

From: [Charles R. Johnston](#)
To: [Michael J. Craig](#); [Kelly M. Machen](#)
Subject: FW: [EXTERNAL] Fwd: Saint Mary's Church
Date: Monday, May 8, 2023 9:13:41 AM
Attachments: [image001.png](#)

FYI

From: Rodger Provo [mailto:wrodgerprovo@gmail.com]
Sent: Saturday, May 6, 2023 12:31 AM
To: Mary Katherine, Greenlaw <mkgreenlaw@fredericksburgva.gov>; Chuck Frye <Chuck_Fryejr@yahoo.com>; Kerry Devine <kpdevine@fredericksburgva.gov>; Matthew J. Kelly (kelly058@verizon.net) <kelly058@verizon.net>; Timothy P. Duffy <tpduffy@fredericksburgva.gov>; Jonathan A. Gerlach <jagerlach@fredericksburgva.gov>; Jason N. Graham <jngraham@fredericksburgva.gov>
Cc: Timothy J. Baroody <tjbaroody@fredericksburgva.gov>; Charles R. Johnston <crjohnston@fredericksburgva.gov>; Michael J. Craig <mjcraig@fredericksburgva.gov>; kmmachen@fredericksburgva.gov; David T. Brown <dtbrown@fredericksburgva.gov>; chca_board@yahoo.com; Sue Sargeant <sgt_1976@yahoo.com>; Amy Dempsey <adempsey73@yahoo.com>; Sandra Provo <sdprovo@gmail.com>
Subject: [EXTERNAL] Fwd: Saint Mary's Church

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Good Morning -

The City Council needs an outside third party to audit the practices of the city government relative to the issues discussed in Mr. Worsham's email. It also needs an independent review of the enforcement of the shed ordinance given what took place at 1416 Stafford Avenue. It also needs an engineer to review the failure of the city to place a no truck sign(s) on Stafford Avenue at Rt. 1.

**Rodger Provo
1414 Stafford Avenue
540 371-5740**

----- Forwarded message -----

From: **Mike Worsham** <m-p@verizon.net>
Date: Fri, May 5, 2023 at 2:48 PM
Subject: Saint Mary's Church
To: Kelly M. Machen <kmmachen@fredericksburgva.gov>
Cc: Nelson Sargeant <sgt_1976@yahoo.com>, Rodger Provo <wrodgerprovo@gmail.com>, Michael J. Craig <mjcraig@fredericksburgva.gov>, Charles R. Johnston <crjohnston@fredericksburgva.gov>, Timothy P. Duffy <tduffy@cityschools.com>, <kpdevine@fredericksburgva.gov>, Matt Kelly <kelly058@verizon.net>, Greenlaw Mary Katherine <mkgreenlaw@fredericksburgva.gov>, Kerry Devine <kpdevine@fredericksburgva.gov>

What?! I really do not understand this strategy. There are numerous alleged zoning violations that have been reported to the city over the last couple of years and as far as I know there has been zero enforcement actions. How does anyone expect the church to conform to new SUP conditions when it is continuing to ignore the existing ones with no enforcement from the city??? This strategy just does not make sense and it does not benefit the tax paying citizens of Fredericksburg.

Before even considering any new SUP the city should clear all previous alleged zoning violations. It's that simple. If the church made property improvements that should have required a permit and inspection and they did not get one like everyone is supposed to do, then they need to face the consequences of their actions even if it means removing the improvements. Where we moved from Maryland, a landowner had to demolish a structure he built without a permit.

I get permits for improvements to my home. It seems like they get a pass since they are a mega-church with deep pockets and a lot of lawyers. This is not the way to treat Fredericksburg citizens and tax payers.

I again urge the PC to not approve combining the church owned parcels into a single parcel and I urge you to not approve combining the existing SUPs into a single one. I don't see how that benefits our community and our city

Thank you very much.

Mike Worsham

[Sent from the all new AOL app for iOS](#)

On Friday, May 5, 2023, 11:19 AM, Kelly M. Machen <kmmachen@fredericksburgva.gov> wrote:

Good morning,

Thank you for all the information you have provided us regarding your concerns for Saint Mary's. Part of the enforcement strategy with the church at this time is for them to propose modifications to their approvals to bring them up to date with their actual intended use if appropriate. We've met with the CHCA and the applicant to get a sense for the church's operational plans and the community's concerns. As part of the process, we are taking all of the information we've received from the public about the Church's current operations. We are currently compiling all of the comments into one document to provide to the Church, so that they address these concerns as part of their Special Use Permit review process.

Just an FYI, we anticipate that the public hearing with the PC on this item will be

held on May 24. The church's response and the staff report will be available the Friday before, which we will forward Sue a copy of for distribution to the neighborhood.

Thank you,

Kelly

Kelly Machen, AICP, CZA

Zoning Administrator

Community Planning and Building

540.372.1179 x231

kmmachen@fredericksburgva.gov



Kelly M. Machen

From: College Heights Civic Association <chca_board@yahoo.com>
Sent: Monday, May 15, 2023 1:11 PM
To: Charles R. Johnston; Michael J. Craig; Kelly M. Machen
Subject: [EXTERNAL] Update re: the St. Mary's SUP?

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Planning and Zoning (Chuck, Mike, Kelly),

The Board of Directors of the College Heights Civic Association is meeting to once again discuss the St. Mary's SUP and determine impact on our College Heights neighborhood with this recent St Mary's SUP to be heard by Planning Commission on Wed, 5-24-2023.

We read Martin Davis' F2S 5-12-2023 article on the St. Mary's SUP.

F2S contacted zoning administrator Kelly Machen on Thursday to ask about the citizens' concerns.

Machen wrote to F2S in an e-mail:

'We have received several questions and concerns about the ongoing operations for Saint Mary's Church. Some of those questions are about construction projects undertaken over the past decade. We are reviewing all of these complaints to ensure any construction is safe and permitted in accordance with building codes'.

Several of the questions are in regards to the existing Special Use Permits governing some of the Church's properties. The Church is requesting a new Special Use Permit to update their existing approvals. The request is to include additional properties they own within the same block as the Church, to modify their operations, and to make minor improvements such as sidewalks and a building addition at 1102 Augustine Avenue. Information on the proposal is available by contacting the City's Planning Office, etc. End F2S article]

We would like .to know if we can have a meeting with you to discuss the SUP prior to the 5-24-2023 PC public hearing? We'd also like to know if there have been any revisions or communications with St. Mary's/Hirshler law firm attorney Charlie Payne to the SUP since our last meeting with you on 4-7-2023?

We need clarification if the new SUP request will cancel out the conditions in the existing SUPs to consolidate into a generic set of conditions (rather than the 'specifics' in the current SUPs) re: rules

for operation within the houses. or is it just a consolidation of all the 'conditions' per house within one document and then adding 11 other addresses to it for a total of 19 parcels.

We also need to learn if there is an impact on St. Mary's outlining (or not) the function of each house, For example, the Oblate Sisters were dismissed from Holy Cross Academy so their house is no longer 'a convent'. It houses temporary visitors. Mold pervades the interior but the current occupant, a priest from India, is willing to put up with this environmental hazard.

The Preschool changed names in Oct 2021, as per the St. Mary's bulletin, as well as announcement by Dr. Stephen Fry, principal of Holy Cross Academy from 'St. Mary's Preschool' to 'Holy Cross Preschool' because it is moving that operation out of the St. Mary's Family Life Center to HCA in Stafford in Fall 2023.

