



**CITY OF SNELLVILLE  
PLANNING & DEVELOPMENT DEPARTMENT  
BOARD OF APPEALS**

**VARIANCE CASE SUMMARY**

**October 8, 2019**

**CASE NUMBER:** #BOA 19-07

**REQUEST:** Variance to Allow Graphics on Awnings

**APPLICABLE SECTION:** Section 12.4(B)(1) of Article XII, Signs of the Snellville Zoning Ordinance

**LOCATION:** Presidential Markets Shopping Center  
1905 Scenic Highway, Suite 10,000A, Snellville

**TAX PARCEL:** 5056 086

**ZONING:** HSB (Highway Service Business) District

**ACREAGE:** ±1.70 Acres

**DEVELOPMENT/PROJECT:** Panera Bread Restaurant

**PROPERTY OWNER:** GRI-EOY (Presidential Markets) LLC  
Bethesda, Maryland 20814

**CONTACT:** Danny Lankford  
Henry Incorporated  
770.593.1234  
[Dlankford@henryincorporated.com](mailto:Dlankford@henryincorporated.com)

**RECOMMENDATION:** Approval with Conditions



**CITY OF SNELLVILLE  
PLANNING & DEVELOPMENT DEPARTMENT  
BOARD OF APPEALS**

**VARIANCE CASE ANALYSIS**

**October 8, 2019**

**TO:** Snellville Board of Appeals

**DATE:** October 8, 2019

**FROM:** Jason Thompson, Director  
Department of Planning and Development

**CASE NUMBER:** **#BOA 19-07**

**FINDINGS OF FACT:**

The Department of Planning and Development has received a variance application from Danny Lankford, Henry Incorporated, representing Panera Bread, Inc., headquartered in Richmond Heights, Missouri to allow the installation and use of ten (10) new architectural awnings containing graphics.

In October 2009 Panera Bread opened a 100+ seat restaurant in the Presidential Markets Shopping Center, 1905 Scenic Highway, Suite 10,000A, Snellville, Georgia. On 10-13-2009 the Board of Appeals approved variances from the Sign Ordinance to allow the installation and use of 'wheat graphic' window screening and awnings on the storefront (North) elevation and side (east) elevation. A copy of the variance approval letter is attached hereto as Exhibit "A".

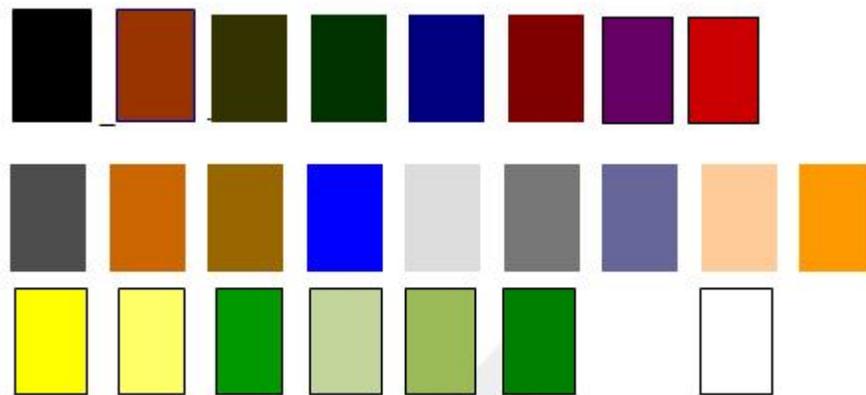
Three years later, Panera submitted a variance application requesting to install three (3) additional decorative 'wheat graphic' awnings and window screens on the North and East

elevations. On 9-11-2012 the Board of Appeals approved these variances. A copy of the variance approval letter is attached hereto as Exhibit "B".

On 2-25-2013 the Mayor and Council approved a major text amendment to the City's Sign Ordinance that added regulations for awning signs as follows:

- I. **Awning signs:** Signs on awnings should be minimized and are only appropriate if there are no good alternatives for wall signs, projecting signs or hanging and suspended signs. Signage should be limited to the skirt of the awning and should not be on the awning face. Signs should only be considered for the awning face if there is no other adequate location for signage on a given storefront or property.

Awning colors will be permitted only if they are part of the official city color palette as shown below:



Since the Sign Ordinance regulations changed after the applicants 2012 variance approval, and because the applicant wants to replace the existing awnings with new awnings as part of the exterior remodel of the restaurant, they must request new variances.

**REQUEST:**

The applicant is requesting Variance from Section 12.4(B)(1), Awning Signs of Article XII of the Snellville Zoning Ordinance as follows:

1. **Request to install and allow use of awnings containing graphics on ten (10) architectural elements located on the front, side and rear building elevations together with conforming wall signs on each of these elevations.**
2. **Request to allow graphics on each of the awning faces in lieu of the awning valance or skirt.**

## **VARIANCE ANALYSIS:**

The applicant is proposing to install ten (10) awnings each containing 'wheat' graphics on the awning face to the front, side and rear of the building elevations. The awnings range from 53 sq. ft. to 93 sq. ft. in size. The awning 'wheat' graphics represent the newest Panera Bread brand identity. The awning and graphic colors are consistent with the City's allowable awning colors and colors of the City's Martin Senour Exterior Color Palette.

Although Panera's corporate color scheme is similar to the colors of the Exterior Color Palette (Appendix VII-A of the Zoning Ordinance), and the awnings and awning graphics appear to be more of an architectural design element, they meet the definition of a "Sign", as defined in the Sign Ordinance as, *"Any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event, or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, colors, movement, or illumination."*

## **STANDARDS FOR CONSIDERATION:**

Pursuant to Section 14.5, Powers and Duties, of the City of Snellville Zoning Ordinance, the City finds the following standards are relevant in considering all applications for a Variance.

