



City Council Meeting & Public Hearing

DECEMBER 8, 2025

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
- Donald F. Mitchell
- John Hipes
- Fergal M. Brady
- Douglas J. DeRito

- Staff

- Chris Lagerbloom, City Administrator
- John Robison, Assistant City Administrator
- Molly Esswein, City Attorney
- Grace Orehosky, Municipal Records Officer
- Adam Montgomery, Director of Information Technology
- Brad Denkinger, Fire Chief

- Charlie Jewell, Director of Economic Development
- Cris Randall, Director of Human Resources
- Kathi Cook, Director of Community Development
- Morgan Rodgers, Director of Recreation, Parks, and Cultural Services
- Pete Sewczwicz, Director of Public Works
- Tom Harris, Director of Finance
- Trent Lindgren, Chief of Police
- Deanna McKay, Public Communication & Engagement Coordinator
- Kelsie Mattox, City Solicitor
- David Will, Chief Municipal Court Judge

3. PLEDGE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. Service Recognition: City Council Member Donald F. Mitchell

- Mayor Jim Gilvin introduced Council Member Donald F. Mitchell to recognize him for his service.
- Council Member Mitchell said he was grateful to the people he had worked with and to the people who have supported him.
- Fulton County Commissioner Ellis came forward to present a proclamation thanking Council Member Mitchell for his 14+ years of service and his dedication to the City.

5. CONSENT AGENDA

A. City Council Meeting Minutes (Meeting of 12/01/2025)

Consideration of approval of the City Council meeting minutes from the meeting of December 1, 2025.

B. Partnered Athletic Association's Annual Agreement Renewals

Consideration and approval of the renewal of annual agreements as partnered athletic associations with the City of Alpharetta's Recreation, Parks, and Cultural Services Department:

Alpharetta Ambush Youth Soccer Club, Inc., Alpharetta Youth Baseball Association, Inc., Alpharetta Youth Girls Softball Association, Inc., and North Atlanta Football League, Inc.

C. Financial Management Report (Month Ending October 31, 2025)

Consideration of approval of the Financial Management Report for the month ending October 31, 2025.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the consent agenda.
 - Council Member Brady 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. Z-25-17 Sharma/12975 Cogburn Road

Consideration of a rezoning to allow a 1.35-acre property to be subdivided into 2 'For-Sale' single-family detached lots. A rezoning is requested from AG (Agriculture) to R-15 (Dwelling, 'For-Sale', Residential). The property is located at 12975 Cogburn Road and is legally described as being located in Land Lot 1050, 2nd District, 2nd Section, Fulton County, Georgia.

- Community Development Director, Kathi Cook, came forward to present this item.
- The applicants, Sidhant Sharma and Parminder Lamba, are requesting a rezoning in order to subdivide a 1.35-acre property into two (2) 'For-Sale' single-family detached lots. A rezoning is requested from AG (Agriculture) to R-15 (Dwelling, 'For-Sale' Residential). The subject property is located at 12975 Cogburn Road near the southwest corner of Cogburn Road and Windward Parkway.
- This item was considered at the December 4, 2025 Planning Commission meeting. There were public comments in support, as well as comments regarding preserving tree

canopy and stormwater runoff. After discussion, the Commission recommended approval subject to the staff recommended conditions. Vote 6-0.

- Staff recommends that Mayor and Council approve Z-25-17 SHARMA/12975 Cogburn Road, subject to the following conditions:
 1. The site, consisting of approximately 1.35 acres, shall be rezoned to R-15 and developed substantially similar to the site plan prepared by DES Davis, revised 11/12/25, 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. Home elevation style, exterior materials and details shall be substantially similar to the submitted renderings, with final approval by Staff. Home elevations along Cogburn Road shall appear as 2 distinct designs and homes shall have 3-sided (front and sides) architecture, materials and details, as approved by Staff.
 3. Homes shall be side loaded, and each lot shall be permitted a driveway on Cogburn Road.
 4. Developer shall improve Cogburn Road streetscape with a minimum 6' planter planted with street trees and minimum 5' sidewalk, as approved by Staff.
 5. Minimum 10' decorative landscape strip shall be provided along Cogburn Road, consisting of a mix of trees and shrubs, as approved by Staff.
 6. Developer shall plant a mix of evergreen and deciduous trees in the 5' landscape strips along the north and east property lines.
 7. Developer shall make reasonable efforts to save tree #6 and 9-13, with final approval by Staff.
 8. Developer shall make reasonable efforts to save landscape trees and boundary trees within the 10' landscape strip adjacent to Cogburn Walk, as well as good condition trees in the tree grouping in the north corner of the property, with final approval by Staff.
 9. Unfinished wood fences and decks shall not be visible from Cogburn Road.

