

In re: Proposal of the City of Ellisville

The primary area proposed for annexation is a triangular piece of property abutting Kiefer Creek Road, bounded on three sides by the City of Ellisville and generally located near the geographic center of the City, south of Manchester Road and north of Woodhill Estates Drive. 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 or concluded from that information.

BASIC ANNEXATION INFORMATION DATA	
<i>Area</i>	2.5 acres
<i>Population (most recent census)</i>	2
<i>Dwelling Units</i>	1
<i>Dwelling Units per Three Acres</i>	1.20
<i>Total Assessed Valuation</i>	\$104,600
<i>Assessed Valuation per Capita</i>	\$52,300

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	The area is not accessible from unincorporated St. Louis County.

The property owner requested the City of Ellisville annex the subject property. There are two large tracts of land to the north of the subject property (approximately 15 acres) currently in the corporate boundaries of the City under the same ownership. The owner intends to include the subject property as part of a large residential subdivision development planned for those two tracts. The subject property would contain approximately three homes, and the assumption of these homes was the basis for all tax computations and analysis offered by the City in their proposal. The proposed area currently contains one unoccupied home, which for comparison was also considered in the analysis and tax computations offered by the City.

FACTOR 1

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

The City of Ellisville levies a real estate property tax of \$.35 per \$100 assessed valuation in addition to the St. Louis County property tax of \$.58 per \$100, though no additional personal property tax. The utility tax will increase to 7% after annexation from the current rate of 5% in St. Louis County. There are no other cost differentials for the property owners, and the City states the level of service they provide will offset the tax increase. The municipality fully subsidizes trash collection, hauling, recycling, and disposal services at an annual savings of approximately \$166.00. The net change for the current farmhouse would be a decrease of \$48.44 a year. If the proposed subdivision is developed, the individual tax liabilities would increase by \$39.50 a year.

The municipality stated the proposed annexation will have little, if any, impact on the City of Ellisville because it only involves either one or three properties depending on the future development plans for this area. The annexation will have little impact on the adjacent property owners, and may help maintain property values because Ellisville zoning ordinances are more stringent than those of St. Louis County.

The annexation of this small unincorporated pocket will have no impact on St. Louis County.

FACTOR 2

(Legal Description of Area)

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 "207 Kiefer Creek Road Area Legal Description."

FACTOR 3

(Ability to accommodate orderly incorporation in the County)

On the ability of the proposal to accommodate the orderly incorporation in the County, the City of Ellisville represented that the annexation, by incorporating a small pocket of property that lies entirely within the geographic perimeter of Ellisville, will eliminate complicated servicing requirements for St. Louis County.

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					
<i>Service</i>	<i>Service Unchanged</i>	<i>Service Changed</i>			
		<i>Present Provider</i>	<i>Fee</i>	<i>New Provider</i>	<i>Fee</i>
Police Services		St. Louis County	No	Ellisville	No
Fire/EMS/ALS Service	No Change				
Water Service	No Change				
Sewer Service	No Change				
Street Maintenance		St. Louis County	No	Ellisville/St. Louis County	No
Utility Agreements		St. Louis County		Ellisville	
Parks Service		St. Louis County	No	Ellisville	No
Recreation Service		St. Louis County	No	Ellisville	No
Refuse Service		Property Owner	Yes	Ellisville	No
Sidewalk Maintenance		St. Louis County	No	Ellisville	No
Street Lighting		Property Owner	Yes	Ellisville	No
Code Administration		St. Louis County	Yes	Ellisville	Yes
Planning & Zoning		St. Louis County	No	Ellisville	No
Municipal Court		St. Louis County	No	Ellisville	No
Health Services	No Change				

The City stated that all services would be provided immediately upon the effective date of the proposed boundary change, including solid waste services. Ordinarily RSMO 260.247 would prohibit the City from providing refuse services to newly annexed residents for a period of two years following annexation, however the statute does not apply to areas with lower than the requisite population density of fifty (50) residential customers. The proposed property has only one home, and the future development will only include three homes.

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
Real Estate Property Tax	Net Increase of \$.35/\$100 Assessed Valuation
Personal Property Tax	No change
Utility Tax	Increase from 5 to 7%

Revenue, Cost and Balance Estimates after Annexation

Source of Revenue	Estimated New Revenue after Annexation	
	Farmhouse	Subdivision
Real Estate Property Tax	\$69.56	\$472.50
Personal Property Tax	\$0.00	\$0.00
Utility Tax	\$168.00	\$504.00
Cable T.V. Franchise Tax*	\$18.00	\$27.00
Pool Sales Tax*	\$304.75	\$914.25
Missouri Gasoline Tax*	\$67.36	\$202.09
Motor Vehicle Sales Tax and Fees*	\$26.23	\$78.71
County Road and Bridge Tax*	\$109.83	\$141.75
Cigarette Tax*	\$11.66	\$34.98
Estimated Total New Revenue from Annexation Area	\$775.39	\$2,375.28
Estimated Cost of Extending Service to Area (First year of a three year projection)	\$99.00	\$0.00
Estimated Net Surplus (Deficit)	\$676.39	\$2,375.28

*These revenue sources will not be realized until the next decennial census (2000) has been completed and recorded.