HCA also runs a Day Care on site (before/after school care) at HCA but the paperwork is on file as the 1009 Stafford Ave address for the church (as is the Preschool's paperwork), which appears to be permitted by the VA Dept of Ed regulations.

But we want to know if it is permitted by city regulatory rules on SUP applications to have a city address for 'function' to influence the SUP application for a facility run in an abutting county, i.e., Stafford.

We checked with the Department of Education who monitors children's care by a religious entity that the mandated paperwork for the operation of The Preschool and The Day Care are in order as per their requirements.

As we expressed at the 4-7-2023 meeting with Kelly and Mike, we do not support the SUP application for gates on driveways or the connecting sidewalks across property lines of the houses within our neighborhood. We agreed to the consolidation of the Buckner lots. but now we want to know if they will return to the houses' parcel and not the Church site parcel, when DOA has its pricepoint met to sell off all peo

From this 4-7-2023 meeting, it is our understanding that Zoning views the properties subtly acquired by the Diocese and Bishop of Arlington as 'two separate parcels': 1. the church property; 2. the 8 houses within College Heights. Please confirm this understanding. and explain again the implications for advocating for 'two separate parcels'. We are thinking this separation is important because it increases the chance that the houses will eventually return intact (and not razed) to fit

back in to College Heights for owner/renter occupancy rather than vacant storage units for St. Mary's.

St. Mary's (as a manager of the DOA and Bishop's ownership) already has violated the SUP on the 1102 Augustine St house by pouring a sidewalk connecting it to the church lot. It is lit with a high lumen light pathway that shines into neighbor's living rooms. Can the city limit the light lumen on the sidewalk pathway lights and on the house properties? Is there a legal impact of allowing property lines to be crossed with sidewalks?

As part of the Bishop's property at 1604 College Ave SUP in 2019, CHCA attempted to block the sidewalk proposal from Bosco to the house. We assumed at the time that there was no legal impact of the sidewalk and asked that it occur at the back of The Bosco Center, which was to no avail. The DOA has the sidewalk mid-way between the hedges.

We were successful in blocking their initial attempt to asphalt the lawn of the College Ave house so DOA could park the Bosco Center vans there. However, we asked that the vans be parked behind the Bosco Center so they could not be seen from the street. This was ignored. They're in plain view. as are the two large institutional signs of 'DO NOT ENTER', which UMW students jokingly refer to as 'the one' campus ministry that The Universe is saying 'DO NOT ENTER' because of the sign optics blaring it out.

Thank you for any information on the St. Mary's SUP and to schedule a meeting with you re: it before the 5-24-23 PC public hearing.

Sincerely,

Sue

Sue Sargeant, President

College Heights Civic Association

From: [Mike Worsham](#)
To: [Planning](#)
Cc: chca_board@yahoo.com; [Planning Commission Members](#); timpduffy@gmail.com
Subject: [EXTERNAL] Request To Reschedule SUP Hearing
Date: Thursday, May 11, 2023 12:54:54 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Saint Mary is working with City Planning to establish a new Special Use Permit (SUP) for Church operations which is to apply to all properties it owns in the block bounded by William, Stafford, Royston and Augustine. The Church is now requesting a new SUP to consolidate existing SUPs to expand religious use to all the single family homes it owns around the main Church campus. The existing SUPs provide and govern religious use in the properties where the Church conducts its activities. These current SUPs contain the usual conditions such as hours of operation, maximum occupancy allowed, driveway use and so on and were approved by the City following negotiations with the Church and with the College Heights Civic Association (CHCA). We understand the existing conditions are to be simply “rolled into” the new SUP. It’s not clear why this is beneficial.

Many College Heights residents and the CHCA are extremely concerned that further encroachment and expansion of Church activities will have serious detrimental effects on our home values and quality of life.

Members of the College Heights community had a very productive meeting April 7, 2023 with Planning Services and Zoning. We received detailed information then, but now need to know if anything has changed so we can meet with and inform the residents in College Heights and receive feedback. For instance, the documentation we received made no mention of the plan to “roll” the existing conditions into the new SUP. The CHCA board president just happened to find this out during a conversation with a member of Planning Services last evening. Are there other details we should and need to know to be able to fairly and fully assess the impact of the planned change?

Based on the feedback we receive after meeting with our community, CHCA needs time to develop and approve a formal response to the proposed SUP, therefore we respectfully ask that the hearing be rescheduled for at least a month later than the May 24th time.

Respectfully,

Mike Worsham
College Heights Civic Association Director
1317 Royston Street
Fredericksburg, VA 22401
443-995-1879

City Council Meeting - May 9, 2023

Mike Worsham
1317 Royston Street
Fredericksburg, VA 22401

I want to speak tonight about Saint Mary Catholic Church and its relationship to Colleges Heights:

- In 2016 wife and I moved into what we thought was a quiet residential community in College Heights and made significant investments for improvements to our property.
- We did not know that St. Mary Catholic Church was in the process of buying up all property surrounding their main Church grounds which they have now done.
- The Church now owns all properties surrounding their main campus on William, Augustine, Royston and Stafford. Total assessed value per GIS is over \$11M and is zoned Religious.
- The Church is working with city planning to establish a new SUP for the Church operations in the property it owns.
- The Church and city will propose to nullify the current SUPs that are in effect that currently control certain Church related activities at some of the properties.
- We understand the plan is to create a single SUP that governs activities in the properties and allows new activities in what were once single family homes that were in the city's tax base
- Ostensibly, SUP consolidation allows more efficient chronicling and identification of SUPs but this simply does not make sense. SUP conditions apply no matter if they exist in separate SUPs or in a single SUP. No increase in efficiency is apparent.
- You see, there are multiple alleged zoning violations where SUP conditions are not followed.
- The real purpose of SUP consolidation is to allow the city and the Church to wipe clean the reported SUP violations and start again with new conditions that allow the Church to operate as it sees fit no matter the impact to the surrounding neighbors.
- Additionally, the proposal may include consolidating lot lines. If this is the case, what is the benefit of lot line consolidation? Who benefits from this action?

- Creating one large parcel does not seem to benefit College Heights in any way but must have significant benefits for the Church.
- Several members of the neighborhood and the College Heights Community Association are concerned about the SUP and possible lot line consolidation and want to understand the potential impacts to the community that this change might have.
- In 2008, the Church attempted to consolidate all parcels into a single parcel, demolish some existing single family homes and install paved parking lots.
- The CHCA protested and the Church was unable to pursue their plans
- In spite of this decision, the Church continued to quietly buy the remaining single family homes and are again attempting to expand similar to what they wanted to do in 2008.
- The Church moved from its original downtown site in 1971 since it outgrew its location. The Church continued to grow and now attracts parishioners from Spotsylvania and Stafford which contributes to traffic congestion, air and noise pollution and road wear.
- Other churches in College Heights are small and are truly neighborhood churches and operate as good neighbors.
- The continued expansion of what is now a mega-church provides little benefit to our neighborhood or our city
- St. Mary, unlike the other small neighborhood churches in College Heights, has multiple activities that begin early in the morning and continue into late evenings seven days a week.
- The expansion has a significant negative impact that includes a continually eroded City tax base, increased traffic congestion, increased parking problems, air, noise and light pollution, overuse of pesticides and is incompatible with best uses and the City's Comprehensive Plan.
- Saint Mary of the Immaculate Conception has clearly grown too large for our neighborhood and now for some unjustified reason wants to grow even larger.
- According to the Church calendar it looks like the Church is adequately managing and sufficiently scheduling its many meetings using its existing facilities.
- If St. Mary truly can not meet the needs of its current parishioners without further expansion, perhaps some of the services can be transferred to other nearby Catholic Churches which are closer to many parishioners.

