

Ord. No. 23-

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING ORDINANCE 18-04 - REZONING 110
CRUSADER AVE W., 1962 STRYKER AVE AND 1990 STRYKER AVE.
TO PRD, PLANNED RESIDENTIAL DEVELOPMENT
WITH R4, MULTI-FAMILY UNDERLYING ZONING
WITH VARIOUS UNDERLYING ZONING**

WHEREAS, on February 26, 2018, NET Ministries (“Owner”) of 110 Crusader Ave., West St. Paul, legally described in Exhibit A, received approval for the rezoning of certain properties pursuant to Ordinance No. 18-04 (“Ordinance”); and

WHEREAS, the Ordinance contained terms and conditions related to Owner’s potential acquisition of 2010 Stryker Ave. (“the Stryker Property”); and

WHEREAS, Owner has a right of first refusal for and intends to acquire the Stryker Property, at which time, Owner intends to either sell property it owns at 1924 Bidwell (“the Bidwell Property”), as legally described on Exhibit B, or if it retains ownership of the Bidwell Property agrees to comply with the City’s occupancy requirements for single-family residential properties and intends to change the property tax classification of the Bidwell Property so that it becomes taxable property; and

WHEREAS, Owner has been unable to acquire Stryker Property by the date required in the Ordinance and has requested additional time to acquire the Stryker Property; and

WHEREAS, the City held a public hearing, and the Council determined that an extension to acquire the Stryker Property was reasonable, if additional conditions were added to the Ordinance.

NOW THEREFORE, the City Council of West St. Paul does ordain:

SECTION 1. AMENDMENT. Ordinance 18-04 Section 4.C. is hereby deleted in its entirety and replaced with the following:

If the Owner still owns the Bidwell Property, but does not acquire the Stryker Property by December 31, 2024, or if the Stryker Property is sold, transferred or conveyed to someone other than the Owner, whichever occurs first, then the Owner must either change the property tax classification of the Bidwell Property so that it becomes taxable property and must comply with the City’s occupancy requirements for single-family residential properties, or the Owner must sell the Bidwell Property to a new owner, which cannot be a subsidiary of Owner.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance modifies certain terms and conditions related to a rezoning amendment for properties located at 110 Crusader, 1962 Stryker Ave. and 1990 Stryker Ave.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 27th day of February, 2023.

Ayes:

Nays:

Attest:

David J. Napier, Mayor

Nicole Tillander, City Clerk

EXHIBIT A

Legal description of 110 Crusader Avenue, West St. Paul

Real property located in the County of Dakota, State of Minnesota, legally described as follows:

The West Two Thirds (W 2/3) of the Southeast Quarter of the Northeast Quarter of Section 30, Township 28, Range 22, according to the United States Government Survey thereof, Dakota County, Minnesota, Except the South 440 feet thereof.

PID: 42-03000-09-012

Exhibit B
Legal description of 1924 Bidwell Avenue, West St. Paul

Real property located in the County of Dakota, State of Minnesota, legally described as follows:

Lot Thirty One (31), Block Two (2), Charlton Estates Replat to West St. Paul, Dakota County, Minnesota, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said County and State.

PID: 42-17110-02-310

Torrens Property.

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 18-04

**AN ORDINANCE REZONING 110 CRUSADER AVENUE WEST,
1962 STRYKER AVENUE AND 1990 STRYKER AVENUE
TO PRD, PLANNED RESIDENTIAL DEVELOPMENT
WITH R4, MULTI-FAMILY UNDERLYING ZONING
WITH VARIOUS UNDERLYING ZONING**

WHEREAS, NET Ministries (“Owner”) has submitted a planning application to rezone certain properties it owns to Planned Residential Development (“PRD”) in furtherance of the organization’s long-term vision and mission; and

WHEREAS, the properties proposed for rezoning include and are contiguous to its national headquarters, which is located at 110 Crusader Avenue West in West St. Paul, specifically, the properties include the following: 110 Crusader Avenue West, 76 Crusader Avenue West, 1990 Stryker Avenue and 1962 Stryker Avenue; and

WHEREAS, the long-term plan of Owner is to acquire 2010 Stryker Avenue, at which time, upon application by Owner, the City would consider changing the zoning designation to PRD with underlying R2, Two-Family Residential; and

WHEREAS, consistent with the long-term plan of Owner to have its properties contiguous without being divided by a public street, if Owner acquires 2010 Stryker Avenue, the City will consider vacating all or a portion of Stryker Avenue along with the rezoning classification of the same property.