The estimated surplus by the City of Ellisville would represent either a .02% or a .08% increase in the current General Fund Reserve (\$3,030,823) 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 207 Kiefer Creek Road Annexation Area		
Revenue Source	Farmhouse	Subdivision
Utility Tax	\$120.00	\$360.00
Cable T.V. Tax	\$18.00	\$27.00
Pool Sales Tax*	\$304.75	\$914.25
Missouri Gas Tax*	\$67.36	\$202.08
Motor Vehicle Sales Tax*	\$14.44	\$43.32
Motor Vehicle Fees*	\$11.79	\$35.38
State Bridge and Road Tax*	\$109.83	\$141.75
TOTAL	\$646.17	\$1,723.78

*These revenue sources will not be realized until the next decennial census (2000) has been completed and recorded.

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:

Proposed Zoning - 207 Kiefer Creek Road Annexation Area			
County Zoning Classification	Proposed Ellisville Zoning Classification	Proposed Zoning Classification New or Existing	Timing for Transition
R-2 (Residential)	CR-2 (Residential)	Existing	Upon Annexation

St. Louis County recently rezoned this property to R-2 in anticipation of a residential subdivision project. The adjacent undeveloped properties which are already incorporated into Ellisville have been rezoned to R-1 Single Family Residential for the same purpose. There are not transitions of land use character under consideration by the City of Ellisville other than those

already permitted by the current County zoning. The City proposes to use their own zoning code, under the title CR-2 and honor the current zoning criteria which presently exists in the County.

No non-conforming zoning issues exist in the subject property. If the property is developed, and variances are needed, the developer can seek relief through the City of Ellisville's Board of Adjustment.

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:

Compactness of Area	
Service delivery/access	The subject property is currently accessed from Ellisville via Kiefer Creek Road.
Community of Interest	The City will consider development issues on the main access route which may pose traffic concerns for the residents of the subject area. The proposed subdivision is immediately adjacent to Bluebird Park, which will offer a variety of recreational facilities.
Natural and/or Man-Made Barriers	No natural or man-made barriers exist.
Shared or Common Boundaries	The property is completely surrounded by Ellisville on all sides.

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:

The change will become effective as soon as it is legally permitted under the Boundary Commission rules and regulations and State Statutes. The City of Ellisville requested the proposal be approved without a vote for the following reasons:

- ▶ the sole property owner signed a petition document requesting the subject property be incorporated into the City of Ellisville, indicating the necessary support.
- ▶ the small size of the property will not create a financial burden on the resources of the City, and opposition by existing residents would be negligible, if any.

DECISION

The City of Ellisville 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 April 15, 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.

The Commission determined pursuant to Article X E(1) that the proposal is approved as a simplified boundary change, and further, that no election is required. The effective date of the change will be May 9, 1997.

ATTEST:



Chairperson

Date

5/6/97



BOUNDARY COMMISSION ST. LOUIS COUNTY, MISSOURI

May 7, 1997

Mr. Jeffrey LaGarce
Assistant City Manager
#1 Weis Avenue
Ellisville, MO 63011

Dear Mr. LaGarce:

Enclosed is an executed final copy of the **Summary and Decision of the Boundary Commission, St. Louis County** on BC9701, the City of Ellisville's proposal to annex the unincorporated territory described as 207 Kiefer Creek Road Area. As discussed with Mr. Anderson, the effective date for the annexation is Friday May 9, 1997. This copy is for your official records.

If you should have any questions regarding this document, please feel free to call me at 961-7877.

Sincerely yours,

Carl E. Ramey
Executive Director

encl.



BOUNDARY COMMISSION ST. LOUIS COUNTY, MISSOURI

May 7, 1997

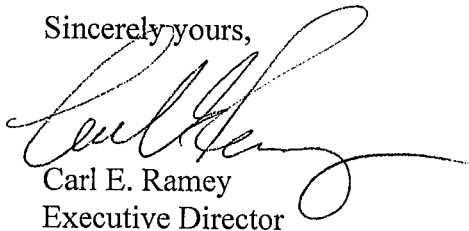
Ms. Jeanette W. Hook, County Clerk
St. Louis County Government Center
41 S. Central Avenue
Clayton, MO 63105

Dear Ms. Hook:

The Boundary Commission, St. Louis County, Missouri has acted to approve the proposal from the City of Ellisville for a boundary change in St. Louis County. Enclosed is a copy of the document, Summary and Decision, approved and executed by the Commission on May 6. You will note, the Boundary Commission determined pursuant to Article X E(1) that the proposal is approved as a simplified boundary change, and further, no election is required. The effective date of the change is May 9, 1997.

