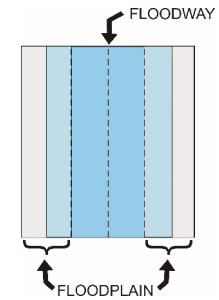


DOCKET #: F1480

PROPOSED ZONING:
PB-S (Multiple Uses)

EXISTING ZONING:
LI

PETITIONER:
Bethania Mill LLC for
property owned by Same



SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRES: 1.01

NEAREST BLDG: 100' west

MAP(S): 600886

F

April 25, 2007

Bethania Mill, LLC
c/o Patrick Michael West
3524 Yadkinville Road PMB 351
Winston-Salem, NC 27106

RE: ZONING MAP AMENDMENT F-1480

Dear Mr. West:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners.

When the rezoning is scheduled for public hearing, you will be notified by Jane Cole, Clerk to the County Commissioners, of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office
John Beeson, 503 High Street, Winston-Salem, NC 27101

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Bethania Mill, LLC, Docket F-1480

AN ORDINANCE AMENDING
THE FORSYTH COUNTY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF
THE COUNTY OF FORSYTH,
NORTH CAROLINA

BE IT ORDAINED by the Board of County Commissioners of the County of Forsyth as follows:

Section 1. The Zoning Ordinance of the *Unified Development Ordinances* of the County of Forsyth, North Carolina, and the Official Zoning Map of the County of Forsyth, North Carolina, are hereby amended by changing from LI to PB-S [Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; and Offices, Miscellaneous] the zoning classification of the following described property:

Tax Block 3487, Tax Lot 059

Section 2. This Ordinance is adopted after approval of the site plan entitled Bethania Mill, LLC, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of _____, 20____ to Bethania Mill, LLC.

Section 3. The Board of Commissioners hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Bethania Mill, LLC. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

COUNTY, SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the Forsyth County
Board of Commissioners

The Forsyth County Board of Commissioners issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Bethania Mill, LLC (Zoning Docket F-1480). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for PB-S [Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; and Offices, Miscellaneous], approved by the Forsyth County Board of Commissioners the ____ day of _____, 20 ____" and signed, provided the property is developed in accordance with requirements of the PB-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances* of the County Code, the Erosion Control Ordinance, and other applicable laws, and the following conditions be met:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
 - a. The Manning Mill shall be retained in its original, existing location on the site. Any exterior work to the property must meet the *Secretary of the Interior's Standards for Rehabilitation* (see Exhibit A) as determined by either the National Park Service, the State Historic Preservation Office, or the Historic Resource staff of the CCPB. The Mill shall be maintained in a condition consistent with the Forsyth County Housing Code, as determined by the Forsyth County Housing Department in consultation with the Historic Resource staff of the CCPB.
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
 - a. Developer shall either provide the required 12' wide driveway along the western side of the site and the 15' wide bufferyards along the northern and eastern property lines or obtain variance approval from Forsyth County Zoning Board of Adjustment.
- **OTHER REQUIREMENTS:**
 - a. Signage shall be limited to one (1) monument type sign with a maximum height of six (6) feet.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	F-1480
Staff	Gary Roberts, AICP
Petitioner(s)	Bethania Mill, LLC
Owner(s)	Same
Subject Property	Tax Lot 59 / Tax Block 3487
Type of Request	Special use rezoning to PB-S
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI Limited Industrial District to PB-S Pedestrian Business District. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • [Restaurant (without drive-through); Retail Store, Specialty or Miscellaneous; and Offices, Miscellaneous]
Zoning District Purpose Statement	<p>The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.</p>
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	<p>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes</p>
GENERAL SITE INFORMATION	
Location	North side of Bethania Road, east of Main Street
Jurisdiction	Forsyth County
Site Acreage	Approximately ± 1.01 acres
Current Land Use	The site is the former location of the Manning Mill.

Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-9	Undeveloped property
	East	RS-9	Single family home
	South	RS-9	Undeveloped property and a single family home
	Southwest	PB	Bethania Visitors Center
	West	LB	Auto repair business
	Northwest	RS-9	Single family homes
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?		
	Yes		
Physical Characteristics	The site has a moderate slope downward toward Bethania Road and a small tributary stream runs immediately west of the site.		
Proximity to Water and Sewer	Public water and sewer are available to the site.		
Stormwater/ Drainage	No known issues.		
Watershed and Overlay Districts	The site is not within a water supply watershed.		
Historic, Natural Heritage and/or Farmland Inventories	<p>The subject property is a contributing element of the Bethania National Historic Landmark and National Register Historic Districts. Listed as the Lehman-Butner Roller Mill (also known as the Manning Mill), the building dates to 1899, and is an integral part of the District. Historic Resources staff believes the adaptive reuse of this historic structure to be an appropriate use for the property and will restore one of the historic elements of the Town.</p> <p>In addition, approximately 2,500 feet south of the site is the Walnut Bluffs Area, which is site #20 of the Forsyth County Natural Heritage Inventory. The Forsyth County Natural Heritage Inventory, completed in 1998 with a grant from the NC Natural Heritage Program, identified 23 significant natural sites in Forsyth County. Walnut Bluffs was identified in the Natural Heritage Inventory as being of countywide environmental significance due to the quality of the hardwoods and plant community on the site and its relation to other natural areas that surround Bethania and the Muddy Creek/Mill Creek channel. The significant hardwood covered hillside has long been known as “Walnut Bluffs” to the local population. The site has historic importance due to its prominent location in the Bethania Town Lot and its position in the floodplain downstream of the historic center of the Town of Bethania.</p>		

Analysis of General Site Information	The subject request would utilize an existing historic structure and associated parking with some relatively minor modifications. A platted unopened alley adjoins the western side of the site. Because a small portion of the existing structure and vehicle circulation area encroaches into this area, the petitioner will need to petition to have said alley closed.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>			
	<ul style="list-style-type: none"> • Condition to preserve and maintain the Manning Mill • Petition to close adjacent alley 			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Bethania Road	Minor Thoroughfare	193'	5,100	16,100
Platted unopened alley	NA	223'	NA	NA
Proposed Access Point(s)	Continued use of the two existing, two-way entrances onto Bethania Road.			
Planned Road Improvements	The Thoroughfare Plan recommends a two lane section with no on-street parking, striped bicycle lanes and sidewalks for Bethania Road.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: LI</u> No trip rates available for general use zoning <u>Proposed Zoning: PB-S</u> 17,667sf / 1,000 x 40.67 (Specialty Retail Center Trip Rate) = 719 Trips per Day + 1,848 sf / 1,000 x 130.34 [High-Turnover (Sit Down) Restaurant Trip Rate] = 241 Trips per Day = 960 Total Trips per Day			
Sidewalks	There are no sidewalks in the general vicinity of the site. While the Thoroughfare Plan recommends sidewalks along Bethania Road, the Town of Bethania does not recommend the provision of a sidewalk along the subject property.			
Transit	Not available			
Traffic Impact Study (TIS)	Not required			
Analysis of Site Access and Transportation Information	Access to the site is adequate.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>			
	<ul style="list-style-type: none"> • Obtain driveway permit from NCDOT 			

CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	Growth Management Area 3 (Suburban Neighborhoods).
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • <i>Legacy</i> supports neighborhood serving commercial in close proximity to residential areas. Creating more livable neighborhoods with nearby services that can be reached by walking or bicycling. Also, encouraging infill or redevelopment of vacant or underutilized parcels within developed areas. • <i>Legacy</i> recommends preserving the historic resources of Forsyth County and promotes the rehabilitation of historic structures to add to the community's character and image and to have an impact on the ability to attract new residents, outside investment and tourists.
Relevant Area Plan(s)	<i>North Suburban Area Plan (2005)</i>
Area Plan Recommendations	The <i>North Suburban Area Plan</i> recommends following the recommendations of the <i>Comprehensive Transportation & Land Use Study (2001)</i> for the Town of Bethania. Prepared by a consulting team comprised of Martin/Alexiou/Bryson, PLLC., Land Design, Inc., & Landgon Opperman, and guided by a steering committee of local and state officials, this study made detailed recommendations about the future of main transportation issues centered around how to reduce the volume and speed of traffic on Main Street. Land use recommendations emphasize the need to preserve the character of Bethania while accommodating specific types of new and/or infill development. An urban design component of this plan also provided detailed guidelines as to how new buildings should look and fit into the existing community. These guidelines addressed topics such as sidewalks, parking, setbacks, street lighting, street widths and landscaping. This component suggested the establishment of a Historic Overlay District in Bethania to make certain these guidelines are integral considerations of new development.
Other Applicable Plans and Planning Issues	The subject property is within the corporate limits of the Town of Bethania. The Town has been contacted and is supportive of the rezoning request.
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?
	No
	(S)(4) - Is the requested action in conformance with Legacy?
	Yes
Analysis of Conformity to Plans and Planning Issues	The subject request proposes the adaptive reuse of a 19,515 square foot historic mill which is currently zoned LI. The site is located within the central portion of the Town of Bethania. The proposed district is PB-S with the inclusion of office, retail and restaurant uses. Preservation of historic structures is consistent with the recommendations of <i>Legacy</i> and the <i>Comprehensive Transportation & Land Use Study</i> for the Town of Bethania.

