

**CITY OF VICTORIA  
COUNTY OF CARVER  
STATE OF MINNESOTA**

**ORDINANCE NO. 409**

**AN ORDINANCE AMENDING SECTION 109 OF THE  
VICTORIA CITY CODE, THE CITY'S OFFICIAL ZONING ORDINANCE,  
BY REZONING CERTAIN PROPERTY**

THE CITY COUNCIL OF THE CITY OF VICTORIA ORDAINS:

Section 1. Section 109 of the Victoria City Code, the City's official zoning ordinance, is hereby amended by rezoning all property within Victoria Flats from CBD (Central Business District) to CBD (Central Business District) and PUD (Planned Unit Development Overlay District) as described herein below:

**PARCEL A:**

**THAT PART OF GOVERNMENT LOT 1, SECTION 13, TOWNSHIP 116, RANGE 24, CARVER COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 1; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 A DISTANCE OF 412.00 FEET TO THE EAST LINE OF LAKE STREET AS DEDICATED IN THE PLAT OF VICTORIA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE NORTHERLY ALONG SAID EAST LINE OF LAKE STREET A DISTANCE OF 162.00 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE CONTINUING NORTHERLY ALONG SAID EAST LINE OF LAKE STREET A DISTANCE OF 54.00 FEET; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 1 A DISTANCE OF 145.00 FEET; THENCE SOUTHERLY PARALLEL WITH SAID EAST LINE OF LAKE STREET A DISTANCE OF 54.00 FEET; THENCE WESTERLY PARALLEL WITH SAID SOUTH LINE OF GOVERNMENT LOT 1 A DISTANCE OF 145.00 FEET TO THE POINT OF BEGINNING.**

**PARCEL B:**

**BEGINNING AT A POINT 66 FEET DUE EAST OF THE NORTHEAST CORNER OF LOT 1, BLOCK 1, VILLAGE OF VICTORIA, WHICH POINT OF BEGINNING IS ALSO DESCRIBED AS BEING 412 FEET EAST OF THE SOUTHWEST CORNER OF GOVT LOT 1, SECTION 13 TOWNSHIP 116 RANGE 24; THENCE RUNNING EAST 145 FEET; THENCE NORTH 108 FEET; THENCE WEST 145 FEET TO THE EAST LINE OF LAKE STREET, VILLAGE OF VICTORIA, THENCE SOUTH ON SAID EAST LINE OF LAKE STREET, 108 FEET TO PLACE OF BEGINNING.**

**PARCEL C:**

**COMMENCING AT A POINT 412 FEET EAST AND 108 FEET NORTH OF THE SOUTHWEST CORNER OF GOVERNMENT LOT 1, SECTION 13, TOWNSHIP 116, RANGE 24, WHICH POINT OF COMMENCEMENT IS ALSO DESCRIBED AS BEING 66 FEET DUE EAST AND 108 FEET NORTH OF THE NORTHEAST CORNER OF LOT 1, BLOCK 1, VILLAGE OF VICTORIA, ON EAST LINE OF LAKE STREET OF SAID VILLAGE OF VICTORIA, THENCE RUNNING EAST 145 FEET; THENCE NORTH 54 FEET; THENCE WEST 145 FEET TO A POINT ON THE EAST LINE OF SAID LAKE STREET; THENCE SOUTH ON THE EAST LINE OF SAID LAKE STREET 54 FEET TO PLACE OF BEGINNING. SITUATED IN GOVERNMENT LOT 1, SECTION 13, TOWNSHIP 116, RANGE 24.**

**(ABSTRACT PROPERTY)**

**TOGETHER WITH:**

**THOSE PARTS OF GOVERNMENT LOT 1, SECTION 13, TOWNSHIP 116, RANGE 24, CARVER COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:**

**COMMENCING AT A POINT 242 FEET NORTH AND 412 FEET EAST OF THE SOUTHWEST CORNER OF LOT 1, SECTION 13, TOWNSHIP 116, RANGE 24; THENCE NORTH A DISTANCE OF 100 FEET TO A**

POINT ON THE SOUTH LIMIT OF ROAD; THENCE NORTH 67 DEGREES 55 MINUTES EAST A DISTANCE OF 81 FEET ALONG SAID ROAD LIMIT TO A POINT; THENCE SOUTH A DISTANCE OF 130.5 FEET TO A POINT; THENCE WEST AT RIGHT ANGLES A DISTANCE OF 75 FEET TO THE PLACE OF BEGINNING.

AND

COMMENCING AT THE SOUTHWEST CORNER OF GOVERNMENT LOT 1, SECTION 13, TOWNSHIP 116, RANGE 24; THENCE EAST 412 FEET; THENCE NORTH 342 FEET; THENCE NORTH 67 DEGREES 55 MINUTES EAST A DISTANCE OF 81 FEET TO POINT AND PLACE OF BEGINNING OF WITHIN DESCRIBED TRACT; THENCE SOUTH A DISTANCE OF 130.5 FEET TO THE SOUTHEAST CORNER OF THE TRACT DESCRIBED IN BOOK 50 OF DEEDS, PAGE 4; THENCE WEST ON THE SOUTH SIDE OF SAID TRACT 75 FEET; THENCE SOUTH ON THE EAST LINE OF LAKE STREET VILLAGE VICTORIA 78 FEET; THENCE EAST 145 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF LAKE STREET AFORESAID 214 FEET MORE OR LESS TO TRUNK HIGHWAY NO. 5; THENCE SOUTH 67 DEGREES 55 MINUTES WEST OR SOUTHWESTERLY ALONG TRUNK HIGHWAY NO. 5 TO THE PLACE OF BEGINNING.