- St. Mary could sell some of the residences to private families so we can again have families living in our neighborhood.
- We want to preserve the integrity of College Heights as a primarily single family residential neighborhood.
- **We respectfully urge the City to deny the St. Mary SUP and require individual permits for desired changes to Church property.**

Mike Worsham
College Heights Civic Association Director
443-995-187

From: [Mike Worsham](#)
To: [Planning Commission Members](#)
Cc: [Nelson Sargeant](#); [Lynn Ackermann](#); [Ernie Ackermann](#); [Dave Kolar \(dkolar\)](#); timpduffy@gmail.com
Subject: [EXTERNAL] City Council Public Comments 5/9/23
Date: Wednesday, May 10, 2023 1:03:05 PM
Attachments: [City Council 5 9 23.pdf](#)

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Planning Commission Members:

Attached are comments I made at the City Council meeting last night, 5/9/23. I respectfully request the Planning Commission members to review the attached document to be aware of these comments since they directly pertain to the May 24, 2023 Planning Commission public hearing concerning a SUP for Saint Mary.

I believe a new consolidated SUP is not necessary and should be denied. Religious institution use can easily be accomplished through existing Church facilities and should not be allowed to spread further into what were single family homes around our once quiet College Heights neighborhood.

Desired facility and property changes can be initiated by applying for a permit and complying with the attendant regulations governing permit applications. No work to change current SUPs is necessary.

Specified conditions identified in existing SUPs should be enforced. Past alleged zoning violations should be investigated and resolved before even considering any action concerning consolidating existing SUPs into a new SUP.

Many alleged zoning violations have been reported to the City documenting instances where Church seems to ignore or reject zoning rules. A new SUP does nothing to rectify past alleged violations some of which may even pose hazards to human health.

If the Church is found to be in violation of existing SUP conditions as previously reported, why is there an effort to create a new SUP with new conditions where it seems clear the Church does not bother to follow certain existing zoning rules and SUP conditions?

Thank you very much,

Mike Worsham
College Heights Civic Association Director
1317 Royston Street
Fredericksburg, VA 22401
443-995-1879

College Heights Civic Association

For discussion at the 4-7-2023 meeting with Fred Zoning Admin Kelly Machen
We may not get to all of these questions and so we may have to reschedule another date. This is for beginning discussion to learn how College Heights Civic Assn can protect the integrity and character of our College Heights single family neighborhood. College Heights was the neighborhood selected by The 2023 Historic Fredericksburg Foundation HFFI Candlelight Tour because of its historic homes with acknowledgment given to Michael Spencer, University of Mary Washington Historic Preservation Dept who leads walking tours in our neighborhood and talks to us about the HFFI Historic Marker program. We need to learn how to respond to DOA's aggressive SUP proposal to prevent further encroachment and 'onion peel' by DOA's buy-ups of our historic homes.

Concerns/Questions expressed to the CHCA Board by CHCA Neighbors in past week since learning of the St. Mary of the Immaculate Conception via Diocese of Arlington/DOA Proposal Legal Notice in the Free Lance Star to combine SUPs on their acquired properties in our College Heights into one SUP. There are more concerns but these are just the ones that highlight recurrent questions:

Q1 If all the DOA's previous SUPs are now combined into one SUP, does that give DOA more power over what is done with the land in the future?

Q2 Did the City inform St. Marys/DOA in writing that they could not raze The Alms House for the Poor on College Ave? If so, is this considered a violation?

DOA immediately started razing the house and were stopped by the city. This is the incident being referred too. Not the one after Al Littek volunteered to move the house to a vacant lot. And it didn't work out, so DOA did what they planned all along: Raze the house to asphalt a parking lot.

CHCA and Fred City could have used that house as part of a walking tour within our neighborhood. The 'oops, we did it' by DOA is skeptically viewed. DOA has a long history of razing homes in Alexandria and now Fredericksburg. Does this history count towards a denial of the SUP or towards the city asking DOA to withdraw their application?

Q3 For the three 1300 Buckner St vacant lots proposed for parking. We have tried to walk out to see them. GPS can't retrieve their location. Homeowner Lloyd Dowling has a farm gate up at the end of the 1200 block. And we can't see them from the opposite end of the path.

Are the Buckner lots on Lloyd's property, behind his house? Or are they on the St. Mary's campus? A resident said they're already paved (not green space) and that they're used for Christmas Tree Sales. Does the city have the SUP on file for them? Does it involve the carport area? We want to determine if they're already paved and being used for parking and if there is a SUP that allows that. None of us recall a SUP and why CHCA wouldn't have objected to it since parking lots affect stormwater runoff and are not good for the environment.

Q3 Documented SUP violation at the College Ave house for going over capacity in number allowed in the meeting space. Youth groups with adults crowded the room. Evidence is by photo published in the DOA 'Arlington Herald'.

City only said 'don't do it again. But sounded like in the discussion 'you try it again and there's more consequences, the next time'. Were there SUP violations founded before the College Ave SUP? If we show the other violations, can the city withdraw all the SUPs on the DOA properties because violation #2 shows that they are not willing to comply with city rules?

Q4 Alleged zoning violation submission by Mike Worsham re: 10-19-22 Virginia Catholic Conference Management meeting at 1312 Royston Street. A screen capture from St. Mary's calendar provides information on this planned meeting. Is there a link to see all the SUPs that St. Mary's/DOA hold on the acquired College Heights homes? Do these SUPs just address occupancy limits? Or are other conditions written that are individualized per home.

Q5: St. Mary's/DOA in its latest SUP proposal is 'gating' the houses within our single family neighborhood. This impacts the historic character of our neighborhood. Is it violating Residential zoning? Is encroaching into Single Family Residential zoning with the gates within the city's Comprehensive Plan? Can DOA raze the houses if they gate them in? They say they won't, but then again, another 'oops, moment' when it's too late to save them. Or they all catch on fire.

Is the DOA's aggressive change with the gates and pouring sidewalks within this gated, segregated compound considered a 'gated community' or not? We know we can still drive Stafford, Royston, and Augustine St but Fire can't get to the historic homes quickly because of the gates: 'A gated neighborhood accessible only to residents is privately owned since the public cannot drive the streets at will. Police, fire and EMS personnel will have their own code or a special key to access the gate in emergencies, but police may not routinely patrol the neighborhood'. Is 'gating' into a compound putting the historic homes at risk of all burning down with another 'oops, moment' excuse?

Q6: Catholic Dioceses have a reputation in the US for closing their churches due to dwindling attendance. But also to pay for the lawsuits. If this happens at St. Mary's, can they raze the church and the surrounding historic homes that they own? Or If the homes 'oops, catch on fire'. The Diocese then waits it out for the highest investor.

Q7: Would the historic homes with the DOA SUPs still be considered to be a part of the College Heights neighborhood with a combined SUP? If College Heights applies for a Neighborhood Conservation District, would these homes be considered part of the NCD? Or do the 'gates' and compound status remove them from our single family zoning?

Q8: 'Gating' and compounding into an operations facility impacts noise• light pollution• Increased intensity of use (activities are currently 7 days/week with some occurring 24 hrs/day). By 'gating' would 'the DOA compound' be allowed to add streetlights on the sidewalks they're 'modifying' on the historic homes within the compound?

