20/25, including a minimum 12' concrete (or similar), accessible multi-use trail and bridge with final alignment, design and materials, as approved by Staff. Trail connection shall include lighting (pedestrian and bollard), landscape, hardscape, and amenities. Trail entrance gateways shall be provided in the southwest and northwest corners of the property. Developer shall promote the use of the Big Creek Greenway trail connection by providing a min. 5 shared parking spaces for the public. Wayfinding signage shall be provided at key locations along the trail, as approved by Staff. The trail connection shall be completed prior to a CO for the For-Rent building. Impact fee credits will be provided for the off-site trail connection improvements, as approved by Staff. Developer's financial obligation to implement the improvements in this condition 28 shall be limited to the amount of the impact fees generated for the development project.
29. Backside of buildings or 'back of house' functions (such as loading, trash, utilities, and similar) shall be screened from the public or private right-of-way or Brookside Park. Parapet walls shall be used as needed to screen rooftop mechanical equipment and views.

30. Min. 1 rooftop amenity shall be provided in the development. Restaurants shall include outdoor dining areas.
31. Prior to LDP, the applicant shall submit for approval a document to be entitled 'Portman Brookside Design Standards'. This document shall include elevations or architectural themes of buildings, specifications for street furniture including benches, trash receptacles, lighting, focal point features, bicycle racks, bus shelter, signage, landscaping themes, and entrance treatments and shall be substantially similar to the submitted renderings, as amended. Design standards will be presented to Staff and the DRB for review and approval.
32. Plans for buildings, landscaping, and signage shall be subject to review and approval by the DRB.
33. Prior to the first LDP, applicant shall submit a revised master plan for the property incorporating the approved conditions, as well as the following:
- a. Approved specifications and standards identified for each use within the total development.
  - b. Pedestrian/bicycle network; and
  - c. Overall planned green space areas.
34. Every plan submitted for an LDP shall include an on-going density, open space, and acreage tabulation.
35. All site plans and civil design plans hereafter submitted to the City of Alpharetta shall state as the first note: "This plan reflects conditions stipulated through public hearing regarding case MP-25-03/CLUP-25-01/Z-25-02/CU-25-03/V-25-02 Portman Brookside."
- GRTA Notice of Decision General Conditions of Approval (Conditions recommended by the Georgia Regional Transportation Authority and incorporated into a document, dated May 4, 2026, RE: DRI 4317 – Brookside West Alpharetta DRI):

Pedestrian, Bicycle and Transit Facilities

36. Provide pedestrian connectivity between all buildings, uses, and existing/future pedestrian access points.

37. Coordinate with the City of Alpharetta to identify opportunities for future connections to the Big Creek Greenway and to existing and proposed Brookside Trail alignments.

38. Coordinate with MARTA to identify opportunities to enhance existing or proposed bus stops adjacent to the project site.

#### Roadway Improvements

39. Coordinate with the City of Alpharetta during permitting to identify wayfinding opportunities internal to the site directing vehicular traffic to efficient routes to/from SR 400.

#### Old Milton Parkway (SR 120) at Site Driveway A

40. Reconstruct Driveway A to operate as a right-in-right-out driveway under driveway stop control including one (1) lane entering and one (1) lane exiting.

#### Brookside Parkway and Adjacent Roadway Site Access

41. Provide up to 2 new driveways along Brookside Parkway or along the Private Rd. South of the site, as approved by the City of Alpharetta.

42. Work with the City of Alpharetta to identify best practices for access configuration and make considerations for roadway and site safety.

43. The townhomes will have a total of 15 street parking spots, the placement to be determined by the applicant, with agreement of staff.

- Council Member DeRito seconded the motion.
- The following discussion occurred during the motion:
  - Council Member Reeves commented that it's a small change, but she appreciates the time and effort involved in thinking about it.
- The motion was approved unanimously (6-0).

### **D. PH-26-09 2045 Alpharetta Comprehensive Plan – Transmittal Hearing**

*Consideration of a request to transmit the 2045 Alpharetta Comprehensive Plan draft plan to the Atlanta Regional Commission (ARC) and Department of Community Affairs (DCA) for review.*