- The property is developed with one (1) single-family detached home. Surrounding properties are zoned CUP (Community Unit Plan) to the south, C-1 (Neighborhood Commercial) to the east, AG to the north, and R-15 (Dwelling, 'For-Sale', Residential) to the west. Cogburn Walk is located to the south, Windward Professional Pavilion is located to the east, an unplatted residential lot is located to the north, and Rhodes Plantation is located to the west. The comprehensive land use plan designation of the property is 'Low Density Residential', which supports the applicant's zoning proposal.
- The submitted site plan depicts the 1.35-acre property being subdivided into two (2) single-family detached lots. Lot 1 is approximately 0.68 acres with 104' of frontage and Lot 2 is 0.67 acres with 121' of frontage. Homes are oriented to Cogburn Road with each lot having access from a new driveway off Cogburn Road. Garages are depicted to be side loaded. A ten-foot (10') landscape strip is required along Cogburn Road and five-foot (5') landscape strips are required around the perimeter of the 1.35-acre property. The applicant submitted a tree report which identifies six (6) specimen trees on the property, primarily consisting of Poplars. The tree report also identifies several landscape trees and boundary trees in a tenfoot (10') landscape strip along the south property line, which are required buffer plantings as conditioned by City Council with the approval of the adjacent subdivision Cogburn Walk. The former owner of the subject property (Mullinax) requested that the developer of Cogburn Walk plant a buffer to screen the subject property from Cogburn Walk. It is recommended that the developer of the subject property make all reasonable efforts to save the existing landscape and boundary trees in the ten-foot (10') landscape strip along the common property line with Cogburn Walk. The applicant provided an example rendering of the type of homes to be constructed on the two (2) lots. The rendering depicts a two (2) story home in the modern farmhouse style. The primary exterior materials are brick, board and batten and stone.
- The proposed project, consisting of two (2) single-family detached homes, would generate approximately two (2) AM Peak Hour trips and two (2) PM Peak Hour trips.
- Impacts to area schools should be negligible with the proposed development.

- The Citizen Participation Plan Report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that there were no public comments.
- The Community Zoning Information Meeting was held on November 12, 2025. There were no public comments on the sign-in sheet.
- Staff has reviewed the applicant's proposal against the established review criteria for a rezoning. The proposal is supported by the future land use designation of the property, which is 'Low Density Residential'. The requested rezoning is appropriate as it relates to the use and development of adjacent or nearby properties, which are similarly developed. The proposal would result in lots that are larger than surrounding residential lots. If approved, it is recommended that reasonable efforts be made to save specimen trees, landscape trees, and boundary trees.
- The applicants, Sidhant Sharma and Parminder Lamba, came forward to speak on behalf of this application.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve Z-25-17 Sharma/12975 Cogburn Road, subject to the following conditions:
1. The site, consisting of approximately 1.35 acres, shall be rezoned to R-15 and developed substantially similar to the site plan prepared by DES Davis, revised 11/12/25, 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. Home elevation style, exterior materials and details shall be substantially similar to the submitted renderings, with final approval by Staff. Home elevations along Cogburn Road shall appear as 2 distinct designs and homes shall have 3-sided (front and sides) architecture, materials and details, as approved by Staff.
 3. Homes shall be side loaded, and each lot shall be permitted a driveway on Cogburn Road.

4. Developer shall improve Cogburn Road streetscape with a minimum 6' planter planted with street trees and minimum 5' sidewalk, as approved by Staff.
 5. Minimum 10' decorative landscape strip shall be provided along Cogburn Road, consisting of a mix of trees and shrubs, as approved by Staff.
 6. Developer shall plant a mix of evergreen and deciduous trees in the 5' landscape strips along the north and east property lines.
 7. Developer shall make reasonable efforts to save tree #6 and 9-13, with final approval by Staff.
 8. Developer shall make reasonable efforts to save landscape trees and boundary trees within the 10' landscape strip adjacent to Cogburn Walk, as well as good condition trees in the tree grouping in the north corner of the property, with final approval by Staff.
 9. Unfinished wood fences and decks shall not be visible from Cogburn Road.
- Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

C. Z-25-16 Madewell/204 Marietta Street

Consideration of a rezoning to allow a 1.18-acre property to be subdivided into 2 'For-Sale' single-family detached lots in the Downtown. A rezoning is requested from O-P (Office-Professional) to DT-R (Downtown Residential). The property is located at 204 Marietta Street and is legally described as being located in Land Lots 694 & 1270, 1st District, 2nd Section, Fulton County, Georgia.

- Community Development Director, Kathi Cook, came forward to present this item.
- The applicant, Madewell, is requesting a rezoning to allow for a 1.178-acre property to be subdivided into two (2) 'For-Sale' single-family detached lots in the Downtown. A rezoning is requested from O-P (Office-Professional) to DTR (Downtown Residential). The subject property is located at 204 Marietta Street near the northeast corner of Marietta Street and Old Milton Parkway.

- This item was considered at the December 4, 2025 Planning Commission meeting. There were no public comments. After discussion, the Commission recommended approval subject to the staff recommended conditions. Vote 6-0.
- Staff recommends that Mayor and Council approve Z-25-16 Madewell / 204 Marietta Street, subject to the following conditions:
 1. Approximately 1.178 acres shall be rezoned to DT-R and limited to 2 'For-Sale' single-family detached lots. Site shall be developed substantially similar to the site plan prepared by OnSite Civil Group, dated 11/3/25, except for modifications required to comply with the conditions below and subject to meeting all City code requirements and conditions of zoning. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. Architecture and materials shall be developed substantially similar to the renderings prepared by Diana Bolivar, dated 9/26/25 & 9/30/25, except for modifications required to comply with these conditions and in compliance with the Alpharetta Downtown Code and Downtown Consultant's comments, subject to final approval by DRB. Homes shall have 4-sided architecture, as approved by DRB.
 3. Density shall not exceed 1.70 dwelling units per acre.
 4. Homes shall have a minimum 30' front building setback, as depicted on the site plan prepared by OnSite Civil Group, dated 11/3/25.
 5. Garages on each lot shall not exceed a maximum storage capacity of 4 vehicles.
 6. Developer shall improve the Marietta Street streetscape with a minimum 6' planter (planted with street trees), minimum 6' sidewalk and decorative pedestrian lighting, as approved by Staff.
 7. Minimum 10' landscape strip along Marietta Street shall be planted with shade trees as a continuation of what has been planted in the Downtown and outside of utility easements and overhead utilities, as approved by DRB.
 8. Minimum 10' planted buffer shall be provided along the east and west property lines of the 1.178-acre property and planted with a mix of evergreen and deciduous trees, except that buffer plantings shall not be planted in the 20' drainage easement

