



CITY OF FREDERICKSBURG, VIRGINIA  
CITY COUNCIL  
**MINUTES**  
Council Chambers, 715 Princess Anne Street  
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR  
HON. CHARLIE L. FRYE, JR., VICE -MAYOR, WARD FOUR  
HON. KERRY P. DEVINE, AT-LARGE  
HON. MATTHEW J. KELLY, AT-LARGE  
HON. JASON N. GRAHAM, WARD ONE  
HON. WILLIAM C. WITHERS, JR., WARD TWO  
HON. DR. TIMOTHY P. DUFFY, WARD THREE

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**March 9, 2021**

**The Council** of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, March 9, 2021, beginning at 8:38 p.m. using electronic communication through GoToMeeting pursuant to and in compliance with the City Council Ordinance 20-05, an ordinance to address Continuity of City Government during the pendency of a pandemic disaster.

**City Council Present.** Mayor Mary Katherine Greenlaw. Vice-Mayor Charlie L. Frye, Jr., Council members Kerry P. Devine, Dr. Timothy P. Duffy, Jason N. Graham, Matthew J. Kelly and William C. Withers, Jr.

**Also Present.** City Manager Timothy P. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Fire Chief Mike Jones, Diversity, Equity and Economic Advancement Officer Angela Freeman, Budget Manager Brenna Erford, Community Planning and Building Services Director Charles Johnston, Senior Planner Michael Craig, Community Development Planner Susanna Finn, Zoning Administrator James Newman, Economic Development Administrator Bill Freehling, Transit Director Jamie Jackson, Finance Director Robyn Shugart, Deputy Clerk of Council Brenda Martin and Clerk of Council Tonya B. Lacey.

**Notice of Public Hearings (D21-\_\_ thru D21-\_\_).** The Clerk read the notice of the public hearings as they appeared in the local newspaper, the purpose being to solicit citizen input.

**Special Use Permit and Special Exception for Royal Farms 1315 alum Springs Road (D21-\_\_).** 63 speakers. Mr. Newman presented a PowerPoint presentation and he gave an overview of the project, and he discussed the location, the property information, the revised General Development Plan, the alternate trail, primary front elevation, secondary front elevation side elevations and the view from the park entrance, special use permit – Comprehensive Plan and Unified Development Ordinance, Corridor overlay, Special Use Permit – Impact Analysis, Special Exception Analysis, Planning Commission action : January 27, 2021, Analysis of Planning Commission Action, conclusion and recommendation.

Councilor Kelly noted that this was not what the City had planned for this site, the original agreement was a mixed-use and it contained a shopping component. He ask what the difference in revenue would be if this area went completely residential. He also asked what other potential options could be placed on this site. Mr. Freehling said he would have to do an analysis on the comparative tax revenue. He said Royal Farms was anticipated generating 35 jobs, \$350,000 in new tax revenue, it would have limited demand on services, and he said they have a good alternative trail solution but it would involve a sole source contract between the City and Royal Farms.

Councilor Kelly asked based on the size of the lot what other projects could fit in this location and Mr. Freehling said it was a limited size pad site. There could be other

comparable retail development or a small office and he said this was a good use for the site.

Councilor Graham asked what the zoning was for the lots further back on Alum Spring Road and Mr. Johnston said the balance of the property was zoned industrial and they were not part of the Planned Development Mixed Use (PDMU) Area.

Councilor Frye asked if the residents in Fredericksburg Park were informed of what was going on that piece of land. He said the commercial component caused some confusion for some of the residents because they were not told there was a commercial component to the property. Mr. Johnston stated that they required the applicant to send notices to the adjacent properties and in addition the developer was asked to notify those homeowners and the applicant also sent out email notices.

Councilor Kelly said the City needed to come up with a trails policy on future development and he noted that market factors effected what this development became.

Mr. Clark Leming, Attorney for the applicant, stated there were two big issues that had arisen through this application and they were whether this was the right use and the trail. He said the trails became the major issue during the Planning Commission and he said it had been thoroughly vetted and addressed. He said there was a 2014 rezoning on this property and it was envisioned with mixed use development with 350,000 square feet of commercial, 350 residential units and the proposed property was very different from the original proposal. The impact is much less than there would be from the 350,000 square feet of commercial. He noted that even though the

development did not come to fruition the City still received all the traffic improvements. He said what was left was an orphan commercial parcel because of the subsequent decisions made about the development. Mr. Leming said his client had the property marketed to see what could be done with the property and the only uses and interest that came back were convenience fuel sales and no other uses were interested. He said no other office or commercial would bring as much revenue as this project. He said this was the only use that fits in this location right now. Mr. Leming said they looked at the cost for refiguring the lot to accommodate the trail was a \$50,000 redesign cost to Royal Farms. He noted that they also notified the residents and those under contract through the Homeowners Association of the proposed use.

