

April 3, 2026

J.T. Newberry
Senior Planner II
Albemarle County Community Development
401 McIntire Road
Charlottesville, VA 22902

RE: Iglesia del Dios Pentecostal Fuente de Salvación Special Exception Request for Critical Slope Waiver on Rural Areas (RA) TMP 47-1 – Amended per Review Comments

Dear Rebecca,

This letter is to serve as request for approval of a Special Exception to allow disturbance of critical slopes, per Section 4.2.5(a), for the construction of a 9,000 square foot church building and 65 space parking lot on TMP 47-1 to serve as the home for the congregation of Iglesia del Dios Pentecostal Fuente de Salvación, a Hispanic congregation that is currently sharing a facility with Calvary Baptist Church on Avon Street extended. The growing Hispanic population in the region lacks a centrally located, culturally responsive space that supports spiritual, educational, and social needs. This church will address that gap while serving the broader community. The parcel's location, just outside of the development area, would allow the church to serve both its congregation and the broader community while aligning with local planning goals

TMP 47-1 is a Rural Areas (RA) zoned parcel located on the north side of Proffit Road near Baker Butler Elementary school. The proposed use, Religious Assembly, is allowed by-right in the RA zone for assembly of less than 200 people. The anticipated maximum attendance for the church is 195 worshippers at any event.

During initial planning for development, GIS data indicated small areas of isolated critical slopes on the parcel that could be mostly avoided with the construction of the planned building and parking lot. As the next step of planning, a field physical and topographical survey was commissioned, and a slope analysis was performed using field-run topography. The slope analysis identified larger quantities of and much more widespread areas of critical slopes across the parcel, which would be difficult to avoid in any design scenario.

The total parcel area of TMP 47-1 is 7.367 acres. Per the slope analysis, 1.251 acres of existing critical slopes have been identified on the parcel as shown on **Exhibit A**. 0.326 acres of existing critical slopes are proposed to be disturbed to accomplish the preferred development plan as shown on **Exhibit B** and **Exhibit C**.

Health, safety, and welfare concerns set forth in Section 4.2.5(a)(1) of the ordinance are addressed as follows:

Rapid and/ or large-scale movement of soil and rock

There is a very minimal area of critical slopes in the building pad zone that will be disturbed. Most of the proposed critical slope disturbance will result from placing earthen materials, cut from the proposed building pad site at a higher elevation on the site, over a depressed draw area lower on the site to create the flatter parking zone. Additional critical slope disturbance will occur around the perimeter of the proposed Erosion & Sediment Control/Stormwater Management Basin. The critical slopes to be disturbed are barely in excess of 25% and will be replaced by flat stabilized areas and cut and fill slopes that are not more than 33% (3:1). The proposed limits of disturbance will be less than 50% of the total site and the grading plan has been designed so that volumes of material cut and fill balance so that no earthen materials will need to leave or be imported to the site. Retaining walls are proposed and strategically located to minimize disturbance of critical slopes by keeping the development footprint as compact as possible. The earthwork activities required for construction will be carefully and methodically executed with perimeter and interior erosion control measures designed and installed per an approved plan enforced by the County and State Inspectors. There will not be any rapid and/ or large-scale movement of soil and rock associated with this project.

Excessive stormwater runoff:

The proposed development will be subject to the County's Water Protection Ordinance. Erosion/Sediment Control-Stormwater Management Plans will be reviewed and approved by the Engineers in the Community Development Department. These plans will include measures to mitigate construction and post-construction stormwater runoff to acceptable pre-development levels per the State and County regulations. It is anticipated that stormwater runoff mitigation measures will include a bio-filter, permeable pavers, and underground stormwater detention tanks.

Siltation of natural and man- made bodies of water:

While no existing bodies of water are identified on the subject parcel, GIS indicates that a stream with a buffer forms several parcels downstream. The proposed development is subject to the County's Water Protection Ordinance. Erosion/Sediment Control-Stormwater Management Plans will be reviewed and approved by the Engineers in the Community Development Department. The proposed measures in the ESC/SWM plans are intended to protect against siltation of bodies of water. Additionally, most of the site's wooded areas and critical slopes are preserved which also protects against siltation of bodies of water.

Loss of aesthetic resources:

The development zone for this project is screened from view by healthy, preserved stands of mixed woods adjacent to Proffit Road to the west, an existing residential structure that will remain to the north, and substantial preserved woods to the south and east. Proposed retaining walls will be a maximum of 6' in height to minimize drastic changes in topographic elevation and the site grading has been designed to traverse the existing topography as elegantly as possible. The proposed parking lot will include interior and perimeter tree and shrub planting camouflage the proposed improvements.

