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**Lee County - Leesburg - Smithville Planning Commission**

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CHAIRMAN JASON SHEFFIELD, VICE-CHAIRMAN JIM QUINN  
JOHNNY GOLDEN, KYLE LUCKIE, MIKE MCVEY, SHIRLEY STILES, CHARLIE BARNER

**MEETING MINUTES**  
**September 5, 2024 at 6:00 P.M.**  
**Opal Cannon Auditorium**  
**T. Page Tharp Governmental Building**  
102 Starksville Avenue North  
Leesburg, GA 31763

**Members Present:** Chairman Jason Sheffield, Vice-Chairman Jim Quinn, Commissioners Johnny Golden, Kyle Luckie, Mike McVey, Shirley Stiles, and Charlie Barner

**Members Absent:** N/A

**Staff Present:** Assistant Director Amanda Nava, GIS Manager Kacee Smith, Office Manager/ Planning Assistant Kara Hanson, and Lee Walton (WSP Planning Consultant; by phone)

**I. CALL TO ORDER**

Chairman Jason Sheffield called the meeting to order at 6:00 p.m.

**II. ACKNOWLEDGEMENT OF GEORGIA LAW REGARDING CAMPAIGN CONTRIBUTIONS**

Commissioner Kyle Luckie read the Georgia Law regarding campaign contributions.

**III. NEW BUSINESS**

**(A) Introduction of the new GIS Manager**

Amanda Nava introduced the new GIS Manager Kacee Smith to the Planning Commission.

**IV. APPROVAL OF MINUTES**

**(A) Approval of the minutes from the July 11, 2024 Planning Commission meeting.**

Vice-Chairman Jim Quinn made the **MOTION** to **APPROVE** the minutes as presented, seconded by Commissioner Mike McVey. The **MOTION** was unanimous with remaining Commissioners voting yea.

**V. PUBLIC HEARINGS**

**REZONING APPLICATIONS**

- (A) North Westover Properties, LLC (Z24-010)** has submitted an application to the Lee County Planning Commission requesting to rezone a total of 0.367 acres from C-2 (General Business District) to R-2 (Multi-Family Residential District). The property owner is North Westover Partners, LLC. The subject property is located in the City of Leesburg at 261 Walnut Avenue, South, parcel number 037C024, in Land Lot 083 of the Second Land District of Leesburg, Georgia.

**Public Hearing Discussion**

**Staff Presentation**

Mr. Lee Walton, consultant with WSP, summarized the staff report providing a synopsis of the staff report. The subject area is designated as a commercial area in the Comprehensive Plan's future Land-Use Map. However, the Housing Options Goal in the City of Leesburg portion of the Lee County Comprehensive Plan states a need for a diversity of housing types in mixed-use environments. The subject property is adjacent to the Leesburg Public Library and to a county park. The staff proposes conditional approval of the rezoning with the conditions that the proposed



development must provide the necessary buffering, a traffic study, front yard landscaping and monuments appropriate for a high density residential development along a state highway, the applicant shall be responsible for coordination with park manager and library director with respect to fencing, buffers, and access, and the Site Development Plan review and approval process shall involve the Leesburg Mayor and City Council as well as the Planning Commission.

Chairman Jason Sheffield opened the public hearing at 6:12 p.m.

#### **Applicant Presentation**

Bobby Donley with Lanier Engineering provided a quick synopsis of what the owner/ developer Mr. Patel's vision for the development. He advised that there would be a demo of the existing commercial use building that is currently on the property, and provide a redevelopment of multi-family, mixed use type of development. He presented the board with a concept plan.

Vice-Chair Jim Quinn asked if there are any green space requirements. Mr. Donley informed him that the ordinance does require open space requirements.

Commissioner Shirley Stiles asked for more information on parking, and if it would affect the park and library next to this parcel. Mr. Donley explained that there would not be any overflow of parking that the development will have excess parking.

Commissioner Johnny Golden asked about the water run off on the Northwest corner. Mr. Donley believes there will be less run off than what is there now, and that there are also water quality requirements that would need to be integrated onto this site.

#### **Public Supporters**

Bob Alexander  
David Daughtry  
Sammy Smith

#### **Public Opposition**

Mark Smith  
Ann Nix

The public hearing closed at 6:59 p.m.

#### **Commission Discussion**

The commissioners held a discussion on this matter. The official and full recording of this meeting is filed and available in the Planning and Zoning office.

