



**CITY OF SNELLVILLE  
DEPARTMENT OF PLANNING & DEVELOPMENT  
MAYOR AND COUNCIL**

**CASE SUMMARY  
November 28, 2022**

<b>CASE NUMBER:</b>	<b>#SUP 22-07</b>
<b>REQUEST:</b>	<b>Special Use Permit</b>
<b>LOCATION:</b>	<b>2484 E. Main Street, Snellville</b>
<b>SIZE:</b>	0.77± Acres
<b>TAX PARCEL:</b>	5026 240
<b>CURRENT ZONING:</b>	BG (General Business) District
<b>OVERLAY DISTRICT:</b>	Towne Center Overlay District
<b>SPEICAL USE PERMIT REQUEST:</b>	<b>Drive-Thru Lane for Restaurant</b>
<b>DEVELOPMENT/PROJECT:</b>	<b>Banh Mi Bubble Tea &amp; Restaurant</b>
<b>APPLICANT/PROPERTY OWNER:</b>	ABN Investment Group, LLC Snellville, Georgia 30078
<b>CONTACT:</b>	Brian Vu 470-488-7777 or <a href="mailto:myfirstchoiceclinic@gmail.com">myfirstchoiceclinic@gmail.com</a>
<b>RECOMENDATION:</b>	<b>Approval with Conditions</b>



**CITY OF SNELLVILLE  
DEPARTMENT OF PLANNING & DEVELOPMENT  
MAYOR AND COUNCIL**

**CASE ANALYSIS**

**November 28, 2022**

**TO:** The Mayor and Council

**PUBLIC HEARING DATE:** November 28, 2022

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

**CASE NUMBER:** #SUP 22-07

**FINDINGS OF FACT:**

The Department of Planning and Development has received an application from Brian Vu, ABN Investment Group, LLC (applicant and property owner) requesting Special Use Permit approval for a drive-thru lane for a proposed Banh Mi Bubble Tea & Restaurant on a 0.77± acre site located at the intersection of Civic Drive and U.S. Highway 78, 2484 E. Main Street, Snellville.

The property has remained vacant since closure of the former Krystal's restaurant that developed and operated from the property beginning in 1981 until closure in 2019.

The applicant intends to complete the following exterior renovations: repave the existing parking lot; replace the exterior parking lot light bulbs; adding new doors to the dumpster enclosure; and rebranding of the exterior building including painting. Interior renovations for the existing 1,950 sq. ft. one-story building include upgrading restrooms to current ADA standards; renovation of the kitchen, dining and reception areas; and bringing the mechanical, electrical and plumbing up to the current building codes.

The applicant also intends to use the existing drive-thru lane and window.

**REQUEST:**

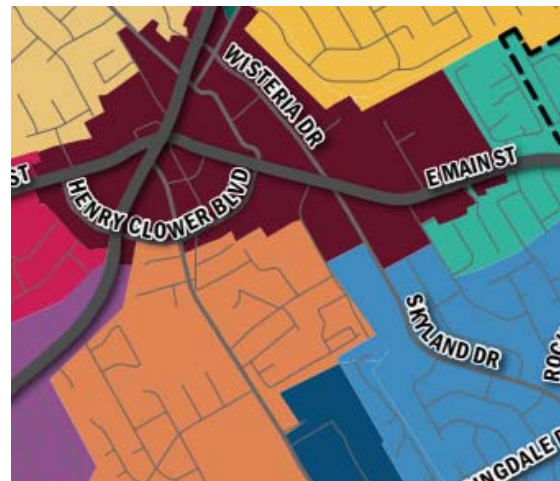
The Special Use Permit request is to allow the use of a drive-thru lane and window for a Banh Mi Bubble Tea & Restaurant. It should be noted that a restaurant without a drive-thru is allowed as a principal permitted use in the Towne Center Overlay District; however, a restaurant with a drive-thru requires special use permit approval.

**FUTURE LAND USE CATEGORIES AND CORRESPONDING ZONING DISTRICTS:**

The property currently lies within the Towne Center future land use category and is within the BG (Business General) zoning district. No changes to the future land use category or zoning district are requested.