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1381	LB & RM-12 to PB	6-22-03	Directly southwest	4	Approval	Approval
F-220	R-6 to I-3 (LI)	Approved 3-20-72	Subject property	1	Approval	Approval
F-80	R-6 to B-2 (LB)	Approved 9-9-68	Directly west	.35	Approval	Approval
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
Building Square Footage	Square Footage		Placement on Site			
	19,515 sf		Center portion of site			
Parking	Required	Proposed		Layout		
	27 spaces	28 spaces		To the front and rear of existing structure		
Building Height	Maximum			Proposed		
	60'			2 ½ stories		
Impervious Coverage	Maximum			Proposed		
	NA			77.7%		
UDO Sections Relevant to Subject Request	<ul style="list-style-type: none"> Chapter B, Article II, Section 2-1.3 (F) Pedestrian Business District 					
Complies with Chapter B, Article VII, Section 7-5.3	(A) Legacy policies:		Yes			
	(B) Environmental Ord.		NA			
	(C) Subdivision Regulations		NA			
Analysis of Site Plan Compliance with UDO Requirements	As noted previously, the site is already developed with a historic mill. In order to preserve the character of the relatively small site, the petitioner will be seeking a bufferyard and driveway width variance. The petitioner will also need to obtain the closure of an adjacent alley in order to accommodate an existing driveway encroachment.					
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> Provide required driveway and bufferyard widths or obtain variance approval 					
REMAINING SITE PLAN ISSUES						
Issue			Status			
Alley closure is needed			The petitioner has filed a petition to close the adjoining alley			
Increase width of western driveway at scales to 12'			Petitioner will seek a variance from the Zoning Board of Adjustment			
Provide 15' wide buffer along north and east property lines						
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
Request will rejuvenate a historic property.			One of the silos will be removed.			

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- a. The Manning Mill shall be retained in its original, existing location on the site. Any exterior work to the property must meet the *Secretary of the Interior’s Standards for Rehabilitation* (see Exhibit A) as determined by either the National Park Service, the State Historic Preservation Office, or the Historic Resource staff of the CCPB. The Mill shall be maintained in a condition consistent with the Forsyth County Housing Code, as determined by the Forsyth County Housing Department in consultation with the Historic Resource staff of the CCPB.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- a. Developer shall either provide the required 12’ wide driveway along the western side of the site and the 15’ wide bufferyards along the northern and eastern property lines or obtain variance approval from Forsyth County Zoning Board of Adjustment.

OTHER REQUIREMENTS:

- a. Signage shall be limited to one (1) monument type sign with a maximum height of six (6) feet.

STAFF RECOMMENDATION: APPROVAL

NOTE: These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Paul Mullican moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Jerry Clark

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor on February 27, 2007, the subject property was in the name of Margaret Manning. However, a recorded deed is on file transferring ownership to Bethania Mill, LLC on March 7, 2007.

