

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	August 17, 2020
Action Required:	Public Hearing to approve sale of City owned real estate
Presenter:	Chris Gensic, Dept. of Parks and Recreation
Staff Contacts:	Chris Gensic, Dept. of Parks and Recreation
Title:	Approval of Sale of portion of Northeast Park – Public Hearing

Background:

Daniel and Veronica Katz, the owners of 912 Marshall Drive, adjacent to Northeast Park, have requested to purchase a .13 acre portion of the parkland that abuts their backyard and includes a small creek area. This area of the park is not used for public recreation and is not needed for public use. There is not an apparent way to activate this area for public park or trail use in the future since it does not connect to any public streets. A public hearing is required to authorize the sale of the property.

Discussion:

Charlottesville Parks and Recreation staff and the Parks and Recreation Advisory Board have reviewed the proposal and have no objection to the sale of this parcel. The proposal has been circulated to other City departments for comment per the “Sale of City Land Policy” dated May 2009. No department objected to the proposed land sale. The requestors are offering \$750 and will cover all legal, survey, and transfer fees. The requestors’ letter is attached. Neighbors have been notified and signs posted on the property for 2 weeks in advance of this hearing pursuant to the above referenced policy.

Alignment with City Council’s Vision and Strategic Plan:

The project supports City Council’s “Green City” vision. It contributes to Goal 2 of the Strategic Plan, to be a safe, equitable, thriving and beautiful community, and objective 2.5, to provide natural and historic resources stewardship.

Community Engagement:

Tonight’s public hearing is intended to gather public input on the proposal.

Budgetary Impact:

Proceeds of the sale will be returned to the Parkland Acquisition and Trail Fund to be used to purchase other property for parkland and trail use.

Recommendation:

Staff recommends approval of the sale of the small area of parkland.

Alternatives:

Retain the property as part of Northeast Park.

Attachments:

Proposed Ordinance, Request letter from Katz, Map of property

**ORDINANCE
AUTHORIZING THE SALE OF A 0.13 ACRE PORTION
IN NORTHEAST PARK**

WHEREAS, property owners Daniel and Veronica Katz have requested to purchase a .13-acre portion of property located in Northeast Park in the City of Charlottesville (“City”) which abuts to the back portion of their property located at 912 Marshall Drive; and,

WHEREAS, the proposed 0.13-acre parcel is not used for public recreation or public use; and,

WHEREAS, proceeds of the sale will be returned to the Parkland Acquisition and Trail Fund to be used to purchase other property for parkland and trail use; and,

WHEREAS, in accordance with Virginia Code Sec. 15.2-1813, a public hearing was held to give the public an opportunity to comment on the sale of this property; and

WHEREAS, City staff has reviewed the request and has no objection to the sale of said property.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that the Mayor is hereby authorized to execute a Deed of Bargain & Sale, in a form approved by the City Attorney, to convey the above-described 0.13 acre portion of property in Northeast Park to Daniel and Veronica Katz.

April 16, 2020

To: Chris Gensic, Park and Trail Manager
Attn: Tarron J. Richardson, City Manager
Copy: Todd Brown, Director
City of Charlottesville
Parks Division Offices
1300 Pen Park Road
Charlottesville, VA 22901

Dear Chris, Todd, and Tarron:

We received a letter dated March 25th from Deborah Willard in response to our land purchase offer. Thank you very much for replying and clarifying a bit of the process.

In our first letter we offered to purchase the land behind our house for \$300. Ms. Willard informed us that the city values this land at a higher rate and that the process includes other legal fees. In consideration of the city's proposed valuation and the other associated fees, we are increasing our offer to \$750 and in addition will pay for the plat to be prepared and deeded, as well as any other legal fees normally associated with this process. We believe this offer is fair and reflects the current value of the land in question. We believe the valuation of the land needs to include the following considerations:

1. The land in question is prone to consistent flooding. For most of the year it is flooded and right now presents a health risk to our family and neighbors as it attracts unhealthy insects and wildlife, specifically mosquitoes and rats.
2. The costs required to maintain or remediate this land are expensive and we expect they will increase in years to come. As a note: the city has already conducted tree maintenance in 2019 and in the event we don't purchase this land, we expect further trips as the quality of the trees and the land deteriorate due to persistent flooding and low maintenance.
3. The land in question is not accessible to anyone without first crossing onto another landowner's personal property, which makes us question its real value to the city.
4. The economic climate today is very different than it was in the fall—the price of the land is undoubtedly lower and the revenue from this purchase will be beneficial to the city in the short term and in years to come, as it will add to the permanent tax basis to the city.
5. Lastly, we want to reiterate that our intention is to keep the land undeveloped and to invest our time and resources into creating a more stable environment. This will include new plantings and routine maintenance that are to the benefit of our local habitat and the creek that is immediately adjacent to the land. These costs (born by the property owner) are to the city's collective benefit.