NOW THEREFORE, the City Council of West St. Paul does ordain:

SECTION 1. AMENDMENT. The Zoning Map of the City of West St. Paul is hereby amended by rezoning 110 Crusader Avenue West from R1, Single Family to PRD, Planned Residential Development with R4, Multi-Family underlying zoning for the property legally described as:

The West Two Thirds (W 2/3) of the Southeast Quarter of the Northeast Quarter of Section 30, Township 28, Range 22, according to the United States Government Survey thereof, Dakota County, Minnesota, Except the South 440 feet thereof.

PID: 42-03000-09-012

SECTION 2. AMENDMENT. The Zoning Map of the City of West St. Paul is hereby amended by rezoning 1962 Stryker Avenue from R1, Single Family to PRD, Planned Residential Development with R1, Single-family underlying zoning for the property legally described as:

Lot 1, Block 1, Ryerson Addition, Dakota County, Minnesota.

PID: 42-65500-01-010

SECTION 3. AMENDMENT. The Zoning Map of the City of West St. Paul is hereby amended by rezoning 1990 Stryker Avenue from R1, Single Family to PRD, Planned Residential Development with R2, Two-family underlying zoning for the property legally described as:

The South 191.75 feet of the North 468.50 feet of the East 1/3 of the Southeast Quarter of the Northeast Quarter, of Section 30, Township 28 North, Range 22 West, Dakota County, Minnesota.

PID: 42-03000-07-012

SECTION 4. CONDITION. The following conditions shall be added:

- A. The Owner of the properties at 76 Crusader Avenue West, 1962 Stryker Avenue and 1990 Stryker Avenue (“the Properties”) will be allowed to have up to 10 occupants for one single-family residential dwelling located at each of the Properties, as long as the single-family dwelling is used for religious purposes consistent with the uses of the property at 110 Crusader Avenue West. If any one of the Properties is no longer in the same ownership as 110 Crusader Avenue West, then this condition shall be terminated for and as it relates to that specific property, effective as of the date of conveyance of the property to a new owner. Upon termination of this condition, the property shall retain its underlying respective zoning classification, but this condition shall be null and void.
- B. If the Owner of 110 Crusader Avenue West acquires 2010 Stryker Avenue, then within 9 months after closing, the Owner must:
 1. Acquire the property owned by the City of West St. Paul with PID 42-03000-07-014 (“City-Owned Parcel”) for \$1,000; and
 2. Make application to replat 2010 Stryker Avenue and the City-Owned Parcel into one lot with a rezoning amendment to change the zoning district to PRD with underlying R2, Two-Family Residential. At the time of the zoning applications, the City may consider allowing up to 10 occupants in the single-family residential dwelling as long as the dwelling is used for religious purposes consistent with the uses of the property at 110 Crusader Avenue West; and
 3. If the Owner still owns the property at 1924 Bidwell Avenue, legally described as:

Lot Thirty One (31), Block Two (2), Charlton Estates Replat to West St. Paul, Dakota County, Minnesota, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said County and State.

PID: 42-17110-02-310
Torrens Property.

then either change the property tax classification of 1924 Bidwell Avenue so that it becomes taxable property and comply with the City's occupancy requirements for single-family residential properties, or sell 1924 Bidwell Avenue to a new owner, which cannot be a subsidiary of Owner.

- C. If the Owner still owns the property at 1924 Bidwell Avenue, but does not acquire 2010 Stryker Avenue by December 31, 2022, then the Owner must either change the property tax classification of 1924 Bidwell Avenue so that it becomes taxable property and must comply with the City's occupancy requirements for single-family residential properties, or the Owner must sell 1924 Bidwell Avenue to a new owner, which cannot be a subsidiary of Owner.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the City Council of the City of West St. Paul, Minnesota, this 26th day of February, 2018.

