

MEMORANDUM

TO: Chapel Hill Planning Board
Chapel Hill Community Design Commission
Parks and Recreation Commission
Chapel Hill Transportation Board
Chapel Hill Bicycle and Pedestrian Advisory Board

FROM: Gene Poveromo, Development Manager
Phil Mason, Principal Planner

SUBJECT: Applications for Zoning Atlas Amendment and Special Use Permit - Saint Paul Village, 1604 Purefoy Drive (Project Nos. 2011-0283 and 2011-0279)

DATE: March 6, 2012 (Planning Board)
March 21, 2012 (Community Design Commission)
March 21, 2012 (Parks and Recreation Commission)
March 22, 2012 (Transportation Board)
March 27, 2012 (Bicycle and Pedestrian Advisory Board)

DESCRIPTION OF THE APPLICATIONS

Address	1604 Purefoy Drive, Chapel Hill (Joint Planning Area)
Location Description	The site is located in the northeast quadrant of the intersection of Rogers Road and Purefoy Drive, adjacent to Phoenix Place in the Joint Planning Transition Area.
Orange County Parcel Identifier Numbers	The Orange County Parcel Identifier Numbers are 9870-45-9243, 9870-54-0416, 9870-54-3735, 9870-54-4583, and 9870-54-5947
Property Description	20.4-acre, 5-lot assemblage
Existing Zoning	JPA Residential-1 (R-1)

The applicant has submitted two applications:

1. Zoning Atlas Amendment application to rezone from Residential-1 (R-1) to Residential-5-Conditional (R-5-C).

Zoning determines the type and intensity of uses and development that are allowed on a piece of land. Because this property is located in the Joint Planning Area, the zoning is governed through that agreement. Action by both the County Commissioners and the Town Council is required to enact a zoning change. This application for a Zoning Atlas Amendment would allow more intense land uses:

- The existing Residential-1 (R-1) zoning district allows a maximum intensity of 57,129 s.f. of floor area.

- The proposed Residential-5-Conditional (R-5-C) zoning district would allow a maximum intensity of 220,340 s.f. of floor area for this site.
2. Accompanying Special Use Permit, Planned Development - Mixed Use application which includes:
- Deconstruction and/or relocation of 6,300 s.f. of floor area,
 - Construction of a place of worship campus and mixed-use development with
 - a. 87 dwelling units, and
 - b. total of 181,169 s.f. of floor area.

Please see the accompanying memoranda and staff report for information regarding the proposed Zoning Atlas Amendment and Special Use Permit applications.

RECOMMENDATIONS REZONING AND SPECIAL USE PERMIT APPLICATIONS

Attached for your consideration is a draft public hearing memorandum on the rezoning proposal. Please refer to the accompanying Special Use Permit application and staff report for additional information.

We recommend that the Planning Board make a recommendation to the Town Council on the Zoning Atlas Amendment application. We recommend enactment of the Ordinance to rezone the property from Residential-1 to Residential-5-C because we think that the proposed rezoning achieves the purposes of the 2000 Comprehensive Plan and conforms to elements of the Draft Rogers Road Small Area Task Force Report. Please see the attached Zoning Atlas Amendment memorandum for additional detail. We recommend that the advisory boards consider the Special Use Permit application and make recommendations to the Council. We recommend approval of the Special Use Permit application with the conditions identified in Resolution A.

A Joint Public Hearing with Orange County on the rezoning applications is scheduled for March 29, 2012. The Council public hearings are tentatively scheduled for Monday, May 21, 2012.

ATTACHMENTS

1. Draft Public Hearing Memorandum on the rezoning application, with attachments

MEMORANDUM

TO: Roger L. Stancil, Town Manager

FROM: J.B. Culpepper, Planning Director
Gene Poveromo, Development Manager
Phil Mason, Principal Planner

SUBJECT: Public Hearing: Application for Zoning Atlas Amendment - Saint Paul Village,
1604 Purefoy Drive (Project No. 2011-0283)

DATE: May 21, 2012

PURPOSE

Attached for your consideration is a Zoning Atlas Amendment application from Pastor Thomas Nixon of St. Paul AME Church.

Address	1604 Purefoy Drive, Chapel Hill (Joint Planning Area)
Location Description	The site is located in the northeast quadrant of the intersection of Rogers Road and Purefoy Drive, adjacent to Phoenix Place in the Joint Planning Transition Area.
Orange County Parcel Identifier Numbers	The Orange County Parcel Identifier Numbers are 9870-45-9243, 9870-54-0416, 9870-54-3735, 9870-54-4583, and 9870-54-5947
Property Description	20.4-acre, 5-lot assemblage
Existing Zoning	Residential-1 (R-1)
Proposed Zoning	Residential-5-Conditions (R-5-C)

BACKGROUND

The St. Paul Village site is located outside of the Town of Chapel Hill’s Corporate Limits, in the Town’s northern Joint Planning Transition Area (JPA). Approval of the proposed Zoning Atlas Amendment will require joint approval by the Chapel Hill Town Council and the Orange County Board of Commissioners. A Joint Public Hearing has been scheduled for March 29, 2012.

Note that the applicant has submitted an accompanying Special Use Permit for a Planned Development-Mixed Use application to construct a place of worship campus and mixed-use development. Please refer to the Special Use Permit memorandum and Staff Report for additional information.

The application for a Zoning Atlas Amendment would change the current zoning, and thus the permitted types and intensity of land uses. The applicant seeks to rezone the site to accomplish the following intensity in the accompanying Special Use Permit application:

Proposed	Regulations	
Height	Existing Residential-1 Zoning	Proposed Residential-5-Conditional Rezoning
92-foot steeple*	40 feet	69 feet (60 feet plus 15% exemption for steeples)
Floor Area		
181,196	57,129	220,340

*Requesting a modification to regulations in the accompanying Special Use Permit application

The Land Use Plan, a component of the Comprehensive Plan designates this site for low-density residential use. The accompanying Special Use Permit proposal is a worship campus and mixed-use development. We believe that the application achieves the purposes of the 2000 Comprehensive Plan and conforms to elements of the recommended Road Small Area Plan Task Force Report, including:

Comprehensive Plan Themes	Maintain the Urban Services/Rural Buffer boundary
	Conserve and protect existing neighborhoods
	Encourage desirable forms of non-residential development
	Create and preserve affordable housing opportunities
	Provide quality facilities and services
Draft Road Small Area Plan Task Force Report Recommendations	Land Use map (figure 10) - the proposed development site is within an area on the map designated as “affordable housing/civic”
	Transportation and Infrastructure: improve transportation access through all modes; New points of ingress and egress to the community
	Design and Use – new roads in the neighborhood should have curb and gutter

CONDITIONAL USE REZONING REQUEST

In Chapel Hill, a rezoning may be requested as either a general use rezoning or a conditional use rezoning request. A general use rezoning would change the zoning to a different zoning district in which any of several kinds of developments and uses are permissible. A conditional use rezoning request is to allow development and uses only with approval of a Special Use Permit. The applicant has submitted a Conditional Use Zoning application and an accompanying Special Use Permit application.

With respect to conditional use rezoning requests, the Council adopted a resolution stating the Council’s expectations regarding Special Use Permit applications. The resolution outlines the Council’s desire for the submittal of an Energy Management Plan as part of a Special Use Permit application accompanying a conditional use rezoning. For additional information on the applicant’s response to these expectations, as adopted by the Council, please refer to the Energy Management sections in the Staff Report attached to the Special Use Permit memorandum.

The Council has discretionary authority to approve or deny a rezoning request. As with a conditional use rezoning request, the specific proposal in the accompanying Special Use Permit application is related to the rezoning request. We believe it is appropriate for the Council to consider a specific Special Use Permit proposal on that application, in tandem with a rezoning hearing. If the Council does not find the Special Use Permit proposal to be an acceptable use of the property, we would recommend that the Council not approve the rezoning request.

Rezoning requests in the Joint Planning Area, such as the St. Paul Village application, are subject to provisions of the Joint Planning Agreement, between Orange County, Carrboro, and the Town of Chapel Hill. The Joint Planning Agreement pertains to the Rural Buffer and Transition Areas in the County and Town's zoning jurisdictions. Requests that are located in the Transition Area in the Chapel Hill Joint Development Area (CHJDA) are subject to the Chapel Hill Land Use Management Ordinance and approved by the Orange County Commissioners and Chapel Hill. Approval by both governing bodies is required for the rezoning request to be enacted. As noted above, the Joint Public Hearing for this rezoning application is scheduled for March 29, 2012.

PROTEST PETITION

Opportunity for a protest petition to a proposed amendment to the Zoning Atlas is provided for under North Carolina Statutes pertaining to municipalities. Normally, Chapel Hill accepts a sufficient protest petition if the petition is filed with the Town Clerk at least 2 business days prior to the date of the public hearing. However, this application is located in the Joint Planning Area and is subject to the Joint Planning Agreement with Orange County. In this circumstance, Orange County adopts Chapel Hill's zoning regulations but protest petitions are not allowed under County enabling legislation.

