

Tarra Jolly

Subject: FW: [EXTERNAL] Bethania and January 2024 , Zoning Docket W-3603.

From: Michael Leonard <mleonard@conservationfund.org>

Sent: Monday, January 8, 2024 2:03 PM

To: Bryan D. Wilson <bryandw@cityofws.org>

Cc: Tarra Jolly <tarraj@cityofws.org>; Nick Smith <nicks@cityofws.org>; Michelle Leonard <mleonard.townofbethania@gmail.com>; Brent Rockett <brockett@townofbethania.org>; Karen Keller <office@townofbethania.org>

Subject: [EXTERNAL] Bethania and January 2024 , Zoning Docket W-3603.

Mr. Wilson –

My name is Michael Leonard , and I am President of the Bethania Historical Association. I provide some background on better than 28 years of effort to protect historic land, homes and structures in Bethania and ask two simple questions at the end of the email.

For over 32 years , I was a partner at the Womble law firm in Winston- Salem , representing Fortune 100 corporations in nationwide litigation. I retired from Womble at the end of 2020 and no longer practice law. Thus, I am not sending this email as an attorney but as the President of the Bethania Historical Association.

Before 1996, the Bethania Historical Association led the way in expanding the Bethania National Register Historic District from 45 or 50 acres along Main Street to include the approximately 500 acres of land within the current boundaries of that district.

Since 1996 , I have been heavily involved in protecting the Nationally significant historic landscape and structures in Bethania by :

1. Negotiating or assisting in negotiating the purchase of , and locating State of NC funds and private funds to acquire , 26 tracts of historic land totaling 185.49 acres in and adjacent to Bethania and the Bethania National Historic Landmark District .
 - Bethania and the State of NC are parties to a memorandum of understanding under which Bethania manages the majority of that land.
 - That land features five and a half miles of popular natural surfaced walking trails.
 - One of those 26 tracts of land was generously donated by the Allred family in the 1990s and is part of the State of NC owned historic land in Bethania.

2. Working with the City of Winston-Salem and The Conservation Fund (my employer since early January 2021) to create the 160 or so acre Long Creek Park which includes the portion of the Bethania National Historic Landmark District that was designated historic by the National Park Service because it was the site of the 1780s era Bethania Mill, mill dam and mill pond. I was contacted by the owners of the former Long Creek Golf Course in 2017 to help them work towards having a park established to protect the beauty and historic qualities of that tract, and I also located private and State of NC funds to assist in paying for the 45 acre portion of the Park along Muddy Creek that is within the Bethania National Historic Landmark District. Some private funds came from the Forsyth County Chapter of the Audubon Society.
3. Securing historic preservation easements on 20 historic homes , lots and structures in Bethania . These easements are designed to allow only one home on each residential tract of land involved and to prevent historically inappropriate changes to the exteriors of all 20 structures involved and to prevent historically inappropriate changes to historically significant interior features in four of those structures . The two properties that my wife , Michelle , and I own in Bethania are subject to historic preservation easements.
4. Personally restoring , with my wife Michelle who is Mayor Pro Tem of Bethania , the 1770 era Cornwallis House where British General Lord Cornwallis stayed for a night in early February 1781 including the restoration by a professional art restorer of 1850s era floor-to-ceiling murals in two rooms in the house. We also restored an 1890s era barn on our property and two other historic outbuildings.
5. Raising private funds to build historically appropriate fences on State of NC owned land , build portions of the five-and-a-half miles of trail and restore a historic orchard on State land and to purchase and erect Bethania Historic markers including one at the site of the former Cedar Grove African-American grade school which site is owned and protected by the State ,
6. Raising private funds to acquire , protect, restore, paint and maintain the 1890s era Pythian Lodge / Old High School that is the headquarters of the Bethania Historical Association,
7. Working with Eagle Scouts and private citizens to build trails and maintain trails.

