

**A RESOLUTION  
AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ASSIGNMENT OF  
CONTRACT TO ACQUIRE 23.81 ACRES OF PROPERTY LOCATED AT 0  
CAROLINE AVENUE, 510 CAROLINE AVENUE, 532 CAROLINE AVENUE AND 0  
EAST HIGH STREET AND TO ENTER INTO A MUTUAL RELEASE OF CLAIMS  
WITH SEVEN DEVELOPMENT, LLC AND RIVERSIDE MULTIFAMILY, LLC**

**WHEREAS**, Seven Development LLC (“Seven”) sought to develop a multifamily project known as 0 East High Street; and

**WHEREAS**, that development would have encompassed properties located at 0 Caroline Avenue, 510 Caroline Avenue, 532 Caroline Avenue and 0 East High Street; and

**WHEREAS**, Charlottesville Planning Commission conducted a Code of Virginia 15.2-2232 review and found that certain public improvements for the project were not in substantial accord with the Comprehensive Plan; and

**WHEREAS**, Seven appealed the Planning Commission’s determination to the City Council, and the City Council affirmed the Planning Commission’s determination; and

**WHEREAS**, the Property is located in an environmentally sensitive area; and

**WHEREAS**, the Property is suitable for passive recreational uses; and

**WHEREAS**, the City Council believes the acquisition of the Property for the aforementioned public purpose is in the best interests of the City; and

**WHEREAS**, Seven has assigned its interests to Riverside Multifamily, LLC (“Assignor” or “Riverside”) to acquire the properties from Southern Ventures, Inc., Southern Vector, Inc. and Wendell Wood (“Sellers”); and

**WHEREAS**, City staff has negotiated an Assignment of Contract Agreement (“Assignment”) with the above-referenced parties pursuant to which the City will acquire 23.81 acres of property at 0 Caroline Avenue, 510 Caroline Avenue, 532 Caroline Avenue and 0 East High Street and addresses not yet determined (“the Property”) from the Sellers and pay an Assignment Fee to the Assignor, subject to City Council Approval; and

**WHEREAS**, it is in the best interests of the City to enter into a Mutual Release of Claims to resolve all issues between it and Seven, as well as its successor in interest Riverside with respect to the acquisition and the Code of Virginia Sec. 15.2-2232 review:

**NOW, THEREFORE, BE IT RESOLVED** that this Council authorizes the City Manager to enter into the Assignment of Contract with Assignor, Sellers and Seven in such form as approved by the City Attorney; and

**BE IT FURTHER RESOLVED** that the City Manager is authorized to enter into a Mutual Release of Claims with Seven and Riverside in such form as approved by the City Attorney.

	<u>Aye</u>	<u>No</u>
Payne		
Pinkston		
Snook		
Wade		
Puryear		

Approved by Council  
November 6, 2023

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Kyna Thomas, MMC  
Clerk of Council