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same district;

*With regard to the request to install the awnings, no special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are applicable to other land, structures, or buildings in the same district. However the exterior elevation plans which include use of the 'wheat graphic' awnings are part of the latest national corporate branding program for Panera Bread which is consistent to other Panera Bread restaurants across the country.*

2. That literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance;

*No, literal interpretation of the provisions of the Zoning Ordinance would not deprive the applicant of rights commonly enjoyed by other properties. However, variances have previously been approved to allow the increase in sign area through the use of decorative awnings. Similar variances have been granted to similar commercial properties along the Scenic Hwy. corridor.*

3. That the special conditions and circumstances do not result from the actions of the applicant; and

*Variances have already been approved to allow the increase in sign area through the use of decorative awnings. The applicant is simply requesting to utilize additional awnings and graphics on the building exterior to further identify the location as a Panera Bread restaurant.*

4. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district.

*Granting the variance request would confer on the applicant special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district. However, variances have already been approved to allow the increase in sign area through the use of decorative awnings. Similar variances have been granted to similar commercial properties along the Scenic Hwy. corridor.*

#### **CONCLUSION:**

The Department of Planning and Development recommends **Approval** of the request to install and allow use of ten (10) awnings containing 'wheat' graphics on the awning faces and which are located on the front, side and rear building elevations with the following **Conditions**:

1. The applicant shall be allowed to install the decorative awnings with "wheat graphic" as shown on the sign drawings for Panera Bread Store #1383 labeled 50638.2, 50638.3, 50638.4 and 50638.5.
2. Prior to installation of any awnings, the applicant shall be required to submit an application for an Awning Sign Permit for review and approval by the Department of Planning and Development;
3. Awnings shall not be illuminated with up-lights. Overhead and down-lit "gooseneck" lighting shall be permitted as shown on sign plans; and
4. Installed awnings shall be maintained at all times by the business owner and or the property owner.



October 19, 2009

Ms. Jennifer A. Richter  
Senior Development Project Manager  
PANERA, LLC  
1600 S. Brentwood Blvd., Suite 300  
St. Louis, MO 63144

**RE: PANERA BREAD – 1905 SCENIC HWY., SU. 10,000A, SNELLVILLE, GEORGIA  
VARIANCE APPLICATION #BOA 09-04**

Dear Ms. Richter,

This is to advise you that your application for Variance, case #BOA 09-04, was considered by the City of Snellville Board of Zoning Appeals during the regular meeting of October 13, 2009.

The vote was to **approve with conditions** the requested variances from the City of Snellville Zoning Ordinance, Article 12, Signs, §12.4(B)(3) and §12.4(B)(7), Maximum Sign Size Per Elevation as follows:

1. The applicant shall be allowed to install the decorative "wheat graphic" window screening and awnings as shown on the submitted sign plan labeled, "T-096av4" and "T-096b", to include the "wheat graphic" awnings, one on each side (north and east) for Panera Bread, 1905 Scenic Highway, Snellville, Georgia. The applicant shall be required to submit an application for window signage and awnings for review and approval by the Planning and Development Director;
2. The awnings are to be in material and colors made from no more than three (3) colors, with said colors being Arlon Plum, Arlon Sand, and Arlon Green and as per the samples submitted;
3. Awnings shall not be illuminated with up-lights. Overhead and down-lit "gooseneck" lighting shall be permitted as shown on sign plans "T-096av4" and "T-096b";
4. Installed awnings shall be maintained at all times by the business owner and or the property owner;
5. Signs higher than 15-feet and/or larger than 225 square feet are prohibited; and
6. Uses involving adult entertainment, including any sale or display of adult magazines, books, or videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.

**City of Snellville Planning & Development Department**

2342 Oak Road Snellville, GA 30078 770-985-3514 770-985-3551 Fax www.snellville.org

Ms. Jennifer A. Richter  
Variance Application #BOA 09-04  
October 19, 2009  
Page Two

If you have any questions, please call me or John Dennis at 770-985-3514.

Sincerely,

A handwritten signature in black ink, appearing to read "Harmit Bedi". The signature is fluid and cursive, with a small circle at the end of the last stroke.

Harmit Bedi, AICP  
Director, Planning and Development

cc: John Dennis, Zoning Administrator  
Mr. Danny Lankford, Henry Signs Incorporated  
File (2)

HB/jd

SINCE 1917  
ARTWORK, CONSULTING & PROJECT MGMT.



**MANDEVILLE SIGN**  
making signs for over 100 years  
676 GEORGE WASHINGTON HIGHWAY  
LINCOLN, RI 02865-4255  
PHONE: 401-334-9100 FAX: 401-334-7799  
WEB: www.mandevillesign.com

**APPROVALS**  
Signature, Approved Submittal Package & Production

Engineering	BY	DATE
Sales	BY	DATE
Estimating	BY	DATE
Production	BY	DATE
Quality Control	BY	DATE

WORK ORDER NUMBERS  
19392-1

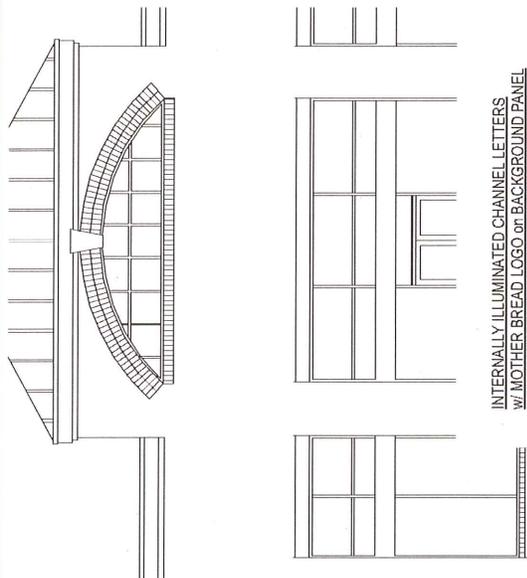
NO	BY	DESCRIPTION	DATE
1	WD	add window vinyl graphics, ID sign	04/20/09
2	WD	adjust window vinyl	04/23/09
3	WD	re-position main sign	05/13/09
4	JM	Changed awning fabric	08/07/09
5			
6			
7			
8			
9			
10			
11			
12			