Commissioner Kyle Luckie made a **MOTION** to **APPROVE** the rezoning of the subject property at 261 Walnut Avenue, South, parcel number 037C024, in Land Lot 083 of the Second Land District, total of 0.367 acres from C-2 ( General Business District) to R-2 ( Multi-Family Residential District) with the **CONDITION** that they adhere to the following: the proposed development must provide the necessary buffering between residential and commercial properties and should be accomplished on the proposed residential property. A traffic study shall be conducted that meets the approval of the City of Leesburg and the Department of Transportation given the proposed development is located along a state highway and in close proximity to a major intersection. Front yard landscaping and monuments shall be considered in a manner that is appropriate for a high density residential development that is located along a state highway. The applicant shall be responsible for coordination with and approval by the Lee County Department of Recreation as park manager and Lee County Library director with respect to fencing, buffers, and access. Site Development Plan review and approval process shall involve the Leesburg Mayor and City Council as well as the Planning Commission, a utility study for the City of Leesburg, public services impact, Flock system, and that the residential portion of the property be gated. Seconded by Vice-Chairman Jim Quinn. The **MOTION** was unanimous with remaining Commissioners voting yea.



(B) **Milan Patel (Z24-011)** has submitted an application to the Lee County Planning Commission requesting to rezone a total of 6.974 acres from C-2 (General Business District) to R-2 (Multi-Family Residential District). The property owner is John T. Phillips, III. The subject property is located in the City of Leesburg at 259 Walnut Avenue, South, parcel number 037C024, in Land Lot 083 of the Second Land District of Leesburg, Georgia.

#### **Public Hearing Discussion**

##### **Staff Presentation**

Mr. Walton summarized the staff report providing a synopsis of the staff report. The subject area is designated as a commercial area in the Comprehensive Plan's future land use map. However, the Housing Options Goal in the City of Leesburg portion of the Lee County Comprehensive Master Plan states a need for a diversity of housing types in mixed-use environments. The subject property is adjacent to the Leesburg Public Library and to a county park. The staff proposes conditional approval of the rezoning with the conditions that the proposed development must provide the necessary buffering, a traffic study, front yard landscaping and monuments appropriate for a high density residential development along a state highway, the applicant shall be responsible for coordination with park manager and library director with respect to fencing, buffers, and access, and the Site Development Plan review and approval process shall involve the Leesburg Mayor and City Council as well as the Planning Commission.

Chairman Jason Sheffield opened the public hearing at 7:23 p.m.

##### **Applicant Presentation**

Bobby Donley provided a brief presentation as this is for the same project presented prior. He and Mr. Patel were available for questions.

##### **Public Supporters**

Bob Alexander  
David Daughtry  
Sammy Smith

##### **Public Opposition**

Mark Smith  
Ann Nix

The public hearing closed at 7:27 p.m.

##### **Commission Discussion**

The commissioners held a discussion on this matter. The official and full recording of this meeting is filed and available in the Planning and Zoning office.

Commissioner Kyle Luckie made a **MOTION to APPROVE** the rezoning of the subject property at 261 Walnut Avenue, South, parcel number 037C024, in Land Lot 083 of the Second Land District, total of 0.367 acres from C-2 (General Business District) to R-2 (Multi-Family Residential District) with the **CONDITION** that they adhere to the following: the proposed development must provide the necessary buffering between residential and commercial properties and should be accomplished on the proposed residential property. A traffic study shall be conducted that meets the approval of the City of Leesburg and the Department of Transportation given the proposed development is located along a state highway and in close proximity to a major intersection. Front yard landscaping and monuments shall be considered in a manner that is appropriate for a high density residential development that is located along a state highway. The applicant shall be responsible for coordination with and approval by the Lee County Department of Recreation as park manager and Lee County Library director with respect to fencing, buffers, and access. Site Development Plan review and approval process shall involve the Leesburg Mayor and City Council as well as the Planning Commission, a utility study for the City of Leesburg, public services impact, Flock system, and that the residential portion of the property be gated. Seconded by Vice-Chairman Jim Quinn. The **MOTION** was unanimous with remaining Commissioners voting yea.



- (C) **Lanier Engineering, LLC. (Z24-012)** has submitted an application to the Lee County Planning Commission requesting to rezone a total of 14.862 acres, at the rear portion of the parcel, from R-1 (Single-Family Residential District) to C-2 (General Business District). The property owner is Trioxlor 1, LLC. The subject property is located at 3268 Palmyra Road, parcel number 040B009, in Land Lots 267 and 268 of the First Land District of Lee County, Georgia.

**Public Hearing Discussion**

**Staff Presentation**

Assistant Director Amanda Nava provided a brief summary of the staff report. The staff recommends approval with conditions being if the rezoning is approved any proposed development must reduce impacts on the bordering freshwater pond (and wetlands, if identified).

Chairman Jason Sheffield opened the public hearing at 7:34 p.m.