Q9: SUPs must conform to the City's Comprehensive Plan• purpose and intent of zoning regulations• existing or planned uses of neighboring properties• Construction and operation must be in a manner which is compatible with the surrounding land uses and overall character of the community. Does this latest SUP from DOA show that they have done this? Gates, sidewalk modifications to move towards a 'gated community' compound in a single family neighborhood do not seem to meet conformity with the City's Comp Plan.

EXAMPLES OF CHURCH/SCHOOL EXPANSIONS IN DOA (We're still researching if single family homes were acquired to expand the initial footprint of these DOA properties.):

Good Shepherd Catholic Church in Alexandria. <https://www.gs-cc.org/building-project/#hfaq-post-1145>

The Basilica School Queen St, Alexandria

<https://www.alxnow.com/2021/02/26/old-town-basilica-plans-new-expansion-featuring-a-tower-and-archway/>

From: Kelly M. Machen
To: ["Charlie Payne"](#)
Cc: [Michael J. Craig](#); [Taylor H. Owen](#)
Subject: FW: [EXTERNAL] Fwd: Fw: St. Mary's Church/Diocese of Arlington Proposal Request Special Use Permit. Copies Available Now
Date: Thursday, April 6, 2023 10:05:00 AM
Attachments: [image001.png](#)

Good morning,

FYI. Below is an email regarding the Saint Mary's Special Use Permit, which Mr. Provo requested we forward.

Thank you,
Kelly

Kelly Machen, AICP, CZA
Zoning Administrator
Community Planning and Building
540.372.1179 x231
kmmachen@fredericksburgva.gov



From: Rodger Provo [mailto:wrodgerprovo@gmail.com]
Sent: Thursday, April 6, 2023 8:16 AM
To: Charles R. Johnston <crjohnston@fredericksburgva.gov>; Kelly M. Machen <kmmachen@fredericksburgva.gov>
Cc: Mary Katherine, Greenlaw <mkgreenlaw@fredericksburgva.gov>; Kerry Devine <kpdevine@fredericksburgva.gov>; Matthew J. Kelly (kelly058@verizon.net) <kelly058@verizon.net>; Timothy P. Duffy <tpduffy@fredericksburgva.gov>; Timothy J. Baroody <tjbaroody@fredericksburgva.gov>; chca_board@yahoo.com; Amy Dempsey <adempsey73@yahoo.com>
Subject: [EXTERNAL] Fwd: Fw: St. Mary's Church/Diocese of Arlington Proposal Request Special Use Permit. Copies Available Now

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Good Morning Chuck, Kelly -

It is in the community's interest to support further redevelopment and preservation of homes in College Heights to meet a demand for them in the city. We have seen a remarkable transition in it in recent years with new homes being built on vacant lots and existing homes being expanded and upgraded. It is projected that in the coming years the population of

PDC 16 may approach 750, 000 residents. The demand for such housing will only increase.

I would propose that the city and the church enter into an agreement to place a cap on the membership at St. Mary's which would reduce the demand for parking. I think the church needs another site in the city or one of the counties to meet the demand for facilities by a growing population. The housing stock owned by the church needs to be preserved to provide additional housing for the community. I would ask the church to sell those homes for that purpose.

Please share this email with the church. Thank you.

Rodger Provo
1414 Stafford Avenue
Fredericksburg, Va 22401
540-371-5740

----- Forwarded message -----

From: **Amy Dempsey** <adempsey73@yahoo.com>
Date: Thu, Apr 6, 2023 at 4:56 AM
Subject: Fw: St. Mary's Church/Diocese of Arlington Proposal Request Special Use Permit. Copies Available Now
To: Rodger Provo <wrodgerprovo@gmail.com>

Have you seen this???

----- Forwarded Message -----

From: College Heights Civic Association <chca_board@yahoo.com>
Sent: Wednesday, April 5, 2023, 04:23:36 PM EDT
Subject: St. Mary's Church/Diocese of Arlington Proposal Request Special Use Permit. Copies Available Now

Hello CHCA Neighbors,

The Diocese of Arlington/St. Mary's Church proposed Special Use Permit/SUP was mistakenly advertised in last Wednesday's Free Lance Star. It showed up as "Cancelled' on Thursday. But the Diocese of Arlington's proposal may be eventually heard. Please keep up with this SUP issue by reading the proposal.

I picked up a hard copy yesterday of the St. Mary's Church/Diocese of Arlington's SUP proposal to combine all the SUPs on the houses on the block. St. Mary's/Diocese of Arlington now own the entire block around St. Mary's in our College Heights neighborhood, after years of buying them up, one at a time.

Some local children have helped with drawing flowers on the sidewalks near the houses listed in the Legal Notice. Please walk around the entire block, starting at St. Mary's going left to Stafford Ave, turning right on Royston, and then another right on Augustine. Some, if not all, vacant properties will be converted to parking lots. Local Charlie Payne, is now working as the DOA's attorney.

It is devastating to read what the Diocese of Arlington is proposing. DOA through St. Mary's wants to remove the driveways to the houses and put up gates in their place, like a 'gated community' in our single family homes neighborhood. This is a 'land use' issue.

A hard copy of the DOA proposal for a SUP at St. Mary's is available to any 22401 resident. You put in a request by phone to the Zoning Dept, (540) 372-1179, you can leave a voicemail, the SUP proposal is printed off, then you are called that it is ready. The city can mail it or you can pick it up at the Zoning Department on 601 Caroline St, 4th floor.

However, Zoning Administrator Kelly Machen sent a link to us when we were inquiring for more copies. The link is a more efficient way to communicate the news to you. It will last 30 days.

The link has the same information that I received in the hard copy, except that the hard copy blueprint is on 12X 18 paper which I prefer because I can take it with me rather than question if a reliable internet connection will be available to bring it up.

We hope that you will reach out to one another to check if your neighbor is on our College Heights Civic Assn email list or not. Please send me their email if they are interested in being on the CHCA list to keep up with what is happening in our neighborhood.

Other news: Planner Chuck Johnston said he will be setting a date for the Area 5 meeting, which is College Heights, hopefully this month. He will be talking some about a Neighborhood Conservation District: what it means, the benefits, the drawbacks, if any.

We have set up the annual CHCA Spring Membership Meeting at Christ Lutheran Church on Sunday, May 7, 2023 at 2 PM. We will be getting the newsletter out soon.

Stay in touch. Please talk to one another and stay informed.

Take care,

Sue

Good morning,

We have placed the most current application documents for Saint Mary's Special Use Permit on our FTP site, which you can access using the link below. This link will work for the next 30 days. Please let us know if you have any challenges accessing the documents.

https://ftp.fredericksburgva.gov/public/folder/ujy3kHduT0qcH_m-Y4qq5A/SUP%20FY23-0003%20-%20Saint%20Mary%20of%20the%20Immaculate%20Conception%20Parish

Thank you,

Kelly

Kelly Machen, AICP, CZA

Zoning Administrator

Community Planning and Building

540.372.1179 x231

kmmachen@fredericksburgva.gov

From: [Mike Worsham](#)
To: [Kelly M. Machen](#)
Cc: [Nelson Sargeant](#)
Subject: [EXTERNAL] Addendum To 3/9/23 Alleged Zoning Violation
Date: Tuesday, April 4, 2023 2:11:01 PM

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Hello Kelly,

As my wife and I were walking our dogs last night, 4/3/23, at about 6:25pm near Buckner and Stafford, we happened to see two men talking near the rear door of the Catholic Charities Family Services facility at 1101 Stafford. A lady walked up to the two men carrying what looked like food and a drink and then all three entered the facility. Regular hours of operation are supposed to be limited to between 9:00am to 5:00pm except for "emergency visits". There did not seem to be any emergency since all three people did not seem stressed, in a hurry or in any way acting like there was something critical happening. If this was not an emergency, it seems this facility operates as they wish without regard to the SUP requirements. Have you had time to look into the 3/9/23 Alleged Zoning Violation?