- Development and Planning Services Manager, Michael Woodman, came forward to introduce the item and presenter.
- Ben Kern with MKSK, came forward to present this item.
- City Attorney, Molly Esswein, read the resolution title aloud.
- State regulations require that community comprehensive plans be prepared, adopted, and updated on a regular basis in order to ensure compliance with regional plans and maintain eligibility for grants and other funding. The current comprehensive plan, Horizon 2040 Comprehensive Plan, was adopted in 2021. The Alpharetta 2045 Comprehensive Plan was prepared under the direction of MKSK with the plan kickoff in August 2025. Community meetings and online surveys were conducted to solicit feedback from the community on needs and opportunities and Plan themes. In addition, MKSK held several Stakeholder and Steering Committee meetings to support the community outreach process, solicit general feedback, and plan development. The public hearings associated with the transmittal of the Alpharetta 2045 Comprehensive Plan to DCA and ARC are also meant to provide the community with an opportunity to review and comment on the draft plan. The plan will be updated based on public comments prior to transmittal.
- This item was considered at the May 7, 2026 Planning Commission meeting. There were no public comments. After discussion, the Planning Commission recommended approval. Vote 7-0.
- The community identified four (4) themes or areas of focus, which included Growth Management; North Point; Economic Resilience and Office; and Parks, Trails, Open Spaces and Trees. New and amended policies and strategies were developed based on the four (4) themes. Changes to the Future Land Use Map include approved comprehensive land use plan amendments over the last 5 years, the Windward Plaza area (Windward Pkwy, Deerfield Pkwy, and Old Morris Road) changed from 'Commercial' to 'Mixed Use' as recommended in the Windward LCI, and the Terraces at Windward (Windward Pkwy, Market Place, and Big Creek Greenway) changed from 'Commercial' and 'Corporate Office' to 'Mixed Use'. Five (5) focus areas have been

identified and added to the future land use map, including North Point, Windward, Great Oaks/Royal 400, Brookside, and Downtown. The Short-Term Work Program was also updated to reflect completed projects and new projects identified in planning studies adopted since the last comprehensive plan update in 2021.

#### CITY COUNCIL DISCUSSION:

- Council Member DeRito asked Mr. Kern about a quote in the presentation from developers about office space in the city and his opinion on how much office space is worth eliminating based on the discussions he's been having. Council Member DeRito commented that the city needs to be careful about eliminating commercial space. He further asked Mr. Kern how important the NHL/arena is to the viability of the redevelopment of the North Point corridor. He further asked about the areas of interest that were pointed out (North Point, Windward East of 400, Royal 400, Brookside) in the Comprehensive Plan 2045 versus the Comprehensive Plan 2040.
- Council Member Reeves commented that small the number of responses to the survey does not represent the totality of the city. She further commented that mixed use developments can be overdone and that the people she has spoken with are concerned about density.
- Council Member Hipes asked Mr. Kern about the change in the median age from 2020-2025 and how it compares to neighboring communities. He further asked about the tax ratio between residential and commercial. He further asked about the population growth of Alpharetta since 2020 and how it compares to neighboring communities. He further asked about the decline in building permits and if that's because we're in a redevelopment phase.

#### PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel made a motion to adopt a Resolution authorizing the transmittal of the 2045 Alpharetta Comprehensive Plan draft plan to the Atlanta Regional Commission (ARC) and Department of Community Affairs (DCA) for review.
- Council Member Hipes seconded the motion.
- There was the following discussion during the motion:

- Council Member Reeves asked staff if input were received from residents prior to June 30, if changes could be made to the proposal after transmittal to the state.
- Council Member DeRito commented that he hopes the people they represent understand that these discussions and questions are intentional to ensure the right decisions are being made for the long-term economic viability of the City.
- Mayor Gilvin commented that it's a shame that more people did not participate in the survey. He further commented that the unique balance of business and residents is what makes Alpharetta special – it is a great place to both build a business and raise a family. He appreciates the diverse opinions of the Council because it's a diverse community. This is a blueprint; nothing is set in stone.
- The motion was approved unanimously (6-0).

#### **E. PH-26-05 Unified Development Code Text Amendments – Pickleball Courts**

*Consideration of text amendments to Unified Development Code (UDC) Section 1.4 Definitions and UDC Section 2.7 Miscellaneous Regulations to add definitions and regulations pertaining to pickleball courts.*

- Director of Community Development, Kathi Cook, came forward to present this item.
- City Attorney, Molly Esswein, read the ordinance title aloud.
- This item was considered at the May 7, 2026 Planning Commission meeting. There were several public comments with four (4) in favor and two (2) in opposition. Generally, those providing comments appreciated that the City was adding regulations for pickleball courts due to the noise impacts on public health and hoped that HOAs would follow the City's lead. One commentator indicated that HOAs should regulate pickleball courts and asked for clarification whether the ordinance was retroactive. After discussion, the Planning Commission recommended approval subject to a few changes including, changing the prohibited zone from 350' or less to 250' or less and clarifying that pickleball nets may be attached or unattached to the court. Vote 7-0.
- Staff recommend text amendments to Unified Development Code (UDC) Section 1.4 Definitions, to add definitions and Section 2.7 Miscellaneous Regulations, to add regulations pertaining to siting requirements and design standards for pickleball courts.

