



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

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CLAY GRIFFITH, VICE-CHAIRMAN  
MIKE MCVEY, JIM QUINN, JASON SHEFFIELD, SHIRLEY STILES, RICKY WATERS

### **MEETING MINUTES**

**December 1, 2022 at 6:00 P.M.**

**Opal Cannon Auditorium**

**T. Page Tharp Governmental Building**

**102 Starksville Avenue North**

**Leesburg, GA 31763**

**Members Present:** Clay Griffith, Jason Sheffield, Jim Quinn, Shirley Stiles, Ricky Waters

**Members Absent:** Mike McVey

**Staff Present:** Christi Dockery, Kaitlyn Good, Meagan Matechak

#### **I. CALL TO ORDER**

Vice-Chairman Clay Griffith called the meeting to order at 6:00 p.m.

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

Commissioner Jim Quinn read the Georgia Law regarding campaign contributions.

#### **III. APPROVAL OF MINUTES**

##### **(A) Approval of the minutes from the July 7, 2022 Planning Commission meeting.**

Commissioner Shirley Stiles made the **MOTION** to **APPROVE** the minutes as presented, seconded by Commissioner Jim Quinn. The **MOTION** was unanimous with Commissioners Griffith, Sheffield, and Waters voting yea.

#### **IV. NEW BUSINESS**

##### **(A) Acknowledgement of the resignation of Chairman Chris Guarnieri.**

Vice-Chairman Clay Griffith acknowledged the resignation of Chairman Chris Guarnieri due to his election to the Lee County Board of Commissioners, stating he served on the Planning Commission for many years, made many contributions, and will be missed.

##### **(B) Approval of the proposed 2023 Planning Commission Meeting Calendar.**

Commissioner Jason Sheffield made the **MOTION** to **APPROVE** the proposed 2023 Planning Commission Meeting Calendar, seconded by Commissioner Jim Quinn. The **MOTION** was unanimous with Commissioners Griffith, Stiles, and Waters voting yea.

#### **V. PUBLIC HEARINGS**

Vice-Chairman Clay Griffith opened the public hearing at 6:15 p.m., stating that both applications would be included into one Public Hearing for simplicity of discussion, but



would be followed by two distinct votes from the Commission. Vice-Chairman Griffith also stated that the Lee County Board of Commissioners will conduct a public hearing on Tuesday, December 13, 2022 at 6:00 p.m. and a final vote on Tuesday, January 10, 2023 at 6:00 p.m.

Commissioner Jim Quinn read the applications into the record.

**(A) CONDITIONAL USE:**

**SR DeSoto 2, LLC (Z22-004):** Connor Echols has submitted an application to the Lee County Planning Commission requesting a Conditional Use for a large scale (1,566 total acres) ground mounted solar energy system as a principal use in the AG-1 (Active Agriculture District). Project is known as SR DeSoto 2, LLC. Of the 1,566 total acres, a total of 944 acres is fenced/ developed area. There are multiple property owners, as follows: Silicon Ranch Corporation, Wherrell 41, LLC., Roger Howell, and John & Eddie Berryhill, collectively, (“Landowners”) of land being part of Land Lots 188, 189, 195, 196, 197, 221, 222, 227, and 228 of the Fourteenth Land District, of Lee County, Georgia. The property involved is presently zoned AG-1.

The Lee County Board of Commissioners will conduct a public hearing on the conditional use request on **Tuesday, December 13, 2022 at 6:00 p.m.** and a final vote on **Tuesday, January 10, 2023 at 6:00 p.m.** in the T. Page Tharp Governmental Building, Opal Cannon Auditorium, 102 Starksville Avenue North, Leesburg, GA.

**(B) CONDITIONAL USE:**

**SR DeSoto 3, LLC (Z22-004):** Connor Echols has submitted an application to the Lee County Planning Commission requesting a Conditional Use for a large scale (1,566 total acres) ground mounted solar energy system as a principal use in the AG-1 (Active Agriculture District). Project is known as SR DeSoto 3, LLC. Of the 1,566 total acres, a total of 944 acres is fenced/ developed area. There are multiple property owners, as follows: Silicon Ranch Corporation, Wherrell 41, LLC., Roger Howell, and John & Eddie Berryhill, collectively, (“Landowners”) of land being part of Land Lots 188, 189, 195, 196, 197, 221, 222, 227, and 228 of the Fourteenth Land District, of Lee County, Georgia. The property involved is presently zoned AG-1.

The Lee County Board of Commissioners will conduct a public hearing on the conditional use request on **Tuesday, December 13, 2022 at 6:00 p.m.** and a final vote on **Tuesday, January 10, 2023 at 6:00 p.m.** in the T. Page Tharp Governmental Building, Opal Cannon Auditorium, 102 Starksville Avenue North, Leesburg, GA.

**Public Hearing Discussion**

**Staff Presentation**

Meagan Matechak, Planner with WSP and consultant to Lee County, presented the staff analysis report and summarized the presented Conditional Use Applications. Ms. Matechak stated that there is no extreme vegetation disturbance or negative impact on forest land, however some land clearing is still needed. There would be minor effects to animal habitats. Ms. Matechak stated that grass cover would be utilized for erosion control and sheep grazing would provide a natural fertilizer.



