Before the Boundary Commission, St. Louis County, Missouri

In re: Proposal of the City of Crestwood))))	File No. BC9611 Watson/Pardee Road Area
)	

Summary and Decision of the Boundary Commission, St. Louis County February 18, 1997

Summary of Facts:

The Boundary Commission, St. Louis County gathered the following facts:

On June 14, 1996 a proposal requesting a boundary change (hereinafter referred to as the "official submittal") by the City of Crestwood (hereinafter referred to as the "municipality") was submitted to the Boundary Commission (hereinafter referred to as the "Commission") at its office, pursuant to the Rules of the Commission in effect as of March 12, 1996. The official submittal contained the information required of all proposals as found in Article III(A) of the Rules. Additionally, the official submittal contained the following information required under the Rules for boundary change requests involving the annexation of unincorporated territory to a municipality.

- A. Article III C(1) Certification of 15% Adjacent
- B. Article III C(2) Ordinance providing for Annexation
- C. Article IV C Copy of Budget and Audit Report
- D. Article IV D Statement regarding Fire Service

On September 3, 1996 a public hearing was conducted by the Commission based upon the official submittal.

The primary area proposed for annexation is located east of the City of Crestwood; generally bounded on the west by the corporate limits of the City of Crestwood and the Village of Grantwood Village (along the abandoned Missouri Pacific [Union Pacific] Railroad right-of-way), on the north by the northern right-of-way of Watson Road (corporate limits of the City of Webster Groves), on the east by the southern right-of-way of Rock Hill Road and the corporate limits of Grantwood Village, which also bounds the area to the south. The annexation area includes the right-of-way of Pardee Road from the abandoned Missouri Pacific (Union Pacific) Railroad right-of-way to Eddie and Park Road. This area is contiguous to the primary annexation area. A map showing the location of the area is attached as Exhibit "A" and is the same map presented in the proposal by the municipality.

The following information, basic to the area, was either provided to the Commission by the municipality in their official submittal and by St. Louis County Planning Department in their report to the Commission or concluded from that information.

BASIC ANNEXATION INFORMATION DATA			
	City of Crestwood	St. Louis County	
Area	290 acres	290 acres	
Population	1,601	1,601	
Dwelling Units	699	704	
Dwelling Units per Three Acres	7.23	7.29	
Total Assessed Valuation	\$21,609,720	\$22,311,571	
Assessed Valuation per Capita	\$13,498	\$13,936	

INFORMATION REGARDING ANNEXATION AREA AS AN UNINCORPORATED POCKET			
Criteria	Finding		
Average residential density in excess of one dwelling per three acres	The area has an average residential density greater than one dwelling per three acres.		
Population of less than five thousand (5,000) people	The area has a population less than 5,000 people.		
Accessible by public or private roadways only from incorporated jurisdictions and/or another county	Accessible from unincorporated St. Louis County.		

FACTOR 1

(Impact, including but not limited to the impact on the tax base or on the ability to raise revenue)

City of Crestwood Declarations:

The municipality offered the following non-financial impacts:

- Municipality:
 - allows for a sensible south-easterly expansion of the City's boundaries

- Area subject to change:
 - high quality municipal services available within close proximity to the area.
 - joined to a municipality which is similarly developed
 - realistic ability to participate in their local government
 - reduced property taxes

The municipality stated the financial impact on the County would be minimal, as revenue losses from per-capita and utility would be offset by the reduction in service costs for police and public works to the annexed area. During the first five years they would receive an estimated \$22,000 annually in sales tax from Crestwood's 1/4 cent local sales tax.

St. Louis County declarations:

The county estimates residents will experience a tax decrease of \$145. Any increases in property and utility taxes will be offset by the savings from the City assuming the tax levy to the Affton Fire District which is mandated by statute.

FACTOR 2 (Legal Description of Area)

City of Crestwood Declarations:

For the legal description of the area subject to the boundary change proposal, the municipality submitted the document attached hereto as Exhibit "B" and generally described as "Watson/Pardee Road Area Legal Description."

