

**AN ORDINANCE
APPROVING A REQUEST TO REZONE LAND FRONTING ON CABELL AVENUE
FROM MULTIFAMILY RESIDENTIAL (R-3) AND TWO-FAMILY RESIDENTIAL
UNIVERSITY (R-2U) TO MULTIFAMILY RESIDENTIAL (R-3)**

WHEREAS, Neighborhood Investments-CA, LLC is the owner (“Landowner”) of certain land fronting on Cabell Avenue, designated on the City Tax Map and Parcel (TMP) as 050155000 (the “Subject Property”), and the Landowner is seeking to change the zoning classifications of the Subject Property from R-3 and R-2U to R-3, hereinafter referred to as the “Proposed Rezoning”; and

WHEREAS, a public hearing on the Proposed Rezoning was conducted by the Planning Commission and City Council on October 10, 2023, following notice to the public and to adjacent property owners as required by Virginia Code §15.2-2204 and City Code §34-44, and following the public hearing, the Planning Commission voted to recommend that City Council should approve the Proposed Rezoning; and

WHEREAS, this City Council has considered the matters addressed within the Landowner’s application (ZM23-00005), the NDS Staff Report, public comments, the Planning Commission’s recommendation, and the Comprehensive Plan; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice require the Proposed Rezoning; that both the existing zoning classification and the proposed zoning classification are reasonable; and that the Proposed Rezoning is consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Zoning District Map Incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

Section 34-1. Zoning District Map. Rezoning the property designated on City Tax Map and Parcel (TMP) 050155000 (“Subject Property”), containing, in the aggregate approximately 0.626 acres (approximately 27,268 square feet), from Multifamily Residential (R-3) and Two-Family Residential University (R-2U) to Multifamily Residential (R-3)

and the City’s Zoning Administrator shall update the Zoning District Map to reflect this reclassification of the Subject Property.