Should the present requests be approved, staff recommends the following **conditions** to be fulfilled at the owner/developer's expense.

1. Design and construction of structures shall meet or exceed the standards indicated on the concept plan, narrative, and other documents submitted with the conditional use application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Lee County Code of Ordinances.
2. Design and engineering for land development should ensure that storm water management requirements are met to minimize stormwater runoff and ensure the quality of water exiting the site.
3. The applicant should ensure that low impact construction techniques are utilized to avoid soil compaction during and after construction.

#### Applicant Presentation

Applicants Tom Harrold, Attorney, Connor Echols, Director of Project Development at Silicon Ranch, and Michael Baute, Silicon Ranch spoke on the project, summarizing the plans and expectations for the expansions in each Phase.

#### Opposition

Chad Gunter: Spoke on flooding concerns

Jenny Crisp: Spoke on concerns of flooding and wildlife populations/displacement

Don Odom: Spoke on flooding concerns, wildlife populations, traffic and reckless driving

Felix Marbury: Spoke on the bad appearance of the property currently and

#### Support

Dennis Roland: Spoke on giving the company a chance to finish what they started

The applicants responded to the concerns voiced by the public.

With no further comments or questions from the Commission or audience, Vice-Chairman Clay Griffith closed the Public Hearing at 7:24pm.

#### Recommendation

Commissioner Shirley Stiles made the **MOTION** to **TABLE** the Conditional Use application for a large scale (1,566 total acres) ground mounted solar energy system as a principal use in the AG-1 (Active Agriculture District) known as SR DeSoto 2, LLC., seconded by Commissioner Jim Quinn. The **MOTION died** with a 2 – 3 vote, with Commissioners Griffith, Sheffield, and Waters voting nay.

Commissioner Ricky Waters made the **MOTION** to **APPROVE** the Conditional Use application for a large scale (1,566 total acres) ground mounted solar energy system as a principal use in the AG-1 (Active Agriculture District) known as SR DeSoto 2, LLC., **with the following conditions** to be fulfilled at the owner/developer's expense: (1) The applicant shall ensure that design and construction of structures shall meet or exceed the standards indicated on the concept plan, narrative, and other documents submitted with the conditional use application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Lee County Code of Ordinances; (2) The



applicant shall ensure that design and engineering for land development meets storm water management requirements to minimize stormwater runoff and ensure the quality of water exiting the site; (3) The applicant shall ensure that low impact construction techniques are utilized to avoid soil compaction during and after construction; (4) The applicant shall ensure that monthly water quality testing is conducted per GA EPD standards and send the monthly reports to the County. Any sampling and reporting conducted by GA EPD should also be shared with the County; (5) The applicant should ensure that a wildlife management assessment is conducted to provide a recommendation on mitigation and share all updates on wildlife management with the County on a monthly basis; and (6) The applicant shall complete the abovementioned and have the Phase I project approved per the existing Memorandum of Understanding before Phase II commences. The **MOTION** was seconded by Commissioner Jim Quinn. The **MOTION carried** with a 3 – 2 vote, with Commissioners Griffith voting yea and Commissioners Sheffield and Stiles voting nay.

Commissioner Ricky Waters made the **MOTION** to **APPROVE** the Conditional Use application for a large scale (1,566 total acres) ground mounted solar energy system as a principal use in the AG-1 (Active Agriculture District) known as SR DeSoto 3, LLC, **with the following conditions** to be fulfilled at the owner/developer's expense: (1) The applicant shall ensure that design and construction of structures shall meet or exceed the standards indicated on the concept plan, narrative, and other documents submitted with the conditional use application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Lee County Code of Ordinances; (2) The applicant shall ensure that design and engineering for land development meets storm water management requirements to minimize stormwater runoff and ensure the quality of water exiting the site; (3) The applicant shall ensure that low impact construction techniques are utilized to avoid soil compaction during and after construction; (4) The applicant shall ensure that monthly water quality testing is conducted per GA EPD standards and send the monthly reports to the County. Any sampling and reporting conducted by GA EPD should also be shared with the County; (5) The applicant should ensure that a wildlife management assessment is conducted to provide a recommendation on mitigation and share all updates on wildlife management with the County on a monthly basis; and (6) The applicant shall complete the abovementioned and have the Phase II project approved per the existing Memorandum of Understanding before Phase III commences. The **MOTION** was seconded by Commissioner Jim Quinn. The **MOTION carried** with a 3 – 2 vote, with Commissioners Griffith voting yea and Commissioners Sheffield and Stiles voting nay.

#### **VI. UNFINISHED BUSINESS**

NONE

#### **VII. ANNOUNCEMENTS**

NONE

#### **VIII. ADJOURNMENT**

Commissioner Jason Sheffield made a motion to **ADJOURN**, seconded by Commissioner Shirley Stiles. The **MOTION** was unanimous with Commissioners Clay Griffith, Mike McVey,



Jim Quinn and Shirley Stiles voting yea. The meeting adjourned at 7:35 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.

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Chairman

Date

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Kaitlyn Good, County Clerk

Date