FACTOR 3 (Ability to accommodate orderly incorporation in the County)

City of Crestwood Declarations:

On the ability of the proposal to accommodate the orderly incorporation in the County, the City of Crestwood represented that the increase in land area and population could be easily incorporated into the City.

FACTORS 4 and 5 (Present level of major services and proposed time schedule for delivery of services)

On the present level of major services and the proposed time schedule to provide those services, the Boundary Commission received the following evidence.

Provision of Services						
Service	Service			ervice Changed		
Unchanged	Present Provider	Fee	New Provider	Fee	Date	
Police Services		St. Louis County	No	Crestwood	No	1 year
Fire/EMS/ALS Service	No Change					
Water Service	No Change					
Sewer Service	No Change					
Street Maintenance		St. Louis County	No	Crestwood/St. Louis County	No	1 year
Utility Agreements	No Change					
Parks Service		St. Louis County	No	Crestwood/St. Louis County	No	1 year
Recreation Service		St. Louis County	No	Crestwood/St. Louis County	No	1 year
Refuse Service	No Change					
Sidewalk Maintenance		St. Louis County	No	N/A		
Street Lighting		Property Owner	Yes	Crestwood		
Code Administration		St. Louis County	Yes	Crestwood/St. Louis County	Yes	1 year
Planning & Zoning		St. Louis County	No	Crestwood	No	1 year
Municipal Court		St. Louis County	No	Crestwood	No	1 year
Health Services				Crestwood/St. Louis County		1 year

FACTORS 6 and 7 (Current tax rates of area and sources of revenue)

On the current tax rate of the area subject to the proposal and the sources of revenue of the area subject to the proposal, the Boundary Commission received the following evidence:

Change in Tax Rates for Property and Utility Taxes after Annexation

Source of Tax	Change in Tax Rate	
Property Tax	Net Decrease of \$.64/\$100 Assessed Valuation ¹	
Utility Tax	Increase from 5 to 5.7% on gas, 5 to 6% on electric	

Revenue, Cost and Balance Estimates after Annexation

Source of Revenue	Estimated New Revenue after Annexation		
	by Municipality	by County	
Property Tax	\$54,025	\$55,779	
Utility Tax	92,898	95,830	
Sales Tax	263,903 ²	164,823	
Gasoline/Motor Vehicle Tax	59,045	57,021	
County Road and Bridge Tax	22,906	23,427	
Cigarette Tax	7,205	6,852	
Cable T.V. Tax	3,769	5,069	
Misc	12,000	12,000	
Estimated Total New Revenue from Annexation Area	\$515,751	\$420,801	
Estimated Cost of Extending Service to Area	\$509,327	\$509,327	
Estimated Net Surplus (Deficit)	\$6,424	(\$88,526)	

¹The addition of the City of Crestwood's current property tax rate of \$.25/\$100 Assessed Valuation will be offset in the annexation area by a reduction in the current property tax rate of \$.89/\$100 assessed valuation, currently being levied and collected by and for the Affton Fire Protection District. The City of Crestwood, pursuant to RSMo §72.418 will pay annually an amount equal to that which the fire protection district would have levied on all taxable property within the annexed area.

²The City of Crestwood has a ½ cent capital improvements tax and a 1/4 cent additional sales tax.

The estimated surplus by the City of Crestwood would represent a 0.2% increase in the current General Fund Reserve (\$2,464,545) of the City.

FACTOR 8
(Extraordinary effect of the boundary change on distribution of tax resources)

Regarding the extraordinary effect the boundary change will have on the distribution of tax resources in the county, the Boundary Commission received the following evidence:

Estimated Gross Revenue Loss To St. Louis County from Watson/Pardee Road Area Annexation		
Revenue Source	Amount	
	Crestwood	County
Sales Tax	\$142,403	\$118,474
Utility Tax	79,518	82,117
County Road Funding (C.A.R.T.)	59,045	57,021
County Road and Bridge	22,906	23,427
Cigarette Tax	7,205	6,852
Cable T.V. Tax	6,282	5,069
TOTAL	\$317,359	\$292,960

FACTOR 9 (Current and Proposed Zoning)