ANALYSIS OF THE REZONING APPLICATION

The zoning designation of a property determines the range of land uses and development intensities permitted on the property. Article 4.4 of the Land Use Management Ordinance establishes the intent of Zoning Atlas Amendments by stating that, "In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town it is intended that this chapter shall not be amended except:

- A. to correct a manifest error in the chapter; or
- B. because of changed or changing conditions in a particular area or in the jurisdiction generally; or
- C. to achieve the purposes of the Comprehensive Plan."

Article 4.4 further indicates:

"It is further intended that, if amended, this chapter be amended only as reasonably necessary to the promotion of the public health, safety, or general welfare, and in conformance with the Comprehensive Plan."

We have evaluated the application as a request for rezoning to the Residential-5-Conditional (R-5) zoning district for each of the findings.

A) An amendment to the Land Use Management Ordinance (rezoning) is warranted to correct a manifest error in the chapter (zoning atlas).

Staff Comment: We believe there is no manifest error in the chapter; the information in the record to date can be summarized as follows:

Argument in Support	The applicant has not offered arguments to support this circumstance. We were unable to identify any arguments in support of a manifest error.
Argument in Opposition	To date no arguments in opposition have been submitted or identified by staff.

B) An amendment to the Land Use Management Ordinance (rezoning) is warranted because of changed or changing conditions in a particular area or in the jurisdiction generally.

Staff Comment: We believe there are no changing conditions in this area that directly warrant the rezoning; the information in the record thus far can be summarized as follows:

Argument in Support	The applicant has not offered arguments to support this circumstance. We were unable to identify any arguments in support of a manifest error.
Argument in Opposition	To date no arguments in opposition have been submitted or identified by staff.

C) An amendment to the Land Use Management Ordinance is warranted to achieve the purposes of the Comprehensive Plan.

Staff Comment: We will provide an analysis of the Comprehensive Plan in response to the public hearing process; we believe the information in the record thus far can be summarized as follows:

Argument in Support	Portions of the applicant’s Statement of Justification follow; also see the full Statement (attached).
	<p>“The St. Paul Plan when implemented will achieve several of the Town of Chapel Hill Comprehensive Plan goals:</p> <ul style="list-style-type: none"> • Create and Preserve Affordable Housing Opportunities: The St. Paul master plan includes 87 Dwelling Units with an 18% affordable component. • Complete bikeway/greenway/sidewalk system: The plan includes a pedestrian sidewalk system to maximize pedestrian access to all facilities on the site and to adjacent

	<p>Habitat for Humanity Housing. The system will allow arrival by public transportation on Rogers Road or by bicycle on the drives allowing access to all facilities on site without the use of the automobile.</p> <ul style="list-style-type: none"> • Provide Quality Community Facilities and Services: The St Paul Plan includes a Wellness Center inclusive of a Gymnasium, a St. Paul/Rodgers Road Museum, a Teen Center, and a Senior Center. The St. Paul facilities will be utilized by all community residents. Sidewalks are planned to link all on site facilities. Parking spaces will be set aside for commuters and for alternative fuel vehicles to park and to board public transportation to their destination.” <i>[Applicant’s Statement]</i>
Argument in Opposition	To date no arguments in opposition have been submitted or identified by staff.

RECOMMENDATION

Staff’s Preliminary Recommendation: We recommend that the Town Council open the public hearing, receive comments and consider the attachments associated with this application.

ATTACHMENTS

1. Ordinance, as requested by the applicant, approving the rezoning application, Residential-5-Conditional (R-5-C)
2. Resolution, Denying The Rezoning Application
3. Applicant’s Combined Application Materials, Including Narrative, Statement of Justification, Metes and Bounds Description and Exhibit, and Deed
4. Area Map

**ATTACHMENT 1
ORDINANCE**

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS FOR THE ST PAUL VILLAGE DEVELOPMENT (Orange County Parcel Identifier Numbers 9870-45-9243, 9870-54-0416, 9870-54-3735, 9870-54-4583, and 9870-54-5947).

WHEREAS, the Council of the Town of Chapel Hill has considered the application from Pastor Thomas Nixon of St. Paul AME Church to amend the Zoning Atlas to rezone property described below from Residential-1 (R-1) to Residential-5-Conditional (R-5-C) and finds that the amendment is warranted, in order to achieve the purposes of the Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

SECTION I

That the site, identified as now or formerly Orange County Parcel Identifier Numbers 9870-45-9243, 9870-54-0416, 9870-54-3735, 9870-54-4583, and 9870-54-5947 that are currently zoned Residential-1 (R-1) and located at 1604 Purefoy Drive, in the northeast quadrant of the intersection of Rogers Road and Purefoy Drive, including half of the Rogers Road and Purefoy Drive rights of way that are abutting the property frontage, shall be rezoned to Residential-5-Conditional (R-5-C). The description of the entire property is as indicated on the attached map.

SECTION II

That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the _____ day of _____, 2012.

**ATTACHMENT 2
RESOLUTION**

A RESOLUTION DENYING AN APPLICATION FOR A ZONING ATLAS AMENDMENT FOR ST PAUL VILLAGE DEVELOPMENT (Orange County Parcel Identifier Numbers 9870-45-9243, 9870-54-0416, 9870-54-3735, 9870-54-4583, and 9870-54-5947).

WHEREAS, the Council of the Town of Chapel Hill has considered the application from Pastor Thomas Nixon of St. Paul AME Church to amend the Zoning Atlas to rezone property described below from Residential-1 (R-1) to Residential-5-Conditional (R-5-C), and fails to find that the amendment:

- a) corrects a manifest error in the chapter, or
- b) is justified because of changed or changing conditions in the area of the rezoning site or the community in general, or
- c) achieves the purposes of the Comprehensive Plan.

For the reasons that:

[INSERT REASONS FOR DENIAL]

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the application from Pastor Thomas Nixon of St. Paul AME Church to amend the Zoning Atlas to rezone the property identified as now or formerly Orange County Parcel Identifier Numbers 9870-45-9243, 9870-54-0416, 9870-54-3735, 9870-54-4583, and 9870-54-5947, located at 1604 Purefoy Drive, in the northeast quadrant of the intersection of Rogers Road and Purefoy Drive, including half of the Rogers Road and Purefoy Drive rights of way that are abutting the property frontage, from Residential-1 (R-1) to Residential-5-Conditional (R-5-C). The description of the entire property is indicated on the attached map.

This the _____ day of _____, 2012.

THE G.H. WILLIAMS
COLLABORATIVE, PA.

ARCHITECTURE
PLANNING
ECONOMIC
DEVELOPMENT
CONSTRUCTION
MANAGEMENT



411 West Chapel Hill St.
11th Floor, NC 27514 Plaza
P.O. BOX 5295
DURHAM, NORTH CAROLINA 27701
TELEPHONE: 919-486-7199
FAX: 919-486-4482
E-MAIL: ghwilliams@ghwilliams.com

January 3, 2012

Narrative Statement of Zoning Atlas Amendment to the R-5-C with a Planned Development Mixed Use Zoning Designation for St. Paul Village

St. Paul AME Church Community Chapel Hill, North Carolina

Introduction:

The St. Paul Property is a little over 20 acres located in Orange County but under the Planning Jurisdiction of the Town of Chapel Hill. The property has 238 feet of frontage on Rodgers Road and approximately 700 feet of Purefoy Drive. The property is currently zoned R-1 which allows for the uses outlined below. In order to develop this property to serve the Rodgers Road Community, the current zoning must be replaced by a new zoning designation. We are requesting that the property be rezoned to R-5-C with a Planned Development Mixed Use Zoning. The reason for the request is that the existing zoning, neither will not allow the density of development desired, nor some of the uses planned for the site.

The Existing Zoning R-1 will allow the Following Development:

- 51 Residential Dwelling Units
- Cemetery with a Special Use Permit
- Park and Ride Facilities with a Special Use Permit
- Place of Worship
- Cultural Facility
- Recreational Facility, Non-Profit, Wellness Center
- Childcare Center

The desired zoning, R-5-C will allow the development of the following proposed program:

- 126 Residential Units
- Cemetery
- Park and Ride Facilities with a Special Use
- Place of Worship
- Cultural Center/Museum
- Recreational Facility, Non-Profit, Wellness Center
- Health Center

Zoning Atlas Amendment to the R-5-C with a Planned Development Mixed Use Zoning Designation for St. Paul Village

St. Paul AME Church Community
Chapel Hill, North Carolina

The current zoning does not allow the development of the site as desired. The chart below contrasts the existing zoning R-1 versus R-5-C zoning, the desired zoning.