On another matter can you please provide any additional information on the St. Mary's SUP that is in work? I understand there is a package available and I can pick up at your convenience, but would appreciate receiving it as soon as possible.

Thank you very much,

Mike Worsham
443-995-1879

Kelly M. Machen

From: College Heights Civic Association <chca_board@yahoo.com>
Sent: Saturday, April 1, 2023 7:35 AM
Subject: [EXTERNAL] Fw: Reminder: ADU Community Session Sat 4/1/23 School Bd Room Ferdinand St 10-11:30 AM
Attachments: ADU Ellen Brown College Heights Public Comment 3 22 2023 Planning Commission.pdf; 2023-03-31.png

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Subject: Reminder: ADU Community Session Sat 4/1/23 School Bd Room Ferdinand St 10-11:30 AM

Hello College Heights Neighbors,

This is just a reminder that another **Accessory Dwelling Unit Community Session** will be held tomorrow morning, Saturday 4/1/2023 in the School Board Room on Ferdinand Street from 10-11:30 AM. There is a detour at the underpass to Charles St but it is marked with "Detour" signs to get you back over to Charles. Ferdinand is off Charles. We hope you can attend. These meetings are very informative. Neighbors share ideas and concerns which help with making a decision on the proposed ADU Text Amendment.

I am attaching the public comment that neighbor Ellen Brown provided by email to the 3-22-23 Planning Commission. It was read out loud by Planner Chuck Johnston into the PC mic. Ellen goes over some of the points that we hear expressed in both the Planning Commission meetings read into the public record as well as the more informal Community Sessions that are not recorded.

You can watch the recorded Planning Commission meetings by going to the city website, go to 'Community', and then select 'Watch a meeting'. Public Comments usually occur within the first 30 min of the meeting. You can also hear some ADU discussion by City Council which ended up with a vote on 1-10-23 (5-2) to send the proposed ADU Text Amendment over to the Planning Commission to do something about it. Councilors Tim Duffy and Matt Kelly voted 'no' to doing this.

Since our College Heights Civic Assn 2-5-23 meeting at Christ Lutheran, The Fredericksburg Neighborhood Coalition "The Coalition" has formed. This is a coalition of more than a dozen neighborhoods in 22401 which continues to study ADU impacts on communities. "The Coalition" has recently taken a position to 'Say No to ADU' after hearing Planning Commissioner 'tallies' taken at the 3-22-23 PC meeting on which concerns to address or not.

A significant concern that we're learning about, including from the realtors, is the heavy interest by developers to buy up even more properties in our neighborhoods because the ADU can bring in rental income. We are not talking about a family member aging in place. This is about building ADUs as an investment for developers, not a family.

These developers know Fredericksburg for its charm and that the market is rich for them here. Other Coalition reasons to 'Say No to ADU' are: there are a lot of non-conforming structures (garages, sheds) in the city which are on property lines but could be converted to ADUs. Not only is this unsafe

but we ask, why do residents have to point this out? The city needs more staff and time to inventory the current inventory of 100 ADUs that they refer to as 'grandfathered' and make sure they're safe and healthy for occupants and neighbors, as any other locality in the US has done for their residents.

As many of you let us know, we too are alarmed to see the Wed 3-29-23 Legal Notice of a public hearing: St. Mary's Church wants the City to allow them to convert their **Special Use Permits/SUPs** into one permit. We are shocked that **Diocese of Arlington/DOA**, which subtly bought up lots of our houses over the decades to own the entire block behind the church, is proposing to mess up our single family home neighborhood by "modifications to the sidewalks, open space features, and driveways". Is house razing next?

What is DOA up to? A few years back, DOA bought up the Alms House for the Poor on College Ave to the right of the old Post Office, which is now the DOA Bosco Student Center. Removed it from the tax roll like their other properties they own in our neighborhood.

DOA immediately began to raze the Alms House, until stopped by the city so that a historic preservationist could look at the home's features. It was too late. Then DOA goes 'oops', and says the house is free to anyone who wants to remove it from their property. No one could move it to an available vacant lot because of the cost of taking down the overhead wires as well as hurting the tree canopy to move it to an available vacant lot.

So DOA just finished up what they started with razing the rest of The Alms House. DOA then appallingly asphalted the entire space that the house sat on into a drive-through lot with a barbecue grill on the end of it. Diocese of Arlington then placed two large institutional signs on either side of the driveway entrance with 'DO NOT ENTER". What kind of optics is that?

DOA violated the Special Use Permit for another house they own on College Avenue by going over occupant capacity. The house was limited to just a small group meeting in that space. College Heights neighbors spoke at the City Council mic to that violation. We showed the evidence of photos published in the Arlington Herald of the large number of teenagers and adults jammed into one room of the house for a meeting/retreat. The city slapped DOA on the wrist and told 'Don't do it again'. Since then I've heard we were just 'too nice'.

There are other egregious behaviors perpetrated by DOA and St. Mary's including their method of soliciting neighbors to buy up their homes and then claiming the homeowner came to them. If you are approached by a priest or Eucharistic Minister, please let us know so we can see if they're developing a pattern towards takeover of another section of College Heights.

DOA is using the 'onion peel' in targeting our homes for institutional use. It has nothing to do with religious persecution when we object to their infringement and greed in buying up our houses. If another company, like Amazon, did this in any neighborhood here in 22401, we'd be just as fired up as other localities who object to what they've done in NoVA.

Just imagine what we saw when we had a GIS Systems Analyst type in all the addresses of the properties that the Diocese of Arlington owns in College Heights through covert acquisition and we saw a bright red square around that St. Mary's block on the large map. and a rectangle developing in the College Ave area.

'Thou Shalt Not Covet Thy Neighbors' Property', hmmm?

Sure. We bought into College Heights realizing that we have a sprinkling of churches in our neighborhoods. We saw close to the original of 'the footprint' of St. Mary's Church on the land back in the early-1980s. That was the time Diocese of Arlington was just starting to go for land acquisition here, similar to what they did in Alexandria with buying up properties and turning them into parking lots scattered about that crowded city.

With this latest request for another one of their SUPs to combine all their other SUPs to one, Diocese of Arlington is drowning us in now going after our neighborhood with a massive crush to build a compound.

I called the Fred Zoning Administrator Kelly Machen the day the Public Notice came out. She said that the FLS published it in error and that they would make a correction on Thursday, which happened. However, she said that this SUP will be coming up for a Public Hearing sometime in the future.

College Heights Civic Association board members will be meeting with Ms. Machen next week to discuss this latest encroachment by the Diocese of Arlington against our homes.

We hope to see you tomorrow for the ADU meeting in the School Board room,

Your civic engagement matters!