As to how the municipality proposes to zone the area proposed for annexation, the following evidence was submitted to the Boundary Commission:

City of Crestwood Declarations:

The City identified seven County zoning classifications contained within the proposed annexation area:

Proposed Zoning - Watson/Pardee Road Area Annexation			
County Zoning Classification	Proposed Crestwood Zoning Classification	Proposed Zoning Classification New or Existing	Timing for Transition
R-2 (Residential)	R-2 (Residential)	Existing	One year
R-3 (Residential)	R-3 (Residential)	Existing	One year
R-4 (Residential)	R-4 (Residential)	Existing	One year
R-6 (Residential)	PD-R (Planned Development- Residential)	Existing	One year
C-2 (Shopping District)	C-1 (Local Commercial)	Existing	One year
C-8 (Planned Commercial District)	PD-C (Planned Development - Commercial)	Existing	One year
M-3 (Planned Industrial District)	C-1 (Local Commercial)	Existing	One year

The City's building setbacks are greater than those of the County and in some instances the lots do not meet the City's minimum lot width requirements. To overcome the dimensional non-conformities, the City intends to add "prevailing patterns" provisions in the Supplementary District Regulations of the City's Zoning Ordinance. The City intends to apply its Planned Development District regulations to the developments approved under the Planned Environmental Unit and Planned Commercial provisions of the County's Zoning Code.

The City identified three developments within the proposed annexation area that are non-conforming uses: Royal Arms Condominiums and Providence Garden Condominiums which will be rezoned to PD-R through ordinances, and a small commercial lot at the southeast corner of Watson and Grant Road which complies with the City's C-1 District.

St. Louis County Declarations:

The County reviewed and identified the zoning classifications and non-conformities as presented in the City of Crestwood's proposal.

FACTOR 10 (Compactness of area)

As to how the proposal addresses the compactness of the area subject to proposal, the following evidence was provided the Boundary Commission:

City of Crestwood Declarations:

Compactness of Area			
Criteria	Municipality		
Service delivery/access	No obstacles to the safe and efficient delivery of service or access to the area.		
Community of Interest	Residents of the area already utilize many of the same shopping areas (Crestwood Plaza), schools and religious institutions.		
Natural and/or Man-Made Barriers	None		
Shared or Common Boundaries	28.6% of the proposed annexation area's boundary is adjacent to the City of Crestwood.		

St. Louis County Declarations:

The annexation proposal is weak on the compactness criterion and would result in a less regular boundary than already exists. There is limited direct access from the City to the annexation area via the western and northern boundaries that may affect service delivery. The western access is primarily hindered by an abandoned Union Pacific railway and property known as Grant's Farm.

FACTOR 11 (When boundary change to become effective)

Regarding the effective date of the proposed boundary change, the following evidence was presented to the Commission.

City of Crestwood Declarations:

The effective date of the annexation will be one year from the successful election.

DECISION

The City of Crestwood is a proposing agent as defined by §72.400(4) of the Revised Statutes of the State of Missouri and the Boundary Commission has jurisdiction over the proposal.

The boundary change sought by the municipality is an annexation governed by Chapter 72 RSMo.

Based upon the entire record, the Boundary Commission, St. Louis County, voted on February 4, 1997 at an open public meeting by a roll call vote, and the proposal was **APPROVED**. Those members voting for the proposal had the following reasons:

- A. The proposal is in the best interest of the municipality.
- B. The proposal is in the best interest of the unincorporated territories affected by the proposal.
- C. The proposal is in the best interest of the areas of the County next to such proposed boundary change.

In accordance with Section 72.407 RSMo, the Boundary Commission herewith sets a vote in the City of Crestwood and the area to be annexed to be held at an election on August 5, 1997. Such elections shall be held in accordance with Chapter 115 RSMo. The ballot for said separate elections shall read:

"Shall the City of Crestwood annex the unincorporated territory adjacent to it (Watson/Pardee Road Area) as described in the legal description and map contained in the Boundary Commission's Summary and Decision, Commission Number BC9611, of February 18, 1997?"

