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Planning for the future.

***HOLY TRINITY LUTHERAN CHURCH
 NEW SANCTUARY***

Revised 11-30-04

STATEMENT OF JUSTIFICATION

SUMMARY:

The proposed new Sanctuary at the former Theta House site on East Rosemary Street complies with the many of the Goals set forth in the Chapel Hill Land Use Ordinance.

In addition, due to several existing non-conforming situations on the site, and the narrow configuration of the property, it is necessary to exceed the height, buffer and setback requirements for the zoning district as stipulated in the Land Use Management Ordinance in order to construct this new Sanctuary on the property. We believe a strong public purpose can be made for granting exceptions to these standards.

In general, the proposed Sanctuary will replace an existing overgrown and dilapidated structure with a facility more in keeping with the appealing character of East Rosemary Street, and allow an established community asset (Holy Trinity Lutheran Church) to remain in the neighborhood.

COMPLIANCE WITH THE GOALS OF THE LAND USE MANAGEMENT ORDINANCE:

The development will further the Town's goals of creating a compact, urban form of development by re-developing an existing in-town site. This site currently is occupied by a dilapidated abandoned building that is not only an eyesore but is a haven for vagrants. Water, sewer and other facilities already serve the property, and it is presently developed with a fairly high amount of impervious surface. The proposed Church, therefore, will not require an expansion of existing public facilities or infrastructure.

The development will further the Town's goals of creating a walkable community, with less reliance on the automobile. The site is across the street from the existing Holy Trinity Church. The new facility will replace the existing Sanctuary, which will continue to be used for other Church functions. No additional parking will be constructed as part of this proposal. Therefore, we expect that worshippers will continue their existing Sunday routine of parking at the existing Holy Trinity Church facility or elsewhere nearby, and walk to the new sanctuary. Many Holy Trinity congregants walk to Church, and many more walk from worship to after-church activities in downtown Chapel Hill, again promoting walkability and less reliance on the automobile. By allowing the Church to expand in this location, it will alleviate the possibility of having to move to a more suburban site, a move that would put more dependence on the automobile.

The development will be architecturally compatible with the character of the neighborhood. The East Rosemary/Franklin neighborhood is characterized by old homes, architecturally significant large churches, and narrow lanes. The proposal would put a new Sanctuary approximately in the footprint of the existing structure, and maintain the existing character of the street widths, landscaping and parking areas, and Rosemary Streetscape. The proposed building is consistent with the scale and materials used in other churches within a several block radius of the site. The proposed building also responds to scale,

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proportionality and design cues from existing buildings on this stretch of Rosemary Street, including tableaus created by adjacent structures such as door scale, porch heights and cornice lines.

The development will not contribute to increases in storm drainage quantity or quality. An underground storm water detention system with water-quality devices will be retrofitted in to the existing storm water collection system to achieve these goals. The existing parking lot will not be increased in size.

PUBLIC PURPOSE TO GRANT EXCEPTIONS TO THE HEIGHT, BUFFER AND SETBACK PORTIONS OF THE LAND USE MANAGEMENT ORDINANCE FOR THIS PROPOSAL:

The property is a narrow, in-Town lot nestled in to a residential neighborhood. The current use, an abandoned Sorority House, is a large, modernistic structure that encroaches in to the side setbacks and buffers more than allowed under the current ordinance. The structure also appears to exceed the primary height limitations set forth in the ordinance.

One additional non-standard condition is the narrow street width and right of way of Cottage Lane. Although a public street, the pavement varies in width from 15' to 17', and the public right of way is but 10' wide. A good portion of the street is actually located on the subject property.

Construction of the proposed Church Sanctuary is only feasible if allowed to be nearly as wide as the existing structure. Similarly, it is also imperative that the new structure be allowed to encroach nearly as close to Cottage Lane as the Sorority House does. Therefore, a reduction in the street setback on Cottage Lane, and the corresponding buffer widths is needed. We will provide a new street width of 20' on Cottage Lane as requested.

