

**ORDINANCE NO. 1353**

**ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF FRIDLEY, MINNESOTA BY  
MAKING A CHANGE IN ZONING DISTRICTS**

The Council of the City of Fridley does ordain as follows:

SECTION 1. Appendix D of the Fridley City Code is amended hereinafter as indicated.

SECTION 2. The tracts or areas within the County of Anoka and the City of Fridley and described as:

5601 East River Road NE; legally described as:

Tract 1:

All that part of Section Twenty-two (22), Township Thirty (30), Range Twenty-four (24), Anoka County, Minnesota, described as follows:

Commencing at a point, marked by Judicial Landmark on the South line of said Section and distant 365 feet Westerly of, measured at a right angle to the center line of the main track of Great Northern Railway Company, running in a Northerly and Southerly direction through said Section; thence Northerly parallel with and distant 365 feet Westerly of measured at a right angle to said center line of said main track, 4,574.75 feet to a point marked by Judicial Landmark; thence Northeasterly 714 feet to a point, marked by Judicial Landmark, on the North line of said Section Twenty-two (22), and distant 265 feet Westerly of, measured along said North section line, the said center line of main track, thence West on said North section line 328.35 feet to the pint of intersection, marked by Judicial Landmark, with the Easterly line of right of way of Anoka County Highway No. 1, as laid out and established in a Northerly and Southerly direction through said Section; thence Southerly along said Easterly line of said highway right of way to the point of intersection, marked by a Judicial Landmark, with the South section line of said Section Twenty-two (22), thence East along said section line 1,792.9 feet to the ping of beginning.

Excepting that part lying Northerly of the following described line:

Commencing at a ping in the North line of Lot 13, Auditor's Subdivision No. 78, being also the North line of the Southeast Quarter of the Northeast Quarter (SE ¼ of NE ¼) of said Section Twenty-two (22), distant 365 feet Northwesterly, measured at right angles, from the center line of main track at the railway of the Great Northern Railway Company, as now located and constructed; thence Southerly parallel with said center line of main track for 570 feet; thence Westerly on a line, hereinafter called "Line X" parallel with said North line of Lot 13, 400 feet to a point hereinafter, called "Point A;" thence Easterly retracing last described course for 400 feet; thence Southwesterly parallel with said center line of main track distant 365 feet Northwesterly, measures at right angles, there from to a point, being the point of beginning of the line to be described, in a line parallel with and distant 878 feet South, measured at right angles, from said North line of said Lot 13; thence Westerly parallel with said North line of Lot 13 for 385 feet; thence North in a Straight line to Point A; thence Northerly at right angles to Line x for 17 feet; thence Northwesterly at an angle to the left of 60 degrees 30 minutes to a point in the Easterly boundary line of East River Road, and there terminating.

Excepting that part lying Southerly of the following described line:

Commencing at the Southeast corner of said Section 22; thence Northerly along the East line of said Section 22, a distance of 1,528.6 feet to the ping of beginning of the line to be

described; thence deflecting to the left an angle of 86 degrees 28 minutes a distance of 3,500 feet and there terminating.

Tract2:

All that part of the Northeast Quarter of the Southeast Quarter (NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ) of Section Twenty-two (22), Township Thirty North (30), Range Twenty-four (24) West of the Fourth Principal Meridian, described as follows:

Beginning at a point in the North line of said Northeast Quarter of the Southeast Quarter (NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ) of Section Twenty- two (22), perpendicularly distant Three Hundred Sixty-five (365) feet West of the center line of main track of the Railway of the Great Northern Railway Company as now located and constructed; thence Southerly parallel with said center line of main track to a point in the Northerly boundary line of State Trunk Highway No. 100, said Northerly highway boundary line lying parallel with and perpendicular distant One Hundred Fifty (150) feet Northerly from the survey centerline of said State Trunk Highway No. 100 as now laid out and established; thence Easterly parallel with center line of said highway, Three Hundred (300) feet; thence Northwesterly in a straight line to a point in said North line of the Northeast Quarter of the Southeast Quarter (NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ), distant One Hundred Seventy (170) feet East of the place of beginning thence West along said North line of the Northwest Quarter of the Southeast Quarter (NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ) a distance of One Hundred Seventy (170) feet to the place of beginning, according to the United States Government Survey thereof.

Tract 3:

That part of the Southeast Quarter of the Northeast Quarter (SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ) of Section Twenty-two (22), Township Thirty (30), Range Twenty-four (24), described as follows: Commencing at a point on the South line of said Southeast Quarter of the Northeast Quarter (SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ) distant 365 feet Westerly of, measured at right angle to, the center line of the main track of the railway of the Great Northern Railway Company as now located and constructed in a Northerly and Southerly direction through said Section Twenty-two (22); thence Northerly, parallel with and distant 365 feet Westerly of, measured at a right angle to, said center line of said main track to a point which is 878 feet Southerly of, measured at a right angle to, the North line said Southeast Quarter of the Northeast Quarter (SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ); thence Easterly parallel with said North line of said Southeast Quarter of the Northeast Quarter (SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ) a distance of 169.26 feet, more or less, to a point distant 196 Westerly of, measured at a right angle to, said center line of main track, which point is marked by Judicial Landmark; thence Southerly parallel with and distant 196 feet Westerly of, measured at a right angle to, said center line of said main track to the South line of said Southeast Quarter of the Northeast Quarter (SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ), which point is marked by Judicial Landmark; thence Westerly along South line to the point of commencement, according to the United States Government Survey thereof. The Easterly line of said land is marked by Judicial Landmarks set pursuant to Torrens Case No. T-1311.

Is hereby designated to be in the Zoned District M-2  
(Heavy Industrial)

SECTION 3. That the Zoning Administrator is directed to change the official zoning map to show said tract or area to be rezoned from Zoned District C-3 (General Shopping) to M-2 (Heavy Industrial).

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRIDLEY THIS 26<sup>TH</sup>  
DAY OF MARCH, 2018.**



SCOTT J. LUND – MAYOR

ATTEST:



DEBRA A. SKOGEN – CITY CLERK

Public Hearing:	March 12, 2018
First Reading:	March 12, 2018
Second Reading:	March 26, 2018
Publication:	April 6, 2018

**STIPULATIONS FOR REZONING, ZOA #18-01**

1. The petitioner shall meet all requirements set forth by:
  - a. the Building Code
  - b. the Fire Code
  - c. the City's Engineering department – related to grading, drainage, storm pond maintenance agreement, utilities, and utility connection fees
  - d. the City's Planning department – related to landscaping, signage
  - e. the Mississippi Watershed Management Organization
  - f. the Anoka County Highway Department
  - g. the Minnesota Department of Transportation
  
2. A development agreement between the petitioner and the City outlining the Developer's public/private site improvements will be prepared by the City and shall be signed by the petitioner prior to issuance of a building permit for the first building. The Development Agreement shall include but is not limited to the following: streets, utilities, landscape, the disposition of eastern private driveway when 57<sup>th</sup> Avenue is extended, ponding needed for the 57<sup>th</sup> Avenue extension, multi-model access from the subject property, and park dedication fees.