The proposed text amendments are intended to balance the demand for pickleball courts, neighborhood compatibility concerns, and legal risk.

- With the growing popularity of pickleball, the City has experienced an uptick in questions and complaints over noise related to pickleball courts. In the Glen Abbey and Clairmonte subdivisions, for example, tennis courts have been converted to pickleball courts resulting in numerous noise complaints to the City's Police Department. Currently, the UDC allows clubhouse, swimming pool, or community recreation facilities serving a subdivision as an accessory use in all residential zoning districts and the UDC does not distinguish among the types of sports courts permitted under community recreation facilities.
- The American Planning Association (APA) Zoning Practice, *Managing Pickleball Noise Through Zoning* publication from November 2025 provides a framework for jurisdictions to address emerging issues related to pickleball. The publication identifies the problem (impulsive noise), tools for mitigating pickleball noise, and zoning ordinance amendments to address the issue. A variety of recommended pickleball noise mitigation strategies are identified, including requiring complete enclosure of courts, distance and setbacks, barriers and walls, quiet equipment, and hours of operation limitations. Zoning ordinance amendments are recommended, including defining pickleball as a distinct use, establishing distances for a three (3) tiered permitting structure (prohibited zone, conditional zone, by-right zone).
- In addition to reviewing professional publications, Staff researched surrounding and nearby jurisdictions (Cherokee County, Dunwoody, Forsyth County, Fulton County, Johns Creek, Milton, Roswell, and Sandy Springs) to see if and how they address pickleball courts. None of the jurisdictions listed above currently have requirements specifically regulating pickleball courts. As shown in the table below, jurisdictions around the country are beginning to regulate pickleball courts which in most cases include distance separation requirements from residential properties.

#### **CITY COUNCIL DISCUSSION:**

- Council Member Hipes asked staff about the decision to confine the changes to residential properties.

- Council Member DeRito asked staff about temporary pickleball courts and how the ordinance would apply if they became permanent after the ordinance is passed.
- Council Member Reeves asked staff if grandfathering/nonconformity is determined by the City or by the law.

**PUBLIC COMMENTS:**

- Jit Saha, 12305 Clairmonte Avenue, Alpharetta, GA came forward to speak in opposition of the item.
- Naseem Rezvanpour, 12330 Clairmonte Avenue, Alpharetta, GA came forward to speak in favor of the item.
- Matt Christensen, 550 Eberly Place, Alpharetta, GA came forward to speak in favor of the item.
- Cammie Christensen, 550 Eberly Place, Alpharetta, GA came forward to speak in favor of the item.
- Beth Shellhouse, 345 Tivendale Court, Alpharetta, GA came forward to speak in favor of the item.
- ❖ Mayor Pro Tem Merkel made a motion to approve the first reading of text amendments to Unified Development Code (UDC) Section 1.4 Definitions and UDC Section 2.7 Miscellaneous Regulations to add definitions and regulations pertaining to pickleball courts.
- Council Member DeRito seconded the motion.
- The following discussion occurred during the motion:
  - Council Member Hipes commented that this ordinance is going in the right direction, but it does not go far enough to protect non-residential buildings.
  - Council Member DeRito commented that he is grateful that this issue was brought to the Council's attention and that this ordinance has his support.
  - Council Member Driskell thanked the residents for the way this issue was brought forward.
- The motion was approved (5-1). Council Member Hipes in opposition.

## F. PH-26-07 Unified Development Code Text Amendments – Short-term Rentals

*Consideration of text amendments to the Unified Development Code (UDC) and Code of Ordinances related to short-term rentals. Amend UDC Article II and Code of Ordinances Article XV to add clarification regarding the use of a single-family dwelling unit and accessory dwelling unit as a short-term rental and amend UDC Article II and Appendix A: Alpharetta Downtown Code to add certain zoning districts permitting short-term rentals as a permitted use and conditional use and update the List of Permissible and Conditional Uses tables.*