A. Paul Norby, FAICP
Director of Planning

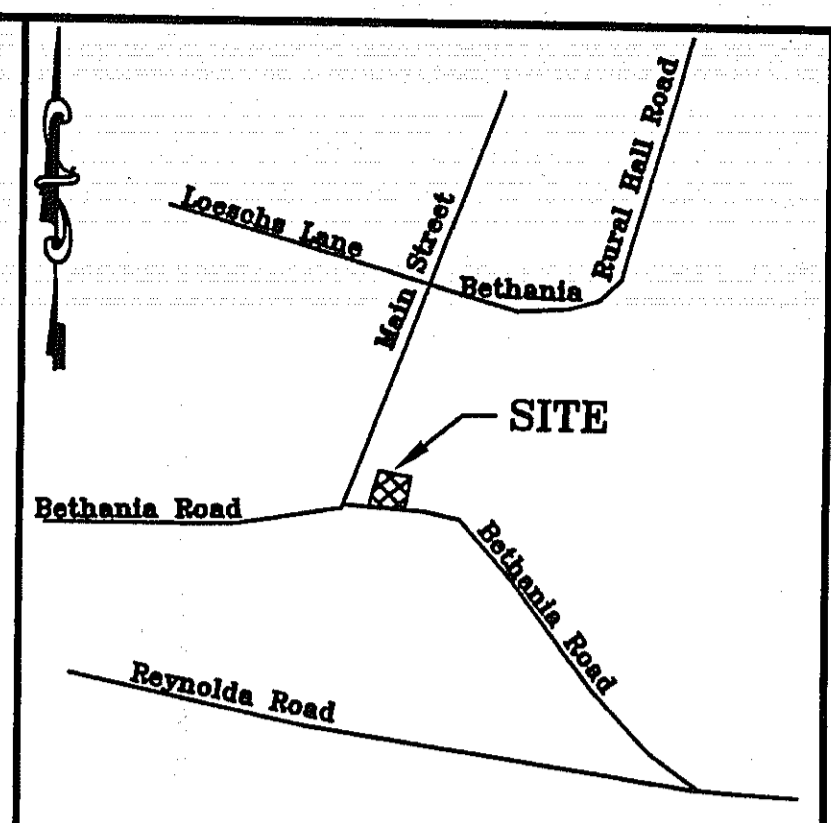
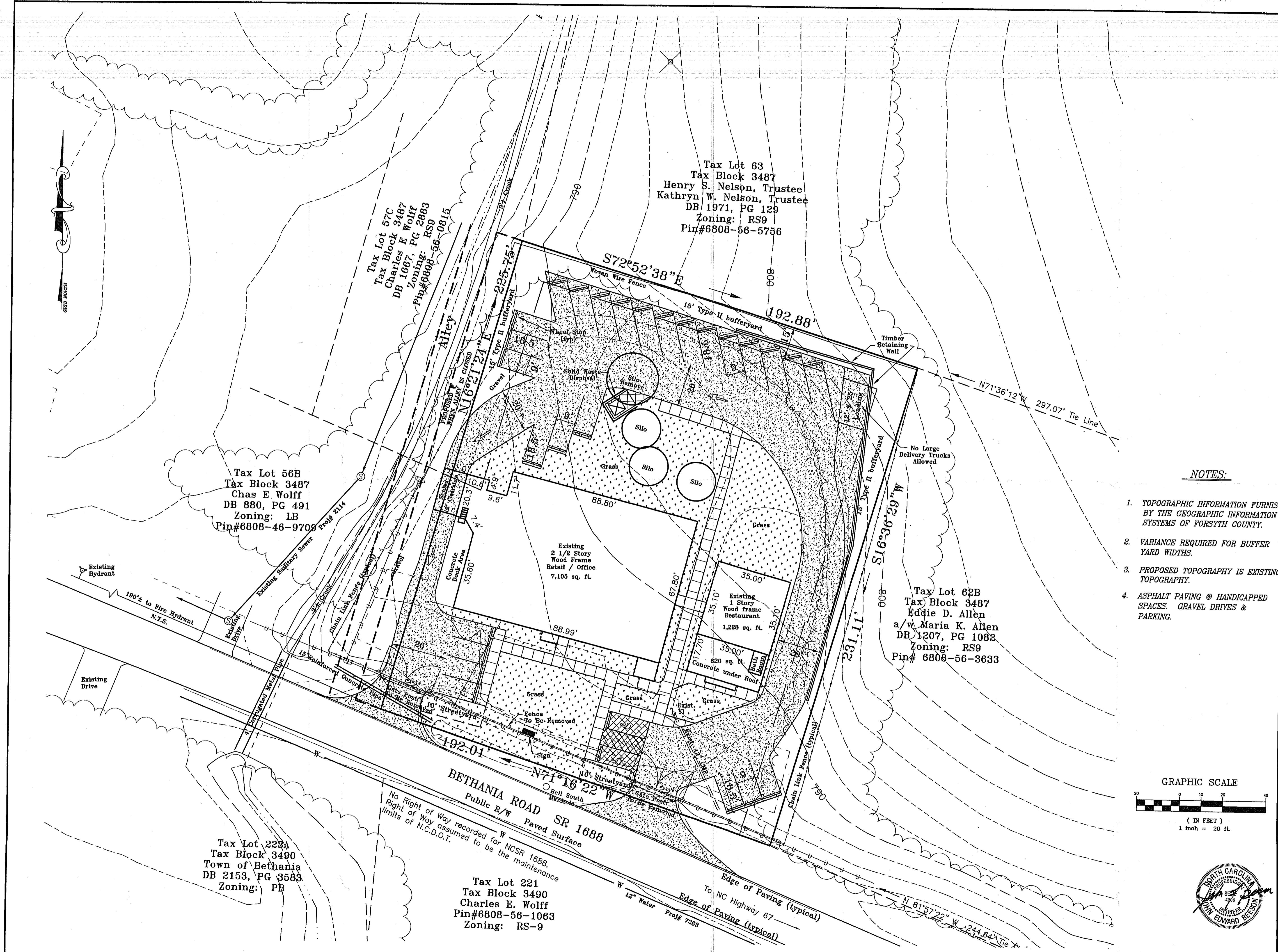
F-1480