**SNELLVILLE 2040 COMPREHENSIVE PLAN RECOMMENDATION**

The property is located near the central portion of the Towne Center Character Area on the 2040 Comprehensive Plan Future Development Map (shown to the right in maroon).



The Towne Center character area is characterized as “the center of Snellville and includes a mix of civic, retail, office, and educational uses, as well as the Snellville Historical Cemetery. Having developed in the age of the automobile, its current form is low density and suburban in nature, unlike traditional downtowns, which are more pedestrian friendly.

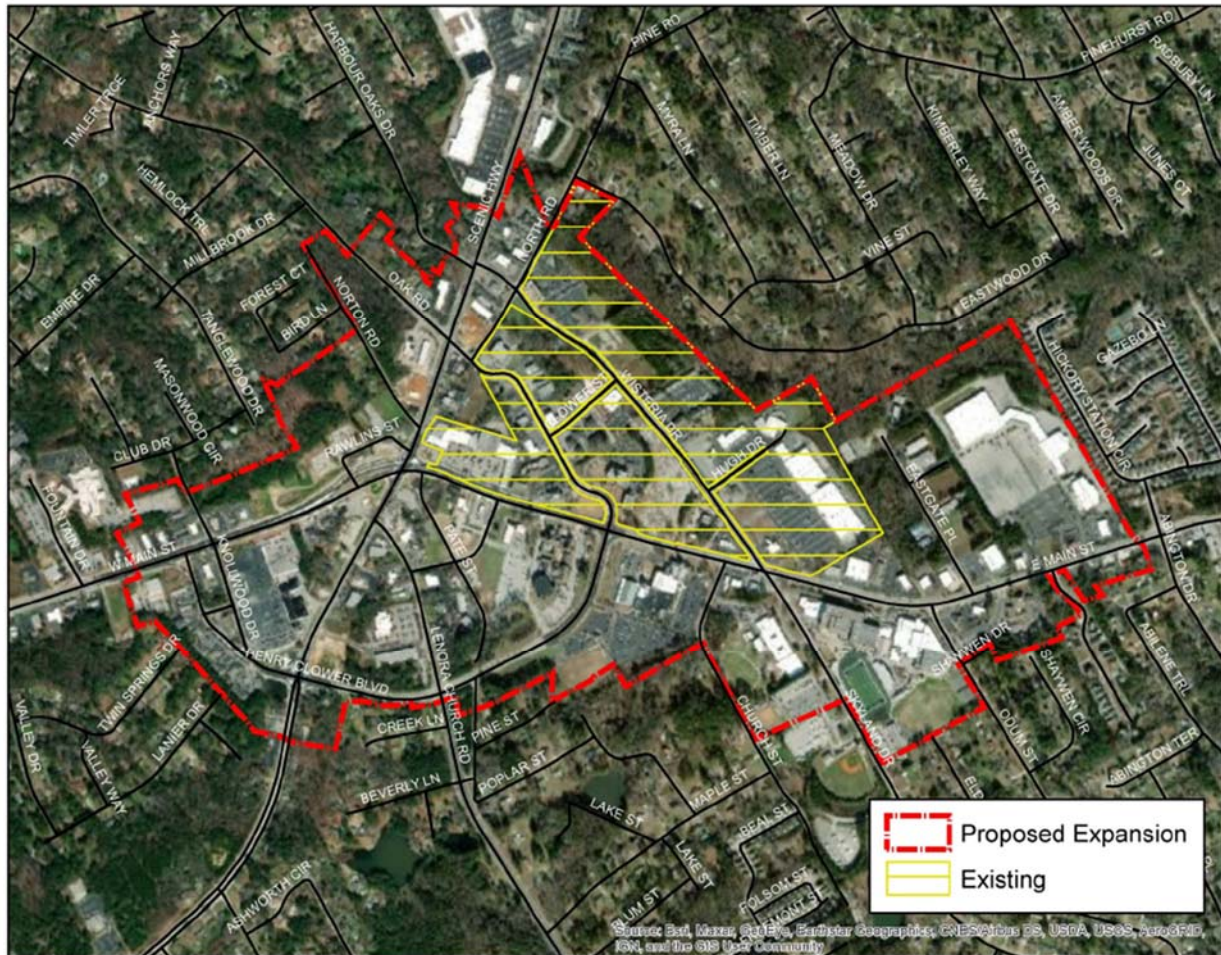
*The City has taken steps to begin developing a true, walkable center with the construction of City Hall, the Towne Green, the Snellville Senior Center, and several streetscape projects. Plans are underway to construct a new library, city market, green and parking garage just a block away. There are several large, undeveloped parcels in the area, as well as shopping centers with oversized parking lots with potential for redevelopment. Elected officials and city staff are focused on identifying private development partners to bring in more compact, mixed use development typical of a traditional downtown.”*

