



**CITY OF LITHONIA
MINUTES—ZONING PUBLIC HEARING
Thursday, May 12, 2022 @ 5:31 PM**

Proposed Amendments to the Downtown Lithonia Form Based Code for the addition of certain uses / funeral homes and hospice facilities to the EG Edge District.

I. Call to Order and Roll Call

The Zoning Public Hearing was called to order at 5:31 pm by Mayor Shameka S. Reynolds. A roll call was taken, and the following City Council Members were present: Diane Howard, Darold Honore, Amelia Inman, Vanneriah Wynn, and Yolanda Sheppard. Zoning Administrator Bill Johnston was present on the call.

II. This application concerns proposed amendments to the Downtown Lithonia Form Based Code for the addition of certain uses / funeral homes and hospice facilities to the EG Edge District

**a. Report from Bill Johnston, Zoning Administrator
Funeral Home**

Not in compliance with the comprehensive plan, the amendment if adopted would make the destination office institutional and in town mixed use, all 3 funeral homes are zoned edge which is a non-conforming use. Noise is not expected to be considered with this use, parking would not be an issue, no impact on transportation or schools, will not affect the historic district. Most significant is the presence of 3 funeral homes. Recommendation is an amendment to division 2 of the Lithonia city zoning ordinance to define the usage as funeral home in the OI District. Key consideration is crematory services to funeral homes-an item that needs to be addressed, and if this should be an accessory use.

Hospice

Swift street, Center street and Johnson street are much less intensely developed than Main street and Stone Mountain, all of which are zoned Edge. These less intensely developed locations should be limited to “In-home hospice” and Main street and Stone Mountain street should be allowed to accommodate the “In-patient hospice facility. Recommendation limited to 4-6 beds. Noise, traffic, outside parking not an issue. There are no hospice facilities recorded in the city. Schools will be unaffected. A definition will need to be inserted, incorporation of the OI development standards. Will need to have discussion of in-home versus in-patient care facilities that provide nursing services and care. Recommendation to have the in-home hospice services and if 2 spheres should be assigned.

Response from Council:

Councilman Honore prefers to stay out of the conversation with the hospice business as a conflict. No questions on the funeral home amendment, crematory no major issues. Councilwoman Inman acknowledged that she reviewed the documents and asked for further clarity of understanding from Bill Johnston (Mr. Johnston provided a detailed response). Questions were asked of Ms. Tracy Driver, the new owner of the building, what she is proposing, curious if this is not approved what her plans are (proposing a 10-bed hospice, offices located upstairs for all medical professionals, has not thought about anything outside of the hospice facility. Mayor Reynolds is not in favor of a crematory in the city. Councilwoman Wynn stated that Councilwoman Inman asked a lot of questions that she wanted to ask, additionally not in favor of a crematory.

Councilwoman Sheppard stated that Councilwoman Inman asked a lot of questions that she had as well. Councilwoman Howard asked Ms. Driver regarding the hospice to clarify skilled nursing (the state classifies the distinction, hospice's don't cure, hospitals do. Concern was expressed that this type of use changes the dynamics of Main street, and not in line with the comprehensive plan. Not in favor or a crematory.

c. Presentation by Persons Opposed to the Application (10 minutes allotted)

Ms. Sharon Inman is opposed to the Hospice Application for a hospital setting, wants a certain image in the city, the city is too small.

Ms. Sharika May purchased a home on Main street 4 years ago for a personal care home and was denied, stuck with the house, against a hospice facility.

d. Presentation by Persons In-Favor of the Application (10 minutes allotted)

Ms. Dawn Massey is in favor, has worked in hospice, had 5-6 clients in the Yellow Brick House at any given time) just like a nursing home and serves a place in our society for people in need, not evasive, shown statistically that medical facilities are the place to go, would like to see doctors in town, this would be the start of something new.

e. Closing of Public Hearing

Councilwoman Howard motioned to close the public hearing at 6:20 pm, the motion was seconded by Councilwoman Wynn, and approved by a vote of 5-0.

f. Deliberation by Council on Zoning Administrator's Recommendations and Presentations

g. Decision

Councilwoman Inman motioned to approve all existing funeral homes in the edge district as a permanent permitted use, to prohibit any new funeral homes, and to prohibit crematories, the motion was seconded by Councilwoman Sheppard, and approved by a vote of 5-0.

Councilwoman Sheppard motioned to approve the hospice, no one seconded the motion, the motion failed.

Mayor Reynolds asked council to be mindful, acknowledging that she has worked at a hospice, the environment is quiet, there are a lot of people in the city that go through hospice and end up far away from home, family sits with the loved one, the process is smooth with pronouncements as well and not time consuming, nothing negative around hospices or personal care homes, a needed service in our community. The only concern is parking.

Councilwoman Wynn thanked Mayor Reynolds for speaking on this, her father was in hospice, when traveling to different cities to visit your loved one it takes a lot out of you, also noting witness of a hospice patient who got better and left the facility. Additionally noting the city had reached a decision on the comprehensive plan and had not looked at this need, at that time. Also, a concern about parking. Councilwoman Inman noting the goal is to bring in more demographics and improvement of housing as per the comprehensive plan. Councilwoman Howard not against hospice, however no desire to have a hospice on Main street, need for consistency.

Councilwoman Inman motioned to deny hospice as a permitted use to the Edge district,

the motion was seconded by Councilwoman Howard and approved by a vote of 3-0, Councilwoman Sheppard was opposed, Councilman Honore abstained.

IV. Adjournment of Zoning Hearing

Councilwoman Howard motioned to adjourn the meeting at 6:51 pm, the motion was seconded by Councilwoman Sheppard, and approved by a vote of 5-0.