In the event of septic systems failure: a greater travel distance of septic effluent:

The applicant intends to file a separate request to amend the Albemarle County Jurisdictional Area Map for approval to connect to the public sewer main that terminates in the rear yard of TMP 32D-02-1 on the west side of Proffit Road. If the request to connect to public sanitary sewer is approved, then this factor is not applicable. Should the request to connect to public sewer be denied, a private, on-site septic system will be designed for review and approval by the Va. Department of Health. It is not anticipated that this on-site septic system would need to disturb critical slopes beyond what is shown on Exhibits B and C.

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Section 4. 2.5(a)(3) allows the commission to waive the restrictions on disturbing critical slopes if it finds that the modification or waiver would not be detrimental to the public health, safety or welfare, to the orderly development of the area, or to adjacent properties; would not be contrary to sound engineering practices; and at least one of the following:

a. Strict application of the requirements of section 4.2 would not forward the purpose or otherwise serve the public health, safety, or welfare.

TMP 47-1 is a developed residential parcel immediately adjacent to the perimeter of the Hollymead – Places 29 Comprehensive Plan Development Area. While it is zoned Rural Areas (RA) it is separated from R1, R2, and R4 residential development only by Proffit Road, which acts as the boundary of the Development Area. The proximity to the Development Area and its infrastructure makes this parcel an ideal location for a church serving a growing group of citizens in our County and region. Religious Assembly Use for under 200 worshipers is allowed by-right on this parcel but the supplemental regulations in Section 5.1.64(c)(2) dictates that the location of parking be located in the zones of critical slopes in this case.

The primary focus of Section 4.2 is the protection and conservation steep hillsides together with public drinking water supplies and flood plain areas because of the increased potential for soil erosion, sedimentation, water pollution and sewage disposal problems associated with the disturbance of critical slopes. The critical slope areas on this parcel range in slope from 25% to 30%, with most areas barely exceeding 25%. The applicant does not feel that any portion of this parcel would be considered "steep hillside". Additionally, this parcel is not within a drinking water supply watershed or adjacent to flood plain areas so strict application of the requirements of Section 4.2 would not forward the purpose or otherwise serve the public health, safety, or welfare.

b. Alternatives proposed by the developer or subdivider would satisfy the intent and purpose of Section 4.2 to at least an equivalent degree.

Exhibit D and **Exhibit E** show alternative site plan concepts that were considered during the development study phase of the project. Both alternative concepts required a greater quantity of disturbed critical slopes required for approximately the same scope of development.

- c. Due to the property' s unusual size, topography, shape, location or other unusual conditions, excluding the proprietary interest of the developer or subdivider, prohibiting the disturbance of critical slopes would effectively prohibit or unreasonably restrict the use of the property or would result in significant degradation of the property or adjacent properties;**

The critical slope areas on the property are concentrated in the center of the parcel. The supplemental regulations in Section 5.1.64(c)(2) of the County Code require parking areas for Religious Assembly Use to be at least 125 feet from any abutting lot not under the same ownership as the religious assembly use, which forces the location of church parking to the critical slope areas of this parcel.

- d. Due to the Granting the modification or waiver would serve a public purpose of greater import than would be served by strict application of the regulations sought to be modified or waived**

Granting of the critical slope waiver would enable a reasonable development addition at the perimeter of the Hollymead – Places 29 Comprehensive Plan Development Area. The proposed development plan shown on Exhibit C preserves approximately half of the parcel acreage, allowing the parcel to remain as a buffer between the commercial/residential development areas to the west and the lower density rural area to east. Construction of a church on this parcel provides a location that is convenient to worshipers centrally located in the urban core as well as those in the outer rural areas. Churches typically have predictable peak usages time which complement nearby land uses without competing for weekday infrastructure. This church could serve as a bridge for cultural enrichment and social cohesion for the community.

Conclusion

For the reasons stated above, we respectfully request the Board's approval of the critical slope waiver.

We appreciate the Board's consideration and are available to provide any additional technical information or documentation as requested. Please call should you have any questions or comments.

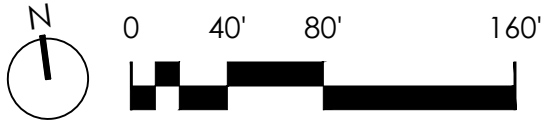
Sincerely yours,



Alan Franklin, PE
Waterstreet Studio, LLC

CRITICAL SLOPE STATISTICS

TOTAL PARCEL AREA = 7.367 ACRES
TOTAL PARCEL CRITICAL SLOPE AREA = 1.251 ACRES (17% OF PARCEL)



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S:\1-PROJECTS\IGLESIA PENTECOSTAL FUENTE DE SALVACION\06 CAD\03 SHEETS\EXHIBIT B.DWG