Dimensional Matrix	R-1 Zone	Proposed R-5-C Zone
Max. Density	3.0/acre	15/acre
Max. Height (Primary)	29'	39'
Max. Height (Secondary)	38'	60'
Maximum Impervious Ratio	.24/.5/.7	.24/.5/.7
Maximum FAR	0.076	0.303
Maximum Square Feet With RCD Calculations	57,129 SF	220,340 SF

Background Information

IN 2008, St Paul AME Church acquired the 20 acre parcel and began to plan facilities to meet both Church and Community needs. The Rodgers Road area lacks recreational facilities, health and wellness facilities, and facilities where the community might hold meetings and community functions. Resources for seniors are lacking throughout the town of Chapel Hill and non existent in the Rodgers Road area. There are no support facilities for seniors or for area youth in the Rodgers Road area. The St Paul plan will bring many of these resource facilities to the Rodger's Road Community.

Our proposed rezoning to R-5-C with a Planned Development Mixed Use Zoning designation encourages a healthy density and frees a substantial portion of the site for open space that allows for relaxation and recreation while accommodating the new Residential Units. We believe this proposal meets those goals and provides the proper dimensions for healthy density in a unique property development. Thanks to the unique proposal, a substantial portion of the natural environment will be preserved.

The Plan is in Compliance with Town's Design Guidelines.

The plan meets all the requirements of Article 4.5.2 of the Land Use Management Ordinance for Chapel Hill

The plan meets the Themes of the Comprehensive Plan.

Request

For its support of all the major themes of the Comprehensive Plan, we request that the Council support the zoning atlas amendment to R-5-C with a Planned Development Mixed Use Zoning designation, and grant the Zoning Atlas Amendment. With your approval, we will develop, construct and deliver to Chapel Hill a model project to bring new services to a community that at this point lacks many basic services.

Zoning Atlas Amendment to the R-5-C with a Planned Development Mixed Use Zoning Designation for St. Paul Village

St. Paul AME Church Community
Chapel Hill, North Carolina

THE G.H. WILLIAMS
COLLABORATIVE, PA.

ARCHITECTURE
PLANNING
ECONOMIC
DEVELOPMENT
CONSTRUCTION
MANAGEMENT



411 West Chapel Hill St.
11th Floor, NC 27514 Plaza
P.O. BOX 1295
DURHAM, NORTH CAROLINA 27701
TELEPHONE: 919-466-7199
FAX: 919-466-4492
E-MAIL: ghwilliams@ghwilliams.com

January 3, 2012

Statement of Zoning Atlas Amendment to R-5-C with Planned Development Mixed Use Zoning Designation for St. Paul Village

St. Paul AME Church Community Chapel Hill, North Carolina

Introduction:

The St. Paul Property is a little over 20 acres located in Orange County, but under the Planning Jurisdiction of the Town of Chapel Hill. The property has 238 feet of frontage on Rodgers Road, and approximately 700 feet of frontage on Purefoy Drive. The property is currently zoned R-1 which allows for the uses outlined below. In order to develop this property to serve the Rodgers Road Community, the current zoning must be replaced by a new zoning designation. We are requesting that the property be rezoned to R-5-C with a Planned Development Mixed Use Zoning with uses as outlined below.

Existing Zoning will allow the Following Development:

- 51 Single Family Dwelling Units
- Cemetery with a Special Use Permit
- Park and Ride Facilities with a Special Use Permit
- Place of Worship
- Cultural Facility/Museum
- Recreational Facility, Non-Profit, Wellness Center
- Childcare Center

The new zoning will allow the development of the following proposed program:

- 87 Multi-Family Residential Units
- Cemetery
- Park and Ride Facilities
- Place of Worship
- Health Center
- Cultural Facility/Museum
- Recreational Facility, Non-Profit, Wellness Center
- Childcare Center

Statement of Zoning Atlas Amendment to R-5-C with Planned Development Mixed Use Zoning Designation for St. Paul Village

St. Paul AME Church Community
Chapel Hill, North Carolina

The current zoning does not allow the development of the site as desired. The chart below contrasts the existing zoning R-1, versus R-5-C with a Planned Development Mixed Use Zoning, the desired zoning.

Dimensional Matrix	R-1 Zone	Proposed R -5-C Zone
Max. Density	3.0/acre	15/acre
Max. Height (Primary)	29'	39'
Max. Height (Secondary)	38'	60'
Maximum Impervious Ratio	.24/.5/.7	.24/.5/.7
Maximum FAR	0.076	0.303
Maximum Square Feet with RCD Calculation	57,129 SF	220,340 SF

This is a request for a Zoning Atlas Amendment to allow the development of several uses inclusive of a Church, Wellness Center, a Daycare Center, and 87 Multi-Residential Units with an 18% Affordable component, a Health Clinic, and a Cemetery. These services are needed but do not currently exist in the Rodgers Road Community. The site consists of five recombined parcels at the northern side of the intersection of Rodger's Road and Purefoy Drive. A rezoning of the site is requested from R-1 to R-5-C with a Planned Development Mixed Use zoning. This request and subsequent redevelopment of the site meet the goals of both the Rodger's Road Taskforce and those of the Town Council as expressed in the Comprehensive Plan.

Background

IN 2008, St Paul AME Church acquired the 20 acre parcel and began to plan facilities to meet both Church and Community needs. The Rodgers Road area lacks recreational facilities, health and wellness facilities and facilities where the community might hold meetings and community functions. Facilities for seniors are non-existent in the Rodgers Road area. There are no support facilities for seniors or for area youth in the Rodgers Road area. The St Paul plan will bring many of these resources to the Rodger's Road Community.

Based on Article 4.4 of the Land Use Management Ordinance for Chapel Hill, in order to establish and maintain sound, stable and desirable development within the planning jurisdiction of the town it is intended that, **this appendix shall not be amended except** a) to correct a manifest error in the appendix, or b) because of changed or changing conditions, or c) to achieve the purposes of the comprehensive plan. The following information outlines how the proposed St. Paul Development fulfills **c) to achieve the purposes of the comprehensive plan.**

The St. Paul Plan when implemented will achieve several of the Town of Chapel Hill Comprehensive Plan goals:

- **Create and Preserve Affordable Housing Opportunities:**
The St. Paul master plan includes 87 Dwelling Units with an 18% affordable component.
- **Complete bikeway/greenway/sidewalk system:**

Statement of Zoning Atlas Amendment to R-5-C with Planned Development Mixed Use Zoning Designation for St. Paul Village

The plan includes a pedestrian sidewalk system to maximize pedestrian access to all facilities on the site and to adjacent Habitat for Humanity Housing. The system will allow arrival by public transportation on Rodgers Road or by bicycle on the drives allowing access to all facilities on site without the use of the automobile.

- **Provide Quality Community Facilities and Services:**

The St Paul Plan includes a Wellness Center inclusive of a Gymnasium, a St. Paul/Rodgers Road Museum, a Teen Center, and a Senior Center. The St. Paul facilities will be utilized by all community residents. Sidewalks are planned to link all on site facilities. Parking spaces will be set aside for commuters and for alternative fuel vehicles to park and to board public transportation to their destination.

The St. Paul Village project supports the Rodgers Road Small Area Plan Goals:

- **Development and Coordination of Water and Sewer Extension:**

Water is partially available in this portion of the Rodgers Road Community. St. Paul will extend sewer from the Habitat for Humanity site westward along Purefoy Drive to the St. Paul site. The sewer extension to the site will allow other residents in the Rodgers Road Community to access public sewer.

- **Provide Active and Passive Recreation:**

St. Paul will provide a Gymnasium, a Senior Center a Teen Center and an extensive network of sidewalks as part of a Wellness Center that can be utilized by the community.

- **Extension of Chapel Hill Transit along Rodgers Road:**

A bus shelter will be provided for St. Paul at Purefoy Drive and Rodgers Road. The St. Paul Community is pedestrian friendly with a network of sidewalks that will provide internal links to all St. Paul facilities. Sidewalks will be provided along both Rodgers Road and Purefoy Drive connecting to the St. Paul community.

Our proposed rezoning to the R-5-C with Planned Development Mixed Use Zoning designation encourages a healthy density and frees a substantial portion of the site for open space that allows for relaxation and recreation. We believe this proposal meets those goals and provides the proper dimensions for healthy density in a unique property development. Thanks to this unique proposal, a substantial portion of the natural environment will be preserved.