**Applicant Presentation**

Bobby Donley gave a brief presentation and was available for questions.

**Public Supporters**

None

**Public Opposition**

None

The public hearing closed at 7:40 p.m.

**Commission Discussion**

The commissioners held a discussion on this matter. The official and full recording of this meeting is filed and available in the Planning and Zoning office.

Vice-Chair Jim Quinn made a **MOTION** to **APPROVE** the rezoning of the rear portion at the subject property at 3268 Palmyra Road, parcel number 040B009, in Land Lots 267 and 268 of the First Land district, total of 14.862 acres from R-1 (Single-Family Residential District) to C-2 (General Business District) with the **CONDITION** that they adhere to the following: the proposed development must reduce impacts on the bordering freshwater pond (and wetlands, if identified). Seconded by Commissioner Mike McVey. The **MOTION** was unanimous with remaining commissioners voting yea.

**TEXT AMENDMENTS**

- (A) **Lanier Engineering, LLC. (T24-002)** has submitted a request to amend **Chapter 70 of The Code of Ordinances of Lee County, Article VI, Section 70-196**, so as to amend the requirement for public water and sewer in the R-2 Multi-Family Residential District; to provide the option of private community septic systems.

**Public Hearing Discussion**

**Staff Presentation**

Mr. Lee Walton consultant with WSP provided a summary of the staff report. Staff recommends **denial** of the proposed text amendment to remove the requirement for public water and sewer and allow for public water systems and private sewage management systems for housing development in the R-2 zoning district.

Chairman Jason Sheffield opened the public hearing at 7:46 p.m.

**Applicant Presentation**

Bobby Donley and applicant Jason Wiggins explained their intent for the proposed text amendment language. They understand the County has sewer restrictions and would like to develop a specific project with a private sewage system (the official and full recording of this presentation is filed and



available in the Planning and Zoning office).

**Public Supporters**

None

**Public Opposition**

None

The public hearing closed at 8:34 p.m.

**Commission Discussion**

The commissioners held a discussion on this matter. The official and full recording of this meeting is filed and available in the Planning and Zoning office.

Vice-Chairman Jim Quinn made a **MOTION** to **APPROVE** the request, with changes from the proposed text amendment, to amend **Chapter 70 of The Code of Ordinances of Lee County, Article VI, Section 70-196**, so as to amend the requirement for sewer system in the R-2 Multi-Family Residential District, to provide the option of private community septic systems as follows: Public Water and sewer shall be required. In the event that accessibility to such is not available, the development shall have access to a Public Water system and shall be served by a Private Sewage Management System approved by the Environmental Health Department or the Georgia Department of Natural Resources, Environmental Protection Division.; whichever is applicable. Seconded by Commissioner Mike McVey. The **MOTION** carried with a 6 to 1 vote with remaining commissioners Jason Sheffield, Charlie Barner, Shirley Stiles, Kyle Luckie voting yea, and Commissioner Johnny Golden voting nay.

**VI. UNFINISHED BUSINESS**

**None**

**VII. ANNOUNCEMENTS**

The Lee County Board of Commissioners will conduct a public hearing on Lee County cases on **Tuesday, September 10, 2024, at 6:00 p.m.**, and a final vote on **Tuesday, September 24, 2024, at 6:00 p.m.**, in the Opal Cannon Auditorium of the T. Page Tharp Governmental Building, located at 102 Starksville Avenue North, Leesburg, Georgia 31763.

The City Council of Leesburg will conduct a public hearing on the City of Leesburg cases on **Tuesday, October 1, 2024, at 6:00 p.m.**, at City Hall located at 107 Walnut Avenue, North, Leesburg, Georgia 31763.

**VIII. ADJOURNMENT**

Commissioner Kyle Luckie made a **MOTION** to **ADJOURN**, seconded by Commissioner Mike McVey. The **MOTION** was unanimous with remaining Commissioners voting yea. **The meeting adjourned at 8:39 p.m.**

Meetings of the Planning Commission and the Board of Commissioners are open to the public.

Georgia law requires that all parties who have made campaign contributions to any member of the Board of Commissioners in excess of two hundred fifty dollars (\$250) within two (2) years immediately preceding the filing of this request, and who desire to appear at the public hearing in opposition to the application, shall, at least five (5) days prior to the public hearing, file a campaign contribution report with the Lee County Planning Commission.

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at (229) 759-6000 or through the Georgia Relay Service (800) 255-0056 (TDD) or (800) 355-0135 (voice). This person can be contacted at the T. Page Tharp Building in Leesburg, Georgia between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven (7) working days. The meeting rooms and buildings are handicap accessible.