- Director of Community Development, Kathi Cook, came forward to present this item.
- City Attorney, Molly Esswein, read the ordinance title aloud.
- This item was considered at the May 7, 2026 Planning Commission meeting. There were no public comments. After discussion, the Planning Commission recommended approval. Vote 7-0.
- The City's Short-Term Rental ordinance was approved on January 6, 2025 with the short-term rental permitting process rolled out in May 2025. The ordinance allows short-term rentals in residential zoning districts with a five percent (5%) cap in platted subdivisions and no short-term rentals located adjacent to one another. Annual licensing and operational regulations were included in the ordinance. To date, the City has received 40 short-term rental license applications, with 33 licenses issued. The remaining seven (7) applications were denied for various reasons. The City utilizes Neumo (previously Avenu Insights & Analytics), which is a short-term rental compliance software used to monitor short-term rentals in the community. The four (4) Downtown zoning districts and the PSC (Planned Shopping Center) zoning district were inadvertently not included in the initial short-term rental ordinance in 2025.
- Staff recommend text amendments to UDC Article II and Code of Ordinances Article XV to add clarification regarding the use of a single-family dwelling unit and accessory dwelling unit as a short-term rental.
- Staff is also recommending allowances for short-term rentals in the PSC (Planned Shopping Center) and Downtown zoning districts. These districts were left out of the previous advertising and not included. UDC Article II Table 2.2 List of Permissible and Conditional Uses to add 'Short-term Rental' as a conditional use the PSC zoning districts;

UDC Subsection 2.7.1 to amend the short-term rental regulations to allow a short-term rental as a permitted use in the DT-C (Downtown Core), DTMU (Downtown Mixed-Use), DT-LW (Downtown Live-Work), and DT-R (Downtown Residential) zoning districts and as a conditional use in the PSC zoning district; and UDC Appendix A Alpharetta Downtown Code Section 3.4 Uses Allowed by District to add short-term rental as a permitted use in the DT-C, DT-MU, DT-LW, and DT-R zoning districts.

**PUBLIC COMMENTS:**

- There were no public comments.
  - ❖ Mayor Pro Tem Merkel made a motion to approve the first reading of text amendments to UDC Article II and Code of Ordinances Article XV to add clarification regarding the use of a single-family dwelling unit and accessory dwelling unit as a short-term rental and amend UDC Article II and Appendix A: Alpharetta Downtown Code to add certain zoning districts permitting short-term rentals as a permitted use and conditional use and update the List of Permissible and Conditional Uses tables.
    - Council Member Reeves seconded the motion.
    - The motion was approved unanimously (6-0).
- G. The following items have been deferred or withdrawn and will not be considered during this meeting:**

**1. Z-26-04/V-26-06 1425 Mayfield Road**

**DEFERRED:** This request was deferred by the Planning Commission to the June 4, 2026 Planning Commission meeting and will not be considered at this meeting.

*Consideration of a rezoning and variances to allow for the construction of a six (6) lot single-family detached subdivision on 4.57 acres. A rezoning is requested from AG (Agriculture) to R-22 (Dwelling, 'For-Sale') and variances are requested from Unified Development Code (UDC) Subsection 3.5.2(A) to reduce the minimum width of a local street from 50' to 44'. The property is located at 1425 Mayfield Road and is legally described as being located in Land Lot 1103, 2nd District, 2nd Section, Fulton County, Georgia.*

**2. Ordinance: Alcohol Ordinance Text Amendments**

DEFERRED: This item has been deferred by staff to the June 15, 2026 City Council meeting.

*Consideration and adoption of an Ordinance to amend Chapter 4 of the Code of the City of Alpharetta, referred to as Alcoholic Beverages, to amend the provisions related to definitions; inspections of licensed establishments; condition of premises; licensing qualifications; excise taxes; renewal of licenses; transfer of licenses; purchases from wholesalers; revocation, suspension or other penalties; hearing and appeal procedures; hours of sale; and for other purposes.*

3. **MP-26-05/CLUP-26-03/Z-26-03/V-26-03 Empire Old Milton Pkwy/Camden Pond**

DEFERRED: This item has been deferred by the applicant to the June 22, 2026 City Council meeting and will not be considered at this meeting.