**Tom O'Toole (D21-\_\_)**, 107 Kinloch Drive, also a member of the Planning Commission spoke in opposition of the permit for the Royal Farms for the following reasons: disruption of traffic flow and safety on Lafayette Boulevard and the VCR Trail, should taxpayers pay, effect on the new residents of Fredericksburg Park and Telegraph Hill, Planned Development Mixed Use (PDMU) waiver, Effect on Hazel Run and Small Area Plan 10. See D21-     for more information.

**Robert Thomas (D21-\_\_)**, 809 Brompton Street, spoke in opposition of granting Royal Farms a Special Use Permit. He said it would damage the trail system and the City did not need any more gas stations because they only shift tax revenue from one place to another with little net increase to the City in revenue and no value added. See D21-     for more information.

**Denise Antil (D21-\_\_)**, 1619 Sunken Road, urged the Council not to allow Royal Farms at the corner of Lafayette Boulevard and Route 3 because it would cause gridlock. See D21-█ for more information.

**Mike Worsham (D21-\_\_)**, 1317 Royston Street, spoke in opposition of the Royal Farms gas station.

**Chrsti Carver (D21-\_\_)**, 111 Caroline Street, urged the Council to vote no on the Royal Farms gas station because the area was already congested and becoming unsightly. She said the City wants to encourage bikers and walkers therefore the trail system needed to be protected. See D21-█ for more information.

**Julie Kay (D21-\_\_)**, 1616 Franklin Street, spoke in opposition of the Royal Farms project. She said this would be located at the gateway of the City and she did not think this was the message that the City wanted to convey of “America’s Most Historic City”.

**Sandra Cash Howson (D21-\_\_)**, 817 Weedon Street, spoke in opposition of the Royal Farms gas station for the following reasons: the short-term benefits are outweighed by the harm that would be caused to the trail, the entrance to the park, increased traffic and the effect on existing gas stations and the cost to the citizens. Fossil Fuel is not a good long-term investment. See D21-█ for more information.

**Judy Love (D21-\_\_)**, 2216 Caroline Street, spoke in opposition of the Royal Farms development because it does not go along with the efforts to reduce fossil fuels, the cost to the EDA and taxpayers, the competition to the existing gas stations in the area and location near the national park. See D21-█ for more information.

**Susan Brown (D21-\_\_)**, 460 Riverside Drive, spoke in support of the Royal Farms project. She said it did not make sense that the trails would take precedence and she loved the trails. She also stated that she did not believe by-passing the trail around the store was worth the \$150,000 costs. See D21-█ for more information.

**Leslie Kash (D21-\_\_)**, 1410 Buckner Street, stated that she was an avid user of the trail and she opposed the Royal Farms project unless they were going to pay for the entire cost of rerouting the VCR Trail. See D21-█ for more information.

**Nick Cadwelendar (D21-\_\_)**, 801 Hanover Street, strongly objected his tax dollars being used to divert the trail behind the planned Royal Farms. He said allowing this gas station would hinder the small gas stations that have been servicing his community for years. He said the EDA funds should be used to bring better paying jobs and more variety of services and businesses to the City. See D21-█ for more information.

**Helen Biever (D21-\_\_)**, 820 Brompton Street, encouraged the Council to vote no on the Royal Farms project. He was concerned about traffic, noise, lighting, fumes, the impact on the VCR trail and taxpayers expense. See D21-█ for more information.

**Joni Wilson (D21-\_\_)**, 609 Stuart Street, spoke in opposition of the Royal Farms development for the following reasons: using city tax dollars to move the trail, the amount of traffic that will be generated, no Comprehensive Plan to protect trails, gas stations do not honor the pledge to reduce fossil fuels, the impact on nearby gas stations and this is a gateway into the City and it is across the street from a National Park Service. See D21-█ for more information.

**Cathy Peterjohn (D21-\_\_)**, 1210 Kenmore Avenue, strongly opposed the Royal Farms gas station.

**Linda Thornton (D21-\_\_)**, 1331 Hanover Street, spoke in opposition of the Royal Farms development because it would create more traffic, light and noise pollution, eye sore, and adversely affect the trails and traffic flow in the area. See D21-█ for more information.