We have taken the Concept Plan through a CDC review session, a Rodgers Road Taskforce meeting, and all Town commissions to seek input into the plan. These sessions resulted in very few suggestion of change from the original concept. Members of the Town Council suggested the preservation of as many hardwood trees as possible. In addition, a suggestion was made to minimize parking and to accommodate alternatives to the automobile for internal circulation. St. Paul is committed to saving as many hardwoods as possible while introducing many needed services for community

Statement of Zoning Atlas Amendment to R-5-C with Planned Development Mixed Use Zoning Designation for St. Paul Village

enrichment. Pedestrian and cyclist will find the site inviting and friendly. The network of sidewalks and roadways makes it easy for pedestrians and cyclist to navigate the St. Paul site.

Finally, in the Rodgers Road Taskforce final report, the taskforce endorses the St. Paul Development Plan.

Goals & Objectives

This site offers unique opportunities that can be maximized by sensitive, sustainable and significant development.

St. Paul Goals are as follows:

- (1) Creation of "Greenbelt" at the central portion of the site that will serve as a focal point for entire Site and also as a buffer zone, stormwater catchment retention area with a water feature (Pond), extensive landscaping and yard lighting, with an orientation towards the pedestrian. Most of residential units focus directed inwardly, creating "Frontage" towards Greenbelt.
 - (2) Establish Activity zones:
 - High: Church complex, Gymnasium, Wellness Center
 - Medium: Residential areas, Greenbelt, Activity Field
 - Low: Cemetery
 - (3) Provide the following goals to support the Rodgers Road Task Force Report's Guiding Principles:
 - Improve transportation access through the provision of pedestrian and bicycle access through out the entire development
 - Foster a sense of community amongst the residents
 - Encourage well built dwelling units
 - Improve the standard of facilities for the community
-
- (1) Parking & Traffic: The Project will meet the parking requirements for both vehicles and bicycles, and will also provide access to regional green trails, when available, and a bus stop providing regional access.
 - (2) Public Transportation: Bus stop/shelter with access/loading zone lane, per Town and NCDOT requirements, will be provided at Purefoy Drive adjacent to main vehicular entrance to Site at Rodgers Road. The Main Church complex and all sidewalks will connect to this location.
 - (3) Statement of Compliance with Town's Design Guidelines:

Statement of Zoning Atlas Amendment to R-5-C with Planned Development Mixed Use Zoning Designation for St. Paul Village

- a) Livability: The Church will provide an idyllic setting for worship, living, playing, and contemplation. A "Park-like setting" is paramount to the achievement of a "Village" type of community in order to provide a high degree of harmony, serenity, and "livability" within the Project and surrounding neighborhoods.
- b) Visual Impact: Although the Site is somewhat removed from the "high-visibility thoroughfares" of Chapel Hill, the Project will be visually "engaging" and will be "friendly" with development in the surrounding area. The use of high-quality architecture and planning in a unified design scheme will place this community as a "Signature Project" for the region.
- c) Vegetation: A high degree of protection of the natural vegetation, with minimal land-disturbing activity, is proposed. Besides the natural woodland buffers at the perimeter of the site, numerous interior vegetation buffers will be used to separate the Project into different "zones". The protection of as many large deciduous trees as possible, as well as the "canopy" of trees, is vital to the success of the Project.
- d) Mobility: As a point of destination, there is minimal vehicular thru-traffic initially proposed for this development. Although vehicular circulation will be kept to a minimum, the "emphasis will be placed on the Pedestrian" with a network of pedestrian sidewalks interconnecting different parts of the Community with surrounding areas. A connection to the Habitat Community will be built per the recommendation of Chapel Hill Transportation.
- e) Activity Centers: While the non-residential component of this development, the Church complex, is the main focal point of the Project and a "High-activity" zone, The Residential Area is considered to be a "Medium-activity zone". The Cemetery development and Greenbelt zone are "Low-activity" zones. The Greenbelt zone, with the introduction of the Pond, adjacent sidewalks, adjacent recreation, landscaping, yard lighting, etc., becomes a "Park" within the Community itself.
- f) Views: The Project site will become an "introverted site", with primary views directed inwardly towards the Greenbelt and secondary views towards green areas (i.e. buffer zones).

Based on Article 4.4 of the Land Use Management Ordinance for Chapel Hill, in order to establish and maintain sound, stable and desirable development within the planning

Statement of Zoning Atlas Amendment to R-5-C with Planned Development Mixed Use Zoning Designation for St. Paul Village

jurisdiction of the town it is intended that, this appendix shall not be amended except a) to correct a manifest error in the appendix, or b) because of changed or changing conditions, or c) to achieve the purposes of the comprehensive plan. The following information outlines how the proposed St. Paul Development fulfills **c) to achieve the purposes of the comprehensive plan**

Themes of the Comprehensive Plan

1. Maintain the Urban Services Area/Rural Buffer Boundary

Services and recreational facilities are non-existent in the Rodgers Road area. By redeveloping this Rodgers Road Site with a village theme, the St Paul Plan creates an activity and service center for the residents of the area. Much of the site will be maintained as open space with picnic areas and other amenities for community use. The single family nature of the surrounding property will not be disturbed. The St. Paul Community will complement the newly developed Habitat Housing.

2. Participate in regional planning

Forward thinking, community oriented sustainable growth projects like the one proposed for St. Paul can give Chapel Hill a signature project that can serve as a model for the rest of the region and for North Carolina. The owner held meetings with representatives of the town of Carrboro, an adjacent jurisdiction, and the University of North Carolina on their desire and need for affordable housing. The project will be a regional resource.

3. Conserve and protect existing neighborhoods

Since the area on which the St. Paul Community will be constructed is all but vacant, there will be no physical impact on existing structures. The activity center that St. Paul will develop will complement and enhance the viability of the neighborhood. Meeting Space, a health clinic, a wellness center, daycare, a Senior Center, a Teen Center, Picnic Areas and Residential Units will strengthen the neighborhood fabric and provide an activity Center for this neighborhood.

4. Conserve and protect the natural setting

The goal of the St. Paul plan is to create a park like setting with an emphasis on tree preservation with only the disturbance of the site where absolutely necessary. A green belt will be created as a focal point at the central portion of the site. Extensive yard lighting and landscaping will be oriented toward the pedestrian. Vegetation buffers will be maintained on the North, east and west boundaries.

5. Identify areas where there are creative development opportunities

The St. Paul plan has an opportunity to introduce new facilities and services to the Rodgers Road Community. There is an opportunity to provide facilities and

Statement of Zoning Atlas Amendment to R-5-C with Planned Development Mixed Use Zoning Designation for St. Paul Village

services for the Rodgers Road Community that currently require local residents to travel a long distance to access. The opportunities include health center, daycare, a senior center, a teen center, recreation facilities, a wellness center, meeting facilities and housing. There is an opportunity to provide sewer to additional residents in the Rodgers Road Community.

6. Encourage desirable forms of non-residential development

One of the primary focuses of the St. Paul development is the provision of services for the Rodgers Road Community. St. Paul has chosen to emphasize community services and the development of supportive facilities that can support non residential services. Discussions are being pursued with a regional health center to establish a satellite facility at the St. Paul site.

7. Create and preserve affordable housing opportunities

The St. Paul Project will provide 18% of the dwelling units as affordable units for this region. There is a need for more affordable residential units in the region.

8. Cooperatively Plan with the University of North Carolina

Preliminary discussions have been held with the Vice President of External affairs, The University of North Carolina. Their interest in the affordable component as well as the Wellness component of the project will be pursued.

9. Work toward a balanced transportation system

By design, the St. Paul Project will bring residents and visitors to a walk able environment. Whether arriving by automobile or public transportation, all will be able to use bicycles and sidewalks to navigate the site.

10. Complete the bikeway / greenway / sidewalk system

The new sidewalk network and bicycle amenities provided by St. Paul are built specifically to provide connectivity for the entire project. The site will be accessed by public transportation.

11. Provide quality community facilities and services

From the expansive green spaces and active recreation areas enjoyed by all residents and visitors, the St. Paul project will improve livability of the entire Rodgers Road Community. The wellness center, daycare center, senior and residential units will provide new facilities and services to the Rodgers Road Community.

12. Develop strategies to address fiscal issues

St. Paul will extend sewer along Purefoy Drive that will allow additional Rodgers Road property to access public sewer. Many services will be provided by the St. Paul Project that currently are not provided by the public sector.

Development of the St Paul Proposal, for all the reasons cited above, will assist the Town Council in achieving the purposes of the Comprehensive Plan.

Statement of Zoning Atlas Amendment to R-5-C with Planned Development Mixed Use Zoning Designation for St. Paul Village

Request

For its support of all the major themes of the Comprehensive Plan, we request that the Council approve the zoning atlas amendment to the Planned Development Mixed Use with the R-5-C Zoning designation, granting the Zoning Atlas Amendment. The project is located in the Urban Service Boundary. We are requesting that the project be annexed by the town of Chapel Hill.

With your approval, we will develop, construct, and deliver to Chapel Hill a model project to bring new services to a community that at this point lacks many basic services.