STORE NUMBER: 1383  
1905 Scenic Highway N.  
SNELLVILLE, GA

PROJECT MANAGER: BOB MULCAHEY  
CHECKED BY: [ ]  
DATE: 04/07/09

DRAWING NAME: T-096av4



INTERNALLY ILLUMINATED CHANNEL LETTERS  
w/ MOTHER BREAD LOGO ON BACKGROUND PANEL

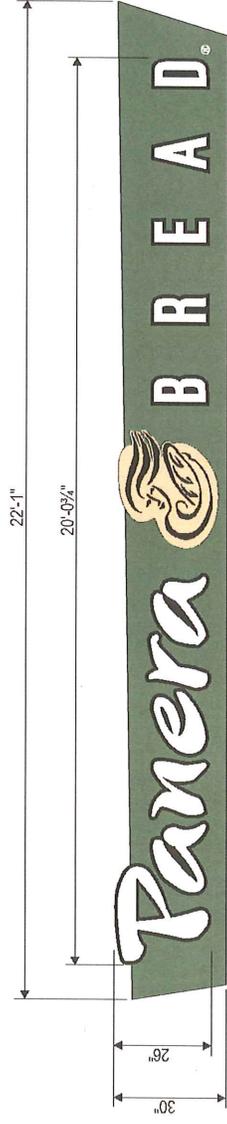
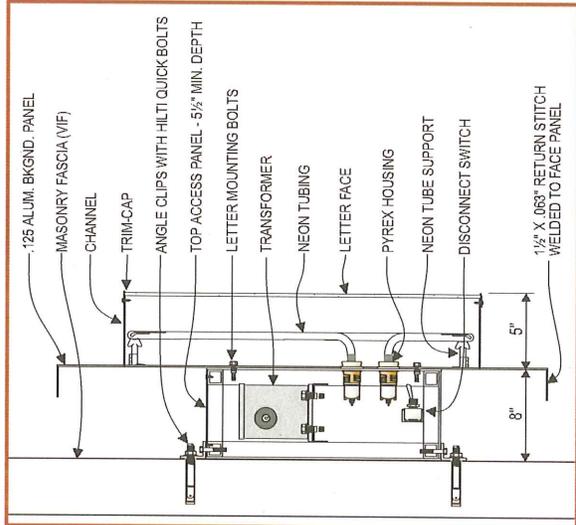
- \*PANERA\* & "BREAD" LETTERS:  
 • (#7328 WHITE) 3/16" ACRYLIC FACES WITH (230-22 MATTIE BLACK) VINYL BORDERS  
 MOTHER BREAD LOGO:  
 • (CLEAR) 3/16" ACRYLIC FACE BACKSPRAYED PMS 1355U  
 • (BLACK 230-22) VINYL LOGO DETAIL.  
 ALL GRAPHICS:  
 • (BLACK) 1" TRIM CAP  
 • (BLACK) .040 ALUM. RETURNS 5" DEEP  
 • .040 ALUM. LETTER BACKS  
 • (#6500 WHITE) NEON TUBE ILLUMINATION - .15mm  
 • #60 MA REMOTE TRANSFORMERS  
 • U.L. AND MFG. LABELS  
 • WEEP HOLES  
 BACKGROUND PANEL:  
 • .125 ALUMINUM SKIN w/ 1/2" DEEP .063 RETURNS  
 • PAINTED PMS #7570 GREEN, & MOUNTED TO RACEWAY  
 • CUSTOM ALUM. RACEWAY FLUSH MOUNTED TO FASCIA

AWNING DETAILS ON SHEET: T-096d

TENANT ID SIGN PROVIDED BY LANDLORD



STOREFRONT ELEVATION (NORTH): 1/8" = 1'-0"



55.21 sq.ft.

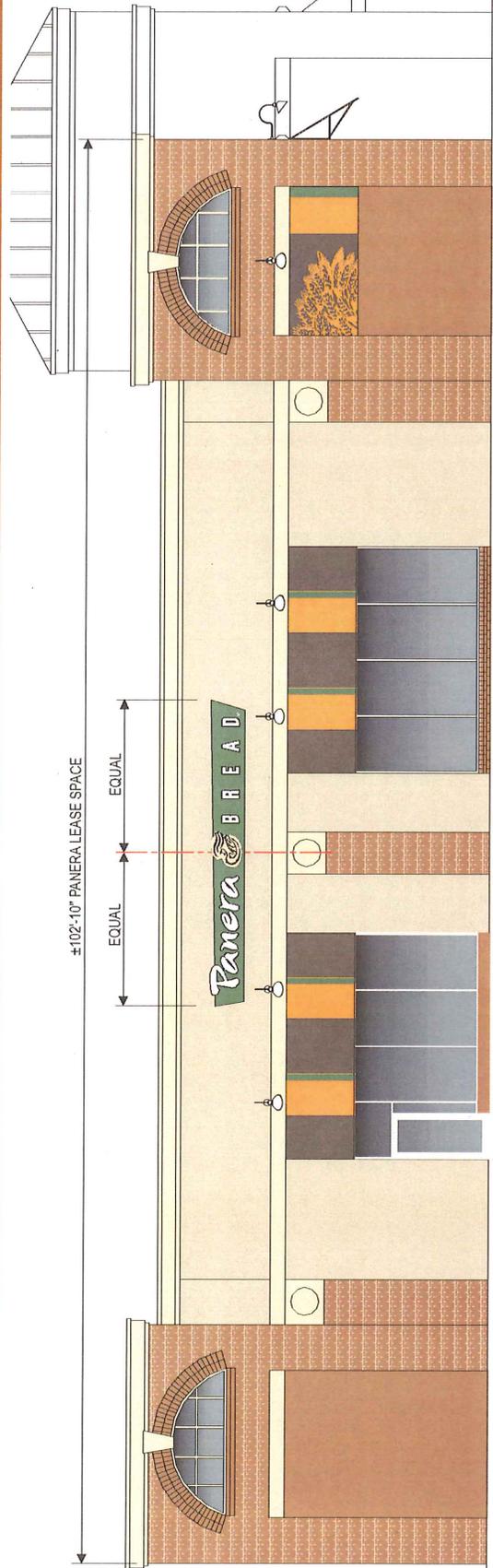
SINCE 1917  
**MANDEVILLE SIGN**  
*making signs for over 100 years*  
 676 GEORGE WASHINGTON HIGHWAY  
 LINCOLN, RI 02865-4255  
 PHONE: 401-334-9100 FAX: 401-334-7799  
 WWW.MANDEVILLESIGN.COM

