

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Community Development Department
DATE: April 25, 2016
SUBJECT: Rental License Applications – NET Ministries Inc.



City of West St. Paul

BACKGROUND INFORMATION:

The recently approved rental ordinance changes require all non-homesteaded properties obtain a rental license, regardless if rent is being collected or not. Previous to the ordinance change, NET Ministries was not required to obtain rental licenses for their three single-family homes since they were not collecting rent. As a result, Staff informed NET Ministries that they were now required to obtain rental licenses for each property. On October 23, 2015, NET Ministries complied with the request and submitted rental license applications for three single-family homes.

In addition to requiring rental licenses for the properties, Staff also informed NET Ministries that their most recent purchase/use of 1924 Bidwell was in violation of the City's Ordinance, specifically the Rental Dwelling Ordinance and the definition of Family, which only allows a maximum of three non-related individuals to reside in any one dwelling unit (currently have eight residents residing at the property). Although the homes at 1990 Stryker and 76 Crusader both have more than three residents, they are not in violation as the Zoning Ordinance does allow housing structures for up to 10 residents on church property for religious purposes (or contiguous to the property in the case of 1990 Stryker).

It was Staff's understanding that prior to the purchase of 1924 Bidwell, NET Ministries relied on the following definition which allows a congregate of up to 10 residents:

Dwelling Unit. A Building or portion thereof which contains living Facilities including provisions for sleeping, eating, cooking and sanitation for not more than one family or a congregate residence for ten or less persons.

As a result, NET Ministries purchased the property and began using it for their operation.

PROPOSED RESOLUTION

Staff has had several meetings with NET Ministries in attempt to find a resolution to the non-compliant Use of 1924 Bidwell. The attached resolution, which NET Ministries has agreed to, approves all three Rental Licenses with the following conditions as outlined:

1) Licenses for 1990 Stryker and 76 Crusader:

A. Finding 1: The above-stated clauses were relied upon when making the Council's decision and are incorporated herein.

Finding 2: The Crusader Property and the Stryker Property may each have up to 10 occupants as on-site residential housing related to a religious function, as provided in City Code Section 153.050 (D) as long as the conditions below are followed.

B. The Council adds the following conditions:

1. The Owner must apply for the renewal of the annual Rental Licenses in a timely manner,
2. The Owner must maintain the Properties up to the following Maintenance Standards:
 1. Building Code
 2. Housing Code
 3. Animal Ordinance
 4. Fire Prevention Code
 5. Repeat Nuisance Service Calls
 6. Parked or Stored Motor Vehicles
 7. Public Nuisance Ordinance
3. The Owner must maintain the Properties so that there are no compliance letters for noxious matter, long grass and weeds, keeping sidewalks clear of snow and ice, or dumping or leaving of garbage/rubbish or junk.
4. There must not be any Repeat Nuisance Service Call Fees.
5. The Owner must complete phase one to three of the Crime Free Rental-Housing Training before the next rental license renewal.
6. The Owner must work with the City in resolving any issues or concerns that arise that are disruptive to the peace and harmony of the neighborhood.
7. No more than four vehicles may be parked outside on the Properties at any given time per City Ordinance.

2) License for 1924 Bidwell:

A. The Owner will exercise the option to purchase the property at 2010 Stryker when offered by the owner in accordance with the terms of the option agreement.

B. Upon closing with the owner of 2010 Stryker, the Owner will:

1. Apply for, and if Owner meets all requirements in the City Code for approval of a rental license, the City will grant a rental dwelling license for the property under the same terms and conditions as the 1990 Stryker Property.
2. Within a reasonable time, not longer than six (6) months, sell the Bidwell Property or reduce the number of occupants at that location to comply with the City Code; and

3. Petition the City to vacate that portion of Stryker Ave fronting 1990 Stryker and 2010 Stryker in order to directly connect both properties to the NET Ministries Campus at 110 W. Crusader. The City and Owner agree that prior to vacation, the access to both Stryker properties will be improved to City standards at City's cost.

C. Until such a time as Owner acquires title to the 2010 Stryker property and has obtained a rental license for 2010 Stryker, Owner will be allowed up to 10 occupants at the Bidwell property as long as the occupants are related to a religious function at NET Ministries and as long as the Owner complies with all the conditions of its license.

D. The Owner must apply for the renewal of the annual Rental License in a timely manner.

E. The Owner must maintain the property up to the following Maintenance Standards:

1. Building Code
2. Housing Code
3. Animal Ordinance
4. Fire Prevention Code
5. Repeat Nuisance Service Calls
6. Parked or Stored Motor Vehicles
7. Public Nuisance Ordinance

F. The Owner must maintain the property so that there are no compliance letters for noxious matter, long grass and weeds, keeping sidewalks clear of snow and ice, or dumping or leaving of garbage/rubbish or junk.

G. There must not be any Repeat Nuisance Service Call Fees.

H. The Owner must work with the City in resolving any issues or concerns that arise that are disruptive to the peace and harmony of the neighborhood.

I. No more than four vehicles may be parked outside on the property at any given time per City Ordinance.

FISCAL IMPACT:

No fiscal impact.

Application Fees Received:		Amount:
Fund:	101	
Department:	30000	
Account:	32170	\$680 (rental fees and inspection fees)

STAFF RECOMMENDATION:

Staff is recommending that the Council adopt the attached Resolution Approving all three Rental Licenses with Conditions.