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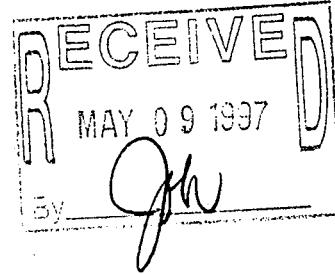
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BOUNDARY COMMISSION ST. LOUIS COUNTY, MISSOURI

May 7, 1997



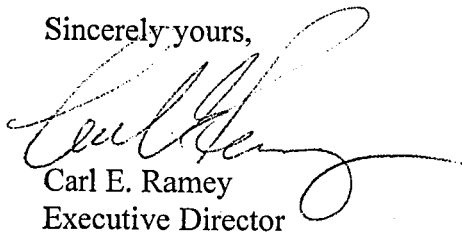
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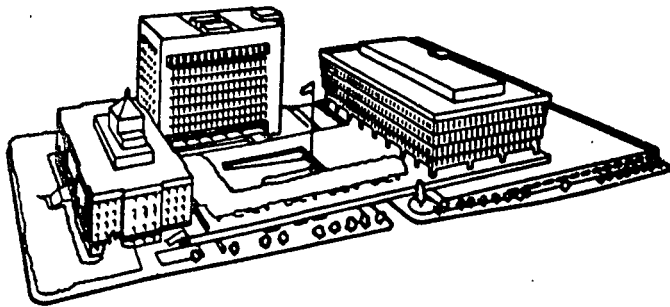
- A. The proposal is in the best interest of the municipality.
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The Commission determined pursuant to Article X E(1) that the proposal is approved as a simplified boundary change, and further, that no election is required. The effective date of the change will be May 9, 1997.

ATTEST:


Chairperson

Date 5/6/97



- 8 207

ST. LOUIS COUNTY, MISSOURI
BUZZ WESTFALL, COUNTY EXECUTIVE
JOHN A. ROSS
COUNTY COUNSELOR

May 8, 1997

TO: ALL DEPARTMENTS
FROM: ANDREW J. MINARDI
SENIOR ASSOCIATE COUNTY COUNSELOR
RE: ANNEXATIONS BY THE CITY OF ELLISVILLE --"Kiefer Creek Area" (DL 6-222G)

The St. Louis County Boundary Commission has approved a simplified annexation to the City of Ellisville effective May 9, 1997.

The area is set forth in the attached map and legal description.

The annexation is effective May 9, 1997, at which time the annexed area should be treated as part of the City of Ellisville.

p:\boundary\newbc\Ellisville.ann



ORDER NUMBER:

95-12-259

THE STERLING COMPANY

ENGINEERS, SURVEYORS & PLANNERS
COMPLETE PROFESSIONAL SERVICES

5055 NEW BAUMGARTNER RD. • ST. LOUIS, MO 63129 • (314) 487-0440 • FAX (314) 487-8944

LEGAL DESCRIPTION

PROJECT:
LOCATION: Bent Grass
DESCRIPTION: City of Ellisville Annexation

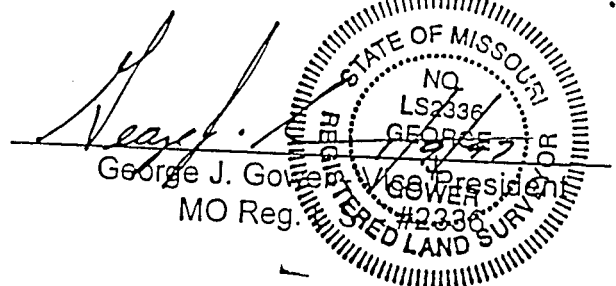
PAGE 1 **OF** 1
DATE: January 9, 1997
BY: G.F.W.

