



City of Snellville Planning Commission

PLANNING COMMISSION REPORT May 26, 2020

CASE NUMBER:	SUP 20-01
REQUEST:	Special Use Permit and Request for Variances
LOCATION:	1784 Presidential Circle, Snellville, Georgia
TAX PARCEL:	5041 187
CURRENT ZONING:	HSB (Highway Service Business) District and BG (General Business) District
CURRENT FUTURE LAND USE DESIGNATION:	Commercial-Retail
DEVELOPMENT/PROJECT:	<i>Existing Extended Stay-Hotel</i>
PROPERTY OWNER/APPLICANT:	SCG LH Snellville L.P. (d/b/a InTown Suites) Atlanta, Georgia 30328
CONTACT:	Jeremy Cloud, Esq. 770.799.5218 jeremy.cloud@intownsuites.com

The Planning Commission held a duly advertised public meeting on the subject application at the **May 26, 2020** Regular Meeting of the City of Snellville Planning Commission.

By a unanimous vote of 5-0, the Planning Commission recommends **Approval** of the request for a Special Use Permit for an Extended-Stay Hotel subject to the following recommended **Conditions**:

1. Applicant/Property Owner shall submit a tree and shrub replanting plan for review and approval by the Director of Planning and Development to replace the shrubbery and trees that have been removed with said plantings to be completed within sixty (60) days of Mayor and Council approval of the SUP.
2. Signs higher than 15 feet or larger than 225 square feet are prohibited.
3. 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.

In conjunction with the Special Use Permit approval, the Planning Commission recommends **Approval** of the following variances:

- (a) Variance from Section 22-143(d)¹ of the Code of Snellville, Georgia (Code) which requires in the hotel employee attendant in the lobby twenty-four (24) hours a day. As a condition of this variance, Applicant shall provide that a bona fide employee of InTown Suites, capable of assisting, communicating, and cooperating with the police or other law enforcement officials in maintaining the public health, welfare, and safety shall be present and on-call in the hotel twenty-four (24) hours a day, but is not required to remain in the lobby. The lobby is not required to be open twenty-four (24) hours a day.
- (b) Variance from Section 22-145(a) of the Code, removing the requirement that each patron must have a vehicle on-site.
- (c) Variance from Section 22-145(c) of the Code, regarding connecting doors between rooms. Although there are eighteen (18) rooms which have a connecting door between them, these doors are not authorized for use by Patrons or Guests and it is understood that these doors must remain locked and may not be utilized to connect two rooms.
- (d) Variance from Sec. 22-148(a) of the Code, to provide that the Applicant may utilize up to 72 individual guest rooms to be occupied by any person for more than one hundred and eighty (180) consecutive days, provided, however,

¹ Code section references have been revised to match the code sections as codified in MuniCode

that any transferee or owner of the Property subsequent to SCG LH Snellville L.P. (or any) bona fide lender party acquiring the Property from SCG LH Snellville L.P. by foreclosure or deed-in-lieu thereof shall:

1. be required to meet with the Chief of Police of Snellville, or his/her designee within the Snellville Police Department, for purposes of establishing a reasonable “Incident Reduction Plan” in the event that more than 6 Separate Criminal Incidents (as hereinafter defined) occur within any rolling, 90-day period (the date of the 7th Separate Criminal Incident during such 90-day period being referred to herein as a “Criminal Incident Reference Date”); and
2. in the event that, during the 12 month period following a Criminal Incident Reference Date, more than 6 Separate Criminal Incidents occur within any rolling, 90-day period following the Criminal Incident Reference Date, have this variance from Sec. 22-148(a) subject to review by the Mayor and City Council of Snellville, with all applicable due process protections available as provided by law.

As used herein, the term “Separate Criminal Incident” shall mean an incident resulting in the criminal arrest of one or more Patrons or Guests of the Property for illegal conduct occurring on the Property (it being understood that multiple charges or crimes occurring concurrently within a given room or involving the same Patrons or Guests shall not be considered to be a separate incident). Separate Criminal Incident shall not apply to a domestic relations calls unless a separate felony occurs during the incident resulting in an arrest.

- (e) Variance from Sec. 22-151(d) of the Code, to provide that full-housekeeping service (cleaning of the rooms, changing linens, etc.) shall only be required every seventy-two (72) hours when Patrons are staying under a daily rate and on a weekly basis for Patrons staying under weekly rates, but that a room-check for safety shall be performed every forty-eight (48) hours in every room if housekeeping service has not been provided during the prior forty-eight (48) hour period. Said room check shall consist of a bona-fide employee of InTown Suites actually entering into said room and verifying that all safety related equipment is present and appears to be in working order, verifying that no criminal activity is being perpetrated in the room and insuring that all trash has been removed. It is further understood that checks shall be performed at random times within regular business hours so as not to create a “schedule” of when such check shall be performed for a particular room.
- (f) Variance from Sec. 22-143(e) of the Code, to allow for payment from a third-party for a guest room charge fee provided that the organization providing

payment is a bona-fid 501(c)(3) charitable organization and that no more than six (6) individual guest rooms may be made available to be paid for by third-party payment from such charitable organization(s) on any given night.

(g) Variance from Sec. 22-27(f) of Appendix B, Zoning Ordinance, Article IX, Schedule of District Regulations, Section 9.10, BG, General Business District for any room existing on or before December 1, 2019. Applicant may utilize all existing guest rooms and is not required to make any structural alterations to modify the square feet within any guest room.

(h) Variance from Sec. 27(c) of Appendix B, Zoning Ordinance, Article IX, Schedule of District Regulations, Section 9.10, BG, General Business District for the lobby existing on or before December 1, 2019. Applicant may utilize the existing lobby and is not required to make any structural alterations to modify the square feet of the lobby.