Over the past 28 years , in addition to working with the City of Winston - Salem on Long Creek Park , I and the Bethania Historical Association have worked with the Piedmont Land Conservancy , the Bethania Historic Property Owners Association, Preservation NC , the North Carolina State Historic Preservation Office , the North Carolina Department of Natural and Cultural Resources , The Conservation Fund and the National Park Service to protect the 185 acres of historic open land and additional 160 acres of Long Creek Park, to secure the 20 historic preservation easements referenced above, and to obtain National Historic Landmark Status for the Bethania historic district.

In addition , in Forsyth County, I helped secure a loan from The Conservation Fund to the Piedmont Land Conservancy that assisted in making it possible for the Piedmont Land Conservancy to acquire the 90 acre conservation easement on the Crossnore School land along Reynolda Road . I was Chair of the national Board of Directors of The Conservation Fund (which is based in Arlington , Virginia) when that loan was sought .

I also located private donations and State of NC funds to acquire and protect the 246 acre tract on the Forsyth County side of the Yadkin River at the Shallowford that played a major role in the “ Race to the Dan River “ a key campaign in the Revolutionary War. That tract is now a North Carolina State Historic site and is being developed as a historic park in preparation for the upcoming 250th anniversary of the Revolutionary War and the Declaration of independence .

The Bethania Historical Association is a property owner in Bethania and is planning to object to the rezoning sought by the Zoning Petition of K&W Restaurant , Inc. and K&W Cafeterias , Inc. from RS 9 to RM8 - S , January 2024 Zoning Docket W – 3603.

To whose attention and to what email addresses should the Bethania Historical Association send that objection ? Also, is it sufficient to send the objection as an email ?

I am also sending copies of this email to my wife, Michelle, who is on the Bethania Town Commission and is Mayor Pro Tem of Bethania , to Brent Rockett who is on the Bethania Town Commission and is Mayor of Bethania and to the Bethania Town Office .

I thank you for your attention to this matter.

- Mike Leonard , President, Bethania Historical Association

Tarra Jolly

Subject: FW: [EXTERNAL] Bethania and January 2024 , Zoning Docket W-3603.

From: Michael Leonard <mleonard@conservationfund.org>
Sent: Wednesday, January 10, 2024 2:40 PM
To: Bryan D. Wilson <bryandw@cityofws.org>
Cc: Tarra Jolly <tarraj@cityofws.org>; Brent Rockett <brockett@townofbethania.org>; Michelle Leonard <mleonard.townofbethania@gmail.com>; Karen Keller <office@townofbethania.org>
Subject: [EXTERNAL] Bethania and January 2024 , Zoning Docket W-3603.

Mr. Wilson –

My name is Michael Leonard , and , as I pointed out in an email on Monday , I am President of the Bethania Historical Association. As I also pointed out on Monday, I formerly practiced law but retired from the practice at the end of 2020 . Thus, I am not sending this email as an attorney but as the President of the Bethania Historical Association, a volunteer run and led non-profit.

First , thank you for stating that you would relay concerns of the Bethania Historical Association to the Planning Board via email . You have been courteous and responsive, and it is appreciated.

Second , The Bethania Historical Association objects to the rezoning sought by the Zoning Petition of K&W Restaurant , Inc. and K&W Cafeterias , Inc. from RS 9 to RM8 - S , January 2024 Zoning Docket W – 3603.

The reasons for that objection are as follows :

1. The National Park Service has recognized 26 houses and buildings that front on Bethania’s Main Street as structures that contribute to the Bethania National Historic Register District or Bethania National Landmark Historic District . This is the National Park Service’s way of recognizing the national historic significance of those structures. Those structures are as follows (the names set out here are the names used in the National Register and National Historic Landmark documentation) :
 - a. 5500 Main Street – Matt Butner Sides House
 - b. 5506 Main Street – Charles Griffith House (voluntarily protected by historic preservation easement)