A tract of land being part of Lot 27 of Captain B.F. Hutchinson's Subdivision of his Ellisville Farm according to the plat thereof recorded in Plat Book 9, Page 60 of the City (former County) of St. Louis Records, also part of the Southeast 1/4 of Section 5, Township 44 North, Range 4 East, in St. Louis County, Missouri, and being more particularly described as follows:

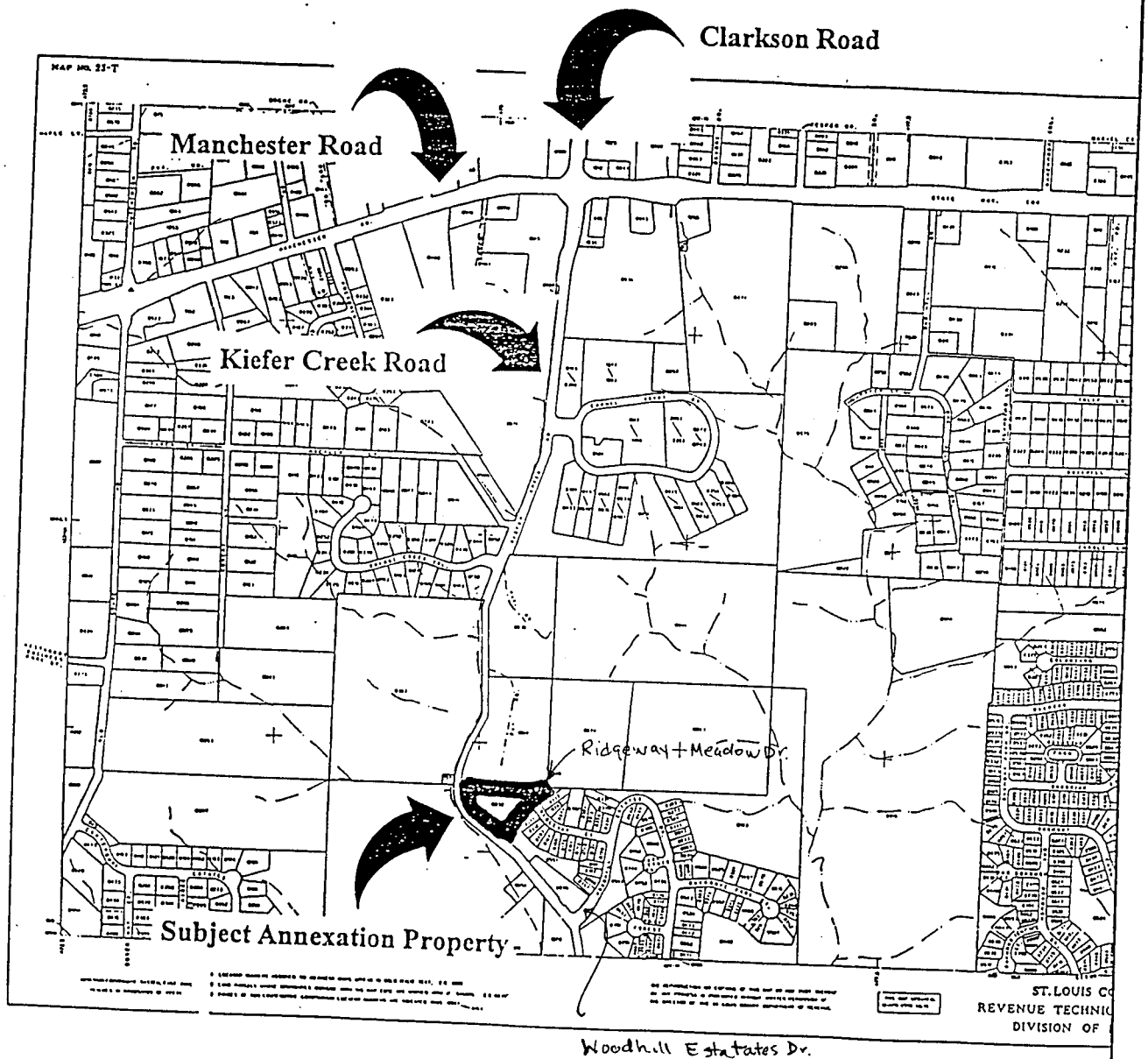
Beginning at the Northeast corner of the Southeast 1/4 of said Section 5; thence along the South line of a tract of land described to Clemence M. Watson by deed recorded in Book 3409, Page 407 of the St. Louis County records South 42°22'32" West a distance of 444.82 feet to a point in the centerline of Kiefer Creek Road; thence along the centerline of Kiefer Creek Road the following courses and distances: North 53°50'28" West 232.63 feet, North 37°22'28" West 95.68 feet, and North 7°18'28" West a distance of 115.86 feet to the East-West centerline of Section 5; thence North 89°57'36" East 560.44 feet to the point of beginning, and containing 2.47 acres more or less.

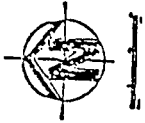
This was prepared from available information, and not the result of a boundary survey.

THE STERLING COMPANY



SUBJECT AREA ROAD ACCESS MAP





DISTRICT 1

SUBJECT PROPERTY

CITY OF ELLISVILLE
ST. LOUIS COUNTY
MISSOURI

DISTRICT 3

DISTRICT 2