on the east side of the property. Developer shall make reasonable efforts to save existing trees within the buffers identified to be in Good condition, with final approval by Staff.

9. Minimum 20' landscaped or natural buffer shall be required along Old Milton Parkway. Existing Red Oaks within the 20' buffer identified to be in Good to Fair condition shall be saved, with final approval by Staff.
 10. Developer shall save tree #6 (24" Water Oak). Developer shall work with Staff to provide an alternative if tree #4 (31" Water Oak) cannot be saved. Encroachment into the CRZ of saved trees shall not exceed 20%, as approved by Staff.
 11. Home, accessory structures and infiltration shall be positioned on the property to have the least impact to saved trees, as approved by Staff.
 12. Fences and walls visible from the public right-of-way shall be decorative and shall complement exterior materials used on each home, as approved by DRB. Walls shall be developed substantially as depicted on the site plan and construction details prepared by OnSite Civil Group, dated 11/3/25, except that walls in the front yard shall be placed behind the required landscape strip.
 13. Unfinished wood fences and decks shall not be visible from the street.
 14. HVAC and similar equipment shall not be visible from the public right-of-way.
 15. A site line shall be required at land disturbance permit, with final approval by Staff.
- The subject property is developed with a two (2) story, 3,586 square foot commercial structure that was previously used as a residence. Surrounding properties are zoned R-8A/D (Dwelling, 'For-Sale', Attached and Detached) and CUP (Community Unit Plan) to the north, DT-R (Downtown Residential) and C-2 (General Commercial) to the east, SU (Special Use) to the south and O-P to the west. Wills Commons and two (2) unplatted residential lots are located to the north, an unplatted residential lot is located to the east, Wills Park is located to the south, and Precocious Kids Daycare is located to the west. The property is located within the Downtown Overlay and has a comprehensive land use plan designation of 'Mixed Use' which supports the zoning proposal.
 - The site plan depicts the property being subdivided into two (2) single-family detached lots with both homes having access and being oriented to Marietta Street. The eastern

lot, Lot 1, is 0.567 acres and the western lot, Lot 2, is 0.611 acres. Both lots are depicted with a twenty-foot (20') front setback along Marietta Street. The homes are depicted with side-loaded garages. Lot 2 has a driveway with porte cochere on the west side of the home leading to a garage at the rear of the property. Each home will have a minimum two (2) side-by-side parking spaces within a garage and a Code-compliant driveway accommodating a minimum of two (2) additional cars. Marietta Street is depicted with a six-foot (6') planter and six-foot (6') sidewalk. A ten-foot (10') landscape strip is depicted along Marietta Street and is setback behind a fifteen-foot (15') power line easement. A five-foot (5') landscape strip is depicted along the east property line, a ten-foot (10') planted buffer is depicted along the west property line and a twenty-foot (20') buffer is depicted along Old Milton Parkway. The Unified Development Code (UDC) requires a twenty-foot (20') landscaped or natural buffer on double frontage lots. District regulations, including minimum building setbacks, lot size, and lot width are consistent with the DT-R development standards. The DT-R zoning district requires a minimum ten percent (10%) amenity space, which can be met in yards, courtyards, and patios. Stormwater is proposed in underground systems on each lot located in the front and side yards.

- The submitted tree survey and arborist assessment identifies several trees on the property, including eight (8) specimen trees. The site plan depicts several tree saves along Old Milton Parkway, which includes a specimen tree #6 (24" Water Oak). A previous variance approval on the property required a specimen tree #4 (31" Water Oak) and six (6) trees of quality (Red Oaks ranging in size from 13" – 22") along Old Milton Parkway to be saved. The specimen Water Oak and Red Oaks are located in the required twentyfoot (20') landscaped or natural buffer along Old Milton Parkway.
- According to the applicant's architect, the proposed renderings reflect French Eclectic (Lot 1) and Federal (Lot 2) architectural styles. Both homes are depicted to be two (2) stories with brick as the primary exterior material. The City's Downtown Consultant reviewed the submitted renderings and believes that the designs generally comply with the Downtown Design Guidelines, subject to compliance with the following comments:
 - Lot 1 – French Eclectic