**Christine Brokaw (D21-\_\_)**, 1209 Littlepage Street, spoke in opposition of the Royal Farms Convenience Store. She asked the Council to vote no on this project because there are too many cars in this intersection already, the development would cause more traffic, and there is no need for another convenience store in the area because there is another Royal Farms being constructed a few miles away. See D21-█ for more information.

**Michelle Crow-Dolby (D21-\_\_)**, 1411 Franklin Street, spoke in opposition of the Royal Farms at the corner of Blue and Gray Parkway and Lafayette Boulevard.

**Joyce Sunday (D21-\_\_)**, 1200 William Street, spoke in opposition of the Royal Farms Project for the following reasons: taxpayer dollars being used to move the trail, the traffic the project will generate, no Comprehensive Plan to protect the trails for the future, the rerouting of the trail and design is not good, building the economy on 20<sup>th</sup> Century thinking, impact on neighboring gas stations and this is the gateway to the historic downtown. See D21-█ for more information.

**Andy Wolfenbarger (D21-\_\_)**, 1324 Walker Drive, spoke in support of the Royal Farms project. He stated that the restroom and other conveniences would be a great

halfway point between downtown and the Villages of Idlewild. See D21- [REDACTED] for more information.

**Eric Bonds (D21-\_\_)**, 437 Hanson Avenue, asked the Council to vote against the issuing of a special exemption for the proposed Royal Farms gas station. He said he understood the reason for giving the special exemption would be to promote economic development and increase the tax base. He said the City could do better by aligning its vision of economic development along with the City's commitment to 100 percent renewable energy and the need to protect the City's unique historic character. He did not see this as a wise long-term economic development. The large parking lot was also a concern for the storm-water runoff. See D21- [REDACTED] for more information.

**Daniel Huerta (D21-\_\_)**, 804 Adams Street, requested the Council vote no on Royal Farms.

**Emily Rick Parry (D21-\_\_)**, 1614 Franklin Street, requested the Council take the time to review again the proposed development at the corner of Lafayette Boulevard and Blue and Gray Parkway. This intersection is busy and important into the City. He said the City needed to plan ahead for the environmental, recreational and financial concerns of the present and future residents. See D21- [REDACTED] for more information.

**Kevin Brown (D21-\_\_)**, 460 Riverside Drive, Pathways Committee member, and the administrator of the local trails group, stated that he was as strong trails advocate and he expressed his support for the Royal Farms project. He said the project would provide much needed funds to the City and denying the project would incur major opportunity cost to the city. He said if the \$150,000 to 200,000 was deemed necessary

to avoid a single driveway crossing the existing trail he would reluctantly support the plan but he did not think it was a good use of that money. Mr. Brown also spoke about the dangers of trails being overcrowded and that he was not of the mindset that a trail was destroyed because of one street crossing. See D21- [REDACTED] for more information.

**Paul M. Kay (D21-\_\_)**, 1616 Franklin Street, stated that it was a bad idea to allow Royal Farms to locate on the corner of Lafayette Boulevard and the Blue and Gray Parkway. He said allowing this gas station would only present more confusion and danger to an already confusing interaction. He asked if it was necessary to add an additional Royal Farms when there was one underway a few miles up the road. See D21- [REDACTED] for more information.

**Caroline Mowdy (D21-\_\_)**, 1701 College Avenue, stated that this development was not consistent with the Council's 100 percent renewable energy commitment. She said the City needed climate-smart economic development. The proposed station would add to the regions traffic problems. She said in order to reduce Stormwater runoff the City would eventually need to reduce its parking lots. See D21- [REDACTED] for more information.

**Alyssa Conrad (D21-\_\_)**, 913 Brompton Street, stated that there were already a lot of gas stations in the area and building a new one would go against Fredericksburg's Commitment to 100 percent renewable energy resolution.

**Mary Windham (D21-\_\_)**, 1111 Caroline Street, stated that building this gas station would only add to the regions traffic problems in an already congested intersection.

**Emily Taylor (D21-\_\_)**, 437 Hanson Avenue, stated that it was not a good idea to build a gas station and a large parking lot at the corner of Lafayette Boulevard and the Blue and Gray Parkway. The parking lot would cause a large heat island and create runoff causing more serious flooding. She said the City needed to focus on economic development projects that are in sync with moving away from fossil fuels. See D21- [REDACTED] for more information.

**Shane Riordan (D21-\_\_)**, 1009 Martingale Court, stated that he was outraged at the proposal for Royal Farms to be located at Lafayette Boulevard and Route 3. He said the traffic on this corner was already excessive and Fredericksburg Park was not completely built out and this gas station would add to the congestion. He also expressed his concern for the pedestrian trail crossing and the City's commitment to making the City fossil free. Mr. Riordan also said this proposal heightens his concerns of the overall health of Hazel Run. See D21- [REDACTED] for more information.

