

**CITY OF LAWRENCEVILLE  
PLANNING AND DEVELOPMENT DEPARTMENT  
SPECIAL USE REPORT**

**CASE NUMBER:** SUP2020-00026  
**APPLICANT:** THIRD RAIL DISTILLERS, INC  
**CONTACT:** JODY CHARLES CAMPBELL  
**PHONE NUMBER:** 470.365.2890  
**LOCATION:** 625 N. CLAYTON ST  
**PARCEL ID:** R5146C007  
**ACREAGE:** 0.23  
**PROPOSED DEVELOPMENT:** DISTILLERY  
**DEPARTMENT RECOMMENDATION:** **APPROVAL WITH CONDITIONS**  
**ZONING HISTORY:**

The property has been zoned LM (Light Manufacturing District) since 1960.

**PROJECT DATA:**

The applicant requests a Special Use Permit of a 0.23 acre property, zoned LM (Light Manufacturing District, to allow a craft distillery with a tasting room. The subject property is located in the Depot Area along the western right-of-way of North Clayton Street at its intersection with the northern right-of-way of Seaboard Airline Rail Road (A.K.A. Seaboard Coastline R.R.). The applicant, Third Rail Distillers, Inc., intends to utilize the site for the production of high quality distilled spirits.

The property is currently developed with a concrete block storage building, associated driveway and loading dock. The site plan proposes a building height of 50 feet, and an additional 1,520 square feet of floor area, in addition to the existing 3,240 square foot building. Furthermore, the plans propose the addition of an exterior patio wrapping around the main entry (front) connecting to an existing patio (loading dock) located along the south side of the building. In addition, a porch would be added to the rear of the building along the western property line. immediately adjacent to the Rail Road right-of-way. The applicant is also proposing to install a grain silo that would be utilized as a monument sign. Access to the site is proposed via one driveway on the north side of the property. In order to address the lack of parking at the subject property, the applicant suggest entering into a private agreement with neighboring property owners and utilizing a public parking facility to satisfy this deficiency. However, the applicant

must enter into an agreement with the City in order to utilize City-owned spaces. Part of this agreement could include that the applicant provide additional compensation in order to satisfy the parking and loading requirements of the City. Furthermore, the submitted site plan does not meet the required front, side and rear yard setbacks for the LM zoning classification. In order to meet the minimum standards for the LM zoning classification numerous reductions in development and zoning standards would be required.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicates the subject property is located within the College Corridor Character Area. The vision for this character area is a multi-modal, vibrant, mixed-use corridor. Over time, this area will transition from suburban-style development to a more mixed environment of higher density development and green space.

The surrounding area is characterized by a mix of light industrial, commercial, single-family and multifamily uses and zoning. To the north, are BG (General Business District) zoned properties, primarily use small scale office and retail uses. To the east, across North Clayton Street, are BG, RM (Multifamily Residence District), RS-150 (Single-Family Residence District), and LM zoned properties and uses; which includes 550 Trackside special events facility. To the south, across Seaboard Coastline R.R., are BG and LM zoned properties and uses; which include the Council approved craft breweries Slow Pour Brewing Company (SU-16-10) and Beer Republic Brewing, LLC (aka Iron Shield) (RZ-18-02 & SU-18-04). Each of the two craft breweries operate in a similar manner as proposed by the applicant.

Although the proposed development may require the approval of numerous variance request, the proposal could be considered to be consistent with the policies of the 2040 City of Lawrenceville Comprehensive Plan. The proposed development, if properly conditioned could contribute land use patterns and design elements that support walkability and an enhanced sense of place. Given the aforementioned factors, the Planning and Development Department recommends **Approval with Conditions** of the Special Use Permit.

## **CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:**

### **ENGINEERING DEPARTMENT**

The engineering department stated the attorney's letter says in one paragraph "Dr. Acuff's plans call for the razing of the existing building and construction of a new facility . . ." and then in the next paragraph "If the project is approved, Dr. Acuff will be investing significant sums of money into remodeling and repairing the existing building . . ." The two Bullard Land Planning exhibits say the existing building is to remain. The attorney's letter says the project will be accessed in part "via Railroad Street". None of the exhibits provided shows Railroad Street which, if it exists, is not a City owned or maintained road.

### **ELECTRIC DEPARTMENT**

No comment.

### **GAS DEPARTMENT**

The gas department has an existing gas main located on the South and East sides of the property. It is a plastic gas main of 4 inch and has ample capacity to serve the future customer.

Please note the close proximity of the silo location to our gas main.

There will need to be locates called in and actual verification of the gas main location by the property owner before construction.

### **WATER DEPARTMENT**

No comment.

### **DAMAGE PREVENTION DEPARTMENT**

It is the applicant's responsibility to ensure that all existing underground utilities within the limits of the work are located prior to any excavation activities.

The Georgia Utility Facility Protection Act (GUFPA) mandates that before starting any mechanized digging or excavation work, you must contact Georgia 811 at least 48 hours but no more than 10 working days in advance to have utility lines marked. This law covers activities such as excavation, tunneling, grading, boring, demolition or any similar work – even on private property.

### **CODE ENFORCEMENT**

In 2016, three Notice of Violations were issued for multiple violations, which includes; graffiti, trash and debris, and overgrown grass.

**PLANNING AND DEVELOPMENT DEPARTMENT**  
**RECOMMENDED CONDITIONS**

SUP2020-00026

Approval of Special Use Permit for a Distillery, subject to the following enumerated conditions:

1. The property shall be developed in general accordance with the submitted site plan, dated February 03, 2020, with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments as may be approved by the Director of Planning and Development.
2. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
3. The building must meet the minimum architectural requirement of the City of Lawrenceville. Final elevations shall be subject to the review and approval of the Director of Planning and Development Department.
4. Ground Signage shall be limited to a maximum height of 12 feet and shall be setback from the right-of-way a minimum of 12 feet. The maximum sign display area shall be limited to 75 square feet. Wall signage shall be limited 36 square feet per elevation, with a total wall sign area limited to 72 square feet.
5. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers or sign walkers shall be prohibited.
6. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or right-of-ways.
7. Peddlers and/or any parking lot sales unrelated to the Special Use shall be prohibited.
8. Outdoor storage shall be prohibited.
9. Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
10. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

**STATE CODE 36-67-3 (FMR.) REVIEW STANDARDS:**

1. **Will the Special Use Permit allow a use that is suitable in view of the use and development of adjacent and nearby property? *Yes.***
2. **Will the Special Use Permit adversely affect the existing use or usability of adjacent or nearby property? *No.***
3. **Does the property to be affected by the Special Use proposal have a reasonable economic use as currently zoned? *Yes.***
4. **Will the Special Use proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? *No.***
5. **Is the Special Use proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan? *Yes.***
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the Special Use proposal? *No.***

### **ZONING ORDINANCE SECTION 13.3 SPECIAL USE PERMIT PROCEDURE:**

1. **What are the existing uses and zoning of nearby property?**  
SEE PAGE 2
2. **What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning?** *None.*
3. **What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public?** *None*
4. **What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner?** *The proposed use is compatible with the recommendations of the 2040 Comprehensive Plan and Future Development Map.*
5. **What is the suitability of the subject property for its current zoning?** *It is suitable.*
6. **What is the suitability of the subject property for the proposed zoning?** *The property is at a location that makes the development viable.*
7. **How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property?** *NA*
8. **How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances?** *The property meets the intent of the character area.*
9. **What is the availability of adequate sites for the proposed use in districts that permit such use?** *Other commercially-zoned sites are available in the city.*
10. **What is the suitability of the site for the proposed use relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)?** *Suitable.*