

**AGENDA**  
**CITY OF BERKELEY LAKE**  
**PLANNING & ZONING COMMISSION**  
**April 14, 2026 at 7:15 PM**  
4040 South Berkeley Lake Road  
Berkeley Lake, GA 30096

**I. CALL TO ORDER**

**II. APPROVAL OR CHANGES TO THE AGENDA**

**III. APPROVAL OF MINUTES**

a) March 11, 2026

**IV. OLD BUSINESS**

**V. NEW BUSINESS**

a) PZTA-26-02 – Amendment to Chapter 78, Zoning, Article X, Commercial Use District, to create a new C-2 General Business district

**VI. CITIZEN COMMENTS**

**VII. DISCUSSION SESSION**

**VIII. ADJOURNMENT**

**CITY OF BERKELEY LAKE  
4040 SOUTH BERKELEY LAKE ROAD  
BERKELEY LAKE, GEORGIA 30096  
PLANNING & ZONING COMMISSION  
DRAFT MINUTES  
MARCH 11, 2026  
7:15 PM**

Those in attendance at the meeting were as follows:

Commission Members: Dan Huntington  
Pekka Ignatius  
George Kaffezakis  
Rand Kirkus

City Officials: Leigh Threadgill - City Administrator

Citizens Present: 0

#### **I. CALL TO ORDER**

Huntington called the meeting to order at 7:15 PM. A quorum of the commission along with City Administrator, Leigh Threadgill, were present at the meeting.

#### **II. APPROVAL OF OR CHANGES TO THE AGENDA**

Huntington asked if there were any suggested changes to the agenda.

**Kirkus moved to approve the agenda. Ignatius seconded the motion. All were in favor and the motion passed.**

#### **III. MINUTES**

1. Minutes of December 9, 2025

**Ignatius moved to approve the minutes of the December 9<sup>th</sup> meeting. Kirkus seconded the motion, and all voted to approve the minutes.**

#### **IV. OLD BUSINESS**

There was no old business to discuss.

#### **V. NEW BUSINESS**

a) PZV-26-01 – 490 Lakeshore Dr – Variance to Sec. 78-147(8) to reduce the septic system setback from the shoreline of Lake Berkeley to 50 feet

Huntington acknowledged the applicant and noted that he is a member of the planning and zoning commission and will be available to answer questions and then will be recused for the commission to discuss the request.

George Kaffezakis, 490 Lakeshore Dr, noted that this is proactive and he is here to answer questions. He explained that it is a slow-draining drain field and about a year ago there was seepage at the top of the septic tank. The tank was pumped and an attempt was made to jet the drainfield line. That didn't work, but nor has there been any additional spillage. Kaffezakis has looked into the history and it looks like the original drain field line was installed in the early 1960's is the drain field line. One septic tank was replaced in the late 70's and when the house was expanded a second tank was installed on the other side of the lot. It looks like the second tank was connected to the existing drain field without any expansion of the drain field line. It is unclear whether environmental health classifies the house as a 3-bedroom or 4-bedroom house. Since the drain field line is over 60 years old and slow draining and to clear up any lingering questions about whether a 3 or 4-bedroom house, Kaffezakis is installing 260 feet of a chambered drain field system. He could put it in the state required setback of 50 feet or pump the front of the house. Kaffezakis explained the hardship of installation in the front yard, and the tree removal that would be required to accommodate the project in the front yard. The best option is to request a variance to the setback from the lake to meet the 50-foot state setback from the lake, rather than the city's more restrictive 75-foot setback. And now the house will be property accredited for a 4-bedroom system.

Huntington asked if the drain field can't remain in the backyard and meet the 75-foot setback. Kaffezakis stated that the current failing drain field line doesn't meet the setback, but environmental health doesn't want the line to be replaced over a failing drain field line. Even if I tried to do that, I'd have specimen trees in the backyard that would have to go as well.

Huntington note that the hardship of just removing trees to me is a hardship but somewhat of a low bar for what we would call a hardship. Huntington wants to understand the hardship completely, because this seems like it de facto is changing the code from 75 feet to 50 feet. It is important to fully understand the hardship, so it doesn't seem like we're scratching our buddy's back.

Kaffezakis stated that variances have been granted to the septic system setback before down to 50 feet. Also, the draft unified development ordinance proposes a 50-foot setback to be adopted to be consistent with the environmental health standard.

Threadgill noted that preservation of trees is justification for granting a variance to the zoning ordinance as stated in the city's tree code. She further stated that the unified development ordinance is in draft form and there is no way to know what will happen through the public process, but it is unclear why the city would require a more restrictive setback than environmental health.

There was further discussion about why there is a discrepancy between the city and environmental health's setback.