**Ann Black (D21-\_\_)**, 121 Poplar Drive, she did not want to see a Royal Farms or any other gas station in this area. She said the number of accident were already increasing in this area.

**George and Penelope Beddoe (D21-\_\_)**, 1014 Albert Rennolds Drive, opposed the Royal Farm project for the following reasons: using the Opportunity Fund to fund this project, the generation of traffic to the area, there was no Comprehensive Plan to protect the trails from encroachment, the rerouting of the trail was not good and creates tight turns for bikes, building an economy on 20<sup>th</sup> century thinking, effect it has

on surrounding gas stations and this is a gateway into the City and across the street from a National Park. See D21- [REDACTED] for more information.

**Konrad Heller (D21-\_\_)**, 1419 Franklin Street, strongly opposed the development of Royal Farms. He said it does not make sense considering the City recently approved the implementation of renewable energy resolution. See D21- [REDACTED] for more information.

**Anne Little (D21-\_\_)**, spoke in opposition of the Royal Farms project for the following reasons: use of the Opportunity fund that was geared to low income communities, the increase in traffic, no Comprehensive Plan to protect the trails, the rerouting and design of the trail was not good, existence of multiple convenience stores in the area, building the economy on 20<sup>th</sup> century thinking, effects on existing gas stations, this is the gateway into the City and across the street from the National Park, and she urged the Council to think comprehensively and long-range. See D21- [REDACTED] for more information.

**Wendy Atwell-Vasey (D21-\_\_)**, 804 Marye Street, stated that she was opposed to the project because it was being funded with the opportunity Fund for low income housing and because it requires more fossil fuel from the City. See D21- [REDACTED] for more information.

**Craig Vasey (D21-\_\_)**, 804 Marye Street, spoke in opposition of the Royal Farms project and he opposed to the City paying for the adjustments in the path because the City should not be subsidizing modifications to an existing city amenity. See D21- [REDACTED] for more information.

**Aline & Jeff Fisher (D21-\_\_)**, 907 Marye Street, strongly opposed the development of the Royal Farms and she urged the Council to vote no.

**Bonnie Dormer (D21-\_\_)**, 1403 Caroline Street, stated that she concurred with all the opposing views expressed by Anne Little. She said the City should not move forward with the approval process because it did not seem to be in the best interest of the downtown area. See D21-█ for more information.

**Becky Reed (D21-\_\_)**, 800 Cobblestone Boulevard, spoke in opposition of the project because of the extremely congested intersection with an extremely large parking lot that would impact the VCR Trail. She said building this would not be helpful to the 100 percent renewable energy future. See D21-█ for more information.

**Carl Little (D21-\_\_)**, 726 William Street, spoke in opposition Royal Farms project and he asked the City to reject it.

**Austin Leedy (D21-\_\_)**, 513 Willis Street, asked the Council to vote no on the Royal Farm project.

**Jeannette Cadwellender (D21-\_\_)**, 801 Hanover Street, stated that the VCR trail was a gem and to allow hundreds of cars to cross it seemed counter intuitive. She said the time is now to preserve every piece of scenic beauty. See D21-█ for more information.

**Cathie and Walter Braman (D21-\_\_)**, 1424 Littlepage Street, spoke in opposition of the Royal Farms project for the following reasons: the intersection was too busy, not in favor of using the Opportunity Funds, and the trail was an important part of connecting various communities through the City.

**Leslie Martin (D21-\_\_)**, 179 Longstreet Avenue, stated that she was concerned about the proposal for the following reasons: traffic and sustainability. She said committing to new fossil fuels based infrastructure seemed contradictory to the City's renewable energy goals. See D21-█ for more information.

**Robert Carter (D21-\_\_)**, 1112 Prince Edward Street, spoke in favor of the Royal Farms project with the approved changes to the VCR trail relocation as approved by the Planning Commission. He added that in the future electric charging stations should be included on this site in the near future. See D21-█ for more information.

**Ann and William Jacobs (D21-\_\_)**, 100 Goodloe Drive, spoke in opposition of Royal Farms for the following reasons: VCR trail user safety, congestion on Lafayette Boulevard, environmental consequences, aesthetics and cost. They did not want the reroute to be paid by city tax dollars. See D21-█ for more information.

**Michael Roberson (D21-\_\_)**, 823 Marye Street, listed reasons not to approve this project as the City has made a commitment to eliminate fossil fuels, the intersection is already very busy, the entrance to the National Park Service is across the street, the large amount of pavement would add to turnoff/drainage problems, the use of Fredericksburg Opportunity Funds to redirect the trail, and the redirection would not make the trail any safer. See D21-█ for more information.