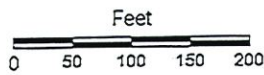
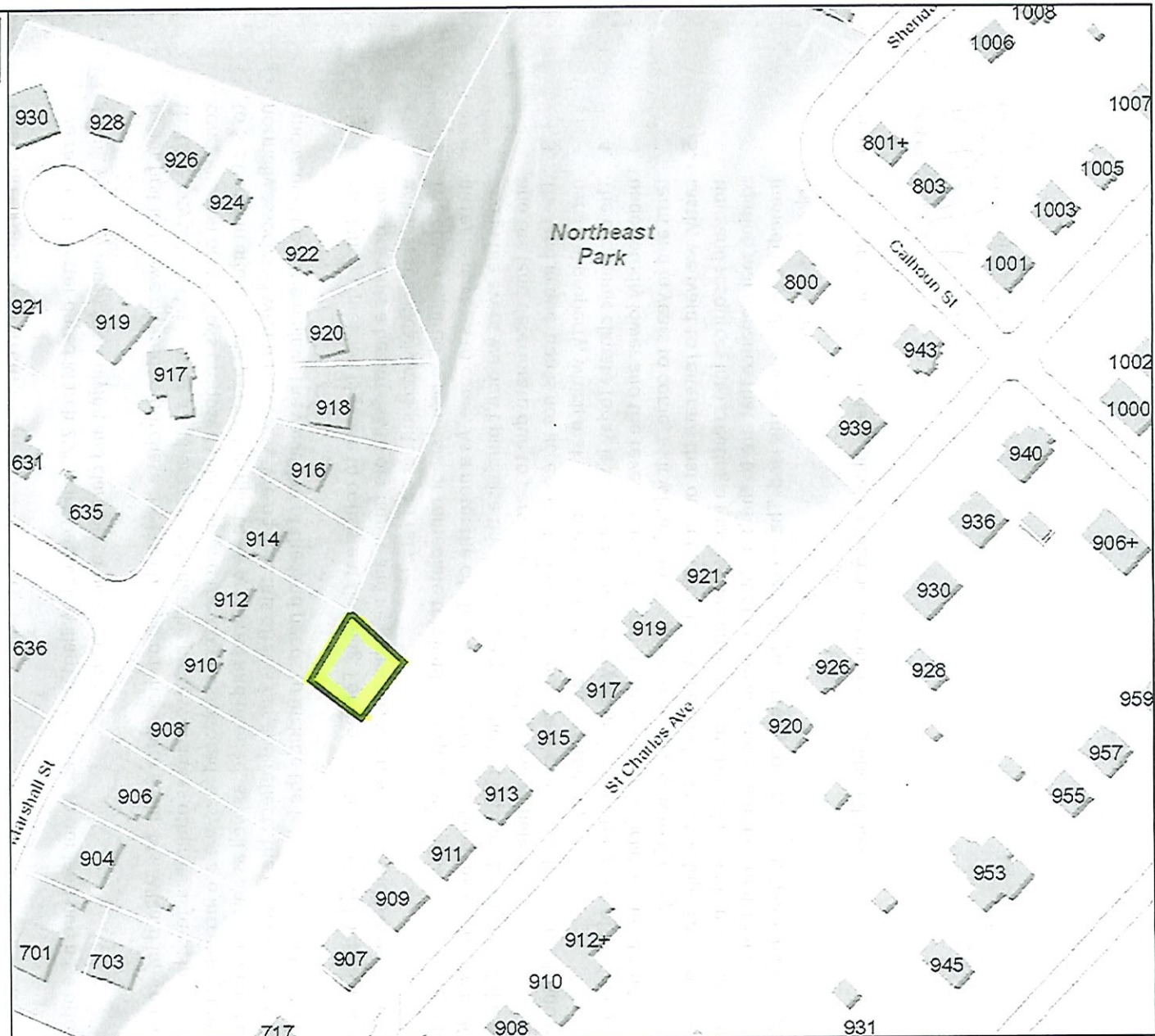
Thanks again for your consideration, please reach out if you have additional questions.

Sincerely,


Dan and Veronica Katz

Legend

- Parcels
- Addresses
- City Limits



Title: Northeast Park property request

Date: 5/6/2019

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Charlottesville is not responsible for its accuracy or how current it may be.

