



**SPECIAL USE PERMIT APPLICATION**

**For All Uses**

(Except Collective Residences; Hotel Motel and Extended-Stay Hotel and Places of Worship)

RECEIVED

OCT 11 2022

**City of Snellville, Georgia  
Department of Planning & Development**

2342 Oak Road, 2<sup>nd</sup> Floor

Snellville, Georgia 30078

Phone 770.985.3515

Fax 770.985.3551

[www.snellville.org](http://www.snellville.org)

CITY OF SNELLVILLE  
PLANNING & DEVELOPMENT  
DATE RECEIVED \_\_\_\_\_

2484 MAIN ST E #2200584  
SUP 22-07 PARCEL- 5026-240

**Applicant is:** (check one)  
 Property Owner  
 Attorney for Property Owner  
 Property Owner's Agent

**Property Owner** (if not the applicant):  check here if additional property owners and attach additional sheets.

BRIAN VU  
Name (please print)

ABN INVESTMENT GROUP LLC  
Name (please print)

OWNER  
Title

OWNER  
Title

Corporate Entity Name  
1435 BARNESLEY WALK

Corporate Entity Name  
1435 BARNESLEY WALK

Mailing Address  
SNELLVILLE GA 30078

Mailing Address  
SNELLVILLE GA 30078

City, State, Zip Code  
470 488 7777

City, State, Zip Code  
470 488 7777

Phone Number (wk) \_\_\_\_\_ (cell) \_\_\_\_\_  
Email Address myfirstchoiceclinic@gmail.com

Phone Number (wk) \_\_\_\_\_ (cell) \_\_\_\_\_  
Email Address \_\_\_\_\_

Requested Special Use (see Uses Requiring a Special Use Permit): Drive-thru special use permit

This SUP application is also being filed along with applications for:  Rezoning  Land Use Plan Amendment  None

Present Zoning District Classification: B9 Present Future Land Use Classification: TOWNE CENTER  
Proposed Zoning District Classification: \_\_\_\_\_ Proposed Future Land Use Classification: \_\_\_\_\_

Property Street Address: 2484 Main St Snellville GA 30078 Acreage: 0.115 Tax Parcel No.: 5026 240

**APPLICATION FEES:**

- Special Use Permit Application \$ 500 (without rezoning); or \$250 with rezoning
- Public Notice Sign \$ 75 (single-sided) or \$125 (double-sided) per parcel, per road frontage
- Adjoining Property Owner Notice \$ 15 (per adjoining property X 2 public hearings)

500  
+ 150  
30

Special use permits may not be used for securing early zoning for conceptual proposals which may not be undertaken for more than 6 months from the date the application is submitted. A special use permit application will be considered only if it is made by the owner of the property or their authorized agent.

**SPECIAL USE:** A use which while not permitted as a matter of right may be allowed within a given zoning district when meeting standards as prescribed by this UDO. Special land uses have operational characteristics and/or impacts that are significantly different from the zoning district's principal authorized uses and therefore require individual review pursuant to the standards and criteria set forth in this UDO.

**UDO Sec. 103-10.1. General:** Special use permits are intended as a means for the City Council to authorize certain uses that are not permitted by-right in a zoning district. Special use permits may be subject to meeting specific standards by Chapter 200 Article 6 (Use Provisions), but still require individual review by City Council because of the increased potential for incompatibility with its immediate neighborhood.

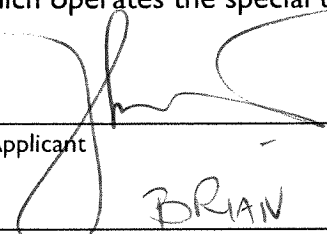
\*\*\* INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED \*\*\*

### CERTIFICATIONS

#### APPLICANT'S CERTIFICATION

The undersigned below does hereby, swear or affirm under penalty of perjury under the laws of the State of Georgia, is authorized to make this application for a Special Use Permit and that the statements and documents submitted as part of this application are true and accurate to the best of my knowledge or belief. The undersigned is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of last action by the Mayor and Council.

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate if the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, or otherwise conveyed or discontinued.

  
\_\_\_\_\_  
Signature of Applicant  
Date 10/03/22  
\_\_\_\_\_  
Type or Print Name and Title  
BRIAN VU


  
\_\_\_\_\_  
Signature of Notary Public  
Date 10/03/22




#### PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, swear and affirm that I am (we are) the owner of property that is subject to this application, as shown in the records of Gwinnett County, Georgia which is the subject matter of the attached application. I further authorize BRIAN VU to file this application. The undersigned is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of last action by the Mayor and Council.

Check here if there are additional property owners and attach additional "Owner's Certification" sheets.

  
\_\_\_\_\_  
Signature of Owner  
Date 10/03/22

Tram Anh Nguyen  
\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public  
Date 10/03/22



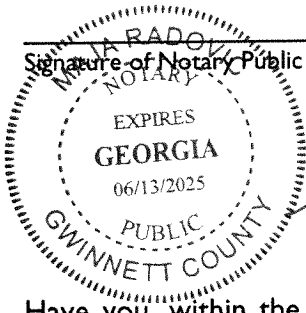
**CONFLICT OF INTEREST CERTIFICATIONS FOR SPECIAL USE PERMIT**

The undersigned below, making application for a Special Use Permit, has complied with the Official Code of Georgia Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on forms provided.

check here if there are additional property owners and attach additional "Conflict of Interest Certification" sheets.

Signature of Applicant: [Signature] Date: 09/28/2022 Type or Print Name and Title: BRIAN VU  
 Signature of Applicant's Attorney or Representative: [Signature] Date: 10/4/22 Type or Print Name and Title: MAJA RADOVIC (REPRESENTATIVE)

Signature of Notary Public: Angeline Karim Date: 10/4/22 Affix Notary Seal



**ANGALINIE KARIM**  
 NOTARY PUBLIC  
 Gwinnett County  
 State of Georgia  
 My Comm. Expires Oct. 20, 2023

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the last two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more or made gifts having in the aggregate a value of \$250.00 or more to any member of the Mayor and City Council or any member of the Snellville Planning Commission?

YES       NO      YOUR NAME: BRIAN VU

If the answer above is YES, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (list all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within the last two years)

Check here and attach additional sheets if necessary to disclose or describe all contributions or gifts.

AUTHORIZATION TO INSPECT PREMISES

With the signature below, I authorize the staff of the Department of Planning and Development of the City of Snellville, Georgia to inspect the premises, which are the subject of this Special Use Permit application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

*Maja Radovic* *10/4/22*  
Signature of Owner or Agent Date

*MAYA RADOVIC (AGENT/REPRESENTATIVE)*  
Type or Print Name and Title

Affix Notary Seal

*Angaline Karim* *10/04/2022*  
Signature of Notary Public Date

**ANGALINIE KARIM**  
NOTARY PUBLIC  
Gwinnett County  
State of Georgia  
My Comm. Expires Oct. 20, 2023

**City of Snellville, Georgia**  
**Department of Planning & Development**  
**2342 Oak Road 2<sup>nd</sup> Floor**  
**Snellville, GA 30078**

**RE: Special Use Permit Application Letter of Intent**  
**SPECIAL USE PERMIT DRIVE-THRU**  
**Banh Mi BUBBLE TEA & RESTAURANT**  
**2484 Main St Snellville, GA 30078**

**To Whom it May Concern:**

The proposed drive-thru will not have an impact on the existing entrance and exit of the parking lot as shown on the proposed Architectural Plan.

**Use standard Compliance Drive-Thru per 206.2 Allowed Use Table (see plans for additional information):**

Section Number	Section Title	Section Description
206-8.9	Drive-Thru Facility	<p><b>1. Defined</b></p> <p>A facility at which the customer receives service (e.g. in a semicircular, associated drive-thru restaurants, banks, and pharmacies).</p> <p><b>2. Use Standards</b></p> <ol style="list-style-type: none"> <li>Where a use is subject to a limited use, no drive-thru window, and a order box is permitted within 50 feet of a permitted residential use (the drive-thru lane).</li> <li>Additional design requirements are specified in Sec 207.11.0.</li> </ol>
206-9.1	Farmers' Market	
206-9.2	Garden Market	
206-9.3	Short-Term Rental	
206-9.4	Temporary Buildings and Signs	
206-9.5	Temporary Events	
206-9.6	Travels Center/Outdoor Sales	
206-9.7	Yard/Garage Sales	
207-1.1	Parking and Loading	
207-1.2	Applicability	
207-1.3	Parking Requirements	
207-1.4	Shared Vehicle Parking	
207-1.5	Location of Vehicle Parking	
207-1.6	Accessible Parking	
207-1.7	Vehicle Parking Layout and Design	
207-1.8	Large Parking Facility Requirements	<p>Parking facilities with 500 or more parking spaces must incorporate one of the following:</p> <ol style="list-style-type: none"> <li>At least 10% of total parking surface (area gross surface area) must be porous paving or grass paving systems, such as Grasscrete or Grass.</li> <li>At least 10% of the total number of parking spaces must be in a multi-level parking deck.</li> </ol> <p>When a small number of additional previous parking spaces are required by clause 18.1 above, an administrative variance may be approved by the D.</p>



Christian H. Crookless, RA  
 678-662-3904  
[Crookless@gmail.com](mailto:Crookless@gmail.com)



Maya Radovic &lt;radovicpermits@gmail.com&gt;

**SUP for 2488 Main Street E in Snellville**

5 messages

**Maya Radovic** <radovicpermits@gmail.com>  
To: "Niebauer, Parker J" <PNiebauer@dot.ga.gov>

Fri, Sep 23, 2022 at 10:07 AM

Good morning Parker;

I'm helping the client with a Special Use Permit for using the drive-thru at this location in Snellville (City Limit). What would be the GDOT requirements in this case regarding the existing access (see attached the site plan). Please see the City development requirements for the Town Center Overlay District; is it possible to keep the current access? Is there anything that could affect access use in the future?

1. Use of the drive-thru will require Special Use Permit approval by the Mayor and Council as property is located in the Towne Center Overlay District. If you do not want to obtain the Special Use Permit, revise the renovation plans showing removal of the drive-thru window, menu board, drive-thru lane, and any other components of the drive-thru.
2. New front patio will require site plan approval.
3. Restaurant use to meet min. parking requirements of 1 space per 150 SF gross floor area.
4. Interior and exterior remodel plans to be prepared and submitted for review/approval by Gwinnett County (Fire, Water/Sewer, Environmental Health). Approved plans then submitted to City of Snellville for zoning and building plan review.
5. Exterior building colors are regulated in UDO Sec. 201-4.1.G.
6. Depending on project renovation costs, a Substantial Building Permit may be required, requiring compliance with UDO Sec. 207-2 (Buffers and Screening i.e. rooftop mechanical units, standalone walk-in freezer) and UDO Sec. 207-3 (Landscaping).
7. There is an existing non-conforming pylon sign on the property. Before allowing the permitting of new conforming signage (wall signs, window and door signs, drive-thru menu boards, etc.), all non-conforming signs need to be removed, then a conforming monument sign may be permitted.
8. Exterior building and parking lot lighting may be non-conforming to the current exterior lighting code. The addition of any new exterior building or site lighting fixtures will require that the entire site be made conforming.

Respectfully,

Maya Radovic, CPESC, CFM  
Radovic Permits, LLC  
Mobile: 404/717-4795**2 attachments** **Survey - Krystal Snellville, GA - 2013 (1).pdf**  
551K **NEW BUBBLE TEA+RESTAURANT\_RENOTVATIONS TO EXISTING BUILDING (SCOPE OF WORK).pdf**  
3788K**Maya Radovic** <radovicpermits@gmail.com>  
To: "Niebauer, Parker J" <PNiebauer@dot.ga.gov>

Wed, Sep 28, 2022 at 9:00 AM

Good morning Parker;

Just checking if you had a chance to see my email regarding the GDOT requirements for this project.

Respectfully,

Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.

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**2 attachments**

**Survey - Krystal Snellville, GA - 2013 (1).pdf**  
551K



**NEW BUBBLE TEA+RESTAURANT\_RENOTVATIONS TO EXISTING BUILDING (SCOPE OF WORK).pdf**  
3788K

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**Maya Radovic** <radovicpermits@gmail.com>

Thu, Oct 6, 2022 at 3:49 PM

To: Paris BanhMi Snellville <pbmsnellville@gmail.com>, "EL MINA, INC" <elminaengineer@gmail.com>, Fernando Urbina <furbina.dimensionsdesigns@gmail.com>

Good afternoon all;

Please see below from the GDOT office on the access use.

Respectfully,

Maya Radovic, CPESC, CFM  
Radovic Permits, LLC  
Mobile: 404/717-4795

[Quoted text hidden]

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**2 attachments**

**Survey - Krystal Snellville, GA - 2013 (1).pdf**  
551K



**NEW BUBBLE TEA+RESTAURANT\_RENOTVATIONS TO EXISTING BUILDING (SCOPE OF WORK).pdf**  
3788K

### Tax Account

**Mailing Address:**  
 ABN INVESTMENT GROUP LLC  
 1435 BARNSELY WALK  
 SNELVILLE GA 30078-6720  
 @ All other mailing addresses

**SITUS:**  
 2454 BAIN ST  
 EVANSVILLE GA 30078-6720

**Parcel ID:** P5626 240  
**Property Type:** Real Property  
**Last Update:** 10/10/2022 8:08:37 PM

**Legal Description:**  
 US HWY 76

**Print Tax Bill**

**Click here to view and print your 2022 tax bill.\***  
 \* Bill as of September 1, 2022. For current amount our see information below.

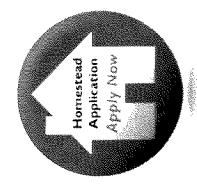
### Tax Bills

Note: Email tax@gwinnettcountry.com to request other years

Year	Net Tax	100% Paid	Penalty/Int.	Interest	Due Date	Amount Due
2022	\$8,912.91				10/15/2022	\$8,912.91
2021	\$9,081.08				3/1/2022	
2020	\$10,699.80				7/1/2021	
2019	\$11,689.10				8/15/2019	
2018	\$11,728.70				10/15/2018	
2017	\$10,773.56				9/15/2017	
2016	\$10,693.40				10/15/2016	
2015	\$10,649.98				10/15/2015	
<b>Total:</b>						<b>\$8,912.91</b>

**Pay Now**

Select a payment option:  
 Total Due  
 Partial



gwinnettcountry.com  
**Assessor's Office**  
 GIS & Property Record Detail





**Exhibit "A"**

**Legal Description**

Real property in the City of Snellville, County of Gwinnett, State of Georgia, described as follows:

TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 26 OF THE 5TH DISTRICT, CITY OF SNELLVILLE, GWINNETT COUNTY, GEORGIA, CONTAINING 0.7725 ACRES AS SHOWN ON TOPOGRAPHIC SURVEY FOR THE KRYSTAL COMPANY BY HANNON, MEEKS & BAGWELL, SURVEYORS & ENGINEERS, INC., DATED AUGUST 20, 1981 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 78 AND THE WESTERLY RIGHT-OF-WAY LINE OF CIVIC DRIVE (BEING A 60-FOOT RIGHT-OF-WAY) AND RUNNING THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CIVIC DRIVE SOUTH 19 DEGREES 04 MINUTES 50 SECONDS WEST A DISTANCE OF 225.00 FEET TO A POINT; THENCE NORTH 71 DEGREES 34 MINUTES 25 SECONDS WEST A DISTANCE OF 150.00 FEET TO A POINT; THENCE NORTH 19 DEGREES 05 MINUTES 00 SECONDS EAST A DISTANCE OF 225.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 78; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 78 AND FOLLOWING A CURVE TO THE LEFT, HAVING A RADIUS OF 2894.789 FEET AND A CHORD OF SOUTH 71 DEGREES 34 MINUTES 25 SECONDS EAST 149.98 FEET, AN ARC DISTANCE OF 150.00 FEET TO A POINT, BEING THE PLACE OR POINT OF BEGINNING.

LESS AND EXCEPT FROM TRACT 1, PROPERTY ACQUIRED PURSUANT TO ORDER AND JUDGMENT ENTERED IN CIVIL ACTION FILE NO. 147-A-01091-8, SUPERIOR COURT OF GWINNETT COUNTY, GEORGIA, STYLED DEPARTMENT OF TRANSPORTATION V. CERTAIN EASEMENT RIGHTS; AND ARC KSNVGA001, LLC, A DELAWARE LIMITED LIABILITY COMPANY [SIC]; THE KRYSTAL COMPANY, A TENNESSEE CORPORATION; THE BRAND BANKING COMPANY; AND CITY OF SNELLVILLE, A GEORGIA MUNICIPAL CORPORATION, INDIVIDUALLY, DATED FEBRUARY 7, 2017, FILED FOR RECORD FEBRUARY 9, 2017, AND RECORDED IN DEED BOOK 54923, PAGE 366, AFORESAID RECORDS; AS AFFECTED BY AFFIDAVIT OF FACTS AFFECTING TITLE, BY LUTHER H. BECK, JR., DATED MARCH 9, 2016, FILED FOR RECORD MARCH 16, 2017, AND RECORDED IN DEED BOOK 54990, PAGE 324, AFORESAID RECORDS.

APN: R5026 240

Attached to and made a part of: **Limited Warranty Deed**

EXECUTED this 28 day of June, 2022.

Witnesses:

[Signature]  
First Witness  
Indiana Calderon  
Printed Name of First Witness

[Signature]  
Second Witness  
Emma Engstrom  
Printed Name of Second Witness

GRANTOR:

VEREIT REAL ESTATE, L.P.,  
a Delaware limited partnership,  
successor by merger to  
ARC KLSNVGA001, LLC,  
a Delaware limited liability company

By: VEREIT Real Estate GP, LLC,  
a Delaware limited liability company  
its General Partner

By: [Signature]  
Name: Karolina Ericsson  
Title: SVP, Associate General Counsel  
Approved As To Form Legal Description 12/18/21 N 1062

Address: 11995 El Camino Real  
San Diego, CA 92130  
Attn: Legal Department

ACKNOWLEDGMENT

*A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

STATE OF California

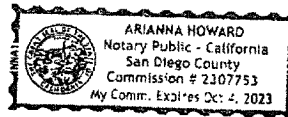
COUNTY OF San Diego

On June 28, 2022, before me, Arianna Howard, Notary Public, personally appeared Karolina Ericsson, who signed the above-referenced instrument in my presence and who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public (Notary Seal)



Signature Page to  
Limited Warranty Deed

BY ACCEPTANCE OF THIS LIMITED WARRANTY DEED, GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS OR WARRANTIES AS TO THE PHYSICAL CONDITION, OR ANY OTHER MATTER AFFECTING OR RELATED TO THE PROPERTY (OTHER THAN WARRANTIES OF TITLE AS PROVIDED AND LIMITED HEREIN). BY ACCEPTANCE OF THIS LIMITED WARRANTY DEED, GRANTEE EXPRESSLY AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE PROPERTY IS CONVEYED "AS IS, WHERE IS, WITH ALL FAULTS," AND GRANTOR EXPRESSLY DISCLAIMS, AND GRANTEE, BY ACCEPTANCE OF THIS LIMITED WARRANTY DEED, ACKNOWLEDGES AND ACCEPTS THAT GRANTOR HAS DISCLAIMED ANY AND ALL REPRESENTATIONS, WARRANTIES OR GUARANTIES, OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED (EXCEPT AS TO TITLE AS HEREIN PROVIDED AND LIMITED), CONCERNING THE PROPERTY, INCLUDING, WITHOUT LIMITATION, (i) THE VALUE, CONDITION, MERCHANTABILITY, HABITABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE PROPERTY, (ii) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE OR ANYONE ELSE MAY CONDUCT THEREON, (iii) THE ENVIRONMENTAL CONDITION OF THE PROPERTY AND (iv) THE COMPLIANCE OF THE PROPERTY WITH APPLICABLE LAWS AND REGULATIONS.

*[Signature Page Follows]*