Take care

Sue

Sue Sargeant, CHCA President

From: [Mike Worsham](#)
To: [Kelly M. Machen](#)
Cc: [Charles R. Johnston](#)
Subject: [EXTERNAL] Re: Saint Mary's Church - Alleged Zoning Violation Forms
Date: Monday, March 13, 2023 2:03:24 PM
Attachments: [image001.png](#)

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Hello Kelly,

Thank you for your response. Here are our comments you requested for the previous alleged zoning violations:

For 1316 Royston, I believe the temporary housing is in fact a short term rental since an "in-kind" exchange of value occurred. For instance, if you rented an Airbnb residence for a few days the owner exchanged the value of your stay in the residence for the value of the money you paid. In this case the owner of 1316 Royston exchanged the value of the priest staying in the residence for the value of the services the priest provided. I believe the definition of a short-term rental would apply if a person simply stays in the residence and does not exchange anything of value, but I am not certain. Perhaps the city attorney could provide a legal interpretation for us?

For 1101 Stafford, we have noticed multiple times during this winter that lights are on later in the evening than the specified 5:00pm business closing time. I see this since I let our dogs out in the front yard each evening after they eat and can easily see office lights on in 1101 Stafford from my front yard. I have not documented the specific dates and times but I do see what appears to be business activity being conducted at 1101 Stafford which if correct violates the SUP conditions and should be ceased unless for emergency visits.

As far as 1312 Royston, there have been many, many meetings and other questionable activities including one on Saturday, 3/11/23, which I will document in another Alleged Zoning Violation form which I will send to you soon. Our front windows look out to both 1312 and 1316 Royston so we at times happen to notice people and vehicles coming and going at these residences.

Here are some of the activities conducted at 1312 Royston that we have documented:

- Per the Church calendar, on June 1, 2021 a large number of approximately 20-25 people attended a Virginia Catholic Conference meeting at 1312 Royston. A catered meal was served with numerous people entering and exiting the front and side door. There have been at least 2-4 subsequent VCC meetings at 1312 Royston.
- On the morning of 6/16/21, the Fredericksburg Fire Department responded to a

report of a significant amount of billowing smoke and visible flames coming from the driveway at the rear area of the property. It looked like a man was burning yard waste and rubbish in a large fire pit in violation of fire safety regulations.

- On 9/13/21 a black SUV was very carefully parked at the rear of the driveway after multiple attempts to position it so that it partially blocked the view from Royston. A number of people came through the gate at the rear of 1312 from the main church campus and entered the garage. Lights were on in the residence and a number of people were visible inside. It was somewhat amusing that the SUV driver had to reposition the car several times so that the vehicle blocked as much of the view as possible. It seems the driver was attempting to hide the fact that a meeting of some kind was held in 1312.
- On 11/8/21, apparently a religious education class was conducted beginning about 6:30pm per the church calendar which also said classes are to be held every Monday night for the next several weeks. Over a dozen people were seen entering 1312.
- On 3/14/22 at about 7:00pm, a man, possibly a priest (hard to tell since it was somewhat dark and he wore dark clothes) met with a man and a woman inside 1312 who parked their car in front of the residence.
- On 4/1/22 about 20 people entered the garage from the main church grounds. These people were dressed up for what looked to be some kind of event. This was preceded by a number of people carrying items into the residence which might have been food and beverages for an event.
- On 5/18/22 at about 6:30pm a priest led a group of about a dozen children and adults into the side entrance of 1312. A second man carried a cooler into the residence. Nothing was noted on the calendar. People moved between 1312 and 1316 Royston. I took the dogs out at about 9:50pm and lights were on at both 1312 and 1316 Royston so it looks like a number of people may have stayed in each residence.
- On 6/8/22 another Virginia Catholic Conference Management Committee meeting was held at 1312 per the calendar similar to the one documented on 6/1/21.
- On 7/23/22 at about 4:15am we were awakened by our dogs barking. We looked out our bedroom window and saw two men carrying items out of the side door of 1312 to the main campus via the back gate. The men came back 4 more times to carry more items.
- On 12/8/22 at about 11:45am a person parked in front of 1312 and walked up the driveway, through the gate and entered the main church grounds. This is one example of many people parking on Royston and using gates at the rear of both 1312 and 1316 to come and go to the church. A priest promised the College Heights Civic Association that entry from these residences would not occur.
- On 1/19/23 at about 5:00pm, lights on the first floor were on and people were inside for some kind of event. Nothing noted on the church calendar.
- On 3/8/23 at about 6:30pm, there looked to be a meeting of some sort in both 1312 and 1316 with lights on in both residences. Nothing was listed on the calendar for these residences. The calendar showed an Exodus 90 meeting at 7:00pm in the Courtyard Meeting Room and a Cana Ministry bible study at 7:30pm also in the Courtyard Meeting room.

- On 3/11/23 several people came through the gate fence and entered the rear of 1312 at about 9:00am. A little later about 6 people left the side door of 1312 and entered the rear of 1316. The calendar lists a SPRED class, a Special Religious Education class, to be held in the Parrish Life Center from 9:00am to 1:00pm. At about 1:00pm a person came through the gate and entered the rear garage carrying two large paper bags which looked to be lunch. People from 1316 came over to 1312 ostensibly for lunch. There is nothing on the calendar about these gatherings.

These activities are just the ones we happened to notice.

We believe we are now blocked from access to the calendar from our browser in an attempt to cover up activities that the Church knows violate zoning regulations. We have previously cited several activities listed on the calendar coincident with activities at these residences. We can read the calendar by other means and lately have noted activities at these residences that do not appear on the calendar at all. We wonder if this is another attempt to cover up activities that violate zoning ordinances. The Church plans to apply for a SUP for 1312 Royston so they can legally conduct church business in this residence so they clearly know they are required to have a SUP to not violate zoning ordinances, but in spite of this, they continue to conduct business in these residences. This seems to indicate they knowingly and purposely violate zoning laws and are not at all concerned about the city enforcing zoning regulations.

Thank you very much for your attention to these matters.

Mike Worsham
443-995-1879

On Friday, March 10, 2023 at 02:02:16 PM EST, Kelly M. Machen <kmmachen@fredericksburgva.gov> wrote:

Good afternoon,

I have received your alleged zoning violation forms for 1316 Royston, 1312 Royston, and 1101 Stafford. After looking through the Church's permissions and your concerns, I see the following for each of these properties.

For 1316 Royston, the temporary housing of a priest is not considered a short-term rental or AirBnB use as the definition of short-term rental specifies there must be a charge for occupancy.

- [SHORT-TERM RESIDENTIAL RENTAL](#). The provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, **in exchange for a charge for the occupancy**. This umbrella definition includes these uses: bed-and-breakfast inn, historic dependency lodging, homestay, hotel and motel, and hotel,

extended stay.

At 1101 Stafford, the Special Use Permit does restrict regular hours of operation to Monday through Friday from 9:00am to 5:00pm, except for emergency visits which are allowed outside the regular business hours. Since you are seeing operations on a regular basis outside their permitted hours, can you provide me with more information on when it is generally occurring (days, times, frequency)? This will greatly help me be able to know when to go out to verify what is going on at the property. I will also reach out to the church and ask them about emergency operations and hours.

I have also looked over the Church's website to see if there were any scheduled meetings or events at 1312 Royston. I did not see anything their website specifying specific activities at that particular property. Any additional information you have on frequency, times, and days that meetings are occurring on the property will greatly assist my ability to verify any zoning violations. I will also talk to church regarding 1312 Royston and try to verify if a zoning violation has occurred.

