

**AN ORDINANCE
APPROVING A REQUEST TO REZONE LAND FRONTING ON JEFFERSON PARK AVENUE, STADIUM ROAD,
EMMET STREET, AND MONTEBELLO CIRCLE
FROM MULTIFAMILY RESIDENTIAL (R-3) TO PLANNED UNIT DEVELOPMENT (PUD)**

WHEREAS, Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC (collectively the “Landowners”) of certain land fronting on Jefferson Park Avenue, Stadium Road, Emmet Street, and Montebello Circle, designated on the City Tax Map and Parcel (TMP) as 160008000, 160005000, 160004000, 160003000, 160002000, and 160001000 (collectively, hereinafter, the “Subject Property”), and the Landowner is seeking to change the zoning classifications of the Subject Property from R-3 to PUD 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 November 14, 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 (ZM23-00004), 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) 2160008000, 160005000, 160004000, 160003000, 160002000, and 160001000 (“Subject Property”), containing, in the aggregate approximately 3.3 acres (approximately 144,002 square feet), from R-3 (Multifamily Residential) to PUD (Planned Unit Development) as described in application ZM23-00004 and the VERVE Charlottesville PUD Development Plan Dated November 17, 2023, with the following Proffer:

1. **Affordable Housing:** The Owner shall make a cash contribution to the City’s affordable housing fund in the amount equal to four and one-half (4½) times that which would be required under City Code Section 34-12(d)(2) based on the approved final site plan, up to a maximum of Six Million, Eight Hundred Thousand Dollars (\$6,800,000.00). Such cash contribution shall be

delivered to the City prior to the issuance of the first Certificate of Occupancy for the Project.

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