Kaffeidakis noted that he has a large property and if he is constrained to meet the 75-foot setback, the smaller lots, which are numerous, are facing the same issue, and that should be considered in the UDO project.

There was discussion about the suitability of replacing a drain field in the same location. New septic requirements mandate a reserve drain field area for when the original drain field fails.

Kaffeidakis noted that it is also important to have the required drain field for a 4-bedroom house, which was not provided when the house was expanded to 4 bedrooms. This will bring the drain field line into conformance with environmental health standards for a 4-bedroom house, which will be more protective of the environment and water quality.

There was discussion about whether the variance could be smaller to change the setback from 75 feet to 55 feet or 60 feet. Environmental health is working with Kaffeidakis to layout the 260-foot drain field and both tanks will be connected to the new drain field.

Ignatius feels comfortable to stay consistent with the state limit, rather than come up with something that is intermittent between the city and state limits.

Kaffeidakis recused himself from the discussion regarding the request.

Huntington noted he had some concerns about using sound reasoning and not just because the code was perhaps going to change. Without a legitimate hardship this would be hard to grant, and the commissioners were in agreement that there is a valid hardship due to the required tree removal.

There was further discussion.

**Ignatius made a motion to recommend approval of the variance as requested. Kirkus seconded the motion. All were in favor and the motion passed.**

#### b) Election of Chair

Huntington noted that he was willing to continue as chair.

**Ignatius made a motion to elect Huntington to chair. Kaffeidakis seconded the motion. All were in favor and the motion passed.**

#### c) Election of Vice-chair

Kaffeidakis noted that he was willing to continue as vice-chair, but he will be out for four or five months. There was further discussion.

**Ignatius made a motion to elect Kirkus as vice-chair. Kaffezakis seconded the motion. All were in favor and the motion passed.**

d) Appointment of Secretary

**Kaffezakis made a motion to appoint Leigh Threadgill as secretary. Kirkus seconded the motion. All were in favor and the motion passed.**

## **VI. CITIZEN COMMENTS**

There were no comments.

## **VII. DISCUSSION**

There was brief discussion about the Unified Development Ordinance project.

## **VIII. ADJOURNMENT**

**Kirkus made a motion to adjourn. Ignatius seconded the motion. All were in favor and Huntington adjourned the meeting at 7:48 PM.**

Respectfully submitted,

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Leigh Threadgill  
City Administrator

**City of Berkeley Lake  
Staff Analysis**

CASE NUMBER:	PZTA-26-02
CODE SECTIONS:	ARTICLE X, Section 78-280 – 78-285 - C-2, General Commercial District
PURPOSE:	AMENDMENT TO CREATE A C-2 District
MEETING DATE:	APRIL 14, 2026 P&Z COMMISSION

**PURPOSE:**

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The owner of 4477 Peachtree Industrial Boulevard is requesting the city adopt a C-2, General Commercial, district for the purpose of creating a district that allows by special use permit the use (outdoor recreation center) that he proposes to develop on the property.

**ANALYSIS:**

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The city received a request to amend the zoning ordinance to create a new zoning district, C-2, General Business, for the purpose described above.

All of the non-residential properties annexed in the 2011–2012-time frame were zoned Gwinnett County – Annexed (GC-A) upon annexation. The GC-A district froze the Gwinnett County zoning standards that applied to the property immediately prior to annexation. The city has been applying 2011 Gwinnett County zoning standards to the annexed non-residential areas for 15 years.

Properties that were annexed had been zoned C-1, C-2, M-1, M-2, O&I and RZT when in unincorporated Gwinnett County. If an owner wanted to change the zoning from GC-A (C-1) to GC-A (C-2) he could not. He could only apply to rezone his property to a City of Berkeley Lake zoning district. While the city has a C-1, M-1 and O&I zone, the city does not have a C-2, M-2 or RZT zone. Therefore, there is no comparable city zoning district for several of the properties that were annexed.

In the time since annexation, two rezonings have been approved in the annexed areas. Both changed the zoning designation from GC-A to a city district, one from GC-A (C-2) to C-1 (4790 Peachtree Industrial Boulevard) and one from GC-A (O&I) to M-1 (4487 South Old Peachtree Road).

The applicant for this text amendment owns a property that was zoned C-1 with conditions while in unincorporated Gwinnett County, and under the GC-A district that currently governs the property, those standards still apply. He wishes to develop the property with a use that is not permitted by the current zoning of the property. But the city doesn't have a district for him to zone to that allows his proposed use either. The use that he is interested in developing on the property, outdoor recreation center, requires the city to adopt a new zoning district.

While the applicant's letter of intent references adoption of the Gwinnett County C-2 zoning, the permitted use list allowed in unincorporated Gwinnett County includes some uses which the city has chosen to prohibit, such as gas stations and vape shops.