Thank you,

Kelly

Kelly Machen, AICP, CZA

Zoning Administrator

Community Planning and Building

540.372.1179 x231

kmmachen@fredericksburgva.gov



DRAFT

This letter is regarding the current and future use of the properties owned, controlled or operated by Saint Mary of the Immaculate Conception Roman Catholic Church in College Heights. The Church now owns and controls all former private properties and residences located in the block formed by William Street, Stafford Avenue, Royston Street and Augustine Avenue as shown on the map below.

I wish to make the City aware of previously reported potential zoning and property usage violations pertaining to many of these properties before any Special Use Permit application that the City may receive from St. Mary is considered. Multiple Alleged Zoning Violation forms were submitted to the City for investigation but were ignored and no investigation conducted as far as I know. The alleged zoning violations should be reviewed for validity and if zoning violations are discovered, the violations should be remedied before the City takes any action on SUP requests.



St. Mary conducted an extensive civil engineering site survey including using a drone to perform a topographic analysis of the properties and is preparing a SUP for future use of the properties. The above map shows property addresses and parcels that are referenced below. The information includes ownership history, SUPs granted by the City including conditions if any required by the City, possible zoning violations and other issues.

DRAFT

The history information was generated and provided by Mr. James Newman, former Fredericksburg Zoning Administrator.

1301 William, 1009 Stafford and 1104 Augustine

There is no listed construction date in GIS for 1301 William which is the main Church grounds. 1301 William, 1009 Stafford Ave. and 1104 Augustine Ave. all share the same parcel. This is where the main Church building is located with a number of surrounding structures added to the main parcel.

There are five SUPs associated with these parcels:

1. Catholic Church was granted a SUP for an Educational Building by the Planning Commission on July 17, 1974. No written conditions or controls were specified in the SUP by the City.
2. Catholic Church was granted a SUP for a nursery school, granted by Council on July 16, 1992. No written conditions or controls were specified in the SUP by the City.
3. Catholic Church was granted a SUP for building expansions, granted by Council on June 14, 1994. Two written conditions specified:
 - a. The Church shall install natural screening/buffer between the proposed added parking area behind the Church and the adjacent residences in College heights. Trees and/or hedges of a sufficient quantity and height would be appropriate, to be approved by the City.
 - b. The Church shall improve its current access driveway directly from William street, as directed by the City.
4. Catholic Church was granted an SUP for a preschool, granted by Council on April 8, 2003. Two written conditions were specified:
 - a. The preschool may serve no more than 66 students at a given time and between the hours of 8:30am through 3:30pm, Monday through Friday.
 - b. Any outdoor playground installed in conjunction with the preschool or any other Church activities shall be located on the main grounds of the Church, not on separate lots located within the overall College Heights subdivision area. Any playground installed shall be screened from adjacent residential areas.
5. Catholic Church was granted a SUP for a church office and religious education classrooms, granted by Council on June 8, 2004. Five written conditions specified:
 - a. The parking and dropping off of students for this use of the property be provided in the existing Church parking lot.
 - b. That the structure be maintained in appearance as a single family detached dwelling unit.
 - c. That the property be combined through a boundary line adjustment plat, with the larger Church property. Such plat to be reviewed and approved by the City prior to recordation. The plat shall be recorded prior to use of the structure as an office and classrooms.
 - d. The times of operation shall be limited to Monday through Thursday from 9:00am to 8:00pm, and Sunday from 3:00pm to 8:00pm.
 - e. That once the house ceases to be used for this Church related non-residential use, the SUP shall expire.

DRAFT

It is not clear in the information provided by the City where the Educational Building, the nursery school, the preschool, the Church office and religious education classrooms are. 1104 Augustine appears to be the house where the Church office and religious education classrooms are located. It is not specified what and where the building expansions are.

Since these SUPs were approved, there have been several potential zoning violations and usage problems as noted below:

1. Large load bearing wooden upper deck extension with stairway installed in the rear of 1104 Augustine.
2. A patio extension below the upper deck.
3. Periodic gatherings of minor children on the rear deck that create noticeable and objectionable noise.
4. Concrete walkways connecting the main Church grounds to 1104 Augustine.
5. Electrical underground pathway lighting connecting the main grounds to 1104 Augustine.
6. Assumed interior modifications necessary to convert a residential dwelling to a Church office and religious education classrooms to 1104 Augustine.
7. A standard residential front door of 1104 Augustine changed to one that has no exterior handle to allow access from the exterior front of the residence.
8. Children and a playground clearly visible from Royston with a line of sight extending from Royston across the vacant lot to the playground. There is no natural screening or buffer that exists as required in the SUP.
9. Children are at times allowed to play in the lot that abuts to the rear of 1104 Augustine and extends to Royston with little to no adult supervision to control where they play and how much noise they make.
10. A number of overhead exterior and security lights added to illuminate the main Church grounds increasing light pollution.
11. There is so much vehicular traffic that sheriff deputies with an official patrol car are at times on duty to direct traffic on William Street entering and leaving the Church grounds and surrounding streets.

It is respectfully requested that the City review permit applications to verify the Church complies with zoning regulations and acquired the necessary permissions and inspections for the above noted issues and any other modifications to the properties that are not apparent. It is not clear if the upgrades and repairs to the Church buildings such as roof replacements required or received permits.

Did the City inspect these modifications to ensure all safety regulations are met? Is it required that the more extensive modifications be performed by a licensed contractor? This is especially important for the load bearing wooden deck and stairway in the rear of 1104 Augustine.

Are there other Building and Fire Code requirements that a facility used for meetings and educational purposes has to meet such as maximum number of employees/volunteers and religious students permitted, safety, fire alarms, sanitation, emergency instructions, signage, periodic inspections by City or State officials, etc?

Do the exterior and security lights conform to the City's lighting standards? Multiple electric security lights have been installed which may or may not required a permit.

DRAFT

1102 Augustine

Built in 1954, purchased by the Church in 1994. Council approved a Special Use Permit to use this property as a temporary Church office of August 23, 1994. SUP was valid for 1 year.

According to an email dated 9/30/19 from Andrew Schulman, Director Office of Planning, Construction and Facilities, Catholic Diocese of Arlington, this property is a rectory (residence) where four parish priests reside.

Possible zoning issues with this property:

1. Fredericksburg residential occupancy zoning ordinance specifies that "...a group of not more than three unrelated persons living together as a single housekeeping unit" may legally dwell in a residence. Four parish priests dwelling in 1102 Augustine violates this zoning ordinance.

It is respectfully requested that the City review permit applications to verify the Church complies with zoning regulations and acquired the necessary permissions and inspections for the above noted issue and any other modifications to the properties that are not apparent.

1300 Royston

Per Andrew Schulman's 9/30/19 email, the parish Director of Sacred Music resides here.

Possible issues with this property:

1. There seems to be more than one individual living in at 1300 Royston based on the number of cars and people entering and leaving the residence.

It is respectfully requested that the City review permit applications to verify the Church complies with zoning regulations and acquired the necessary permissions and inspections for the above noted issue and any other modifications to the properties that are not apparent.

1308 Royston (vacant lot between 1300 and 1302 Royston)

Possible zoning issues with this property:

1. There is a black metal fence parallel to Royston between 1300 and 1312 Royston with a large gate. The fence then runs along the property line next to 1312 Royston and extends to the Church parking lot at the main grounds.
2. People park on Royston and enter this property through the gate to walk to either the rear of 1104 Augustine or to go to the main Church grounds. This creates parking problems and increases traffic congestion.