CRITICAL SLOPE STATISTICS

TOTAL PARCEL AREA = 7.367 ACRES
TOTAL PARCEL CRITICAL SLOPE AREA = 1.251 ACRES (17% OF PARCEL)
CRITICAL SLOPES TO BE DISTURBED = 0.326 ACRES* (26% OF TOTAL)
*INCLUDES ADDITIONAL 10% TO BUFFER FOR CONSTRUCTION TOLERANCE



S:\1-PROJECTS\IGLESIA PENTECOSTAL FUENTE DE SALVACION\06 CAD\03 SHEETS\EXHIBIT C.DWG

*INCLUDES ADDITIONAL 10% TO BUFFER FOR CONSTRUCTION TOLERANCE

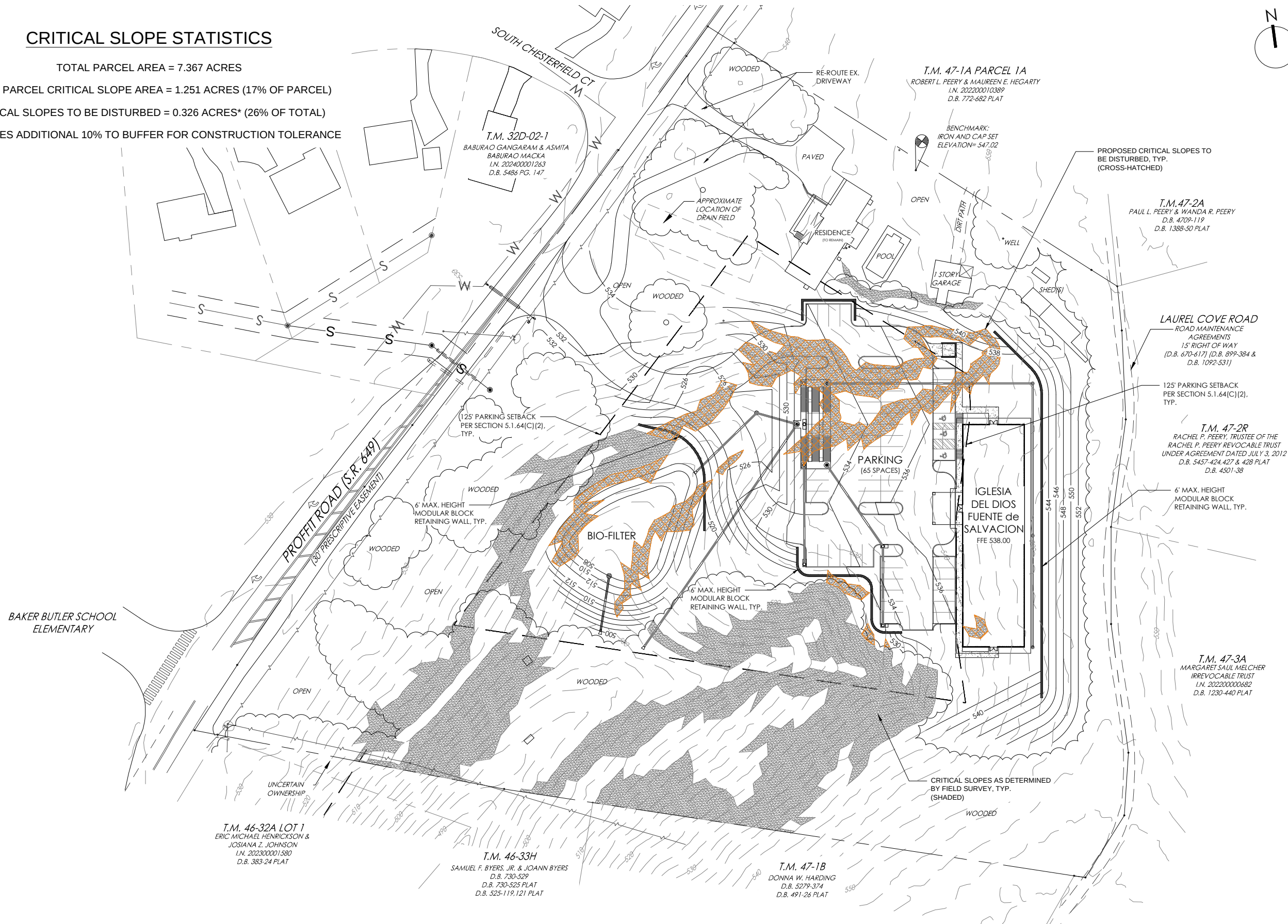

$$1'' = 80'$$