**APPROVALS**  
 Submit to appropriate authorities for approval.  
 Engineering By: DATE  
 Sales By: DATE  
 Estimating By: DATE  
 Production By: DATE  
 Quality Control By: DATE

19392-1  
 (WORK ORDER NUMBERS)

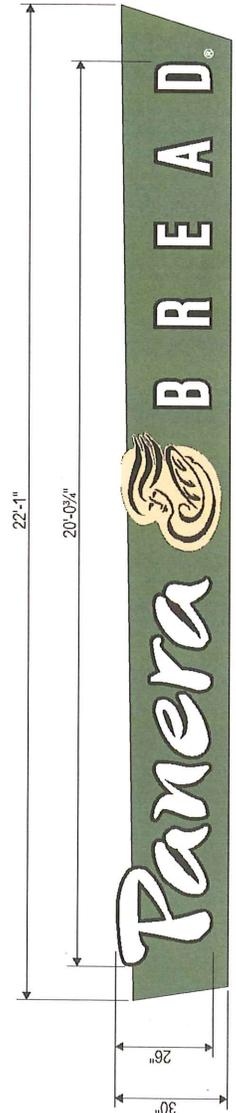
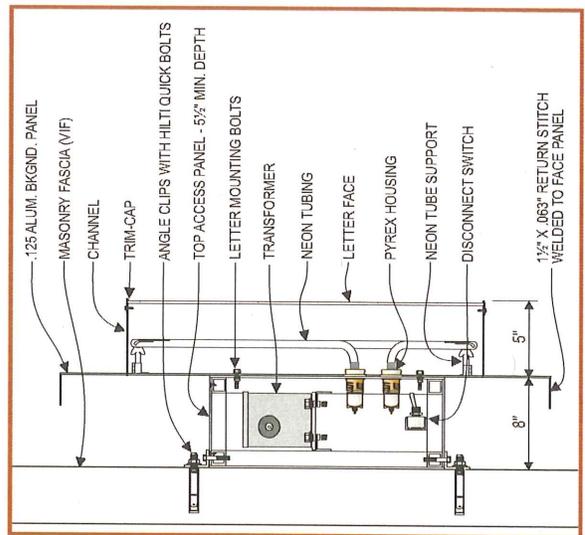
NO	BY	DESCRIPTION	DATE
1	JM	Changed awning fabric	08/07/09
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

**Panera BREAD.**  
 STORE NUMBER: 1383  
 1905 Scenic Highway N.  
 SNELLVILLE, GA  
 PROJECT MANAGER: BOB MULCAHEY  
 CHECKED BY: DATE  
 W.D. DATE: 04/07/09  
 T-096b  
 DRAWING NAME



EXTERIOR ELEVATION (EAST): 1/8" = 1'-0"  
 195.5"  
 127.8"

AWNING DETAILS ON SHEET: T-096d



SIGN ELEVATION: 3/8" = 1'-0"

55.21 sq.ft.

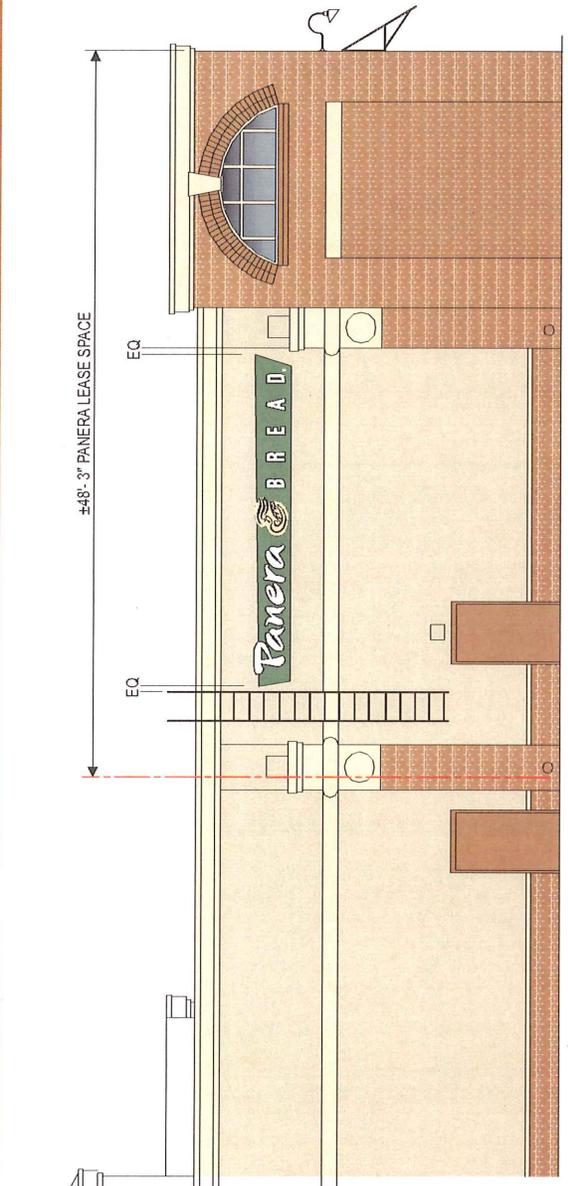
SINCE 1917  
**MANDVILLE SIGN**  
*making your vision*  
 675 GEORGE WASHINGTON HIGHWAY  
 LINCOLN, RI 02865-4355  
 PHONE: 401-334-9100 FAX: 401-334-7799  
 www.mandvillesign.com