*Consideration of a master plan amendment, comprehensive land use plan amendment, rezoning, and variance in order to construct 202 'For-Sale' townhomes on 29.2 acres. A master plan amendment is requested to the Camden Pond Master Plan to allow for the proposed change in development mix. A comprehensive land use plan amendment is requested from 'Professional Business Office' to 'High Density Residential' and a rezoning is requested from CUP (Community Unit Plan) to R-10M (Dwelling, 'For-Rent or 'For-Sale' Residential. A variance is requested to Unified Development Code (UDC) Subsection 2.2. 10(D) to reduce the front setback from 65' to 50'. The property is located at 3842 Old Milton Parkway and is legally described as being located in Land Lots 2, 3, 44, 45 & 49, 1st District, 1st Section, Fulton County, Georgia.*

## 7. NEW BUSINESS

**A. Invitation to Bid 26-012: Sidewalk Construction on Cumming Street, Westside Parkway, Devore Road**

*Consideration and approval of the award of ITB 26-012 for Sidewalk Construction on Cumming Street, Westside Parkway, Devore Road to Ohmshiv Construction in an amount not to exceed \$1,891,097.20, and with authorization for the Mayor to execute all necessary documents.*

- Director of Public Works, Peter Sewczwicz, came forward to present this item.

- This agenda item is for consideration to award ITB 26-012 for Sidewalk Construction on Cumming Street, Westside Parkway, and Devore Road. The procurement method selected is an Invitation to Bid (ITB). The recommended vendor is Ohmshiv Construction.
- Cumming Street (near Westside Parkway): Currently, there is a sidewalk gap on the south side of Cumming Street near Westside Parkway (across from Innovation Way). This section contains multiple mature trees. To enhance pedestrian safety, provide a continuous sidewalk, and preserve the majority of these trees, Public Works has designed a 6-foot-wide raised boardwalk with prefabricated concrete decking for approximately 325 feet. The decking system, known as Permatrak, minimizes impacts to existing tree roots. In the area near Westside Parkway where trees are not present, a standard 6-foot-wide at-grade sidewalk will be constructed. A temporary construction easement from Windward Campus LLC located at 2001 Westside Pkwy was necessary for this sidewalk construction, which has been acquired.
- Westside Parkway (near Cumming Street): This portion of the project includes constructing a new 6-foot-wide at-grade sidewalk along Westside Parkway, south of Cumming Street, to close the existing sidewalk gap. In addition, a new right-turn lane will be added on Westside Parkway at Cumming Street within the existing right-of-way. This is able to be accomplished by narrowing the existing median and reducing lane widths to 10.5-ft wide. This improvement is expected to significantly enhance traffic flow, particularly during morning and afternoon peak periods associated with Manning Oaks Elementary School drop-off and pick-up.
- Devore Road (near Haynes Bridge Road): This portion of the project includes widening the existing sidewalk along Devore Road, in front of the QuikTrip gas station near Haynes Bridge Road, to 12 feet to match the remainder of the corridor. Additionally, the intersection of Haynes Bridge Road and Devore Road will be upgraded with new Alpha Loop-style crosswalks and ADA-compliant ramps to improve pedestrian accessibility and safety.
- The Department of Public Works, with guidance from the Finance Department, prepared ITB 26-012 which was published on March 19, 2026. ITB 26-012 was advertised through the City's e-procurement site (Bonfire) as well as the Georgia Procurement

Registry and resulted in over 2,040 vendor (firm) invites and 50 document takers. ITB 26-012 responses were received on April 16, 2026 and included bids from 7 firms.

- The bids received in connection with ITB 26-012 are as follows:
  - Ohmshiv Construction, LLC. (\$1,891,097.20)
  - Sol Construction LLC (\$1,933,191.43)
  - Hasbun Construction (\$2,042,318.39)
  - Summit construction & Development LLC (\$2,125,858.19)
  - Excellere Construction LLC (\$2,270,700.00)
  - Complete Site, LLC (\$2,417,780.20)
  - Lagniappe Development Co., Inc. (\$3,186,500.82)
- Staff reviewed and evaluated all 7 bids. The low bidder's, Ohmshiv Construction, proposed cost and unit prices are consistent with other construction projects that are currently in progress in the City. Close bid amounts are another indication of competitive pricing among vendors. The difference between the first and second bidder's proposed costs is only 2.2%. The difference between the first and third bidder's proposed cost is less than 8%.
- Staff recommends award of ITB 26-012 to Ohmshiv Construction as the low-cost responsive and responsible bidder. The Evaluation Committee met with Ohmshiv Construction on Tuesday April 21, 2026 to go over the project scope and the proposed cost, and to ensure that the city's expectations are clear for this project's construction. Ohmshiv Construction has successfully completed multiple projects similar in scope to this project. Completion of all aspects of the various projects is anticipated to take 300 days to complete.

#### **PUBLIC COMMENTS:**

- There were no public comments.
- ❖ Council Member Reeves offered a motion to approve the award of ITB 26-012 for Sidewalk Construction on Cumming Street, Westside Parkway, Devore Road to Ohmshiv Construction in an amount not to exceed \$1,891,097.20, and with authorization for the Mayor to execute all necessary documents.