Exhibit A

The Manning Mill shall be retained in its original, existing location on the site. Any exterior work to the property must meet the *Secretary of the Interior's Standards for Rehabilitation* as determined by either the National Park Service, the State Historic Preservation Office, or the Historic Resource staff of the CCPB. The Mill shall be maintained in a condition consistent with the Forsyth County Housing Code, as determined by the Forsyth County Housing Department in consultation with the Historic Resource staff of the CCPB.

Secretary of the Interior's Standards for Rehabilitation

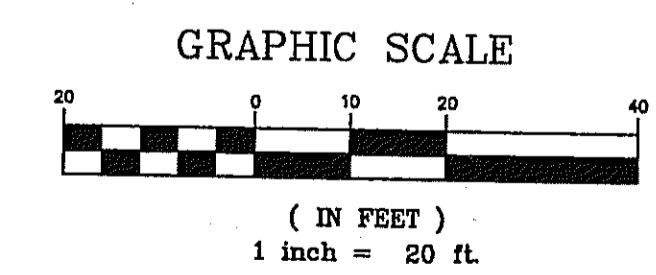
1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



ZONING	
Existing Zoning:	LI
Proposed Zoning:	PB-S
Type of Review Requested:	Rezoning
PRIMARY USES	
Restaurant (No Drive Thru); Retail Store, Specialty or Miscellaneous; Office, Misc.	
SITE SIZE AND COVERAGES	
Total Acreage:	1.01± Acres.
Site Coverages:	43,941 Sq.Ft.
Building to Land:	20.3 %
Pavement to Land:	57.4 %
Open Space:	22.3 %
(Total = 100%)	
Building Sq. Footage (Max.):	19,515 Sq. Ft.
Building Height:	2-1/2 Story
INFRASTRUCTURE	
Water:	<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private
Streets:	<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private
Sewer:	<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private
OFF-STREET PARKING	
PARKING REQUIRED	
Restaurant(no drive thru)	1200 S.F. - 18 Spaces
1sp/75 S.F.	5700 S.F. - 12 Spaces
Retail 1sp/600 S.F.	4000 S.F. - 10 Spaces
Office (Misc.) 1sp/400 S.F.	38 Spaces
30% Reduction Provided	Net 27 Spaces
	28 Spaces
BUFFERYARDS (if applicable)	
Adjoining Zoning:	RS-9, LB
Type Required:	Type II
Width Provided:	15
Fence Option:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

- NOTES:**
- TOPOGRAPHIC INFORMATION FURNISHED BY THE GEOGRAPHIC INFORMATION SYSTEMS OF FORSYTH COUNTY.
 - VARIANCE REQUIRED FOR BUFFER YARD WIDTHS.
 - PROPOSED TOPOGRAPHY IS EXISTING TOPOGRAPHY.
 - ASPHALT PAVING @ HANDICAPPED SPACES. GRAVEL DRIVES & PARKING.

THE PURPOSE OF THIS SUBMITTAL IS TO REQUEST REZONING OF SITE FROM LI TO PB-S.



JURISDICTION OF FORSYTH COUNTY

BETHANIA MILL

Bethania Mill, LLC
3524 Yadkinville Road
PMB 351
Winston-Salem, NC 27106
(336)699-4205; fax: (336)724-2407

FIELD WORK BY PJ,MC,DH	CHECKED BY: DAW	
Block / Lot 3487 / 059	PIN: 6808-56-1710	Deed Book/Page 2735 / 852
TOWNSHIP: Bethania	CITY: Bethania	COUNTY: Forsyth
STATE: North Carolina	DATE: 2-23-2007	SHEET NUMBER: 1 of 1
JOB NUMBER: 07100.007	DRAWN BY: dau,jo,tlbc	

BEESON ENGINEERING INC.
ENGINEERS SURVEYORS PLANNERS
503 HIGH STREET
WINSTON-SALEM, NC 27101
TELEPHONE: (336) 748-0071
FAX: (336) 748-0470

Rev: 4-10-07 Parking note