**APPROVALS**  
 Signature of Client/Architect/Engineer  
 Engineering  
 BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Estimating  
 BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Production  
 BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Quality Control  
 BY: \_\_\_\_\_ DATE: \_\_\_\_\_

WORK ORDER NUMBERS  
 19392-1

NO	BY	DESCRIPTION	DATE
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2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

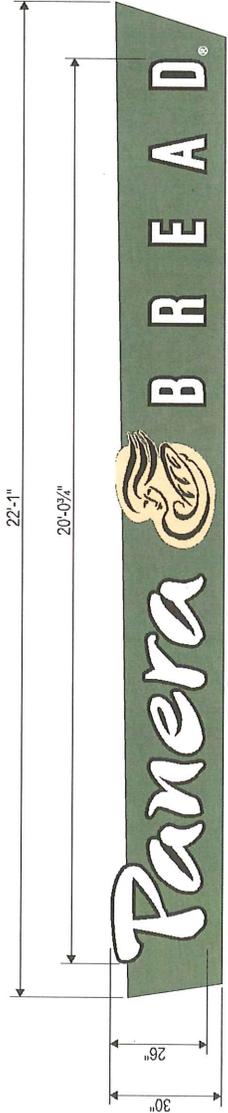
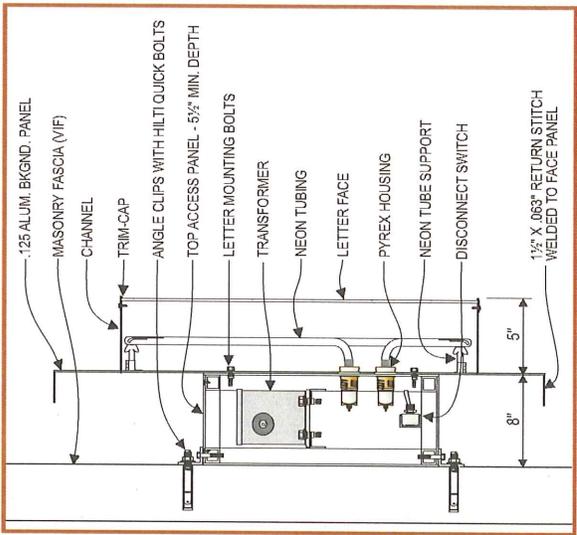
**Panera BREAD**  
 STORE NUMBER: 1383  
 1905 Scenic Highway N.  
 SNELLVILLE, GA  
 PROJECT MANAGER: BOB MULCAHEY  
 CHECKED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 ARTIST: \_\_\_\_\_ DATE: \_\_\_\_\_  
 DRAWING NAME: T-099c



REAR ELEVATION (SOUTH): 1/8" = 1'-0"

INTERNALLY ILLUMINATED CHANNEL LETTERS  
 w/ MOTHER BREAD LOGO on BACKGROUND PANEL

- "PANERA" & "BREAD" LETTERS:  
 (#7328 WHITE) 3/16" ACRYLIC FACES WITH  
 (230-22 MATTE BLACK) VINYL BORDERS  
 MOTHER BREAD LOGO:  
 • (CLEAR) 3/16" ACRYLIC FACE BACKSPRAYED PMS 13350  
 • (BLACK 230-22) VINYL LOGO DETAIL.
- ALL GRAPHICS:  
 • (BLACK) 1" TRIM CAP  
 • (BLACK) .040 ALUM. RETURNS 5" DEEP  
 • .040 ALUM. LETTER BACKS  
 • (#6500 WHITE) NEON TUBE ILLUMINATION - 15mm  
 • 60 MA REMOTE TRANSFORMERS  
 • U.L. AND MFG. LABELS  
 • WEEP HOLES
- BACKGROUND PANEL:  
 • .125 ALUMINUM SKIN w/ 1/2" DEEP .063 RETURNS  
 • PAINTED PMS 9757U GREEN, & MOUNTED TO RACEWAY  
 • CUSTOM ALUM. RACEWAY FLUSH MOUNTED TO FASCIA



SIGN ELEVATION: 3/8" = 1'-0"

55.21 sq. ft.

**MANDVILLE SIGN**  
 676 GEORGE WASHINGTON HIGHWAY  
 LINCOLN, RI 02865-4255  
 401-334-9100 401-334-7739  
 www.mandville.com

**APPROVALS**

Engineering	DATE
Sales	DATE
Estimating	DATE
Production	DATE
Quality Control	DATE

19392-1  
 WORK ORDER NUMBER(S)

**REVISIONS**

NO	BY	DESCRIPTION	DATE
1	JM	Changed awning fabric	08/07/08
2			
3			
4			
5			
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11			
12			