- Council Member Hipes seconded the motion.
- The motion was approved unanimously (6-0).

## B. Crabapple Government Building Roof Replacement

*Consideration and approval of the award of the Crabapple Government Building Roof Replacement project to Hopewell Roofing & Restoration in an amount not to exceed \$64,559.56, and with authorization for the Mayor to execute all necessary documents.*

- Director of Public Works, Peter Sewczwicz, came forward to present this item.
- This request is for the replacement of the asphalt shingle roof at the Crabapple Government Facility. The existing roof was installed in 1999 and is at the end of its useful life. The current asphalt roof is experiencing leaks causing damage to ceilings and walls located inside the police training offices and rooms. The roof was originally budgeted to be replaced in FY 2027. Due to recent damage caused by leaks, a mid-year budget request was approved to replace the roof in FY 2026. The existing roof will be replaced with a 50-year architectural shingle with a 25-year workmanship warranty and a 50-year manufacturer's warranty.
  - The following scope consists of the following:
    - Remove the existing roof down to the decking.
    - Replace any rotten plywood / decking.
    - Install GAF Feltbuster Synthetic Underlayment to 100% of the roof deck surface.
    - Install GAF Weather Watch Ice & Water Shield on all valleys, sidewalls, penetrations and low slope areas.
    - Install GAF Timberline HDZ 50 Year Lifetime Architectural shingles.
    - Step Flash all walls, dormers and chimneys as needed.
    - Install drip edge to all eaves and rakes.
    - Install GAF Pro Start starter strips on all eaves and rakes.
    - Install GAF Cobra 3 Ridge Vents to ensure proper attic ventilation.
    - Install GAF Timbertex high profile 50 year hip and ridge shingles.

- Install GAF Masterflow Lifetime Pivot Pipe Boots.
  - Paint all roof accessories to match the shingle color.
  - Protect all landscaping, lawn ornaments, lighting, HVAC condensers, etc.
  - Dispose of all job-related debris.
  - All materials to be installed per manufacturer's specifications and local building code.
  - GAF Golden Pledge 50 Year Lifetime Manufacturer's Warranty—GAF 25 Year Workmanship Warranty.
  - GAF Infinite Wind Speed Warranty.
  - GAF 25 Year StainGuard Warranty.
- The Public Works Department solicited quotes for the scope of work from the following contractors:
    - Hopewell Roofing and Restoration (low quote) - \$64,559.56
    - C.L. Burks Construction Commercial Roofing Contractors - \$67,450.82
    - Strickland Products - \$72,017.92
  - Hopewell Roofing and Restoration provided the lowest quote and met all specifications. The Public Works Department has worked with Hopewell Roofing and Restoration before with the asphalt shingle roof replacement of the Adult Activity Center and are confident they will be able to complete the work within budget and scope. Hopewell Roofing and Restoration has stated that the roof replacement would take approximately 2 weeks from the time of notice to proceed.

**PUBLIC COMMENTS:**

- There were no public comments.
- ❖ Council Member Reeves offered a motion to approve the award of the Crabapple Government Building Roof Replacement project to Hopewell Roofing & Restoration in an amount not to exceed \$64,559.56, and with authorization for the Mayor to execute all necessary documents.
- Mayor Pro Tem Merkel seconded the motion.

- The motion was approved unanimously (6-0).

**C. Invitation to Bid 26-010: ADA Alpharetta Active Adult Center Parking Lot Improvements (CDBG)**

*Consideration and approval of the award of ITB 26-010 to Summit Construction & Development LLC for ADA Alpharetta Active Adult Center Parking Lot Improvements (CDBG) in an amount not to exceed \$262,350.40, and with authorization for the Mayor to execute all necessary documents.*

- Director of Recreation, Parks & Cultural Services, Morgan Rodgers, came forward to present this item.
- This project funded in part by federal grant assistance under the Community Development Block Grant program (CDBG) through a subgrant award from Fulton County, Georgia. The ITB Documents reflect the grant reporting obligations for both the City and the awarded vendor.
- The ADA Parking Improvements at Alpharetta Adult Activity Center project entails the expansion of ADA-accessible parking capacity, for handicap barrier removal, as well as improvement of ADA accessibility facilities and accouterments, and the barrier removal and rehabilitation of parking facilities. The Alpharetta Adult Activity Center is a facility providing recreation, socialization, and educational programming for senior adults (50+ years of age) in Alpharetta and adjacent North Fulton Communities.
- The facility was constructed in 1988 and draws over 27,000 participants (average age 65-72) annually, who engage in age and ability-appropriate activities five days a week, year-round.
- The parking area is shared with an adjoining 12-court pickleball center estimated to attract over 4,000 participants of all ages annually. The high usage of the facilities places a strain on parking and leads to rapid deterioration of the parking lots. As the local population ages, we are seeing an increasing need for ADA-accessible parking, and improvements to the parking area are needed to ensure that it is safe and easily accessible for our older population. The proposed project consists of the following:
  1. Redesign of the parking facilities to expand ADA-accessible parking