Additionally, the use list includes not only permitted uses but uses permitted by conditional use permit and special use permit. As an example, the use identified by the applicant for development of his property is an outdoor recreation center permissible in the proposed C-2 district by issuance of a special use permit. There is no verbiage in the city's current zoning ordinance providing standards by which conditional use permits or special use permits can be considered.

The city has considered a special use permit application from time to time in the GC-A district given that the county's ordinance that governs the GC-A properties allows for special uses. However, staff is unaware of any special use permit granted to a property carrying a City of Berkeley Lake zoning designation. No current city zoning district includes special uses in its use list.

The City has been working with a premier planning firm, TSW, on a complete overhaul of its zoning and development regulations which will include the requisite language providing for the application, consideration and issuance of special use permits, but not conditional use permits. Therefore, the application before you should be considered for removal of those uses that are permitted by conditional use permit.

As for those uses that are permitted by special use permit in the applicant's proposed text amendment, they will either need to be reclassified as by-right uses, or an additional text amendment to provide for special use permits will need to be submitted. The former creates a less stringent C-2 district in the city than in unincorporated Gwinnett County, which is not the intent of the city's current project with TSW.

The development requirements listed in the text amendment are also inconsistent with the current Gwinnett County C-2 district regulations. The origin or basis for those that have been proposed is unclear.

#### RECOMMENDATION:

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This text amendment application is a change to city policy. It creates a new zoning district and must be carefully evaluated for unintended consequences. While it doesn't change the zoning of any individual property, it creates a district to which a property can be zoned if requested, subject to evaluation and analysis in accordance with the zoning standards that currently exist in the city's zoning ordinance.

Because of the importance of land use regulation through zoning, the city has been working with a team of experts (TSW) to draft a unified development ordinance. Zoning code changes that seek to create new districts must be carefully prepared to ensure any new districts created are in harmony with the city.

Staff recommends denial of the text amendment as written.

Rec'd 3/11/26

City of Berkeley Lake  
P&Z Committee  
4040 S. Berkeley Lake Road NW  
Berkeley Lake, GA 30096

February 4, 2026

**Re: Letter for Creating a C2 District for 4477 Peachtree Industrial Blvd.**

The concept for Berkeley Lake Sports Club is a recreation destination for Berkeley Lake residents. Berkeley Lake consists of multiple neighborhoods which do not have tennis courts and clubhouses. BL Sports Club plans to fill that void with a modern clubhouse with meeting space, café, golf simulators, F1 simulators, padel and pickleball courts.

The facility will provide padel courts and pickleball courts (demand dependent), but indoor golf simulators and F1 simulators are other planned recreational activities. A meeting room for game playing and general meetings will be available. The bathrooms will be designed to be locker rooms. The planned café is a healthy and fresh menu of salads, sandwiches and protein shakes. Exercise equipment and a bar area for alcohol sales may be added based on demand.

The current zoning for the land is C1, which is designed for neighborhood businesses serving residents within the proximity of the community. This letter serves as a text amendment to create a C2 district, which expands the commercial use of the C1 code. The properties immediately south of the property are zoned C-2 per Gwinnett County records. Furthermore, the City of Berkeley Lake has engaged with Georgia Tech Urban Design Studios and TSW, a zoning and development consulting company. Both have tentatively recommended Berkeley Lake to incorporate the Gwinnett County C2 zoning.

Specifically, the code to be incorporated into the code would be the Gwinnett County C2 Zone:

**C-2 General Business District.**

**Purpose and Intent.** The C-2 General Business District is intended to provide adequate space in appropriate locations along major streets, thoroughfares and intersections for various types of business use. These uses include the retailing of major goods and services, general office facilities and public functions that would serve a community area of several neighborhoods. The intensity of development and uses in the C-2 General Business District is greater than in the C-1 Neighborhood Business District because it is intended to serve a greater population and to offer a wider range of goods and services.

## DEVELOPMENT REQUIREMENTS

Minimum lot size: N/A

Minimum lot width: 100 feet

Minimum lot depth: 100 feet

Setbacks Principal Building:

1. Primary Frontage: 35 feet (min)
2. Secondary Frontage: 10 feet (min)
3. Side Setback: 10 feet (min)
4. Rear Setback: 35 feet (min)

Setbacks Accessory Buildings:

1. Primary Frontage: 35 feet (min)
2. Secondary Frontage: 10 feet (min)
3. Side Setback: 10 feet (min)
4. Rear Setback: 35 feet (min)

Building Height:

1. Principal Building Height: 40 feet (max)
2. Accessory Building Height: 35 feet (max), but not higher than the height of the principal building.

## C-2 PERMITTED USES

The following uses are permitted by right in the C2 district.

The uses set forth in the table below shall be permitted only as listed and only in the manner so listed.

P: A permitted use.