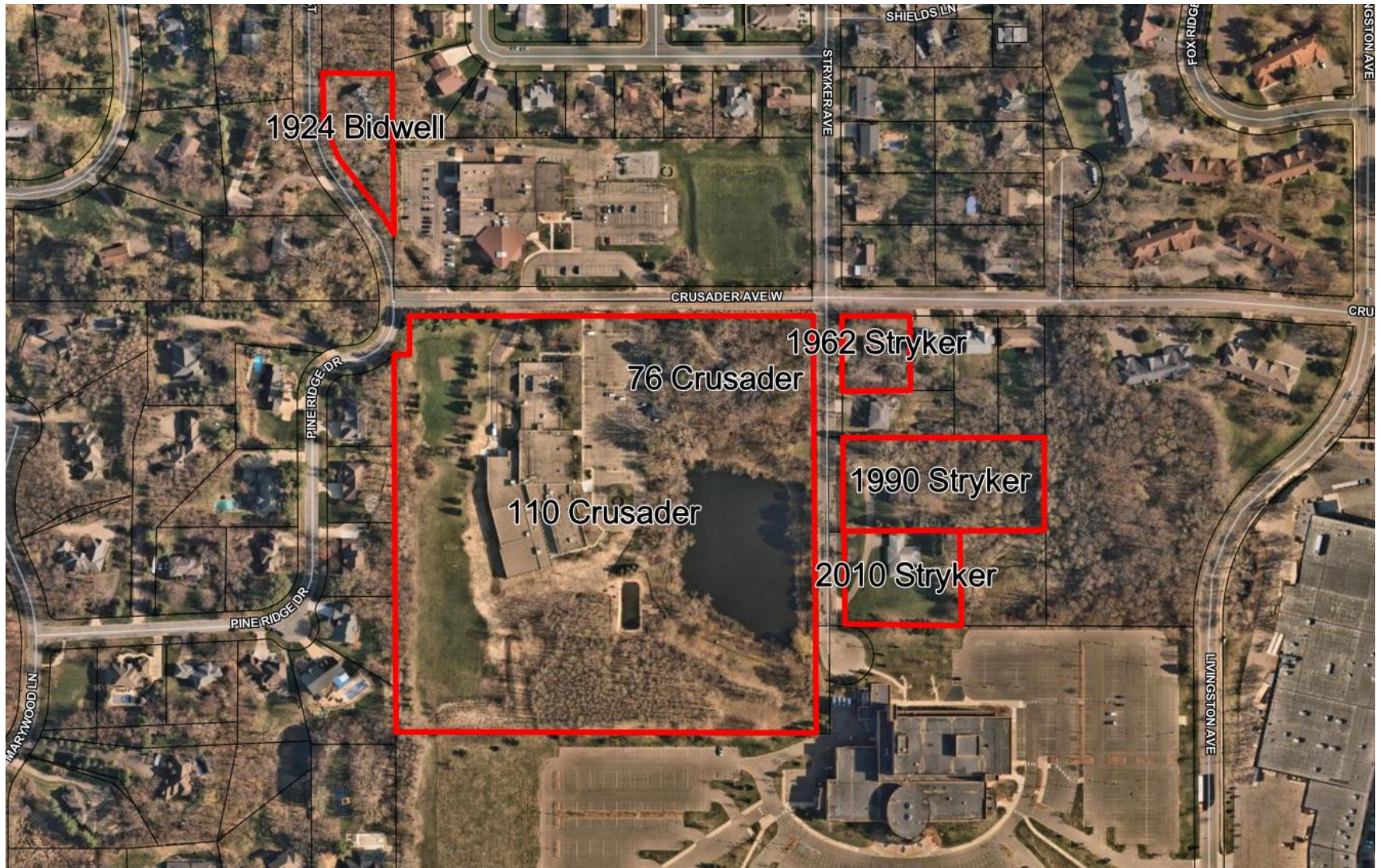


Dave Napier, Mayor Pro Tem

Attest:



Shirley R. Buecksler, City Clerk



1924 Bidwell

76 Crusader

110 Crusader

1962 Stryker

1990 Stryker

2010 Stryker