2. Site demolition and grading, including curb, gutter, and sidewalks/walkways to reduce slope/improve accessibility
  3. Mill existing asphalt where full demolition is not necessary
  4. Inlay asphalt and install new curbs, gutters, and sidewalks
  5. Additional items: survey; storm structure modification; removal, re-installation of existing wheel stops; new wheel stop purchase and installation; striping; bonds; and insurance.
- The Department of Recreation, Parks & Cultural Services, with guidance from the Finance Department, prepared ITB 26-010 which was issued on March 20, 2026. ITB 26-010 was advertised through the City's e-procurement site (Bonfire), Georgia Procurement Registry, and the Alpharetta-Roswell Herald (March 26, 2026, and April 9, 2026, newspaper editions) and resulted in 1,786 vendor (firm) invites and 52 document takers. ITB 26-010 responses were received on April 23, 2026, and included bids from 6 firms.
  - The bids received in connection with ITB 26-010 are as follows:
 

○ Summit Construction & Development, LLC	\$ 262,350.40
○ East Coast Grading	\$ 275,633.00
○ Sol Construction, LLC	\$ 279,981.95
○ Complete Site, LLC	\$ 296,750.00
○ Property Management Solutions, Inc.	\$ 299,622.35
○ Lagniappe Development Co., Inc.	\$ 398,961.09
  - Staff recommends awarding ITB 26-010 to Summit Construction & Development LLC, the lowest responsive and responsible bidder. Having successfully delivered multiple local projects - including the Alpha Loop (Phase A) and the Mayfield-Bethany Roundabout Drainage Improvements - Summit has demonstrated efficiency and competency, earning staff's full recommendation for this contract.
  - This project is funded by federal grant assistance under the Community Development Block Grant program through a subgrant award from Fulton County, Georgia (the "Grant"). As provided in the ITB documentation as well as the contract, Summit Construction & Development LLC agrees to comply with and perform the ADA Parking

Improvements at Alpharetta Adult Activity Center in accordance with all applicable federal, state, and local laws, regulations, rules, executive orders, policies, guidelines, procedures, directives, and requirements, including, without limitation, 2 C.F.R. § 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, etc.

#### **PUBLIC COMMENTS:**

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the award of ITB 26-010 to Summit Construction & Development LLC for ADA Alpharetta Active Adult Center Parking Lot Improvements (CDBG) in an amount not to exceed \$262,350.40, and with authorization for the Mayor to execute all necessary documents.
  - Council Member Reeves seconded the motion.
  - The motion was approved unanimously (6-0).

#### **D. Ordinance: Offenses and Miscellaneous Provisions Ordinance Text Amendments**

***SECOND READING:** The first reading of this item occurred during the April 27, 2026 City Council meeting.*

*Consideration and approval of an Ordinance to amend Chapter 30, referred to as Offenses and Miscellaneous Provisions, of the Code of the City of Alpharetta to amend provisions regarding the discharge of firearms; to amend provisions regarding urban camping and the improper use of property; to regulate the discharge of bows and crossbows; to prohibit interference of a city officer; to prohibit false representations to a city officer; to prohibit loitering and prowling; to prohibit trespass; to prohibit street racing and reckless driving exhibitions; to prohibit vandalism; to prohibit aggressive panhandling; to prohibit public drunkenness; to provide for traffic violations for disobeying or avoiding an official traffic control device; to prohibit public urination or defecation; to prohibit creating a disturbance at schools; to provide for enforcement; to provide for penalties for violations; to repeal conflicting ordinances; and for other purposes.*

- City Attorney, Molly Esswein, read the Ordinance title aloud and presented the item.
- The City Council reviewed and discussed as a Work Session item, proposed text amendments to Chapter 30, Offenses and Miscellaneous Provisions, of the Code of the

City of Alpharetta at the Special Called City Council meeting on March 23, 2026. The intent of the proposed amendments and new ordinances is to provide more control to the local police in terms of discouraging undesirable behaviors without necessarily giving someone a permanent criminal record. The new and amended ordinances will allow the City Police to maintain local control to address these behaviors at the municipal level by providing authority to issue citations for ordinance violations.