It is respectfully requested that the City review fence permit applications to verify the Church complies with zoning regulations and acquired the necessary permissions and inspections for the above noted issues and any other modifications to the properties that are not apparent.

1312 Royston

Built in 2002 and is privately owned. It is permitted to be used as a residence as a by-right use.

DRAFT

The June 12 *From Our Pastor* newsletter, <https://stmaryfred.org/from-our-pastor-152/>, states that this residence is now the St. Joseph House for Adult Education. The newsletter further states that this residence hosted a meeting of the Virginia Catholic Conference (VCC) the week before publishing the newsletter. The newsletter further stated that the Church planned to hold an open house at this residence soon.

Regardless of the legal owner, this property is currently managed, controlled and operated by the Church to conduct Church business and was recently purchased from a private individual in the spring of 2021.

Possible zoning issues with this property:

1. 1312 Royston is a single family dwelling not zoned as part of a religious institution. This property is zoned residential and permitted to be used as a residence by-right, however the Church apparently covertly converted it to an adult education center and a facility to conduct recurring formal Church business without applying for and being granted a SUP.
2. In a meeting with representatives from the College Heights Civic Association in May 2021, a Church official stated that the house might be used for a meeting center for small parish groups or the parish might move their pre-school students there.
3. Numerous workers were active at this residence during the spring of 2021 in what appears to be extensive renovations and improvements that include:
 - Office furniture moved in from an Office Liquidators truck
 - Multiple external lighting fixtures and security devices installed
 - A sign hung on the side porch entrance indicating that this is the Saint Joseph facility
 - It is not clear if any internal electrical, plumbing or structural modifications were completed.
4. Per the Church calendar, on June 1, 2021 a large number of approximately 20-25 people attended a Virginia Catholic Conference meeting at 1312 Royston. A catered meal was served with numerous people entering and exiting the front and side door. There have been at least 3-4 subsequent VCC meetings at 1312 Royston. This is a recurring, periodic meeting by a political action arm of the Catholic Church whose mission is to influence Virginia and federal legislation on matters particular to conservative adherents of the Catholic faith, especially focusing on anti-reproductive rights and limiting marriage equality: <https://vacatholic.org/about-us/>. To claim that meetings like this are the same as hosting a book club meeting in a private residence is a clear and obvious false equivalence. A book club meeting is an informal gathering of a group of people to discuss a book. A formal VCC meeting is in no way similar to a book club.
5. On the morning of 6/16/21, the Fredericksburg Fire Department responded to a report of a significant amount of billowing smoke and visible flames coming from the driveway at the rear area of the property. It looked like a man was burning yard waste and rubbish in a large fire pit.
6. A neighbor called the Fredericksburg Police Department in early June 2021 to report the front door was open for several days. The PD responded and the door was closed.
7. Occasionally, people park on Royston and enter the main Church grounds by walking up the driveway and entering through the gate at the rear of 1312 Royston. This increases parking problems and traffic congestion.

DRAFT

It is respectfully requested that the City review permit applications to verify the Church complies with zoning regulations and acquired the necessary permissions and inspections for the above noted issues and any other modifications to the properties that are not apparent.

1316 Royston

Built in 1963, purchased by the Church in 2003. It is permitted to be used as a residence as a by-right use.

This property was used as a residence by the Oblate Sisters of Holy Cross Academy until mid 2019 when their employment was terminated and they were forced to vacate. This residence currently looks like a neglected vacant house.

Possible zoning issues with this property:

1. A number of different people occasionally dwell in this residence for short periods of time much like temporary housing or an Airb&b.
2. On 10/7/21 a Net Ministries (<https://netusa.org/mission/>) van pulling a trailer parked in the driveway of 1312 Royston. About 8-10 young men and women unloaded suitcases, sleeping bags, pillows, drinks, other provisions and musical instruments into 1316 Royston. One young man in the group stated they were staying there for the next 10 days since they tested positive for COVID. He said they are missionaries who travel in the van and perform at different events and Catholic Churches and are now quarantining in one of both of these residences. Several members did not comply with quarantine procedures but rather walked around the neighborhood. One young man was seen vomiting in the front yard. No adults were noted to help or advise these young people on what proper quarantining measures are. There were at least 3-4 prior instances of Net Ministries members staying in 1316 Royston for multiple nights.
3. Occasionally, people park on Royston and enter the main Church grounds by walking up the driveway and entering through the gate at the rear of 1316 Royston. This increases parking problems and traffic congestion.

It is respectfully requested that the City review permit applications to verify the Church complies with zoning regulations and acquired the necessary permissions and inspections for the above noted issues and any other modifications to the properties that are not apparent.

1117 Stafford

Built in 1954, purchased by the Church in 2013. It is permitted to be used as a residence as a by-right use. Per Andrew Schulman's 9/30/19 email, the school principal of Holy Cross Academy and his family reside here. There are no known issues with this residential dwelling as long as Fredericksburg zoning ordinances are met.

1109 Stafford

Built in 1962, purchased by the Church in 2008. It is permitted to be used as a residence as a by-right use. Per Andrew Schulman's 9/30/19 email, this residence is used as storage by the parish. No issues with a residential dwelling as long as the Fredericksburg residential zoning ordinances are met.

This residence looks like a neglected vacant house.

DRAFT

1101 Stafford

Built in 1958, purchased by the Church in 2011. Catholic Church was granted a SUP for a Family Counseling Program, granted by Council on February 14, 2012. Property has a storage shed used by the parish.

There are no known issues with this facility as long as Fredericksburg zoning ordinances are met.

Summary

Residents of College Heights have many concerns about the continued encroachment of the Church into our neighborhood and the increased tax burden imposed upon residential home owners caused by private residences being converted into tax exempt Church facilities. Property owners are required to follow zoning regulations but it seems that the Church may not always comply as noted above. It is unclear if the City has the will and resources to ensure future compliance. We are worried that any new SUP would put our neighborhood at further risk with our home values and quality of life negatively affected and are concerned about what the Church might do in the future without oversight if a SUP for a specified scope of work is approved.

We understand the Church is interested in acquiring all or at least part of the historic property at 1211 William called Rose Hill. It is unknown what they need that property for. What the City and our neighborhood does not need is another non-permeable asphalt parking lot and the loss of a number of trees and wildlife habitat, not to mention the possible demolition of another beautiful historical home as was the case at 1616 College Avenue to accommodate expanding the Catholic Student Center.

Other churches in College Heights are small and are truly neighborhood churches and operate as good neighbors. The continued expansion of what has now grown into a mega-church may benefit the Catholic Church in some complex financial or legal manner similar to how large corporations operate, but provides little benefit to our neighborhood or our City. St. Mary, unlike the other small neighborhood churches in College Heights, have multiple activities that begin early in the morning and continue into late evenings seven days a week. The encroachment has a significant negative impact that includes a continually eroded City tax base, increased traffic congestion, increased parking problems, noise and light pollution and is incompatible with best uses and the City's Comprehensive Plan.

Saint Mary of the Immaculate Conception has clearly grown too large for our neighborhood and now for some reason wants to grow even larger. If St. Mary truly can not meet the needs of its current parishioners without further encroachment, perhaps some of the services can be transferred to St. Jude in Spotsylvania which is only nine miles away from St. Mary or other nearby Catholic Churches. St. Mary could sell some of the homes to private families so the properties can be returned to the City tax base like the University of Mary Washington has done.

We urge the City to carefully consider the St. Mary SUP and do what benefits the tax paying citizens of Fredericksburg.