The narrow lot also presents another difficulty. Although the proposed Church building can meet the primary building height limitations, the secondary height restrictions are a result of the achievable setbacks on the property. The secondary height limitation, therefore, is relatively low and will not allow a Steeple of the height and proportion needed to construct a visually appealing and historically accurate church steeple. Therefore, an encroachment above the secondary height restriction is needed.

As previously mentioned, the demolition of the derelict existing structure on the site has been needed for many years. Replacement with a handsome, architecturally significant place of worship will blend well in to the surrounding neighborhood, as do the numerous other existing Churches in the neighboring blocks. The structure will respond to the architectural cues from the adjacent residential structures, such as eave heights, tableau and door proportions. It will be much more in keeping with the historic character of the neighborhood than the existing structure.

Also as previously mentioned, construction of this new Sanctuary will allow Holy Trinity to continue a steady growth in Downtown Chapel Hill, rather than needing to find a site elsewhere. The adjacency to the existing Church will allow shared use of existing facilities such as parking and refuse collection, therefore keeping the expansion of more impervious surface and the need for additional refuse collection to a minimum. The proximity of the 2 facilities will also allow the Church Congregation and Staff to walk back and forth between the 2 facilities, rather than needing to drive. And finally, keeping the Church in Downtown Chapel Hill will add to the vitality of the downtown area, as well as promote the use of public transportation and walk ability.

The site development as proposed will also solve an issue with Cottage Lane mentioned above. We believe the new Sanctuary will be an excellent addition for the neighborhood and Downtown Chapel Hill. The Church has been an established part of the East Rosemary Community for many years. The support for the current proposal by the neighbors, as well as the positive feedback from the Historic District Commission and the Town Council on the Concept Plan shows we have arrived at a very acceptable solution.

SUMMARY OF SPECIFIC ORDINANCE MODIFICATIONS REQUESTED

- 1. **Ordinance Article 3.8.1 Building Height**
Permitted Secondary Building Height - 60'
Proposed Secondary Building Height 83' (steeple)

The main profile of the roof will meet the ordinance requirements. However, the steeple will extend above the permitted secondary height limitation of 60'. The scale and massing of the steeple is an important design element of a traditional church, particularly one that must fit into the vernacular of an existing historic neighborhood. We have explored designs with a shorter steeple, but they did not give the appearance of the typical Chapel Hill Church steeple (ie., University Presbyterian, University Methodist, etc.) The Historic District Commission has already given their blessing at the Concept Plan review earlier this year, and agreed with the need for a taller steeple as presented.

- 2. **Ordinance Article 3.8.1 Building Street Setback Cottage Lane**
Required Minimum Street Setback 20' from the *theoretical* edge of right of way for a street with a right of way narrower than the normal Town minimum width.
Proposed Minimum Street Setback 20' from the existing edge of Cottage lane Right of Way

The Existing Cottage Lane right of way is only 10', and does not encompass the western edge of the street. We propose to widen Cottage Lane to 20' and record a Public Access Easement to the new western edge of the street, thus giving the public the right to use the street, and the Town to maintain it.

We have provided a building setback of 20' from the existing edge of the public right of way. It is our belief that the improvements we have offered greatly improve the existing condition of Cottage Lane, provide legal access where it did not exist before, provides greater accessibility for fire trucks, and allows the Town the right to maintain the improved Street. We also submit that the relationship of the new curb line on Cottage Lane to the building wall is consistent with the existing Character of other older streets in this part of Chapel Hill. Any additional setback requirements would make construction of the new Church Building unfeasible.

- 3. **Ordinance Article 5.6 Landscape Buffers**
Required Buffers 20' C south, 20' C east, 20' C north, 20' C west
Proposed Buffers 20' south, variable width east, 12' north, 6' west

All of the proposed buffers match the existing conditions, and will be augmented with additional plantings to make them denser and more attractive than exist today. It is our understanding the Historic District Commission can reduce buffer widths, and they have given us a preliminary approval through the Concept Plan Review. Wide buffers are not in character with the Historic District.