**Panera BREAD**

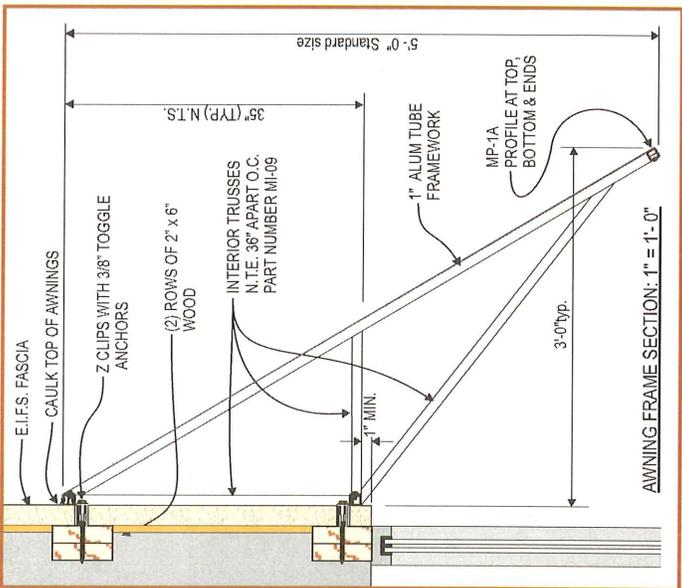
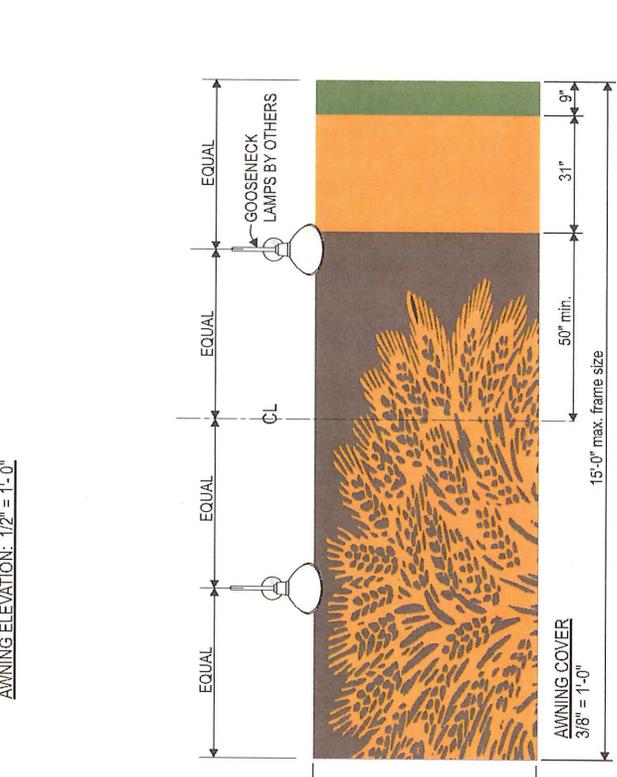
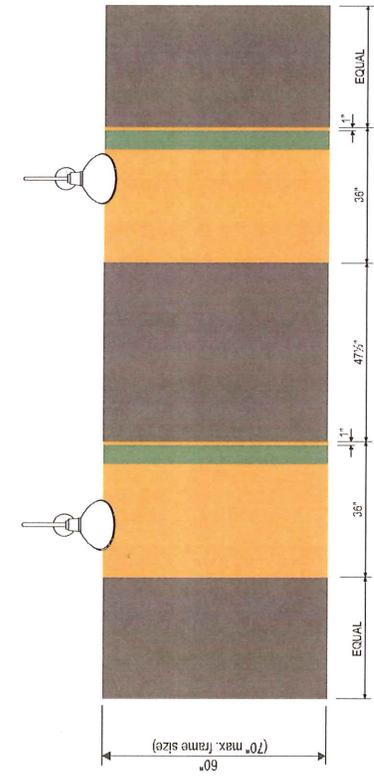
1383  
 STORE NUMBER

1905 Scenic Highway N  
 SNELLVILLE, GA

BOB MULCAHEY  
 PROJECT MANAGER

DATE: 04/27/09

T-096d  
 DRAWING NAME



- EXTERNALLY ILLUMINATED AWNINGS:**
- 1" SQ. ALUMINUM EXTRUSION WELDED FRAME
  - FRAME POWDER COATED SEIBERT SILVER #189110
  - TRUSS SPACING N.T.E. 36" APART O.C.
  - SUNBRELLA FABRIC COVER:
    - BLACK CHERRY #4620
    - TOAST #4628
    - ASPEN #4668
  - GRAY PVC TRIM STAPLE COVER
  - MOUNTED USING Z-CLIPS & APPROPRIATE ANCHORS
  - G.C. TO PROVIDE PLYWOOD BLOCKING AS NECESSARY



October 2, 2012

Mr. Danny Lankford  
HENRY SIGNS INCORPORATED  
2285 Park Central Boulevard  
Decatur, Georgia 30035

**RE: Variance Application #BOA 12-10  
Panera Bread #1383  
Presidential Markets S/C – 1905 Scenic Hwy. Su. 10000A, Snellville, Georgia 30078**

Dear Mr. Lankford,

This is to advise you that the application for Variance for the property described above and shown on Exhibit "A" was considered by the Board of Appeals of the City of Snellville, Georgia during the regular meeting of September 11, 2012.

The vote was to **Approve** the request for variances from the Sign Ordinance to increase the allowable maximum sign area for the installation of decorative awnings as shown on the awning sign drawings with the following **Conditions**:

1. The applicant shall be allowed to install the decorative awnings and "wheat graphic" as shown on SHT #2, SHT #3, and SHT #4 of the submitted sign plans labeled, "Panera Bread", 1905 Scenic Highway N, Snellville Georgia" (Exhibit "B"). The applicant shall be required to submit an application for a wall sign permit for review and approval by the Department of Planning and Development;
2. Awnings shall not be illuminated with up-lights. Overhead and down-lit "gooseneck" lighting shall be permitted as shown on sign plans;
3. Installed awnings shall be maintained at all times by the business owner and or the property owner; and
4. All old (existing) awnings must match the new awnings as determined by the Director of Planning and Development.

We look forward to working with you and your client on the permitting phase of the project.