Statement of Zoning Atlas Amendment to R-5-C with Planned Development Mixed Use Zoning Designation for St. Paul Village

St. Paul AME Church Community
Chapel Hill, North Carolina

Preliminary (02-15-12)

Legal Description of Proposed St. Paul AME Church Property Rezoning

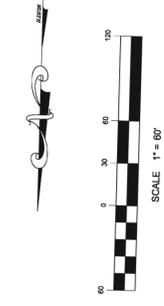
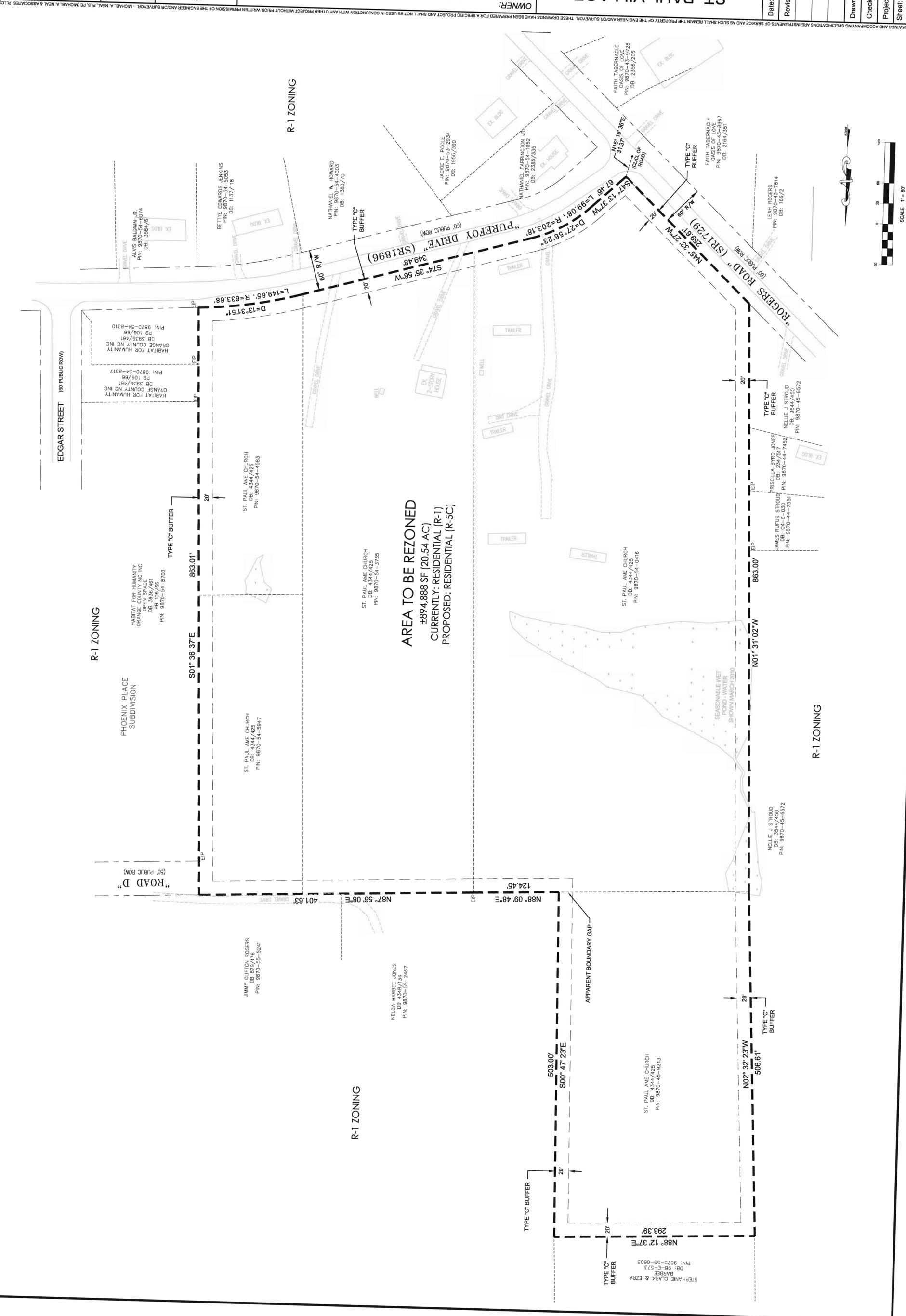
Beginning at a point being the intersection of the centerlines of Purefoy Road (SR 1896) and Rogers Road (SR 1729), thence N15°19'36"E, 31.37 ft to a point being the intersection of the northern Right-of-Way of Purefoy Road (SR1896) and the eastern Right-of-Way of Rogers Road (SR 1729) , the point and place of beginning; Thence with the eastern Right-of-Way of Rogers Road (SR 1729) N45°33'27"W, 259.61 ft to a point; Thence N01°31'02"W, 863.00 ft to a point; Thence N02°32'23"W, 506.61 ft to a point; Thence N88°12'37"E, 293.39 ft to a point; Thence S00°47'23"E, 503.00 ft to a point; Thence N88°09'48"E, 124.45 ft to a point; Thence N87°56'08"E, 401.63 ft to a point; Thence S01°36'37"E, 863.01 ft to a point in the northern Right-of-Way of Purefoy Road (SR 1896); Thence along and with the northern Right-of-Way of Purefoy Road (SR1896) the following calls; Along and with a curve to the left having radius of 633.68 ft and a central angle of 13°31'51" with an arc length of 149.65 ft to a point; Thence S74°35'56"W, 349.48 ft to a point; Thence along and with a curve to the left having radius of 203.18 ft and a central angle of 27°56'23" with an arc length of 99.08 ft to a point; Thence S47°13'37"W, 67.46 ft to the place and point of beginning. Containing 20.54 acres more or less.



OWNER:
ST. PAUL AME CHURCH
 101 N. MERRITT MILL ROAD
 CHAPEL HILL, NC 27516
 PIN #: 9870-54-3735, 9870-54-5947, 9870-54-44583,
 9870-45-9243, 9870-54-0416

ST. PAUL VILLAGE
 PUREFOY DRIVE, CHAPEL HILL, NORTH CAROLINA
 ZONING ATLAS AMENDMENT EXHIBIT

Date:	02-14-12
Revisions:	
Drawn By:	MHL
Checked By:	MAN
Project No.:	256
Sheet:	1 of 1



THESE DRAWINGS AND ACCOMPANYING SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND AS SUCH SHALL REMAIN THE PROPERTY OF THE ENGINEER AND/OR SURVEYOR. THESE DRAWINGS HAVE BEEN PREPARED FOR A SPECIFIC PROJECT AND SHALL NOT BE USED IN CONNECTION WITH ANY OTHER PROJECT WITHOUT PRIOR WRITTEN PERMISSION OF THE ENGINEER AND/OR SURVEYOR. - MICHAEL A. NEAL, P.E. (MICHAEL A. NEAL & ASSOCIATES, PLLC)

MICHAEL A. NEAL & ASSOCIATES, PLLC
 ENGINEERS, SURVEYORS, AND PLANNERS
 105 WEST CORBIN ST.
 HILLSBOROUGH, NC 27278
 (919) 844-1177
 (919) 844-1147 FAX
 mna@mnaengineers.com

MICHAEL A. NEAL, PLS 12783
 NORTH CAROLINA PROFESSIONAL ENGINEER
 PIN: 9870-54-3735, 9870-54-5947, 9870-54-44583,
 9870-45-9243, 9870-54-0416

HABITAT FOR HUMANITY
 ORANGE COUNTY, NC INC
 DB: 3326/7461
 PIN: 9870-54-8703

HABITAT FOR HUMANITY
 ORANGE COUNTY, NC INC
 DB: 106/66
 PIN: 9870-54-8310

HABITAT FOR HUMANITY
 ORANGE COUNTY, NC INC
 DB: 352/461
 PIN: 9870-54-8317

ALAN BALSAM, JR.
 SR.
 PIN: 9870-54-6074
 DB: 3584/6

BETTYE EDWARDS JENKINS
 PIN: 9870-54-1052
 DB: 1137/118

MATHANIEL W. HOWARD
 PIN: 9870-54-4003
 DB: 1383/70

JACKIE E. POOL
 PIN: 9870-54-2834
 DB: 1956/390

NATHANIEL FARRINGTON JR.
 PIN: 9870-54-1052
 DB: 2367/305

FAITH TABERNACLE OASIS OF LOVE
 PIN: 9870-45-9728
 DB: 2367/205

FAITH TABERNACLE OASIS OF LOVE
 PIN: 9870-45-9867
 DB: 2164/351

LEAH ROGERS
 PIN: 9870-43-7814
 DB: 166/2

FRANCESKA BIRD JONES
 DB: 234/97
 PIN: 9870-44-7452

NELLE J. STROUD
 DB: 3544/450
 PIN: 9870-45-6572

JAMES RUFUS STROUD
 DB: 04-E-030
 PIN: 9870-44-7551

ST. PAUL AME CHURCH
 DB: 4344/425
 PIN: 9870-54-0416

ST. PAUL AME CHURCH
 DB: 4344/425
 PIN: 9870-54-4583

ST. PAUL AME CHURCH
 DB: 4344/425
 PIN: 9870-54-5947

ST. PAUL AME CHURCH
 DB: 4344/425
 PIN: 9870-54-3735

NELIA BARBEE JONES
 DB: 4344/134
 PIN: 9870-55-2467

JIMMY CLIFTON ROGERS
 DB: 875/176
 PIN: 9870-55-5241

STEPHANIE CLARK & EZRA BARBER
 DB: 98-E-573
 PIN: 9870-55-0805

ST. PAUL AME CHURCH
 DB: 4344/425
 PIN: 9870-45-9243

NELLE J. STROUD
 DB: 3544/450
 PIN: 9870-45-6572

20070801000238020 DEED
Bk:RB4344 Pg:425
08/01/2007 10:04:10AM 1/5

FILED Joyce H. Pearson
Register of Deeds Orange COUNTY, NC
BY: *[Signature]*
Deputy