1. The lower roof eave suggests (actually requires) that the roof at this condition extends noticeably farther towards the front of the house than the same condition on the other end, yet such a condition, with a prominent chimney in front, does not seem possible.
 2. The dormers are character-defining elements for this style, but the use of shed roof forms and metal roof covering (suggested by the drawing) is not known to this style. Hipped roof form with shingles, or an arched roof form with flat-seamed metal roof covering, would be more appropriate.
- Lot 2 – Federal
 1. The secondary, front-facing gabled end elements are appropriate, especially at the front entrance. However, these plain brick facades should receive additional architectural detail and articulation to further express their importance. This is especially true of the front entrance. The other front-facing gable could benefit from additional detail but could also be left as is. For the front entrance, the addition of cast stone elements, or a brick pattern, especially if it is three dimensional, would be more consistent with the style.
 2. The dormers are character-defining elements for this style, but the use of shed roof forms and metal roof covering (suggested by the drawing) is not known to this style. Hipped roof form with shingles, or an arched roof form with flat-seamed metal roof covering, would be more appropriate.
 - Staff estimates that the two (2) single-family detached lots would generate two (2) AM Peak Hour trips and two (2) PM Peak Hour trips.
 - The Citizen Participation Plan Report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that a public comment was received at the CZIM meeting with concerns over protecting the tree canopy.
 - The Citizen Zoning Information Meeting was held on November 12, 2025. There was one (1) public comment with concerns over protecting the tree canopy.
 - Staff has reviewed the applicant's proposal against the established review criteria for a rezoning. The proposal is consistent with the vision of the Downtown Master Plan and

comprehensive land use plan designation of the property, which is 'Mixed Use'. The future land use designation allows for single use development, residential and commercial, as well as mixed-use development. The requested rezoning is appropriate as it relates to the use and development of adjacent or nearby properties. The DT-R zoning district would result in lots that are similar to residential lots to the east and north and the proposed density is much less than the maximum density permitted in the future land use designation of the property. If approved, trees should be saved along Old Milton Parkway, as well as two (2) specimen trees.

- The applicant, Tory Young with Madewell, and the civil engineer, Bill Rouse, came forward to speak on behalf of this application.

CITY COUNCIL DISCUSSION

- Council Member DeRito asked about condition 10, to confirm that the 31 inch tree is the tree that's going to be removed. Director Cook confirmed and offered that 6 inch caliper tree will be added if that tree cannot be saved. Council Member DeRito asked if there was concern about removal of other trees. Director Cook said the comments at the Community Zoning Meeting were generally about tree canopy, not specific trees.
- Council Member Hipes asked the applicant to describe how construction would be staged given the narrow street and current development. Mr. Young answered that the 30 foot setback would have pads added to accommodate parking, materials, etc. There will be no need to block Marietta Street during construction.
- Council Member Brady commented that the change in rezoning back to residential could potentially create difficulty for property next door (which is currently zoned commercial) with the required 50 foot buffer, and that the property owner should be notified of that potential hardship. The City Attorney advised that that could not be made a condition.
 - Mayor Gilvin asked City Attorney, Molly Esswein if that would put the City in legal jeopardy. Ms. Esswein offered that it would not create a hardship. It only becomes an issue if the adjacent property were to expand or develop further. At that time, they would need to apply for a variance.
- Director Cook came forward to provide further comment that the property would need to request a variance at the time of expansion or rezoning, and that the City Attorney's

office advised that the only condition that could be required would be to provide notice to anyone who might purchase the property up for rezoning that the adjoining property may seek a buffer variance at some point in the future.

- Mayor Gilvin asked the applicant if they would have any objection to a condition that would say that they would accept a reduction in the buffer in the future. The applicant said that would be no problem.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve Z-25-16 Madewell/204 Marietta Street, subject to the following conditions:
 1. Approximately 1.178 acres shall be rezoned to DT-R and limited to 2 'For-Sale' single-family detached lots. Site shall be developed substantially similar to the site plan prepared by OnSite Civil Group, dated 11/3/25, except for modifications required to comply with the conditions below and subject to meeting all City code requirements and conditions of zoning. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. Architecture and materials shall be developed substantially similar to the renderings prepared by Diana Bolivar, dated 9/26/25 & 9/30/25, except for modifications required to comply with these conditions and in compliance with the Alpharetta Downtown Code and Downtown Consultant's comments, subject to final approval by DRB. Homes shall have 4-sided architecture, as approved by DRB.
 3. Density shall not exceed 1.70 dwelling units per acre.
 4. Homes shall have a minimum 30' front building setback, as depicted on the site plan prepared by OnSite Civil Group, dated 11/3/25.
 5. Garages on each lot shall not exceed a maximum storage capacity of 4 vehicles.
 6. Developer shall improve the Marietta Street streetscape with a minimum 6' planter (planted with street trees), minimum 6' sidewalk and decorative pedestrian lighting, as approved by Staff.