Sincerely,

Jon M. Davis, RLA, LEED AP  
Director, Planning and Development

Enclosures: Exhibit "A" – Presidential Markets Site Plan  
Exhibit "B" – Panera Bread Awning Sign Drawings

cc: Jennifer Richter, PANERA, LLC, 1600 S. Brentwood Blvd., Suite 300, St. Louis, MO 63144  
**City of Snellville Planning & Development Department**

Exhibit "A"

# Presidential Markets

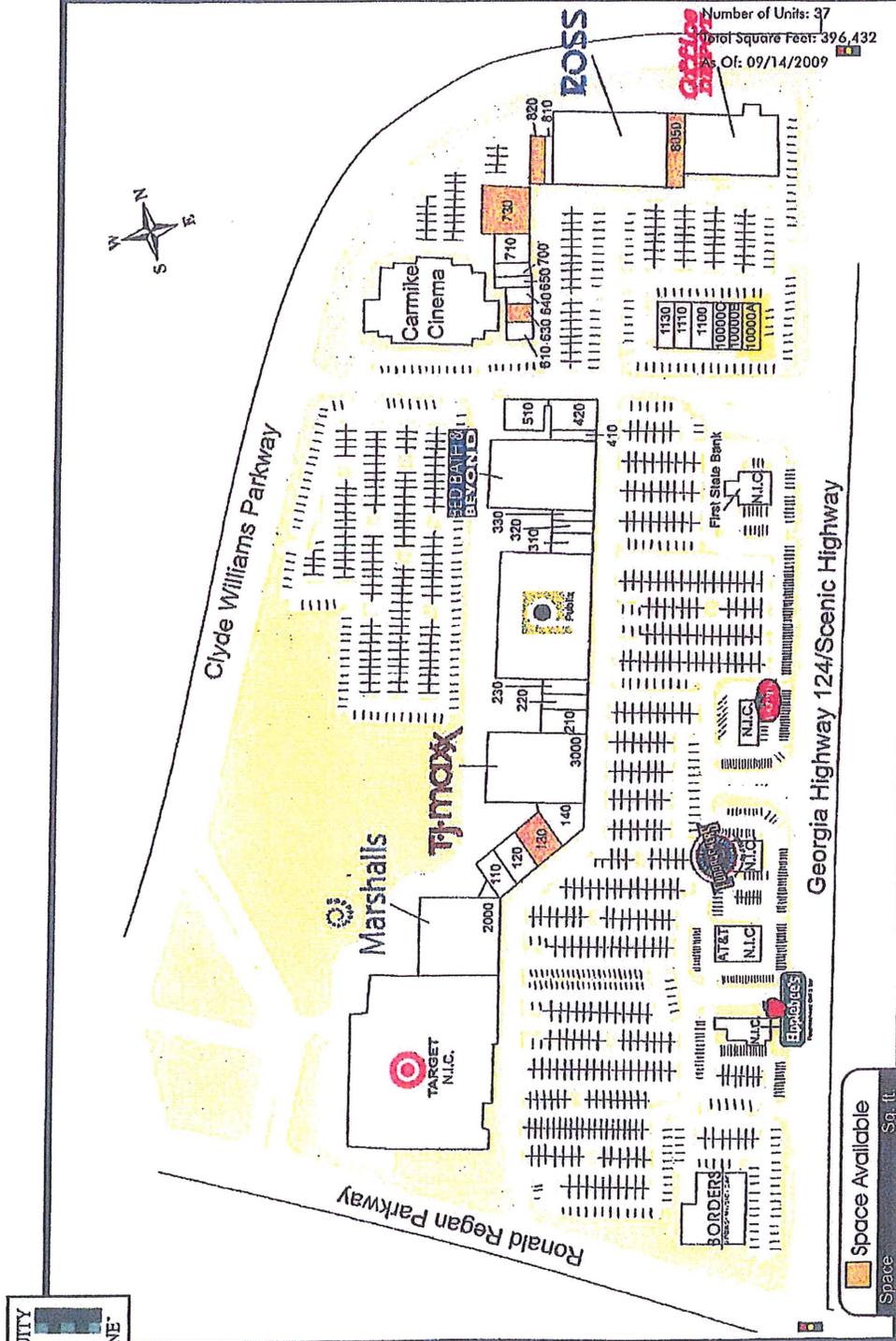
Site Plan & Tenants

Angie Akins

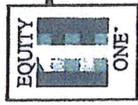
Office: 770-955-4406

Email: aakins@equityone.net

www.equityone.net



Number of Units: 37  
 Total Square Feet: 396,432  
 Date: 09/14/2009



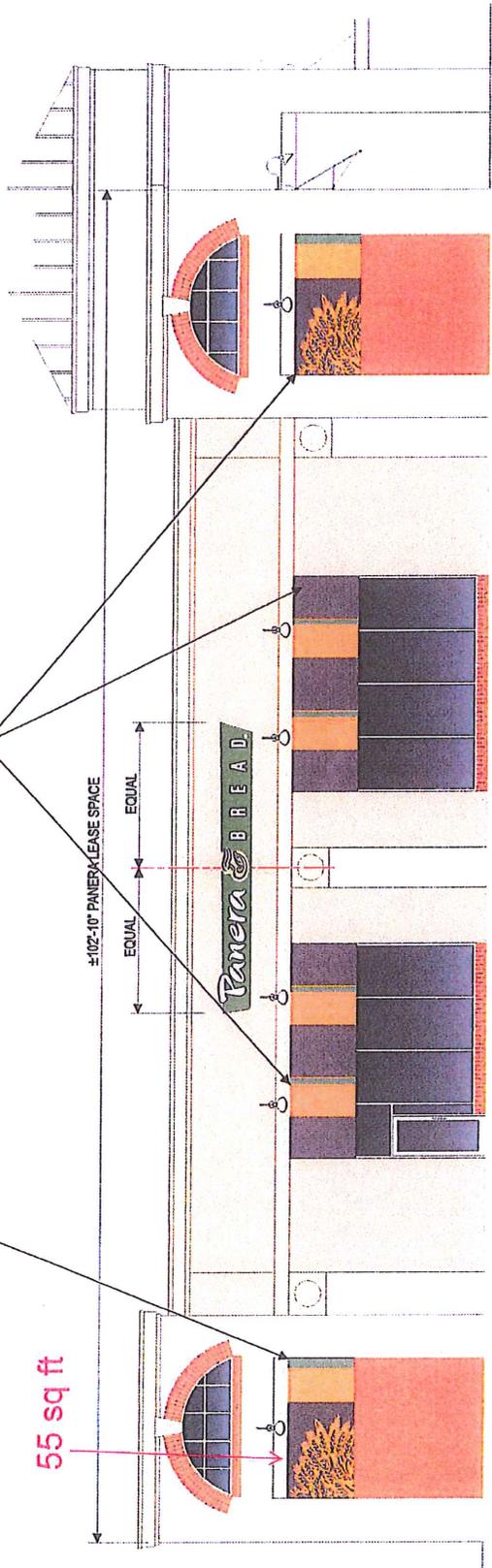
Space	Sq. ft.
130	3,255
630	1,060
830	10,000
820	5,000
820	4,000