[Handwritten initials]

Orange County NC 08/01/2007
State of North Carolina
Real Estate Excise Tax
Excise Tax: \$1300.00

Excise Tax: \$1,300.00

Tax Lot No.: Parcel Reference No.: 9870-54-3735, 9870-54-5947
9870-54-4583, 9870-45-9243
9870-54-0416 *[Handwritten mark]*

Mail After Recording to: Grantee

Prepared by: David A. Swanson, Attorney
714 Ninth Street, Durham, NC 27705

Brief Description for Index:

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 31st day of July, 2007, by and between

GRANTOR	GRANTEE
Thomas C. Tucker, Single 1289 N. Fordham Blvd., Ste 400 Chapel Hill, NC 27516	St. Paul AME Church 101 N. Merritt Mill Road Chapel Hill, NC 27516

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, in fee simple, all that certain lot or parcel of land situated in the city of Chapel Hill, Orange County, North Carolina and being particularly described as follows:

See Attached Legal Description

The property herein described above was acquired by Grantor by instruments recorded in Book _____, Page _____, Orange County Registry.

A map showing the above described property is recorded in Plat Book _____, Page _____.

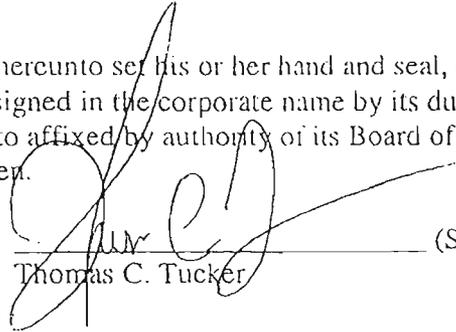
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and that Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

Easements and Restrictions of record.

2007 ad valorem taxes.

In WITNESS WHEREOF, the Grantor has hereunto set his or her hand and seal, or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.



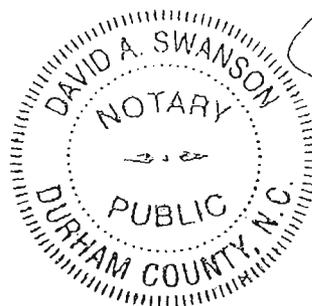
Thomas C. Tucker (SEAL)

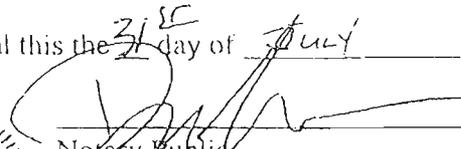
(SEAL)

State of North Carolina
County of Orange

I, the undersigned Notary Public of Durham County and the State of North Carolina, do hereby certify that **Thomas C. Tucker** personally appeared before me this day and acknowledged the due execution of the within Special Warranty Deed.

Witness my hand and official seal this the 31st day of July, 2007.





Notary Public
My commission expires: 01-30-2011

ATTACHMENT I

TRACT I (PIN: 9870-54-3735)

All that certain lot or parcel of land situated, lying and being on the North side of Purefoy Drive, near Rogers Road, and being known and designated as the Western part of Lot No. 2 of the James Purefoy Estate, as surveyed and plotted by J. Watts Copley, Reg. Land Surveyor, on June 13, 1960, and being more particularly described as BEGINNING at an iron stake, corner of Lot No. 1 and in the North line of Purefoy Drive, said beginning point being located by measuring along the North line of said Drive and with the line of Lot No. 1, from the Northeast line of Rogers Road as follows: North 52 degrees 36' East 67.4 feet and thence with the arc of a clockwise turning circle with a radius of 203.18 feet for a distance of 98.1 feet and thence North 88.0 degs. 15' East 89.4 feet to said Beginning point; running thence with the line of Lot No. 1 North 4 degs. 05' East 941.6 feet to the line of the Edgar Rogers property (now or formerly); running thence with the Rogers line South 86 degs. 15' East 200 feet to a new corner; running thence through Lot No. 2, a new line, South 4 degs 05' West 900 feet to the line of Purefoy Drive; running thence with the line of said Drive South 80 degs. 15' West 200 feet to the Beginning, and containing 4.15 acres.

There is also conveyed hereby a right of way for ingress and egress and utilities lines along Purefoy Drive as follows: Said right of way to be sixty (60) feet wide and being located by beginning to measure at the Southwest corner of Lot No. 2 and running thence South 80 degs. 15' West 89.4 feet, and with the arc of a circle with a radius of 203.18 feet for a distance of 98.1 feet and thence South 52 degs. 36' West 67.4 feet to the line of Rogers Road; thence with the line of said Road South 39 degs. 52' East 60 feet; thence North 52 degs. 36' East 65 feet; thence with the arc of a circle with a radius of 143.18 feet for a distance of 69.1 feet; thence North 80 degs. 15' East approximately 300 feet to a point in line with the Southward projection of the East line of the above described lot; running thence North 4 degs. 05' East across Purefoy Drive to the Southeast corner of the above described lot; thence with the South line of said lot South 80 degs. 15' West 200 feet to the Beginning.

TRACT II (PIN: 9870-54-5947)

BEGINNING at a stake in the Northern property line of Purefoy Drive said stake being in the Southeast corner of Lot No. 1 of a plat hereinafter referred to; thence North 4 degrees 05 minutes East 941.5 feet to a stake; thence South 86 degrees 15 minutes East 402 feet to a stake; thence South 4 degrees 05 minutes West 863 feet to a stake; thence North 86 degrees 15 minutes West in the radius of an arc which arc is 663.68 feet in the northern property line of Purefoy Drive 149.3 feet to a stake; thence South 80 degrees 15 minutes West 261.3 feet to a stake; the point and place of BEGINNING and being Lot No. 2 of the property of James Purefoy Estate, recorded in Plat Book 9, at Page 36, in the Office

of the Register of Deeds of Orange County to which reference is hereby made for a more particular description of same.

Save and except the property described in Deed Book 2863, Page 589 and Deed Book 229, Page 291.

TRACT III (PIN: 9870-54-4583)

All of that certain tract or parcel of land situated, lying and being on the North side of Purefoy Drive, and being part of Lot No. 2 of the Estate of James Purefoy as surveyed and platted by J. Watts Copley, Reg. Sur., on June 13, 1960, and being more particularly described as BEGINNING at an iron stake in the North line of said Purefoy Drive, the Southwest corner of Lot No. 3; running thence with the West line of said Lot No. 3 North 4 degrees 05' East approximately 427 feet to the corner of the one (1) acre lot conveyed by Martha Purefoy to Pearl P. Barbee; running thence with the South line of that lot North 86 degrees 15' West 201 feet to a corner in the line of the Julia Jones lot; running thence with the Jones line South 4 degrees 05' West approximately 466 feet to the North line of Purefoy Drive; running thence with the North line of said Drive North 80 degrees 15' East approximately 90 feet to a point; running thence the arc of a clockwise turning circle with a radius of 633.68 feet for a distance of 149.3 feet to the BEGINNING.