- The first reading for this item occurred on April 27, 2026, and since that time there have been revisions to the Discharge of Bows and Crossbows section to remove the permitting requirement and to remove the training requirements for safety regulations.

#### **PUBLIC COMMENTS:**

- There were no public comments.
- ❖ Council Member DeRito offered a motion to adopt an Ordinance to amend Chapter 30 of the Code of the City of Alpharetta, Offenses and Miscellaneous Provisions; To Provide for Effective Dates; And for Other Purposes.
  - Council Member Driskell seconded the motion.
  - The motion was approved unanimously (6-0).

## **8. WORK SESSION ITEMS**

### **A. Fiscal Year 2027 Budget**

*Discussion of the upcoming FY 2027 budget.*

- Director of Finance, Tom Harris, came forward to present updates on the FY 2027 budget.

#### **CITY COUNCIL DISCUSSION:**

- Mayor Gilvin asked Chief of Police Lindgren if he knew the status of the proposed state constitutional amendment related to revenues for E-911.
  - Assistant City Administrator, John Robison, commented that the proposed amendment would allow for the creation of a next generation 911 fund, there is currently no funding source identified in the proposed amendment.
- Council Member Hipes asked if the funding would be directly to 911 centers or by county who would then distribute to jurisdictions.

- Assistant City Administrator, John Robison, responded that the current proposed amendment is not that specific.
- Director of Finance, Tom Harris, also responded that the legislation states funds would come from existing revenues, and has some contradictory language.
- Council Member Hipes asked, assuming the funding is there, would the funding be received directly from the state.
  - Assistant City Administrator, John Robison, responded that there is no indication of that, but based on the way it's written, it would come directly to the municipality.
- Mayor Gilvin commented that the city used to maintain its E-911 infrastructure and operators by a state allowed fee on phones (landlines), but now that everyone has a cell phone, that fee is no longer covering the costs.
- Council Member Reeves commented that now is the time to reach out to local legislators.
- Council Member DeRito commented that a fee could be attached to the billing address for cell phones, the same way it is for landlines.
  - Council Member Hipes responded that the city has an additional 50,000 people that come to the city during the day on top of the 65,000 residents who would be paying the fee.
- Council Member DeRito asked if SB 33, which creates a statewide cap on property tax increases, affects the city.
  - Director of Finance, Tom Harris, responded that it does not.
- Council Member Reeves asked staff if they know what the rollback rate is going to be.
- Council Member Hipes asked staff if the tax increase would line up with the increase in expenses.

## 9. PUBLIC COMMENT

- Kristen Colby, 212 Canton Street, Alpharetta, GA came forward to speak about her opposition to the Mayfield Road improvements on the proposed TSPLOST project list.
- Mayor Gilvin responded to Ms. Colby that she should reach out to City officials to meet to see if there is anything that can be done to mitigate her concerns. He further stated

that the challenge is that the Council has to represent everyone and try to find a compromise.

- Claudia Louis, 184 Canton Street, came forward to speak about the importance of the Upshaw House and the efforts that Ms. Colby has made to preserve the home.
- Bob Meyers, 230 Hidden Meadow Drive, came forward to speak about the importance of the Upshaw House and the efforts that Ms. Colby has made to preserve the home.

## 10. REPORTS

- Council Member Hipes reported that the Wacky World ribbon cutting will take place on Saturday, May 23<sup>rd</sup> at 10:00 a.m., followed by the opening of Wills Park pool.

## 11. EXECUTIVE SESSION (IF NECESSARY)

- ❖ Council Member Driskell offered a motion to recess the meeting.
  - Council Member Reeves seconded the motion.
  - The motion was approved unanimously (6-0).
- Mayor Gilvin recessed the meeting at 9:45 p.m. for the purposes of litigation.
- ❖ Mayor Pro Tem Merkel offered a motion to reconvene the meeting.
  - Council Member Hipes seconded the motion.
  - The motion was approved unanimously (6-0).
- Mayor Gilvin reconvened the meeting at 10:02 p.m.

## 12. ADJOURNMENT

- ❖ Council Member DeRito offered a motion to adjourn the meeting.
  - Council Member Hipes seconded the motion.
  - The motion was approved unanimously (6-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 10:03 p.m.

Respectfully submitted,



Grace Orehosky, Acting City Clerk