- c. 5512 Main Street – Ray Butner House (voluntarily protected by historic preservation easement)
 - d. 5518 Main Street – Dr. Strickland House (voluntarily protected by historic preservation easement)
 - e. 5524 Main Street – Shore Lehman House (Local Historic Landmark) (also voluntarily protected by historic preservation easement)
 - f. 5536 Main Street – William Stoltz House (voluntarily protected by historic preservation easement)
 - g. 5544 Main Street– Jacob Loesch House (voluntarily protected by historic preservation easement)
 - h. 5550 Main Street – Ed Oehman House
 - i. 5556 Main Street - Rufus Transou House
 - j. 5564 Main Street – Dr. Strickland Office and Conrad House
 - k. 5570 Main Street - Hauser Strupe House
 - l. 5576 Main Street - John Christian Loesch House (Local Historic Landmark)
 - m. 5505 Main Street - Eula Wolff House
 - n. 5511 Main Street - Ed Butner House (voluntarily protected by historic preservation easement)
 - o. 5519 Main Street – Abraham Transou House/ Schaub wagon shop
 - p. 5525 Main Street – Solomon Transou House
 - q. 5531 Main Street - Daniel Butner House (Local Historic Landmark)
 - r. 5537 Main Street – Speas House (voluntarily protected by historic preservation easement)
 - s. Bethania Moravian Church Constructed 1807
 - t. 5555 Main Street – Henry Stoltz House (voluntarily protected by historic preservation easement)
 - u. 5575 Main Street – Hauser- Reich Butner House (used by British General Cornwallis in February 1781) (Local Historic Landmark) (also voluntarily protected by historic preservation easement)
 - v. 5605 Main Street – Michael Hauser House (voluntarily protected by historic preservation easement)
 - w. 5625 Main Street – Hauser-Grabs – Conrad House (voluntarily protected by historic preservation easement)
 - x. 5639 Main Street
 - y. 5655 Main Street – Prof. J.W. Daniel House
2. As shown by the above list , Bethania residents have taken extraordinary and very public spirited steps to protect 14 of those historic properties on Main Street by (a) voluntarily granting historic preservation easements on their own homes , (b) voluntarily having their own homes designated as local historic land marks or (c) voluntarily purchasing homes already subject to historic preservation easements or

designated as local historic landmarks. In addition , Bethania residents have also protected an additional four properties on side streets with historic preservation easements.

3. Due to the fact that homes along Main Street in Bethania were almost all constructed very close to the street many years ago , these historic homes are being continually shaken by automobile and truck traffic leading to cracked plaster , shifts in foundations and other damage . Again , these historic homes have been recognized by the National Park Service as being of high historic importance.
4. The sought for rezoning from RS 9 to RM8 – S will lead to higher density on the land that would be rezoned and therefore to additional increases in traffic on Main Street in Bethania and increased damage to historic homes and structures.
5. The Traffic Impact Analyses prepared in regard to this rezoning only address numbers of cars or trips and delays in traffic at peak hours. But , more is at stake when the traffic involved has an impact on historic structures that are of recognized National importance . Therefore , the narrow “ number of trips “ or delay in traffic at peak hours “ approach fails to provide sufficient information for the planning board or staff to make accurate or adequate decisions as to a critical component in the impact of the additional traffic generated by changing the zoning from RS – 9 to RM8-S . That critical , but apparently not considered component , is the impact on the important historic structures along Main Street ; therefore, the traffic analyses being relied upon in this rezoning , which has an impact on a community of historic structures, are deficient.
6. The owners of more than half the 25 recognized historic properties on Main Street have been concerned enough about historic preservation and public spirited enough to voluntarily take extraordinary steps to ensure long term protection of those historic structures. In addition , both those owners and the owners of the other recognized historic structures have over the years spent large sums restoring and maintaining those structures. Out of respect to these public spirited residents of Bethania and Forsyth County who have done so much to care for and protect an important aspect of this Nation’s and Forsyth County’s history , the planning board and staff should at least be making decisions on this rezoning based on traffic analyses that are not deficient and that deal with information more relevant to the historic structures in Bethania than the narrow “ traffic flow “ approach involving number of trips and peak hour delays .

Thank you for considering this objection by the Bethania Historical Association to the proposed rezoning by the Bethania Historical Association.

- Mike Leonard , President, Bethania Historical Association , 336 413 2249