7. Minimum 10' landscape strip along Marietta Street shall be planted with shade trees as a continuation of what has been planted in the Downtown and outside of utility easements and overhead utilities, as approved by DRB.
 8. Minimum 10' planted buffer shall be provided along the east and west property lines of the 1.178-acre property and planted with a mix of evergreen and deciduous trees, except that buffer plantings shall not be planted in the 20' drainage easement on the east side of the property. Developer shall make reasonable efforts to save existing trees within the buffers identified to be in Good condition, with final approval by Staff.
 9. Minimum 20' landscaped or natural buffer shall be required along Old Milton Parkway. Existing Red Oaks within the 20' buffer identified to be in Good to Fair condition shall be saved, with final approval by Staff.
 10. Developer shall save tree #6 (24" Water Oak). Developer shall work with Staff to provide an alternative if tree #4 (31" Water Oak) cannot be saved. Encroachment into the CRZ of saved trees shall not exceed 20%, as approved by Staff.
 11. Home, accessory structures and infiltration shall be positioned on the property to have the least impact to saved trees, as approved by Staff.
 12. Fences and walls visible from the public right-of-way shall be decorative and shall complement exterior materials used on each home, as approved by DRB. Walls shall be developed substantially as depicted on the site plan and construction details prepared by OnSite Civil Group, dated 11/3/25, except that walls in the front yard shall be placed behind the required landscape strip.
 13. Unfinished wood fences and decks shall not be visible from the street.
 14. HVAC and similar equipment shall not be visible from the public right-of-way.
 15. A site line shall be required at land disturbance permit, with final approval by Staff.
- Council Member Mitchell seconded the motion.
 - ❖ Mayor Pro Tem Merkel amended his motion to add the Condition #16 (Director Cook presented and handed to the Council) which shall read:

16. Developer/Property owner shall record a notice in the chain of title of the property in the deed records maintained by the Fulton County Clerk of Superior Court, identifying the rezoning of the subject property and that the impact of doing so may cause adjacent property owners to seek variances from requirements created solely as a result of the rezoning of the subject property, including with respect to required buffers.

- Council Member Mitchell seconded the amended motion.
- The motion was approved unanimously (6-0).
 - Discussion during the motion:
 - Mayor Gilvin asked City Attorney, Molly Esswein, if adding the requirement that the property owner not be allowed to oppose the buffer variance would be advised. Legal recommended against adding that condition.

D. The following items have been deferred and will not be considered during this meeting.

1. Z-25-07/CU-25-15/V-25-20 Alpharetta District Places

DEFERRED: This item has been deferred by the applicant to the January 26, 2026 City Council Meeting and will not be considered during this meeting.

Consideration of a rezoning, conditional use, and variances to allow for 60 'Dwelling, 'For-Sale' condominium units, 60 'Dwelling, 'For-Rent' units, and approximately 35,000 square feet of retail/restaurant on 3.02 acres in the Downtown. The applicant states that the 60 'For-Rent' units will be converted to 'For-Sale' condominium units after 5 years and seeks the ability to convert 25,000 square feet of residential use to office use. A rezoning is requested from C-2 (General Commercial) to DT-C (Downtown Core) and a conditional use is requested to allow 'Dwelling, 'For-Rent'. Variances are requested to Unified Development Code (UDC) Subsection 1.4.2 and Subsection 3.2.2 to allow utilities in a required landscape strip, Subsection 3.2.8(D) to reduce the landscape strip along Marietta Street, Subsection 3.2.8(K) to remove trees within the building setback along Marietta Street, Appendix A Subsection 2.3.3(E) to modify the Collector Street Commercial/Mixed-Use streetscape requirements for Marietta Street, and Appendix A Subsection 3.5.5 to increase the maximum building footprint. The property is located at

0 South Main Street and 131 South Main Street and is legally described as being located in Land Lot 695, 1st District, 2nd Section, Fulton County, Georgia.

2. CLUP-25-04/Z-25-13/V-25-30 PowerBuild Construction/North Main Street-25-08/CU-25-13/V-25-17 Hanover Windward Park/Windward MP Pod 66

DEFERRED: This request has been deferred by the applicant to the February 2, 2026 City Council meeting and will not be considered at this meeting.

Consideration of a comprehensive land use plan amendment, rezoning and variances to allow for the construction of 25 'Dwelling, 'For-Sale' Detached' homes on 4.33 acres in the Downtown. A comprehensive land use plan amendment is requested from 'Commercial' to 'Mixed Use Live Work' and a rezoning is requested from C-2 (General Commercial) and O-P (Office-Professional) to DT-LW (Downtown Live-Work). Variances are requested to Unified Development Code (UDC) Appendix A Subsection 2.3.3(G) to modify the Local Street Residential streetscape requirements, UDC Appendix A Subsection 2.4.6(C) to eliminate the 20' recess requirement for a street-facing garage, UDC Appendix A Subsection 3.7.4(B) to reduce the side separation between structures, and UDC Subsection 3.3.2(D) to reduce the impervious setback associated with a non-perennial stream buffer. The property is located at 379, 415, 479 & 487 North Main Street and is legally described as being located in Land Lots 1124, 1125, 1180 & 1181, 2nd District, 2nd Section, Fulton County, Georgia.

3. CLUP-25-05/Z-25-18/V-25-32 McKinley Homes/Morris Road

DEFERRED: This request has been deferred by the applicant to the February 2, 2026 City Council meeting and will not be considered at this meeting.

Consideration of a comprehensive land use plan amendment, rezoning and variances to allow for the construction of 110 'Dwelling, 'For-Sale' Attached' condominiums on a 15-acre property, which includes 2 existing office buildings that will remain. A comprehensive land use plan amendment is requested from 'Corporate Office' to 'Mixed Use' and a rezoning is requested from O-I (Office-Institutional) to MU (Mixed Use). A variance is requested to Unified Development Code (UDC) Subsection 2.2.20(B) to reduce the minimum lot size and reduce the minimum amount of commercial use in the MU zoning district. The property is located at 12725 & 12735 Morris Road and is

legally described as being located in Land Lot 1118, 2nd District, 2nd Section, Fulton County, Georgia.