**Steve D'Lugos (D21-\_\_)**, 1311 Caroline Street, urged the Council to vote no because the traffic was a nightmare and another convenience store was not needed.

**Bill Thornton (D21-\_\_)**, 1331 Hanover Street, spoke in opposition to the Royal Farms development because it would create more traffic, light and noise pollution, eye

sore, and adversely affect the trails and traffic flow in the area. See D21- [REDACTED] for more information.

**Anne Beals (D21-\_\_)**, 801 Hanover Street, spoke in opposition of allowing a gas station at the corner of Lafayette Boulevard and Blue and Grey Parkway as well as the relocation of VRE trail.

**Chris Kerr (D21-\_\_)**, 821 Brompton Street, spoke about the light pollution that Royal Farms stations cause.

**Katharyn Poplin (D21-\_\_)**, 1105 Winchester Street, asked the Council not to give a special use permit or special exception to Royal Farms. She said allowing this gas station would ruin the chance for a safe connection to the trails and Lee Drive for pedestrians, walkers, runners and cyclists. See D21- [REDACTED] for more information.

**Kate Moga (D21-\_\_)**, 211 Fauquier Street, stated that she was opposed to the direction the City was headed by approving the extra-large impermeable, asphalt surface for the proposed Royal Farms. She also wanted to know whether they should be required to support electric cars to align with Fredericksburg fossil free goal.

**Rene Rodriguez (D21-\_\_)**, Planning Commission Chair, wrote a letter on behalf of the Planning Commission he said the proposal in Condition Number 3 which stated the City's EDA would reimburse the applicant for the actual cost of the alternate trail construction. The Planning Commission stated that this proposal was not consistent with their January 27 recommendation that the developer should bear all cost of constructing the alternate trail. See D21- [REDACTED] for more information.

**Taylor Brann (D21-\_\_)**, 1423 Sunken Road, spoke in opposition of the Royal Farms development. She said the short term economic benefits would display a lack of foresight about the City's future needs, and this area needed to offer something more charming. There was also a concern for the congestion in the area. See D21-█ for more information.

**Sarah Hurst (D21-\_\_)**, 445 Greenbrier Court, Chair of the Clean and Green Commission spoke in opposition of the Royal Farms development.

**Matthew Lentz (D21-\_\_)**, 14 Marshall Place, 22405, spoke in opposition of the gas station because it was inconsistent with the City's 100 percent renewable energy commitment. See D21-█ for more information.

**Patty O'Brien (D21-\_\_)**, 1730 Heatherstone Drive, 22407, spoke in opposition of the gas station and said the collective community needed to take action and think of the eco-future of future generations. See D21-█ for more information.

**Mary Szymanski (D21-\_\_)**, 5118 Sewells Pointe Drive, 22407, asked the Council not to let Royal Farms locate at the corner of Lafayette and Route 3.

**Rosemary and Larry Pitts (D21-\_\_)**, 12 Randolph Road, 22405, spoke in opposition and stated that they ride bikes on this trail and the traffic was already heavy. See D21-█ for more information.

**Phil and Carmela Southers (D21-\_\_)**, 905 Sylvania Avenue, asked the Council to vote no for the following reasons: this type of development adds nothing to the quality of life, the development was not consistent with the City's 100 percent renewable

energy commitment, it adds junk food options, the use of Opportunity Funds and the store will add congestion to the area. See D21- [REDACTED] for more information.

**Suzanne Bevan (D21-\_\_)**, 407 Butternut Drive, spoke against Royal Farms being built at the proposed site because the traffic was already bad in the area. See D21- [REDACTED] for more information.

**George Solley (D21-\_\_)**, 1313 Caroline Street, spoke in opposition of the proposed Royal Farms development because he was concerned for the integrity of the trails system and he said the project was of dubious benefit to the City. See D21- [REDACTED] for more information.

**Andre Pineda (D21-\_\_)**, 1000 Winchester Street, spoke in opposition of the Royal Farms project because the area was already congested, there was no need for another gas station because several already exist and it would negatively impact the trails. See D21- [REDACTED] for more information.

Mayor Greenlaw closed the public hearing but noted that the Council would be accepting comments through March 23 at 1:30 p.m.

**Adjourned.** There being no more speakers to come before the Council at this time, Mayor Greenlaw declared the hearing officially adjourned at 10:22 p.m.

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Mary Katherine Greenlaw, Mayor

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Tonya B. Lacey, Clerk of Council, CMC