**TOWNE CENTER OVERLAY DISTRICT:**

As part of the October 2020 adoption of the Snellville Unified Development Ordinance (UDO), the boundary of the Towne Center Overlay District was expanded to match and be consistent with the Towne Center character area identified in the 2019 adopted 2040 Snellville Comprehensive Plan.

The original overlay consisted of an 115± acre area located in and around the City Center complex beginning at the intersection of U.S. Highway 78 and S.R. 124 (Scenic Highway), stretching west to the Snellville Oaks shopping center, then northward to include the properties on the north side of Wisteria Drive, then south along North Road.

The original Towne Center Overlay District is represented in yellow on the map below to now a much larger 485± acre area, represented on the map by the red boundary limit. The expanded overlay includes the subject property, with the Carlin Vision, Prime Storage and Pet Paradise properties also being located within the overlay; however, developed prior to the overlay expansion.



### SITE PLAN ANALYSIS:

The application submittal includes a site plan that shows the existing conditions on the 0.77± acre site that was originally developed in 1980, with the 1,950 sq. ft. one-story building centrally located on the site with 45° angled parking primarily along the sides and rear of the site, with several parking spaces in front of and immediately adjacent to the building. A total of fifty-five (55) onsite parking spaces are shown, well exceeding the thirteen (13) minimum required by the code.



Due to the forty-two (42) year age of the development, there exists a variety of nonconformities with the site and building that the current development regulations for a commercial property and especially one located in Towne Center Overlay District now regulate. UDO Sec. 103-11 (Nonconformities) has provisions for these property types, allowing for nonconformities to continue, until they are removed, but not encourage their survival.

Eventually, this property and the other properties that make up about 8.9± acres and located between Civic Drive and U.S. Highway 78 and Scenic Highway will be redeveloped as part of the phased Downtown Vision/Master Plan for The Towne Center @ Snellville.

#### **CONCLUSION and STAFF RECOMMENDATION:**

In conclusion, the Department of Planning and Development recommends **Approval** of #SUP 22-07, Special Use Permit for a restaurant with drive-thru lane located in the Towne Center Overlay District, subject to the attachment of the following recommended **Conditions**:

1. The existing nonconforming pylon sign located between the entry and exit drives on U.S. Highway 78, shall be removed before issuance of any Certificate of Occupancy or Occupational Tax Certificate (Business License). New signage shall comply with the requirements of Sec. 207-6 (Signs) of Chapter 200 of the Snellville Unified development Ordinance.
2. New signs higher than 15 feet or larger than 225 sq. ft. in area are prohibited.
3. All exterior building and parking lot lighting, whether existing or new, shall comply with Sec. 207-5 (Lighting) of Chapter 200 of the Unified Development Ordinance.
4. All new and existing roof top mechanical units (RTU, exhaust fan, etc.) shall be screened from public view.
5. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.
6. All exterior and/or interior remodel/renovation work shall require an approved building permit.

#### **PLANNING COMMISSION REPORT:**

The Planning Commission held a duly advertised public hearing on the special use permit application at the November 15, 2022 Specially Called Meeting of the City of Snellville Planning Commission.

By a unanimous vote of five (5) to zero (0), the Planning Commission recommended **Approval** of #SUP 22-07, Special Use Permit for a restaurant with drive-thru lane located in the Towne Center Overlay District, subject to the attachment of the following recommended **Conditions**:

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