4. PH-24-16 Road Abandonment – Manning Street

WITHDRAWN: This item has been withdrawn by staff and will not be considered at this meeting.

Consideration of a request for road abandonment of Manning Street. The property is located within the Manning Street right-of-way and is legally described as being located in Land Lots 1253 & 1268, 2nd District, 2nd Section, Fulton County, Georgia.

5. Z-24-09/E-24-03/V-24-14 Wells Fargo Redevelopment/21 North Main Street

WITHDRAWN: This application has been withdrawn by the applicant and will not be considered at this meeting.

Consideration of a rezoning, parking special exception, and variance to allow a 4-story building including a rooftop restaurant on 0.714 acres in the Downtown. A rezoning is requested from C-2 (General Commercial) to DT-C (Downtown Core) and a parking special exception is requested to allow off-site parking. Variances are requested to Unified Development Code (UDC) Appendix A: Alpharetta Downtown Code Subsection 3.5.5 to increase the maximum building footprint and UDC Subsection 3.2.8(D) Landscape Strips to eliminate the landscape strip on the east and north sides of the property. The property is located at 21 North Main Street and is legally described as being located in Land Lot 1268, 2nd District, 2nd Section, Fulton County, Georgia.

7. NEW BUSINESS

A. City of Alpharetta & Johns Creek Parks Without Borders Memorandum of Understanding Renewal

Consideration for approval of the renewal of the Memorandum of Understanding with the City of Johns Creek for Parks without Borders.

- Recreation, Parks, & Cultural Services Director, Morgan Rodgers, came forward to present this item.
- Staff requested deferral to the January 5, 2026 City Council meeting in order to vote in tandem with the City of Johns Creek.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to defer the renewal of the Parks without Borders Memorandum of Understanding with the City of Johns Creek to the January 5, 2026 City Council meeting.
 - Council Member Brady seconded the motion.
 - The motion was approved unanimously (6-0).

B. Municipal Court Chief Judge and Associate Judge Employment Extension Agreements

Consideration of approval of Extension to Employment Agreements with Chief Municipal Court Judge David C. Will and Associate Municipal Court Judge Jamie Bendall and with authorization for the Mayor to execute all necessary documents.

- City Attorney, Molly Esswein, came forward to present this item.
- On November 7 2022, the City entered into an employment agreement with David C. Will to serve as Chief Municipal Court Judge and another employment agreement with Jamie Bendall to serve as Associate Municipal Court Judge. The term for the municipal court judge is the same as the currently serving Mayor. If approved, the two attached employment extension agreements would allow David C. Will and Jamie Bendall to continue serving as a Judge to the Municipal Court until December 31, 2027.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion approve the Extension to Employment Agreements with Chief Municipal Court Judge David C. Will and Associate Municipal Court Judge Jamie Bendall, and to authorize the Mayor to execute all necessary documents.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (6-0).

C. Substitute Municipal Court Judge Employment Agreement

Consideration of approval of an Employment Agreement by and between the City of Alpharetta, Georgia and Jared Mitnick, as Substitute Municipal Court Judge and with authorization for the Mayor to execute all necessary documents.

- City Attorney, Molly Esswein, came forward to present this item.
- In the event that a Municipal Court Judge for the City of Alpharetta is absent or recuses himself or herself, a substitute Judge shall be selected by the Court Clerk from a list approved by the City Council per Section 4.16 of the City Charter.
- The Director of Municipal Court, Brooke Lappin, recommends adding Jared Mitnick to the list of approved substitute judges. If approved by the Council, the attached employment agreement would be executed by both Jared Mitnick and the Mayor.
- Council Member Hipes asked if this was on a per case basis. Ms. Esswein answered that it's on an alternating per session basis. Council Member Hipes commented that it's budget neutral.
- Council Member DeRito asked if when the jail opens there would be an increased need for the judges. Ms. Esswein answered that this was contemplated in Judge Will, Judge Bendall, and Judge Mitnick's agreements.
- Council Member DeRito asked if there are IGAs for use of the jail with other Cities, would our judges be used or would they use their own judges. Ms. Esswein answered that her office would look into it as those IGAs are being drafted.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Merkel offered a motion to approve the Employment Agreement by and between the City of Alpharetta, Georgia and Jared Mitnick, as Substitute Municipal Court Judge, and to authorize the Mayor to execute all necessary documents.
 - Council Member Brady seconded the motion.
 - The motion was approved unanimously (6-0).

D. Substitute Solicitor Employment Agreements

Consideration of approval of employment agreements by and between the City of Alpharetta, Georgia and Kianna Chennault, Kenneth Mitchell, Jr., and Thomas Elijah Francis to serve as Substitute City Solicitors.