Space	tenant	Sq. ft.	Space	tenant	Sq. ft.
10000A	Panera Bread	4,740	8000	Ross Dress for Les...	30,464
10000B	Fitness Resource	2,284	810	Ship-Its	2,000
10000C	Sears	5,000	9000	Office Depot	360
110	Payless ShoeSource	3,450	Ground1	Borders Books and ...	22,296
1100	Bath & Body Works	3,000			
1110	SaksGara Restaurant...	3,451			
1130	Duck's Visionsw...	3,500			
120	CATC Fashions	11,336			
140	Shoe Carnival	30,000			
2000	Marshalls	6,000			
210	Lane Bryant	6,000			
220	Massage Envy	2,980			
230	H&R Block	3,000			
3000	TJ Maxx	32,000			
310	Lisa's Hallmark	4,800			
320	GNC (Store 1394)	1,800			
330	Great Clips	1,815			
4000	Public 308	56,146			
410	Arizona Salon	2,000			
420	Hibbett Sporting G...	6,000			
5000	Bed Bath & Beyond ...	35,127			
510	Peachtree Children...	5,850			
6000	Carmike Cinema (07...	44,565			
610	Music and Arts	3,518			
640	Pro Top Nails	1,060			
650	Mah Jong Restaurant...	3,987			
700	Subway	1,400			
710	Ritz Camera	3,290			

This site plan is presented solely for the purpose of identifying the approximate location and size of the building presently contemplated by the owner. Building sizes, site dimensions, access and parking areas, existing tenant locations and identities are subject to change without notice and at the owner's discretion. Unit numbers as indicated are not necessarily the actual unit numbers and are intended for use as a reference only.

EXISTING AWNINGS

PROPOSED



EXTERIOR ELEVATION (EAST): 1/8" = 1'-0"

AWNING DETAILS ON SHEET T-0956d



**Awning and Sign**  
 CONSULTANTS  
 200 West Hancock Road  
 Angola, IN 46703  
 PH: (303) 600-5024 FAX: (303) 652-7222

Drawings Prepared By  
 This is an original unperfected drawing created by Awning & Sign Consultants. It is submitted for your review and approval. It is not to be used for any other purpose without your permission. It is not to be used, reproduced, copied or exhibited in any fashion. This drawing is the property of Awning & Sign Consultants.

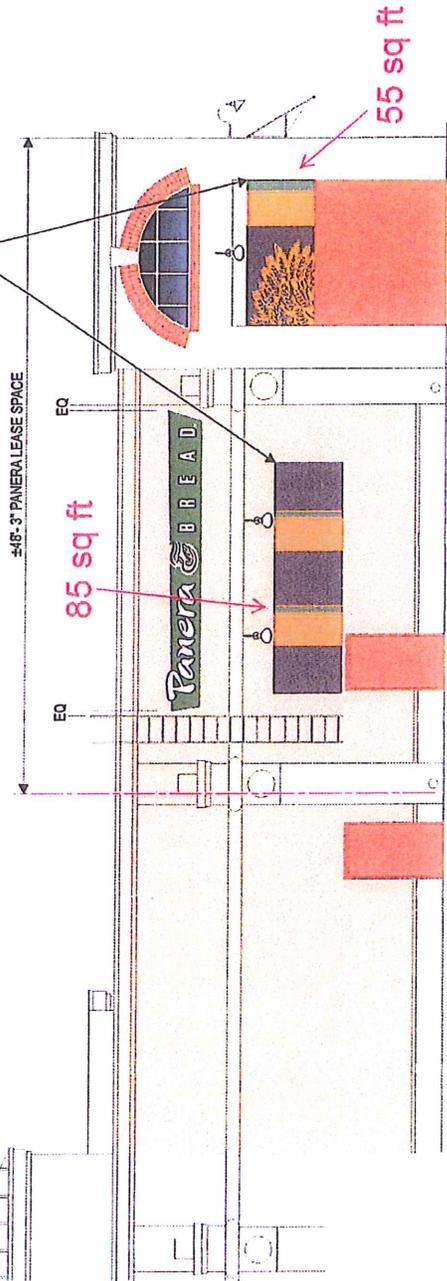
REVISIONS

NO.	DESCRIPTION

LOCATION  
**Panera Bread**  
 1905 SCENIC HIGHWAY N  
 SNELLVILLE GA

DRAWN BY: DC SCALE: AS NOTED  
 DRAWING: 8-2-12 SALES: JS  
 DWG#: \*\*\*\*\*  
 JOB#: \*\*\*\*\* SHT #: 2

PROPOSED



85 sq ft

55 sq ft

REAR ELEVATION (SOUTH): 1/8" = 1'-0"



**Awning and Sign**  
 CONSULTANTS  
 200 West Hancock Road  
 Angola, IN 46703  
 PH: (309) 326-0021 FAX: (309) 326-2720

This is an original unamplified drawing created by Awning & Sign Consultants. It is intended for your use only. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or published in any fashion. This drawing is the property of Awning & Sign Consultants.

REVISIONS

NO.	DATE	DESCRIPTION

LOCATION  
**Panera Bread**  
 1905 SCENIC HIGHWAY N  
 SNELLVILLE GA

DRAWN BY: DC SCALE: AS NOTED  
 DRAWN: 8-2-12 SALES: JS  
 DWG#: \*\*\*\*\*  
 JOB#: \*\*\*\*\* SHT #: 3