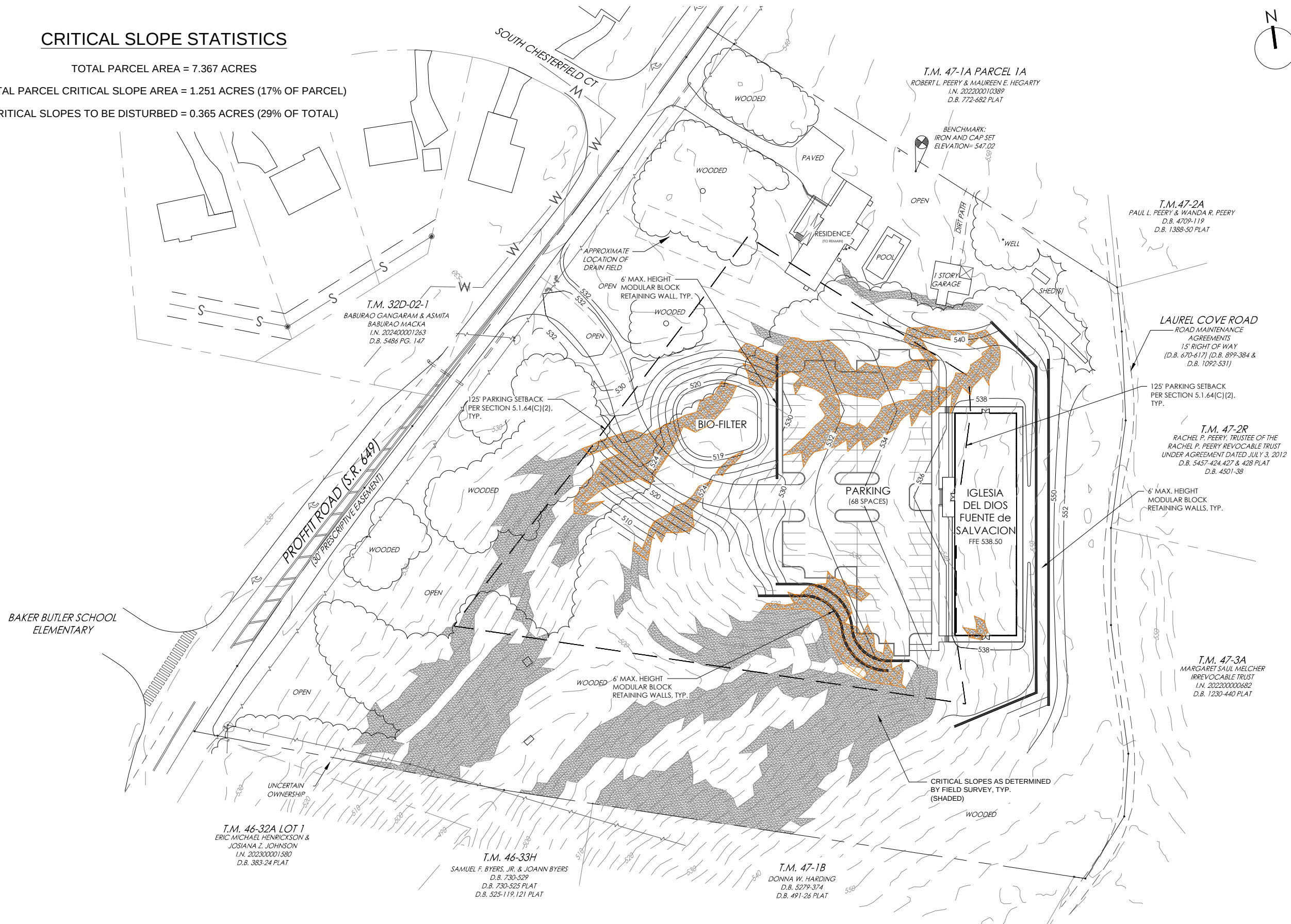
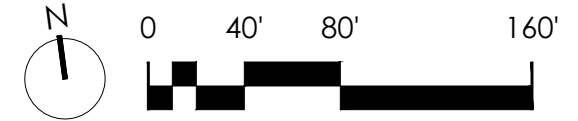
EXHIBIT C

CRITICAL SLOPE STATISTICS

TOTAL PARCEL AREA = 7.367 ACRES

TOTAL PARCEL CRITICAL SLOPE AREA = 1.251 ACRES (17% OF PARCEL)

CRITICAL SLOPES TO BE DISTURBED = 0.365 ACRES (29% OF TOTAL)



CRITICAL SLOPE STATISTICS

TOTAL PARCEL AREA = 7.367 ACRES

TOTAL PARCEL CRITICAL SLOPE AREA = 1.251 ACRES (17% OF PARCEL)

CRITICAL SLOPES TO BE DISTURBED = 0.336 ACRES (27% OF TOTAL)