- City Attorney, Molly Esswein, came forward to present this item.
- The City of Alpharetta appointed and employs a Municipal Court Solicitor, Kelsie Mattox Speight, and in her absence, the operation of the Court requires the need of a substitute solicitor. Section 4.20 of Article IV of the Charter of the City of Alpharetta, Georgia, dictates that if the City Solicitor is absent or is disabled, an assistant solicitor or in the absence of an assistant solicitor, a substitute solicitor shall be selected to serve as the City Solicitor. Further, the list of substitute solicitors must be approved by the Mayor and City Council.
- Kelsie Speight interviewed Kianna Chennault, Kenneth Mitchell, Jr., and Thomas Elijah Francis, who are not only in good standing with the State Bar of Georgia, but also believes that they would be excellent substitute solicitors, in the event that one may be needed in the future.
- If approved, these employment agreements would allow Kianna Chennault, Kenneth Mitchell, Jr., and Thomas Elijah Francis to fill in as City Solicitor, if and when needed. Further, these individuals would be sworn in at the January 5, 2026 City Council meeting.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion approve the employment agreements by and between the City of Alpharetta, Georgia and Kianna Chennault, Kenneth Mitchell, Jr., and Thomas Elijah Francis to serve as Substitute City Solicitors, and to authorize the Mayor to execute all necessary documents.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).

E. Resolution: Condemnation of Parcel 1 of the Alpha Loop - Devore Road Project

Consideration and adoption of a Resolution to condemn property interest in Tax Parcel No. 12 258206960725 at 11700 Haynes Bridge Road (Parcel Owner: QuikTrip Corporation) of the Alpha Loop - Devore Road Project (Parcel No. 1); estimated just and adequate compensation: \$7,800.00 for 0.002 Acres (65.500 Square Feet) of Fee Simple Right of Way; 2,107.611 Square Feet of Temporary Construction Easement; and One (1) Driveway Easement.

- City Attorney, Molly Esswein, read the Resolution title aloud and came forward to present this item.
- The City of Alpharetta has determined that it is necessary for the City to exercise its powers of eminent domain to acquire certain interests in this parcel in furtherance of the Alpha Loop - Devore Road Project
- Adoption of this resolution will authorize the City Attorney's Office to acquire, through the use of Eminent Domain, the necessary property rights to, in, over, under, through and across the property identified as Parcel 01 of this Project in order to ensure the timely completion of the Alpha Loop - Devore Road Project. The estimated just and adequate compensation: \$7,800.00 for 0.002 Acres of Fee Simple Right of Way, 2,107.611 Square Feet of Temporary Construction Easement, and One (1) Driveway Easement.
- Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to adopt a Resolution to condemn property interest in Tax Parcel No. 12 258206960725 at 11700 Haynes Bridge Road (Parcel Owner: QuikTrip Corporation) of the Alpha Loop - Devore Road Project (Parcel No. 1); estimated just and adequate compensation: \$7,800.00 for 0.002 Acres (65.500

Square Feet) of Fee Simple Right of Way; 2,107.611 Square Feet of Temporary Construction Easement; and One (1) Driveway Easement, and to authorize the Mayor to execute all necessary documents.

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

F. Ordinance: Professional Bondsman Text Amendments

SECOND READING

The first reading and public hearing for this item occurred during the December 1, 2025 City Council meeting.

Consideration and adoption of an Ordinance to amend Article XII of Chapter 10 of the Code of the City of Alpharetta to amend requirements for applications for permitting, to provide for renewal applications, to amend regulations regarding the denial or revocation of a permit, to provide for requirements and procedures governing bondsmen, to provide for bond posting and forfeiture, to repeal conflicting ordinances, and for other purposes.

- City Attorney, Molly Esswein, read the Ordinance title aloud and came forward to present this item.
- If approved, this Ordinance would repeal the current Chapter 10 Article XII and replace the Article entirely with the attached proposed language. This amendment would be effective immediately after adoption.
- The proposed Ordinance creates a definition section, which defines "professional bondsman". It also requires a professional bondsman to be issued an annual license from the City and describes the process for obtaining a license and creates procedures for denying, suspending, and revoking a license and hearing and appeal rights of a professional bondsman.
- It prescribes requirements for how a professional bondsman shall operate and interact with the City, including submitting various agreements, forms, schedules, and monthly reporting documentation. And, it explains the process for bond forfeitures and cancellations. These amendments are proposed and support our efforts of re-opening the Alpharetta Jail.

- Since the first reading on December 1, 2025, additional edits have been made to reflect the clarified ownership interests and application requirements.
- City Attorney, Molly Esswein, requested that either administrative approval authority be given to City Administrator, Chris Lagerbloom, or the effective date of the ordinance be deferred for two weeks, as the administrative procedures of the ordinance are still being finalized.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to adopt an Ordinance to amend to amend Article XII of Chapter 10 of the Code of the City of Alpharetta to amend requirements for applications for permitting, to provide for renewal applications, to amend regulations regarding the denial or revocation of a permit, to provide for requirements and procedures governing bondsmen, to provide for bond posting and forfeiture, to repeal conflicting ordinances, for other purposes, and to defer to the City Administrator to implement the ordinance upon opening of the jail, and to authorize the Mayor to execute all necessary documents.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

G. Ordinance: Insurer License Fees Text Amendments

SECOND READING

The first reading and public hearing for this item occurred during the December 1, 2025 City Council meeting.

Consideration of an Ordinance to amend Article II of Chapter 42 (Insurer License Fees) of the Code of the City of Alpharetta, Georgia; To Provide for Effective Dates; To Repeal All Ordinances in Conflict Herewith; and for Other Purposes.