S: A special use requiring a Special Use Permit subject to approval.

C: A conditional use subject to additional requirements.

<b>Land Use</b>	<b>C-2</b>
<b>General Commercial Uses</b>	
<b>Eating and Drinking Establishments, not included below</b>	<b>P</b>
Brewpub	P
Restaurant, with drive-in or drive-thru service	P

<b>Lodging Establishments, not included below</b>	P
Bed and Breakfast Inn	P
Extended Stay Facility	S
<b>Business, Medical, or Professional Offices, not included below</b>	P
Automobile Brokerage Office, no storage of vehicles	C
Medical Laboratory	P
Radio, Recording, or Television Studio	P
<b>Personal Services Establishments, not included below</b>	P
ATM, standalone drive-up	P
Animal Care Establishment, indoor only	P
Animal Care Establishment, with outdoor pens or runs	S
Check Cashing/Payday Loan Establishment, Standalone	S
Catering Service Establishment	P
Daycare Facility	P
Locksmith Establishment	P
Massage Therapy Establishment	P
Tattoo and Body Piercing Studio	P
Tutoring and Learning Center	P
<b>Retail Sales or Rental of Goods Establishments, not included below</b>	P
Copy and Print Store	P
Department or Wholesale Store	P
Discount, Dollar, or Thrift Store	S
Furniture Sales or Rental Store	P
Fireworks Sales, ancillary use	P
Fireworks Sales Establishment, principal use	S
Garden Supply Center	S
Home Improvement or Building Supply Store	P
Precious Metals Dealer Establishment	P
Smoke, Novelty, or CBD Shop	P
<b>Entertainment and Recreation Uses</b>	
<b>Indoor Entertainment and Recreation Facilities, not included below</b>	P
Health or Fitness Center	P
Hookah, Vapor, or Cigar Lounge	S/C
Lounge or Nightclub Establishment	S
Microbrewery or distillery Facility	C
Movie Theater	P

Pool or Billiard Halls	P
Shooting or Archery Range, indoor	S
Special Events Facility	P
<b>Outdoor Entertainment and Recreation Facilities, not included below</b>	<b>S</b>
Aircraft Landing Field, private	S
Recreational Vehicle Park or Campground	S
<b>Civic and Institutional Uses</b>	
<b>Civic, Private and Public Institutions, not listed below</b>	<b>P</b>
Club, Lodge, or Fraternal Organization Facility	P
Cemetery or Mausoleum	S/C
Community Center or Cultural Facility	P
Place of Worship	P
School, college, private, trade, or similar	C
Shelters, community or residential	S
<b>Hospitals and Related Healthcare Facilities, not included below</b>	<b>P</b>
Nursing Home	P
Residential Rehab Center (alcohol or drug)	S
Personal Care Home, congregate	P
Personal Care Home, Group	P
<b>Automobile, Truck, Recreational Vehicle, Motorcycle, Boat, ATV, and Related Uses</b>	
<b>Vehicle Rental and Related Services Establishments, not included below</b>	<b>S</b>
Vehicle Repair, Service, and Body Work Establishments, not included below	S
Convenience Store, with fuel pumps	S
Parts and Accessories Store, without installation	P
Parts and Accessories Store, with installation	S
Vehicle Washing Establishment	S/C
Emissions Inspections Establishment	C
<b>Vehicle Sales and Related Services Establishments</b>	<b>S/C</b>
<b>Industrial Uses</b>	
<b>Contractors Offices, not included below</b>	
Carpet or Upholstery Cleaning Service Office	S
Landscaping Contractors Office	S

Ambulance or Medical Transport Company	S
Carpet or Upholstery Cleaning Service	S
Crematory, as a principal use	S
Stone Yard or Stone Cutting Establishment	S
<b>Warehouse, Wholesale, and Distribution Facilities, not included below</b>	
Self-Storage Facility, indoor climate controlled	S/C
<b>Outdoor Sales, Storage and Display Uses</b>	
<b>Outdoor Sales and Storage of Goods, not included below</b>	<b>S/C</b>
Public or Private Parking Garage or Lot, standalone	P
Outdoor Display of Goods, retail	C

**Grassing and paving required.**

All driveways and parking areas on commercial lots shall be paved with concrete and all areas not paved shall be suitably grassed or landscaped including all banks and slopes to a degree sufficient to effectively prevent erosion or siltation and sedimentation in runoff waters. All banks and slopes are to be grassed or stabilized immediately upon completion of grading.

**Buffer zones established.**

A buffer strip at least 50 feet wide is required where said business district abuts an industrial district. Where it abuts a residential district, the buffer strip shall be at least 75 feet wide. Buffers shall be planted to meet the requirements of Berkeley Lake Code of Ordinances.

Please contact Gary Volino with questions or comments.

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