EXCEPT: THAT PART OF GOVERNMENT LOT 1, SECTION 13, TOWNSHIP 116, RANGE 24, CARVER COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 1; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 A DISTANCE OF 412.00 FEET TO THE EAST LINE OF LAKE STREET AS DEDICATED IN THE PLAT OF VICTORIA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE NORTHERLY ALONG SAID EAST LINE OF LAKE STREET A DISTANCE OF 162.00 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE CONTINUING NORTHERLY ALONG SAID EAST LINE OF LAKE STREET A DISTANCE OF 54.00 FEET; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 1 A DISTANCE OF 145.00 FEET; THENCE SOUTHERLY PARALLEL WITH SAID EAST LINE OF LAKE STREET A DISTANCE OF 54.00 FEET; THENCE WESTERLY PARALLEL WITH SAID SOUTH LINE OF GOVERNMENT LOT 1 A DISTANCE OF 145.00 FEET TO THE POINT OF BEGINNING. (ABSTRACT PROPERTY)

**TO BE PLATTED AS LOT 1, BLOCK 1, VICTORIA FLATS ADDITION, CARVER COUNTY, MINNESOTA**

Section 2. The rezoning of this property incorporates the following PUD (Planned Unit Development) design standards:

### **Victoria Flats Zoning Standards**

a. Intent

The purpose of this zone is to create a PUD that provides for the development of an eighty-one (81) unit apartment building within the Central Business District that serves to enhance the pedestrian-oriented character of downtown Victoria and support the community's desire for locating multi-family residential uses in strategic locations where opportunity exists to support established commercial activity centers. The PUD requires that the development demonstrate a high quality of design compatible with surrounding land uses as well as achieving a more efficient and effective use of land, open space, and public facilities that otherwise could not be accomplished through traditional zoning. Except as modified by the Victoria Flats PUD standards, the development shall comply with the requirements of the Central Business District provisions of the City's Zoning Ordinance.

b. Permitted Uses

Permitted uses in this zone shall be as follows:

1. Principle uses of the property shall include any area of the property that is designed and constructed for one of the following unit types:
    - a. Multiple Family Dwelling (Apartment). Multiple Family Dwelling means a building designed with three or more dwelling units exclusively for occupancy by three or more families living independently of each other, but sharing hallways and main entrances, exits, and parking lots.
  2. Accessory uses of the property shall include those uses which are incidental to the principle uses or those accessory uses otherwise permitted under the Central Business District.
- c. Site and Building Regulations.
1. Bulk Regulations. The PUD ordinance requires setbacks from roadways and exterior property lines. Lots are expected to sustain a maximum impervious surface area within the PUD. The following tables display those setbacks, impervious surface requirements, and other bulk regulations for the permitted uses in the district:

<b>BULK REGULATION TYPE</b> <i>(MINIMUMS UNLESS OTHERWISE NOTED)</i>	<b>VICTORIA FLATS PUD REGULATION</b>
<b>Lot Size</b>	1 acre
<b>Lot Width</b>	None
<b>Lot Depth</b>	None
<b>Front Yard Setback</b> (Stieger Lake Lane, Quamoclit)	None
<b>Rear Yard Setback</b> (Outlot A)	None
<b>Interior Side Yard Setback</b> (East Lot Line)	15 feet minimum (building face); 10 feet min. (projections: balconies, decks, etc.)
<b>Building Height</b> (maximum)	63 feet
<b>Impervious Surface Coverage</b> (maximum)	75% (excludes all porous surfaces)
<b>Off-Street Parking Schedule</b>	1 space per bedroom + 6 visitor parking spaces; 1 space per unit to be enclosed

2. Architecture. The architectural character of all buildings and structures on the Victoria Flats property shall have a complimentary style and character, using brick, composite siding and trim, colored modular and rock-faced block consistent with the adopted standards of the Central Business District. The buildings shall include detailing elements such as: cornices, moldings, canopies, awnings, balconies, and similar design features necessary to keep the site and building at a pedestrian scale. All railings, fencing, balconies, and similar elements shall be metal and painted black or dark bronze. All exterior utility doors, including garage doors, shall be painted to match the adjoining

wall color or painted a uniform color approved by the City that does not detract from the high-quality architecture of the building.

3. Signage. All signage should be designed and consistent with the architecture of the building. Sign numbers and types shall include but not be limited to:
  - a. Projecting Sign: one projecting sign with total sign area on either side of the sign not to exceed 60 square feet, at least 8 feet above a pedestrian way (sidewalk, path, or the like) with a maximum projection from the building of 5 feet. Sign must be located entirely above or within private property.
  - b. Canopy Sign: One canopy sign, which is affixed to a canopy and resides on, above, or below a canopy, with a total sign area of 35 feet, maximum height of 30 inches, at least 8 feet above a pedestrian way (sidewalk, path, or the like).
  - c. Wall Sign: One wall sign in conformance with the City's Sign Ordinance for uses in the Central Business District.

Section 3. The zoning map of the City of Victoria shall not be republished to show the aforesaid zoning, but the Clerk shall appropriately mark the zoning map on file in the Clerk's Office for the purpose of indicating the rezoning and PUD standards hereinabove provided for in this ordinance, and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

Section 4. This ordinance shall be effective immediately upon its passage and publication.

**Adopted this 24<sup>th</sup> day of October, 2016 by the Victoria City Council.**

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Tom O'Connor, Mayor

ATTEST:

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Laurie Hokkanen, City Manager