TRACT IV (PIN: 9870-45-9243 TM 7.18.26B, 3.3 acres Rogers Road, Chapel Hill, NC)

BEGINNING at an iron stake, the same being the Southwest corner of Lot No. 4 as shown on the plat hereinafter referred to, said stake also lying in the East line of Sam Johnson; running thence with the line of Lot No. 1 South 89 degrees 15' East 294.5 feet to an iron stake corner of Lots 1, 2, and 5; running thence with the line of Lot No. 5 South 1 degrees 45' West 503 feet to an iron stake running thence due west along an old fence 278 feet to an iron stake in the line of Sam Johnson; running thence with the Sam Johnson line due North 506 feet to the BEGINNING, containing 3.3 acres and being Lot No. 4 of the subdivision of the Sam Rogers Estate, as shown on a plat of the Samuel Rogers Estate as surveyed by Robert J. Ayers, Registered Surveyor on the 13th day of June, 1967. By way of further description, the subject tract or parcel of land is a portion of that tract conveyed to Sam Rogers by James Johnston and wife Louise Thomas Johnston, Trustee for George A. Johnston Estate in Deed Book 115 at Page 136, Orange County Registry.

The above-described property is conveyed subject to an easement of right of way fifteen feet in width running along and with the Eastern boundary of said property. The subject easement is given for the purpose of providing a means of ingress and egress for adjacent property.

TRACT V (PIN: 9870-54-0416 TM 7.23.D10, 9.7 acres Rogers Road, Chapel Hill, NC)

BEGINNING at a stake in the eastern property line of Rogers Road where the same intersects with Purefoy Drive and the point of beginning being the northwest intersection; thence north 39 degrees 52' west 260 feet to a stake, the Control Corner; thence north 4 degrees 11' east 863 feet to a stake in the Edgar Rogers property; thence south 86 degrees 15' east 402 feet to a stake; thence south 4 degrees 05' west 941.5 feet to a stake in the northern property line of Purefoy Drive; thence along the property line of Purefoy Drive South 80 degrees 15' west 89.4 feet to a stake; thence along and in the radius of an arc which radius is 203.1 feet 98.1 feet to a stake; thence south 52 degrees 36' west 67.4 feet to a stake in Rogers Road, the point and place of BEGINNING and being Lot No. 1 of the property of the James Purefoy Estate, recorded in Plat Book 9 at page 36, in the office of the Register of Deeds of Orange County to which reference is hereby made for a more particular description of same.

STATE OF NORTH CAROLINA
ORANGE COUNTY

THIS DEED, Made this the 30th day of June, 1939, by James M. Johnston, of Washington, D. C. executor and trustee of the estate of George A. Johnston, deceased, and Louise Thomas Johnston, of Orange County, North Carolina, administratrix, c. t. a., and trustee of said estate, parties of the first part to Sam Rogers, of Orange County, State of North Carolina, party of the second part;

W I T N E S S E T H:

THAT WHEREAS, said parties of the first part are the duly appointed, qualified and acting executor and administratrix and trustees under the will of George A. Johnston, deceased, and,

Whereas, the said executor, administratrix and trustees were by the said Will authorized, empowered and directed, if in their discretion it became necessary to convert any part of the estate of the said George A. Johnston, deceased, into money, to convey any part of the real estate belonging to the said estate; and,

Whereas, the said executor, administratrix and trustees deem it advisable to convey the real estate hereinafter described for the purpose of converting it into money for the payment of debts and/or for distribution in accordance with the terms of the Will of the said George A. Johnston, deceased.

NOW, THEREFORE, for and in consideration of the sum of ONE HUNDRED FIFTY (\$150.00) DOLLARS to them in hand paid by the said party of the second part, the said James M. Johnston, executor and trustee, and Louise Thomas Johnston, administratrix, c. t. a. and trustee, have bargained and sold and by these presents do grant, bargain, sell and convey to the said Sam Rogers, his heirs and assigns the following described tract of land, to-wit:

996.60
993.50

BEGINNING at an iron stake, same being the Southwest corner of a tract of land belonging to Lizzie West and Lowell West, and proceeding thence West 13.08 chains along the northern line of the lands of Sam Rogers to a stake in Sam Johnston's line; thence north 15.10 chains to a stump and pointers in J. E. Pegram's line; thence South 89 1/2 degrees east 13.25 chains to an iron stake in said Pegram's line, same being the Northwest corner of the said Lizzie West and Lowell West tract of land; thence South 45 minutes West 15.05 chains to the point of beginning, same containing 19.60 acres, more or less, and being a part of the land formerly conveyed by Sam Rogers to George A. Johnston and being a part of the land known as the old Joe Hogan tract, said land being now bounded on the north by the lands of J. E. Pegram, on the east by the lands of Lizzie West and Lowell West and on the South by the lands of Sam Rogers and on the west by the lands of Sam Johnston estate.

374.60

863.28

TO HAVE AND TO HOLD the aforesaid tract of land and all privileges and appurtenances thereto belonging to the said Sam Rogers, his heirs and assigns to their only use and behoof forever in as full and ample manner as the parties of the first part are authorized and empowered to convey the same.

IN WITNESS WHEREOF, the said James M. Johnston, executor and trustee, and the said Louise Thomas Johnston, administratrix, c. t. a., and trustee, have hereunto set their hands and seals the day and year first above written.

James M. Johnston (SEAL)
Executor and trustee
Louise Thomas Johnston (SEAL)
Administratrix c. t. a., and Trustee

DISTRICT OF COLUMBIA

The execution of the foregoing instrument was this day acknowledged before me by James M. Johnston, executor and trustee, the grantor for the purposes therein expressed. Witness my hand and notarial seal this the 6th day of July, 1939.
My Comm. Exp. Oct. 1, 1939. Grace S. Miller (N. P. SEAL)

NORTH CAROLINA, ORANGE COUNTY

The execution of the foregoing instrument was this day acknowledged before by me Louise Thomas Johnston, administratrix, c. t. a., and trustee, the grantor, for the purpose therein expressed. Witness my hand and notarial seal this the 11th day of August, 1939.

Paul H. Robertson (N. P. SEAL)

My Comm. Exp. 9-12-40.

NORTH CAROLINA, ORANGE COUNTY

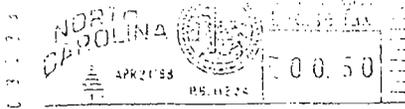
The foregoing certificates of Grace S. Miller, a Notary Public of the District of Columbia, and Paul H. Robertson, a Notary Public of Orange County, State of North Carolina, attested by their notarial seals are adjudged to be correct. Let the foregoing instrument with all certificates be registered.

Witness my hand this 15 day of January, 1941.

E. M. Lynch, Deputy
Clerk Superior Court

Filed for registration on the 15 day of Jan., 1941, at 3 o'clock P. M., and registered in the office of the Register of Deeds of Orange County in Book No. 113, page 136, this 16th day of January, 1941.

S. W. Andrews
Register of Deeds



606K 719 PAGE 278

FILED
8007 6858K 719 PAGE 278
APR 21 2 09 PM '88
BETTY JUNE HATES
REGISTER OF DEEDS
ORANGE COUNTY, N.C.

.50

Excise Tax

Recording Time, Book and Page

Tax Lot No. 7.23.D.9B Parcel Identifier No. 9870-44-7551
Verified by _____ County on the _____ day of _____, 19____
by Easement 7.23.D.9 9870-45-6572 20H

Mail after recording to John R. Rogers and wife, Dorothy J. Rogers
Rt. 11, Box 1898, Chapel Hill, NC 27514

This instrument was prepared by Lula Watts

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this _____ day of _____, 19____, by and between

GRANTOR

GRANTEE

Lula Watts

John R. Rogers and wife,
Dorothy J. Rogers

RECEIVED
APR 21 PM 2 00

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Chapel Hill _____ Township, Orange _____ County, North Carolina and more particularly described as follows:

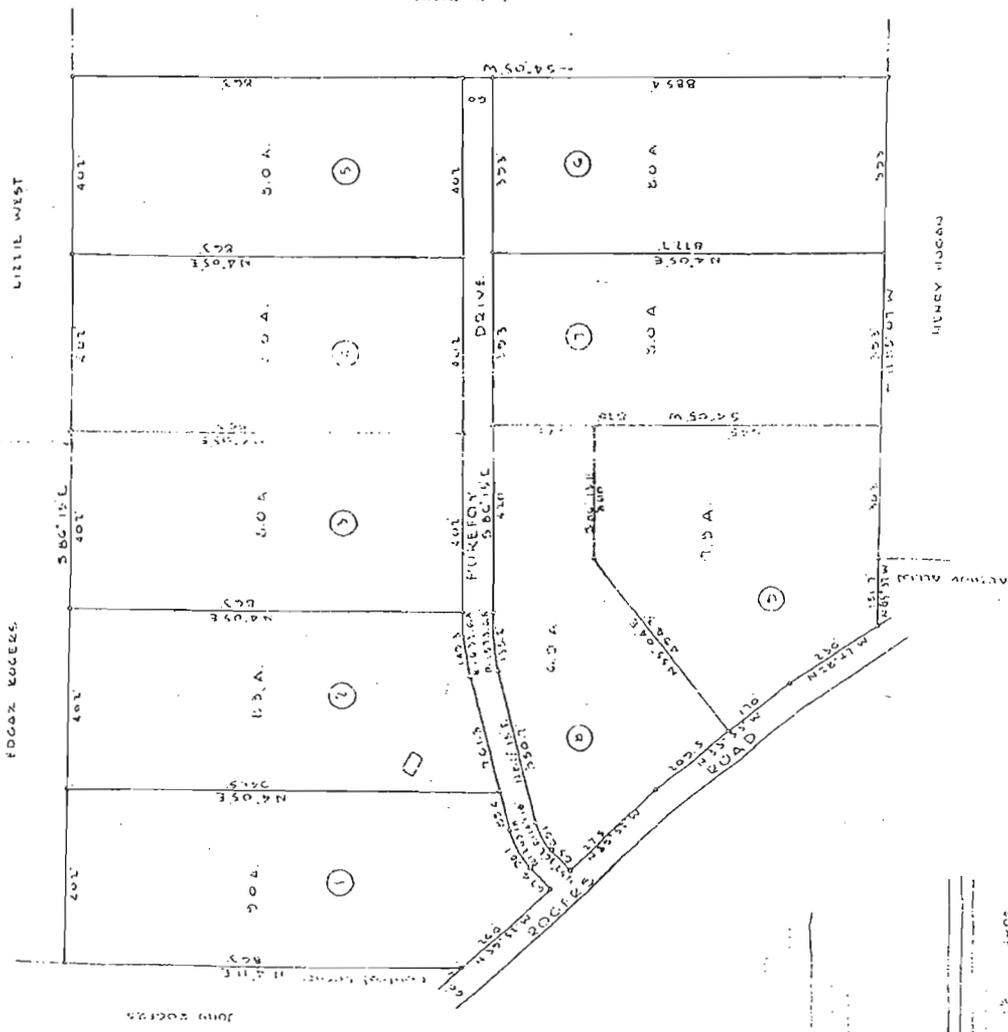
All of that certain lot or parcel of land situated near Rogers Road, and being part of that certain tract of land as described in deed recorded in the Office of the Register of Deeds of Orange County in deed book 142, at Page 518, and being more particularly described as BEGINNING at an iron stake which is located by beginning to measure from the old Southeast corner of the Rogers tract of land in the center of Rogers Road, North 2° East and with the Clarence Jones line (now or formerly) 297 feet to an iron stake; running thence through the Rogers property and with the Priscilla Byrd line North 79° West 200 feet to an iron stake; running thence, new lines through the said Rogers property North 2° East 69 feet and South 87° East, with the Clarence Jones line, 200 feet to the old Northeast corner; running thence with the old line South 2° West 88 feet to the Beginning.

There is also conveyed hereby a right of way for ingress, egress and utilities along a right of way as follows: Beginning to measure from the old Southeast corner of the old Rogers tract of land in the center of Rogers Road, North 2° East along the Jones line 297 feet; thence North 79° West 12 feet; thence South 2° West 297 feet to the center of Rogers Road; thence Southeast with the center of said Road 12 feet to the beginning point.

The owner of the Priscilla Byrd lot directly South of this property also has the right of using this right of way for the same purposes.

- SHERMAN PUREFOY - LOT NO. 1
- WILSON PUREFOY - LOT NO. 2
- MONDELL PUREFOY - LOT NO. 3
- MARVIN PUREFOY - LOT NO. 4
- ROOSEVELT PUREFOY - LOT NO. 5
- JACK PUREFOY - LOT NO. 1
- MARTHA PUREFOY - LOT NO. 2
- PEARL P. PARDEE - LOT NO. 1
- NOVELLA P. HOBBS - LOT NO. 2

INDICATING NORTH



J WATTS COPLEY, LAND SURVEYOR 111 1/2 N. CHURCH STREET, DURHAM, N. C.		REFERENCES 1701
PLAT SHOWING JAMES PUREFOY ESTATE CHAPEL HILL TOWNSHIP, ORANGE COUNTY, N. C.		
SCALE 1" = 100' 0 100 200	DATE: JUNE 13, 1960 60 1701	ORDER BY: J. W. C. METHOD: AREA CAL. PLANNED BY:
DEC. NO. 1715 JOB NUMBER		1701

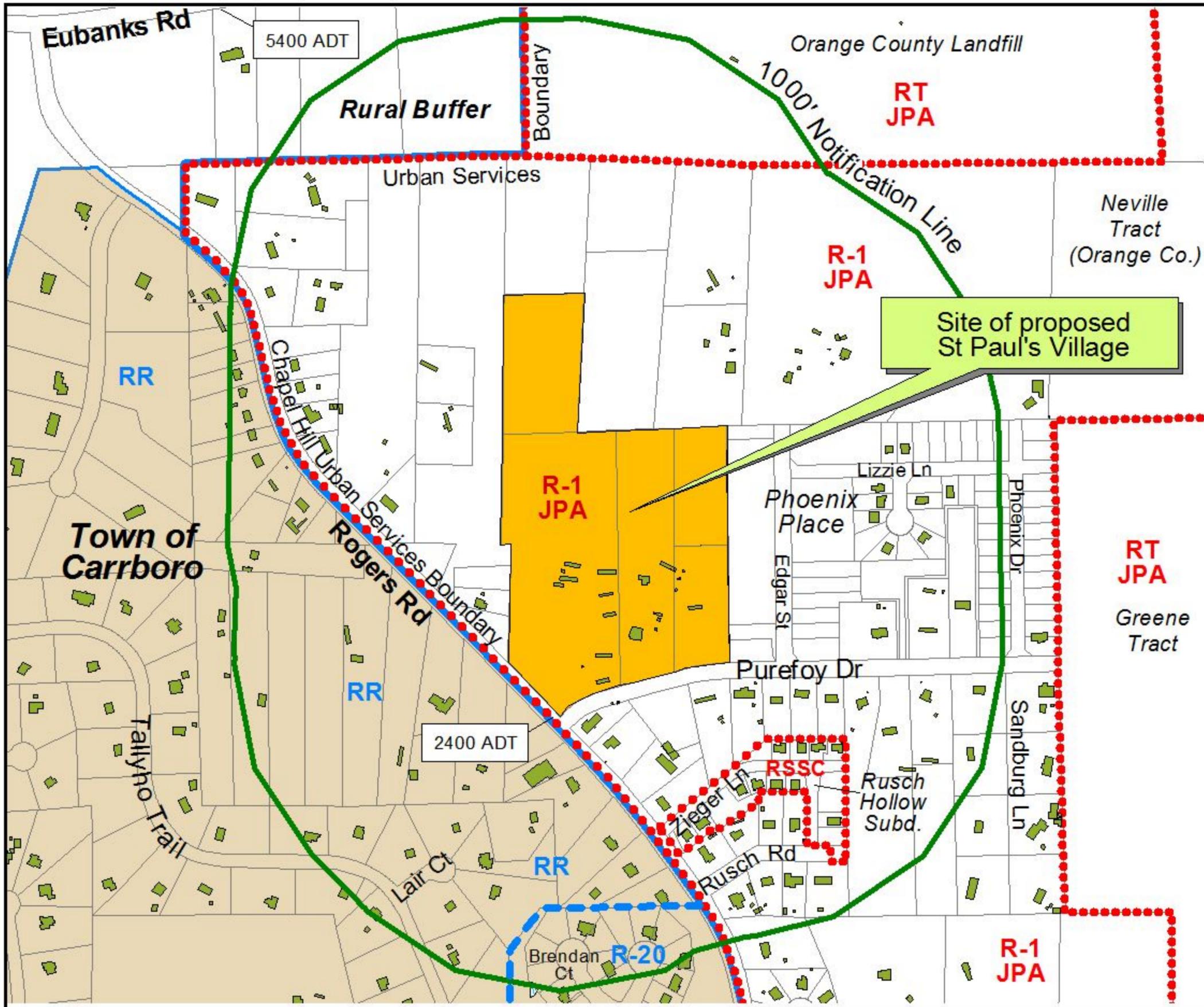
I, SAUNDRA
 of the County
 of Orange, North Carolina,
 do hereby certify that the
 foregoing is a true and correct
 copy of the original plat
 on file in my office.
 SAUNDRA

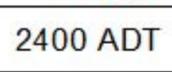
North Carolina, Orange County
 The foregoing plat was
 prepared and recorded by
 J. Watts Copley, Surveyor
 of Orange County, North Carolina,
 on this 13th day of June, 1960.
 J. Watts Copley





Area Map St. Paul's Village



	St. Paul's Village	 N
	Chapel Hill Zoning	
	Joint Planning Area: Orange Co & Chapel Hill	 500 0 500 Feet
	Carrboro Town Limits	
	Carrboro Zoning	GIS Map prepared by Town of Chapel Hill Planning Department January, 2012
	Average Daily Traffic (ADT) 2009 NCDOT Data	