The annexation shall take effect one year following the certification of election results if a separate majority:

- A. of the votes cast on the question in the City of Crestwood and
- B. of votes cast in each voting jurisdiction comprising the unincorporated area of the County

are in favor of the boundary change.

ATTEST:

Chairperson

Date



LEGAL DESCRIPTION OF PROPOSED WATSON/PARDEE ROAD ANNEXATION AREA

BOUNDARY DESCRIPTION CRESTWOOD PROPOSED AMMERATION WATSON/PARDEE ROAD AREA

A parcel of land located in Township 44 North, Range 6 East, 5th Principal Meridian, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the point of intersection at the Southern line of Watson Road with the Western line of Rock Hill Road, thence in a Southeastwardly direction along the Western line of Rock Hill Road to its intersection with the Northwest boundary of the Village of the Town of Grantwood Village as established by the Village of the Town of Grantwood Village Bill No. 331, Ordinance No. 4247, said intersection point also being at the intersection of the Western line of Rock Hill Road with the Northwestern line of "Forest Haven No. 2", Plat Book 85 page 49 of the St. Louis County Records, thence southwestwardly along said Northwestern line of said "Forest Haven No. 2" to its intersection with the Northeastern line of said "Forest Haven No. 2", thence Northwestwardly slong said Northeastern line of said "Forest Haven No.2" to an angle point, thence Northeastwardly , thence Northwestwardly, thence Southwestwardly, all along the Northeastern adjusted boundary of Lot 21 of said "Forest Haven No. 2", thence continuing Northwestwardly along said Northeastern line of said "Forest Haven No. 2" to its intersection with the west line of said "Forest Haven No. 2" thence Southwardly along said West line to its intersection with the Northern line of "Grant Haven Plat No. 3", Plat Book 96 page 82 of the St. Louis County Records, said Northern line of "Grant Haven Plat No. 3" also being the South line of a private road and the border of the Village of the Town of Grantwood Village, thence Eastwardly along said Northern line of said "Grant Haven Plat No. 3" to its intersection with the Northeastern line of said "Grant Haven Plat No. 3", thence Southeastwardly along said Northeastern line of said "Grant Haven Plat No. 3" to its intersection with the Southeastern line of said "Grant Haven Plat No. 3°, thence Southwestwardly along said Southeastern line of said "Grant Haven Plat No. 3° to its intersection with the Northeastern boundary of "Forest Haven No. 4 Sect. 2°, Plat Book 120 page 39 of the St. Louis County Records, said point also being the easternmost corner of Lot 16 of said "Forest Haven No.4 Section 2", and the westernmost corner of "Forest Haven No. 3" Plat Book 95 Page 30 of the St.Louis County Records, thence Southeastwardly along the Southwestern line of said Forest Haven No.3 to its intersection with the Northwestern line of Forest Haven No.4 Section 1, Plat Book 106 Page 56 of the St.Louis County Records, thence Southwestwardly along said Northwestern line of said Forest Haven No.4 Section 1 to its intersection with the Northeastern line of the Missouri Pacific (Union Pacific) Railroad Company right-of-way, thence Northwestwardly along said Northeastern railroad right-of-way to its intersection with the Eastern line of Pardee Road, thence Southwardly along the Eastern line of Pardee Road to its intersection with the Northern line of Eddie and Park Road, thence Westwardly along the Northern line of Eddie and Park Road to its intersection with the Western line of Pardee Road, thence Northwardly along said Western line of Pardee Road to its intersection with the Southwestern line of Grant Road, thence in a Northwestwardly direction along said Southwestern line of Grant Road to its intersection with the Southern line of Watson Road, thence Northwardly across Watson Road to the intersection of the Western line of Old Watson Road and the Northern line of Watson Road, thence in an Eastwardly direction along said Northern line of Watson Road (said Northern line of Watson Road also being the Southern boundary of the City of Webster Groves) to its intersection with the northward prolongation of the Western line of Rock Hill Road, thence Southwardly across Watson Road along said prolongation to the Point of Beginning and per St. Louis County Mapping Department maps containing 290 acres more or less.

Date 11-10-95

John A. Hrinsin MoRLS #1410