- City Attorney, Molly Esswein, read the Ordinance title aloud and presented this item.
- In 2025, the City Council amended Article II of Chapter 42 (Insurer License Fees) to increase the annual license fee for insurers doing business within the City. However, the required certified copy of ordinance changes was not filed with the Insurance

Commissioner within the statutory deadline, and the increased Insurer License Fees as adopted on June 2, 2025 is not currently in effect, and it is necessary to adopt a new ordinance in order to file with the Insurance Commissioner.

- The proposed ordinance raises the license fee for additional business locations from \$35.00 to \$52.50, and states that the license fees imposed are due and payable beginning on January 1, 2026.
- There have been no changes to the ordinance since the first reading on December 1, 2025.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to adopt an Ordinance to amend Article II of Chapter 42 (Insurer License Fees) of the Code of the City of Alpharetta, Georgia; To Provide for Effective Dates; To Repeal All Ordinances in Conflict Herewith; and for Other Purposes, and to authorize the Mayor to execute all necessary documents.
 - Council Member Brady seconded the motion.
 - The motion was approved unanimously (6-0).

H. Ordinance: Mobile Food Vendors and Pawnshops Text Amendments

SECOND READING

The first reading and public hearing for this item occurred during the December 1, 2025 City Council meeting.

Consideration of an Ordinance to amend Article X of Chapter 10, titled "Mobile Food Vendors" and Article XI of Chapter 10, titled "Pawnshops" of The Code of the City of Alpharetta, Georgia.

- City Attorney, Molly Esswein, read the Ordinance title aloud.
- The City Council previously adopted ordinances establishing regulations for the operation of pawnshops and mobile food vendors within the City.
- The proposed ordinance, if approved, would amend the annual license fees for mobile food vendors and pawnshops from \$150.00 to \$175.00.

- There have been no changes since the first reading on December 1, 2025.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Brady offered a motion to adopt an Ordinance to amend Article X of Chapter 10, titled "Mobile Food Vendors" and Article XI of Chapter 10, titled "Pawnshops" of The Code of the City of Alpharetta, Georgia, and to authorize the Mayor to execute all necessary documents.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

8. WORK SESSION

A. *Discussion regarding power installation on the Alpha Loop for Lights on the Loop and other projects.*

- City Administrator, Chris Lagerbloom, presented for discussion and request for direction relating to a request from the Alpha Loop Foundation to enter into a MOU due to a funding gap for installation of power on the Alpha Loop. If the Lights on the Loop project is going to continue year over year, then it would make sense to install permanent power because temporary power is almost 80% of the cost of permanent power.
- If the request to install power on the Alpha Loop was added to the list of capital projects rather than donating directly to the Alpha Loop Foundation, the City would be able to use its on-call vendor and would be able to manage the project.
- He requested feedback from the City Council whether this is something they would want to consider or not.
- Mayor Pro Tem Merkel asked if this request is for next year, and stated to add it to the Parks budget in July.
- Council Member Hipes offered that there is that amount left in the Parks bond allocated to the Loop.
- Council Member Mitchell commented the Foundation has already spent some money for permanent lighting on part of the Loop.

- Karen Richard, Alpha Loop Foundation, came forward to speak. The Foundation is asking for funding for permanent power rather than temporary power prior to the next Lights on the Loop.
- Council Member Mitchell is in full support of funding that out of the Parks bond.
- Mayor Gilvin asked the Recreation, Parks, & Cultural Services Director, Morgan Rodgers to come forward for questions. Mayor Gilvin asked why electricity was not added at the time the Loop was built. Mr. Rodgers stated that enough electricity was put in for the low lighting on the Loop, but there was no planning for an amount of power needed to product the Lights on the Loop event.
- Council Member Mitchell asked if in the future enough electricity could be included in future sections as they are being built.
 - Director Rodgers answered that it can certainly be done, but that there will be extra cost associated with it.
 - Council Member Hipes commented that not all sections of the Loop would need permanent electric infrastructure and that any installation would need to be thoughtful and intentional.
- Council Member DeRito commented thanks to the Foundation for raising the money and putting on Lights on the Loop. If temporary electricity would have to be paid for every year, it would make sense to install permanent power using funds out of the Parks bond.
- Council Member Brady commented that if the funds are in the budget and if it's planned for, and we go through the right process, he supports it.
- Mayor Gilvin commented his concern isn't about the value of the item, just that it just doesn't need to be out of the general fund, but out of the Parks budget or bond, and that the City needs to be intentional about spending.

PUBLIC COMMENT

- DJ Tishale (2010 Winthrop Commons, Alpharetta, GA 30009) came forward to speak about liking the Alpha Loop.

9. PUBLIC COMMENT

- There were no public comments.

10. REPORTS

- Council Member Mitchell thanked his spouse, Mike Castleberry, for his support.
- Council Member Hipes thanked former Assistant City Administrator, James Drinkard, for coming up for tonight's meeting from Warner Robins.
- Council Member DeRito commented that he did not know that Council Member Mitchell had anything to do with the urns in the rotunda of City Hall, which resemble the planters around town. He wished Council Member Mitchell the best of luck in the future. Wishing everyone happy holidays.

11. EXECUTIVE SESSION (IF NECESSARY)

- There was not an executive session.

12. ADJOURNMENT

- ❖ Council Member Mitchell offered a motion to adjourn the meeting.
 - Mayor Pro Tem Merkel 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 7:59 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk