SPECIAL USE PERMIT APPLICATION
For Hotel, Motel and Extended Stay Hotel

RECEIVED

City of Snellville, Georgia
Department of Planning & Development
2342 Oak Road, 2nd Floor
Snellville, Georgia 30078
Phone 770.985.3513 Fax 770.985.3551 www.snellville.org

SEP 17 2020
CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

LILBURN HOSPITALITY- KHALID JAVED
2752 MAIN ST W #2000500
RZ 20-03; LUP20-02; SUP 20-02 (HOTEL)
PARCEL- 5007 018

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.

Name (please print) KHALID JAVED	Name (please print) RITA M. SHAH
Title CO-OWNER	Title CO-OWNER
Corporate Entity Name LILBURN HOSPITALITY	Corporate Entity Name LILBURN HOSPITALITY
Mailing Address 3195 GOLFE LINKS DRIVE	Mailing Address
City, State, Zip Code SNELLVILLE, GA 30039	City, State, Zip Code 3195 GOLFE LINKS DRIVE
Phone Number (wk) (cell) 678-770-7068	Phone Number (wk) (cell) 601-331-7679
Email Address kjaved@bellsouth.net	Email Address mukeshshah56@gmail.com

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Application For Special Use Permit: ☑ Hotel ☐ Motel ☐ Extended-Stay Hotel

Total Number of Guest Rooms: 95 Total Number of Guest Rooms with a Fixed Cooking Appliance: NONE

Lobby Size (Sq. Ft.): 1200 +/- Guest Room Size (Sq. Ft.): 300 (min.) 374 (max.) Min. Roof Pitch: 4:12

Present Zoning District Classification: BG & OP Present Land Use Classification: COMMERCIAL & OFFICE/PROFESSIONAL

Property Street Address: 2752 WEST MAIN STREET, SNELLVILLE, GEORGIA Acreage: 5+ Tax Parcel No.: R5007 018

Density Calculation (Units per Acre): 32/ACRE (Guest Room Total divided by Gross Acreage, i.e. 180 Rooms / 2.4 acres = 75 Units per Acre)

APPLICATION FEES:

- Special Use Permit Application $ 500.00
- Public Notice Sign(s) $ 50.00 each (per parcel, per road frontage)
- Adjoining Property Owner Notification Letters $ 15.00 per adjoining property X 2 notices

SPECIAL USE REQUIREMENTS – BG AND HSB ZONING DISTRICTS:

A Hotel, Motel or Extended-Stay Hotel may be permitted upon findings of the Mayor and Council and issuance of a Special Use Permit that under particular circumstances present such use is in harmony with the principal permitted uses of the district and after recommendations by the Planning Department and Planning Commission and after two public hearings, provided:

(a) Each motel, hotel, or extended-stay hotel site shall be a minimum of two (2) acres;
(b) Each motel or hotel shall have a minimum of sixty (60) rooms. Each extended-stay hotel shall have a minimum density of sixty (60) guest rooms per gross acre of development;
(c) The lobby size shall be a minimum of seven-hundred (700) square feet;

(d) Each guest room shall be accessed through an interior hallway and shall not have access to the exterior of the building (except through the central lobby or as otherwise determined by fire codes);
(e) Each motel, hotel, or extended-stay hotel must man the lobby with a bona fide employee or manager twenty-four (24) hours a day;
(f) Each guest room shall have a minimum of three-hundred (300) square feet;
(g) Each motel, hotel, or extended-stay hotel building shall have a minimum roof pitch of four in twelve (4:12);
(h) Each motel, hotel, or extended-stay hotel shall provide an enclosed heated and air-conditioned laundry space with a minimum of three (3) washers and three (3) dryers;
(i) Any outdoor recreational areas provided shall be located to the rear of the site;
(j) Each motel, hotel, or extended-stay hotel site shall provide a seventy-five (75) foot natural buffer, enhanced with an additional twenty-five (25) foot landscaped buffer (total one-hundred (100) feet) where adjacent to residentially zoned property or residential land uses; and
(k) Each motel, hotel, or extended-stay hotel is further regulated in Article VI, Motels, Hotels and Extended-Stay Hotels of Chapter 22, Businesses of the Code of Snellville, Georgia.

DEFINITIONS:

BONA FIDE EMPLOYEE: A person who works in the service of the hotel, motel, or extended stay hotel under a contract of hire, whether express or implied, where the employer has the power or right to control or direct the details of what work is to be performed and the manner in which that work is to be performed.

ELECTRONIC RECORDS: The identifying information for all patrons and their guests contained in the electronic registration system as listed in section G. Video Surveillance Systems, which is recorded at the time of registration and maintained for a period of no less than one hundred eighty (180) days after the rental agreement's termination.

EXTENDED-STAY HOTEL: Any structure consisting of one or more buildings, with more than five dwelling units with provisions for living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary residence is offered for pay (a) to persons for extended-stays and/or stays longer than thirty (30) days, regardless of the presence of rentals or leases for shorter periods of time; or (b) for stays longer than fifteen (15) days in rooms equipped with kitchen facilities. Or, where more than five percent (5%) of the guest rooms therein contain fixed cooking appliances.

FIXED COOKING APPLIANCE: A stove top burner; a hotplate that does not serve as an integral part of an appliance designed solely to produce coffee; a conventional oven; a convection oven; or any oven producing heat using resistance heating elements, induction heating, or infrared heating sources.

GUEST: A person who is not a Patron but is present on the premises of a hotel, motel or extended-stay hotel to accompany a Patron of the hotel, motel or extended-stay hotel and with the express permission of the owner, operator, keeper or proprietor of the hotel, motel or extended-stay hotel. Guests are required to register with the supporting Patron.

HOTEL or MOTEL: Any structure consisting of one or more buildings, with more than five dwelling units with provisions for transient living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary lodging of thirty (30) days or less is offered for pay to Patrons, is not intended for long-term occupancy, and does not otherwise meet the definition of an extended-stay hotel as defined in this section.

HOUSING OF LAST RESORT: A public or private housing shelter for indigent care.

HOUSKEEPING: The cleaning of guest rooms, guest bathrooms, public area, changing of linen and removal of trash from guest rooms and common areas which meet the standards as expressed in the operation guidelines in the industry for high quality hotel and motel franchises (i.e. Hilton, Marriott or Hampton Inn).

KITCHEN FACILITIES: Kitchen amenities including, but not limited to, refrigerators, stoves, ovens, and kitchen-type sink. Amenities limited to a microwave, mini-refrigerator, and/or an appliance designed to produce coffee or tea do not constitute "kitchen facilities" for purposes of this definition.

LOITERING: As defined and regulated in Article III of Chapter 38 of the Snellville Code of Ordinances.

MANUAL RECORDS: The identifying information for all patrons and their guests contained in the form of a paper record or reservation book as listed in Section B(8), Responsibilities, Access and Registration Requirements, which is recorded at the time of registration and maintained for a period of no less than one hundred eighty (180) days after the rental agreement's termination.

MOTEL: See 'Hotel'.

PATRON: A person who pays a fee to the owner, operator, keeper or proprietor of the hotel, motel or extended-stay hotel for the right to occupy a room.

PUBLIC NUISANCE: A condition, obstruction or use of property allowed or continued by any person, legal entity or agent, that interferes with the comfortable enjoyment of life and property by the neighborhood, community, or members of the public; or which can cause hurt, damage, inconvenience or affect or offend an ordinary, reasonable person.

VEHICLE: Is any car, truck, trailer, motorcycle, or other conveyance used for transporting people and is normally required to be registered with a state in order to be legally operated or towed on a public roadway.

VIDEO SURVEILLANCE SYSTEM: A continuous digital surveillance system including cameras, cabling, monitors, and digital video recorders (DVR).

VISTOR: A person, who is not a patron or guest, who is on the premises of a hotel, motel or extended-stay hotel at the invitation of a Patron or Guest, but without the express permission of the owner, operator, keeper or proprietor of the hotel, motel or extended-stay hotel.

PROVISIONS APPLICABLE TO HOTELS, MOTELS AND EXTENDED-STAY HOTELS:

A. General Requirements:

(1) No hotel, motel or extended-stay hotel shall be initially constructed or thereafter operated unless in full compliance with each of the provisions of this Article and associated Zoning Ordinance.
(2) Approval of a hotel, motel or extended-stay hotel shall require the issuance of a special use permit. The Planning Director shall notify the Principal, the Board of Education, every parent-teacher association affected by the requested rezoning and invite all to the public hearing before the Mayor and City Council for the requested Special Use Permit to address any school impact.
(3) The common areas and unoccupied rooms of any hotel, motel or extended-stay hotel are subject to inspection by the City of Snellville Police Department, City of Snellville Code Enforcement, Gwinnett County Fire Department and/or the Gwinnett County Health Department if there is reasonable cause to suspect that such area or room is being used for criminal activity, housing of last resort, or in violation of this ordinance or condition of zoning.
(4) A bona fide employee of the hotel, motel, or extended stay hotel, capable of assisting, communicating, and cooperating with the police or other law enforcement officials in maintaining the public health, welfare, and safety is to be present and on-duty in the lobby of the hotel, motel or extended stay hotel twenty-four (24) hours a day.
(5) Hotels, motels and extended stay hotels operate for the benefit of travelers and transient parties conducting legitimate business in the surrounding vicinity. No hotel, motel or extended-stay hotel may be used as housing of last resort. Except for a bona fide employee of a business when that business is paying for their employee and guests to stay at a hotel, motel or extended-stay hotel, no hotel, motel or extended-stay hotel shall accept payment from a third party for a room charge fee.

B. Responsibilities, Access and Registration Requirements:

(1) No owner, operator, keeper, proprietor or employee of a hotel, motel, or extended-stay hotel shall provide lodging at an hourly rate.
(2) For any hotel, motel, or extended stay hotel permitted for construction after April 22, 2019, any public-facing entry points to the premises must require a magnetic or electronic keycard/locking device for access. Public-facing entry points shall be locked between the hours of 9:00 p.m. and 6:00 a.m. and shall be equipped with an alarm or other device that will alert hotel, motel or extended-stay hotel security or other employees that the door has been opened. These requirements are not applicable to entry points that enter directly into a banquet hall, conference room, or other facility utilized for a special event or meeting hosted by a hotel, motel, or extended-stay hotel as long as there is a bona fide employee staffing the banquet hall, conference room, or other facility utilized for the duration of that event.
(3) An owner, operator, keeper or proprietor of a hotel, motel, or extended-stay hotel may designate no more than three (3) rooms for the purpose of allowing any number of bona-fide employees and their family to reside on the premises.
(4) Every owner, operator, keeper, proprietor and employee of any hotel, motel, or extended-stay hotel shall immediately report violations of law to the City of Snellville Police Department that were either witnessed or made known to them.
(5) All information required to be maintained pursuant to this ordinance shall be kept strictly confidential in accordance with state and federal law and shall not be provided to any person except to a local, federal or state law enforcement officer or to any officer empowered to enforce this ordinance or by order of a Court of competent jurisdiction.
(6) All information required to be maintained pursuant to this ordinance shall be provided to any federal, state or local sworn law enforcement officer having the lawful power to arrest, upon demand of the officer and a representation by said officer that a reasonable suspicion exists that such information is relevant to a then-pending inquiry or investigation. Nothing in this requirement shall be construed as giving any such officer any greater right or license to enter a room or invade privacy

than the officer shall otherwise possess as a matter of law, probable cause, constitutional law, statutory right, or warrant.

(7) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel shall keep a record of all rental agreements between the hotel, motel, or extended-stay hotel and all patrons and their guests and make these records available to the City upon request. For the purposes of this section, the term "record" shall mean the hotel, motel, or extended-stay hotel's electronic registration system which stores patron and guest identifying information. In the event the hotel, motel, or extended-stay hotel does not have an electronic registration system, the hotel, motel, or extended-stay hotel shall manually record the patron and their guest's information in a paper record or reservation book.

(8) The following information, at a minimum, must be recorded at the time of registration and maintained for a period of no less than one hundred eighty (180) days after the rental agreement's termination:
   (a) The full name, phone number, and home address of each patron and overnight guest.
   (b) The room number assigned to each patron and guest;
   (c) The day, month, year and time of arrival of each patron and guest;
   (d) The day, month, year each patron and each guest are scheduled to depart;
   (e) Upon departure, record of departure day, month, and year for each patron and guest;
   (f) The rate charged and amount collected for rental of the room;
   (g) The method of payment for each room;
   (h) The make, model, year, color, license plate number, and license plate state of the patron and guest's vehicle if the vehicle will be parked on the premises; and
   (i) Documentation used to verify a stay in excess of one hundred and eighty (180) consecutive days as stated in Sec. 22-18(b) of the Hotel, Motel and Extended-Stay ordinance.

(9) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel shall require each patron to provide proper identification prior to renting a room when registering in person. Proper identification is defined as a current and valid government issued photo identification card such as a driver's license, military identification card, state identification card, or passport. A record of the provided identification shall be kept on file for the duration of the occupancy and for one hundred eighty (180) days thereafter. Any failure to verify such identification or to knowingly allow an individual to receive lodging services without such verification shall be in violation of this Ordinance.

(10) No person shall procure or provide lodging in any hotel, motel, or extended-stay hotel, or any services therefrom, through misrepresentation or production of false identification, or identification which misrepresents the identity of the person procuring or sharing in such lodging or service.

(11) Change of location or name.
   (a) No applicant shall operate, conduct, manage, engage in, or carry on a hotel, motel, or extended-stay motel/hotel under any name other than his name and the name of the business as specified on the occupation tax certificate.
   (b) Any application for an extension or expansion of a building or other place of business where a hotel, motel, or extended-stay motel/hotel is located shall require inspection and shall comply with all applicable codes and regulations.

C. Vehicles, Parking, and Vehicle Registration:

(1) All handicap parking must be in compliance with state and local laws.

(2) All vehicles must be parked in designated parking spaces. All vehicles must be parked nose-in (backed in parking is not permitted) such that the vehicle's rear license plate is visible. This section does not apply to oversized vehicles or trailers. Every owner, operator, keeper or proprietor of a hotel, motel, and extended-stay hotel must provide patrons and guests who have registered oversized vehicles or trailers a separate designated parking area for their vehicles.

(3) All vehicles parked on any premises must be in good working order.

(4) Vehicle maintenance in parking lots is prohibited.

(5) No outside storage or permanent parking of equipment or vehicles shall be allowed.

(6) All patrons and guests staying longer than 48 hours, who wish to park a vehicle on the premises, must register said vehicle with the hotel, motel, or extended-stay operator upon initial registration, during any future re-registration, or at any time after registration when they begin parking a vehicle on the premises. Hotel, motel and extended-stay operators must record the vehicle's information in accordance with Sec. 22-19(e)(10) of the Hotel, Motel and Extended-Stay ordinance.

(7) Every owner, operator, keeper or proprietor of a hotel, motel, and extended-stay hotel must provide patrons and guests registering a vehicle with a standardized placard that must at all times be hung from the vehicle's rear view mirror, placed on the vehicle's front dash, or affixed to the vehicle in a way that can be easily seen from outside the vehicle. At a minimum, the placard will contain the following information: hotel, motel, and extended-stay name, vehicle registration number and state, and date of check-out. Any hotel, motel, or extended hotel with gated and controlled access parking accessible only to registered guests and employees are exempt from this subsection.

D. Room requirements, Equipment and Services:

(1) Every operator, owner, keeper, or proprietor of any hotel, motel, or extended-stay hotel shall keep and maintain in each and every rental unit, a telephone equipped to place a direct call to 911.

(2) No operator, owner, keeper, or proprietor of any hotel, motel, or extended-stay hotel shall rent or provide a room to a Patron that has guests where the total number of persons staying in the room exceeds the approved number of persons

authorized to sleep in the room. Rooms shall be approved based on the prescribed places to sleep on the beds in the room with a minimum of 75 square feet per person.

(3) No operator, owner, keeper, or proprietor, patron, visitor or guest of any hotel, motel, or extended-stay hotel shall be allowed to congregate within any room or single rental unit a number of persons which is greater than two (2) times the number of persons for whom sleeping accommodations are provided within the single room or rental unit except when temporarily designated as a hospitality suite by the hotel, motel, or extended-stay hotel.

(4) Daily housekeeping shall be included within the standard room rate of any hotel, motel, or extended stay hotel. At a minimum, rooms must be cleaned and linens changed before each new guest checks in and no less frequently than once every forty-eight (48) hours. Each hotel, motel, and extended-stay hotel must maintain a log that documents when each room is cleaned. The log must be maintained for one hundred and twenty (120) days. These records must be made available to the City of Snellville or law enforcement upon request.

(5) All common areas of any hotel, motel or extended-stay hotel shall be cleaned on a daily basis or more often as required by public health codes.

(6) The utilization of clothes-lines or other clothes-drying equipment or facilities outside of a room that are located on or are visible from the outside of a room are prohibited. Balconies and railings are not to be used for hanging towels, personal items or any other articles of clothing.

(7) No occupational tax certificate shall be issued for the purpose of conducting business from a guest room of a hotel, motel, or extended-stay hotel, and no home occupation shall be conducted from such room.

(8) Each new and existing guest room of a hotel, motel, or extended-stay hotel shall be equipped with a hard-wired smoke detector or smoke alarms whose device housing is tamper-resistant and is powered by a non-replaceable, non-removable energy source capable of powering the alarm for a minimum of ten years from the manufacture's date on the device.

(9) All new hotels, motels and extended stay hotels must have in place Laundry facilities consisting of washer and dryer machines which shall be made available to patrons for a fee. This equipment shall be maintained and in good repair at all times. Laundry supplies (detergent, softener, etc.) may also be made available to patrons for a fee. A minimum of three (3) washers and three (3) dryers shall be provided. For existing hotels, motels and extended-stay hotels, laundry equipment must be installed and in working conditions within 180 days after the effective date of this ordinance.

E. Common Area Requirements and Parking Illumination:

(1) Exterior doors (other than lobby doors) shall be locked between the hours of 9:00 p.m. and 6:00 a.m. and shall be equipped with an alarm or other device that will alert hotel, motel, or extended-stay hotel security or other employees the door has been opened.

(2) The open parking area and all areas surrounding any building or proposed building being a hotel, motel, or extended-stay hotel shall be illuminated and have an average maintained foot-candle intensity of at least one (1) foot-candle with a minimum allowable intensity of three-tenths of a foot-candle. The covered parking area of any hotel, motel, or extended-stay hotel shall have an average maintained foot-candle intensity of five-tenths of a foot-candle.

(3) Any hotel, motel, or extended-stay hotel must provide and maintain security in its parking area. This may include the following: live patrol guard, security fencing that is decorative and consistent with the zoning code, or other security measure approved in writing by the Chief of Police.

(4) Graffiti and markings or insignia that may indicate the presence or association of a street gang shall be removed within twenty-four (24) hours of discovery or notice.

F. Smoking:

(1) Smoking is prohibited in all hotel, motel, or extended-stay hotel spaces with the exception of designated smoking rooms or designated smoking areas. Designated smoking rooms shall not comprise more than twenty-five percent (25%) of the total number of rooms available for rent.

(2) Smoking is prohibited in all areas except in designated smoking areas. Smoking is expressly prohibited in exterior breezeways, stairwells, or within twenty (25) feet of any guest room.

G. Video Surveillance Systems:

(1) Every owner, operator, keeper or proprietor of any new or existing hotel, motel, or extended-stay hotel is required to install a Video Surveillance System (VSS) within three months of the effective date of ordinance. All hotels, motels, and extended-stay hotels, which have installed a VSS prior to the effective date of this ordinance, shall ensure said systems are in full compliance with this section and request an approval assessment from the Chief of Police within thirty (30) days of the effective date of this ordinance.

(2) All VSS shall be maintained in proper working order at all times, be kept in continuous operation twenty-four (24) hours a day, seven (7) days a week, and meet the minimum technological standards established in this section. The hotel, motel, or extended-stay hotel shall retain the continuous digital images recorded by this system for no less than twenty-one (21) days.

(3) All VSS shall have no less than one camera dedicated to each register or check–out stand, entrance/exit, interior hallway and lobby, swimming pool area, exercise facility, loading dock, and parking lots or areas designated for customer and/or

employee parking use. The placement of cameras included in VSS required under this section must be approved by the Chief of Police. The Chief of Police will conduct an assessment of each site required to install a VSS prior to installation of said system, and upon approval will issue an approval notice which will be placed in plain view inside the common area of the hotel, motel, or extended-stay hotel. This approval notice will also inform customers and employees of the presence of the VSS. Existing VSS at any hotel, motel, or extended-stay hotel as of the effective date of this ordinance will be evaluated to ensure full compliance with this section.

(4) The VSS shall be subject to regular inspection by the Chief of Police, who is authorized to inspect any such system, at reasonable times to determine whether it conforms to this section. If the VSS does not conform, the hotel, motel, or extended-stay hotel, in question, shall take immediate steps to bring the system back into compliance.

(5) The City of Snellville Police Department will develop and maintain VSS Standards that provide the minimum standards for VSS equipment, installation, and maintenance.

H. Loitering:

(1) All hotel, motel, or extended-stay hotel operators will advise patrons and guests upon registration, and through posted signage that loitering by visitors is prohibited.

(2) No Visitor shall loiter in or upon any hotel, motel, or extended-stay hotel parking lot, public parking structure or in or around any building to include breezeways, stairwells or hotel, motel, or extended-stay hotel rooms either on foot or in or upon any conveyance being driven or parked thereon, without the permission of the owner, operator, keeper or proprietor or the hotel, motel, or extended-stay hotel.

PROVISIONS APPLICABLE TO HOTELS AND MOTELS:

(a) No more than five percent (5%) of a hotel or motel's guest rooms shall have Fixed Cooking Appliances located therein. If more than five percent (5%) of a hotel or motel's guest rooms contain Fixed Cooking Appliances, such hotel or motel is considered an extended-stay hotel and subject to the regulations for extended-stay hotels.

(b) No hotel or motel may be converted to be and operated as an extended-stay hotel unless in full compliance with each of the provisions for extended-stay hotels.

(c) No hotel or motel located within the City shall allow any person to occupy such hotel or motel for more than thirty (30) consecutive days, nor more than sixty (60) days during a one hundred eighty (180) day period. No Guest residing for thirty (30) consecutive days shall begin a new rental agreement with the hotel or motel without a two-week (14 day) vacancy between stays.

PROVISIONS APPLICABLE TO EXTENDED-STAY HOTELS:

(a) Each patron must have a vehicle on-site associated with them which they are authorized to operate unless:
   (1) there is a written contract or documented agreement between an extended-stay hotel and a business, corporation, firm or governmental agency to house employees on valid work orders and said patron is such an employee; or
   (2) Where there is documentation, consistent with HIPPA privacy rules, that a hotel Patron or Guest is considered family or is providing care for a patient who is admitted at local hospital; or
   (3) When an insurance company or federal, state or local agency has provided documentation that a hotel Patron or Guest has been displaced from their home by a natural disaster or fire.

(b) Each extended-stay hotel room having a fixed cooking appliance shall be required to also include a maximum sixty (60) minute automatic power-off timer for each such unit.

(c) No Patron or Guestrooms shall have connecting doors between the rooms.

(d) No extended-stay hotel located within the City shall allow more than ten (10) percent of individual guest rooms to be occupied by any person for more than one hundred and eighty (180) consecutive days unless otherwise permitted in this section. No guest residing for more than one hundred and eighty (180) consecutive days shall begin a new rental agreement with the extended stay hotel without at least a ninety (90) day vacancy between stays. The vacancy required by this requirement shall apply to all extended stay hotels within the City of Snellville, Georgia. Violation of this requirement shall subject the Guest and the Owner to the penalties of this Ordinance.

(e) Notwithstanding subsection (d) of this section, a stay in excess of one hundred and eighty (180) consecutive days may occur only in the following situations:
   (1) Where there is a written contract or documented agreement between an extended-stay hotel and a business, corporation, firm or governmental agency to house employees or individuals on valid work orders; or
   (2) Where there is documentation, consistent with HIPPA privacy rules, that a hotel guest is considered family or is providing care for a patient who is admitted at local hospital; or
   (3) When an insurance company or federal, state or local agency has provided documentation that a hotel guest has been displaced from their home by a natural disaster or fire.

VIOLATIONS AND PENALTIES:

(a) Any violation of the provisions of this article shall be punishable under Sec. 1-11 of this code. Any person or entity violating the provisions of this article shall be guilty of a separate offense for each and every day during which any violation of any provision of this article is committed, continued, or permitted by that person and shall be punished accordingly.
(b) Any person or entity violating the provisions of this article who are patrons, guests or visitors of the hotel, motel or extended stay hotel shall be immediately asked to leave the premises. If said person does not voluntarily leave, Snellville Police should be notified immediately to address such eviction and/or removal.
(c) The violation of the provisions of this article may be abated as a nuisance.
(d) The violation of all provisions of this article by any person may be enjoined by instituting appropriate proceedings for injunction in any court of competent jurisdiction. Such actions may be maintained notwithstanding that other adequate remedies of law exist. Such actions may be instituted in the name of The City of Snellville, Georgia.
(e) If a person is convicted of a violation of this article, the court shall impose a fine in accordance with the following schedule:
  (1) First conviction in a calendar year: a minimum of $250;
  (2) Second conviction in a twelve (12) month period measured from the date of the first conviction: a minimum of $500;
  (3) Third conviction in a twelve (12) month period measured from the date of the first conviction: a minimum of $750; and
  (4) Fourth conviction in a twelve (12) month period measured from the date of the first conviction: a minimum of $1,000.

RESPONSIBILITY FOR ENFORCEMENT:

(a) City employees, including employees or agents of the City of Snellville Police Department, City of Snellville Code Enforcement, Gwinnett County Fire Department, and Gwinnett County Board of Health shall have the responsibility for the enforcement of the Hotel, Motel and Extended-Stay Ordinance.
(b) Inspections may be performed by sworn officers of the City of Snellville Police Department, City of Snellville Code Enforcement, Gwinnett County Fire Department, Gwinnett County Board of Health, and designated civilian employees for the purpose of verifying compliance with the requirements of this section and state law during the hours in which the premises are open for business.

RIGHT OF ENTRY:

(a) When there is probable cause to make an inspection to enforce the provisions of this article, or whenever there is reasonable cause to believe that there exists a condition in violation of this code, personnel identified above are authorized to enter the structure or premises, including individual rooms, at reasonable times to inspect or perform the duties imposed by this Code.
(b) If such structure or premises is occupied, City/County personnel shall present credentials to the occupant and request entry. If entry is refused by occupant, City/County personnel shall have recourse to the remedies provided by law to secure entry. If such structure or premises is unoccupied, City/County personnel shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused by the owner or other person having charge or control of the structure refuses entry, City/County employees shall have recourse to all methods of entry allowed by law, and the owner and responsible party shall be in violation of this article and subject to punishment under Sec. 1-11 of the Snellville Code of Ordinances.

UNLAWFUL OPERATION DECLARED A NUISANCE:

(a) Any hotel, motel, or extended-stay hotel operated, conducted or maintained contrary to the provisions of this article may be declared to be unlawful and a public nuisance. The City may, in addition, or in lieu of all other remedies, commence actions or proceedings for abatement, removal or enjoinment thereof, in the manner provided by state law and the Snellville Code of Ordinances.

SUP Application

Attachment A

Pursuant to Section 15.2(3)(e) of the Snellville Zoning Ordinance, a written, documented analysis of the impact of the proposed Special Use Permit with respect to each of the following matters shall be included. Please respond to the following standards in the space provided or attach additional sheets if necessary. **Simple yes/no answers or re-statement of the questions is not acceptable.**

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

Response: PLEASE SEE ATTACHED

2. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby property.

Response: PLEASE SEE ATTACHED

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Response: PLEASE SEE ATTACHED

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Response: PLEASE SEE ATTACHED

5. Whether the zoning proposal is in conformity with the policy and intent of the Land Use Plan.

Response: PLEASE SEE ATTACHED

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Response: PLEASE SEE ATTACHED

ATTACHMENT A

REZONING APPLICANT'S RESPONSE TO SECTION 15.2(3)(e) OF THE SNELLVILLE ZONING ORDINANCE

1. Yes, the proposed development will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed development would support and complement adjacent and nearby employment uses by providing necessary national known mid-range hospitality facility.

2. No, the proposed development will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development would enhance surrounding land uses and diversify the land use mix in the area as called for by the 2040 Plan,

3. Due to the size, location, and layout of the property, the Applicant submits that the property does not have reasonable economic use as currently zoned.

4. No, the proposed development will not result in an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The subject property is located off of Highway 78, also known as West Main Street, in Snellville, which is a major commercial corridor and has recently undergone major re-development by the City of Snellville to meet growing area developments and the City 2040 land use plan and beyond.

5. Yes, the proposed development is in conformity with the policy and intent of the City of Snellville 2040 Land Use Plan with zoning classifications BG and OP.

6. The Applicant submits that the subject Property's close proximity to major employment, hospitals, shopping, and entertainment centers, as well as Highway 78, provides additional supporting grounds for approval of the Rezoning and Special Use Applications.

CERTIFICATIONS

APPLICANT'S CERTIFICATION

The undersigned below is authorized to make this application for a Special Use Permit and agrees to the requirements for a Special Use Permit per the Hotel, Motel and Extended-Stay Hotel ordinance and has received a copy of said ordinance. 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.

Shahid Jamed 07.13.2020
Signature of Applicant Date

Type or Print Name and Title

Affix Notary Seal

Sunday Mayan 7/13/20
Signature of Notary Public Date

SUNDAY MAYAN
Notary Public - State of Georgia
Gwinnett County
My Commission Expires Feb 11, 2024

PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, swear and affirm under penalty of perjury that I am the owner of the real property considered in this application which is the subject matter of the attached application. I authorize access to my property to inspect said property and premises by the staff of the City of Snellville Department of Planning and Development; members of the Planning Commission; and members of the City Council. 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.

Shahid Jamed 07.13.2020
Signature of Owner Date

Type or Print Name and Title

Affix Notary Seal

Sunday Mayan 7/13/20
Signature of Notary Public Date

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Notary Public - State of Georgia
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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.

Rita M. Shah 07/13/20
Signature of Applicant Date

Type or Print Name and Title

Affix Notary Seal

Sunday Mayan 7/13/20
Signature of Notary Public Date

SUNDAY MAYAN
Notary Public - State of Georgia
Gwinnett County
My Commission Expires Feb 11, 2024

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

Rita M. Shah. 07/13/20
Signature of Owner Date

Type or Print Name and Title

Affix Notary Seal

Sunday Mayan 7/13/20
Signature of Notary Public Date

SUNDAY MAYAN
Notary Public - State of Georgia
Gwinnett County
My Commission Expires Feb 11, 2024

SUP Application
Attachment C

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.

Khalid Javed 07.13.2020
Signature of Applicant Date

Khalid Javed
Type or Print Name and Title

Signature of Applicant's Attorney or Representative Date

Co-Owner
Type or Print Name and Title

Sunday Mayan 7/13/20
Signature of Notary Public Date

Affix Notary Seal

SUNDAY MAYAN
Notary Public - State of Georgia
Gwinnett County
My Commission Expires Feb 11, 2024

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: KHALID JAVED.

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.

SUP Application
Attachment C

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

Rita M. Shah 07/13/20 Rita M. Shah. Co-owner.

Signature of Applicant — Date — Type or Print Name and Title

Signature of Applicant's Attorney or Representative — Date — Type or Print Name and Title

Sunday Mayan 7/13/20

Signature of Notary Public — Date

Affix Notary Seal

SUNDAY MAYAN
Notary Public - State of Georgia
Gwinnett County
My Commission Expires Feb 11, 2024

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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: Rita Shah

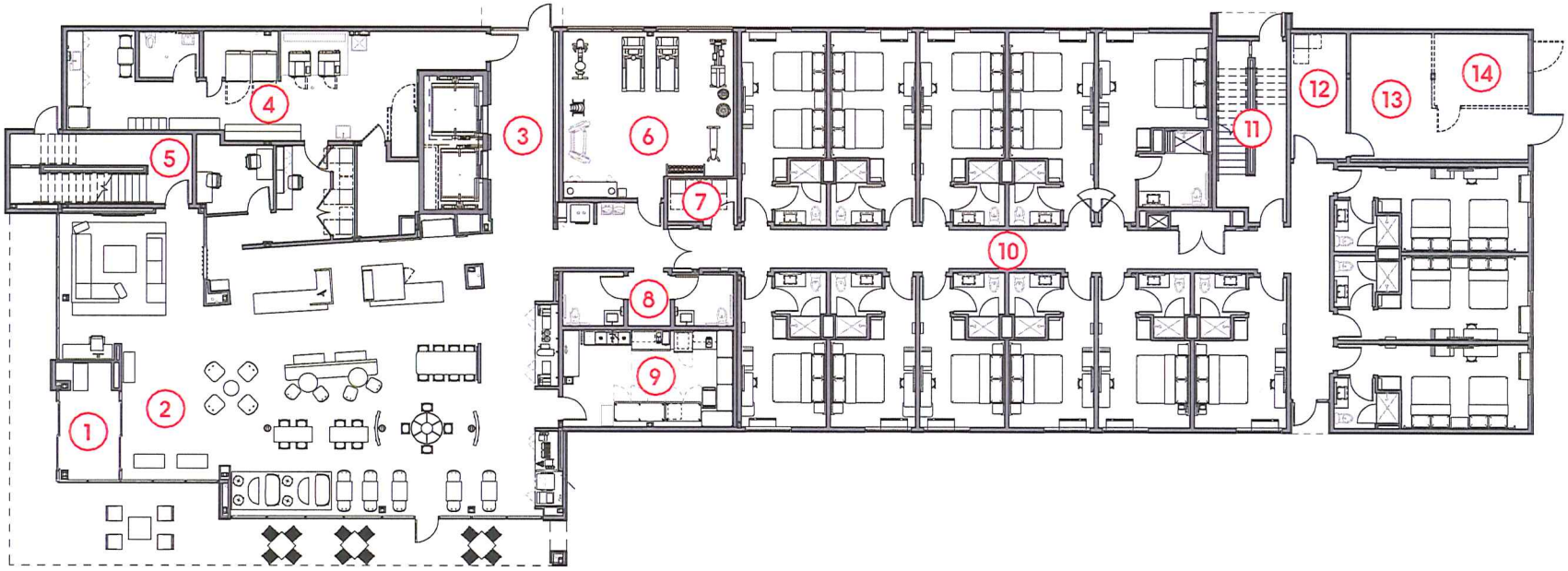
If the answer above is YES, please complete the following section:

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.

Interior

First floor



1. Entry vestibule
2. Lobby
3. Elevators
4. Back of house
5. Stair A
6. Gym
7. Mechanical
8. Public restrooms
9. Pantry
10. Guest corridor
11. Stair B
12. Maintenance
13. Mechanical
14. Electrical

Exterior Entrance night view