



Charlie A. Dooley
County Executive

Glenn A. Powers
Director of Planning

September 27, 2010

St. Louis County Boundary Commission
168 North Meramec Avenue, Suite 140
Clayton, Missouri 63105

Re: Proposed Valley Park Annexation – Southwest Equestrian Area (BC1002)

Dear Commissioners:

This report represents St. Louis County's analysis of the annexation proposed by the City of Valley Park of the Southwest Equestrian Area. Its submittal is in accordance with the 21 day written comment period provided by state statute. The report is a review of the proposed annexation from the perspective of St. Louis County Government.

Based on our review of the City of Valley Park's Plan of Intent, statements made at the public hearing on September 9, 2010, and a comparison of City and County data, St. Louis County Government is opposed to the proposed annexation.

Unincorporated residents and property owners benefit from St. Louis County's economies of scale, service efficiencies and professional level of expertise. St. Louis County has the proven capacity of providing excellent police and street maintenance to the area. St. Louis County also has the regulatory controls necessary to protect environmentally sensitive land, such as the portion of the annexation area that is in the flood plain. For these reasons, it is our belief that the proposed annexation is not in the best interest of the residents and property owners in the area to be annexed.

Should the Commission require information in addition to what is contained in this report, we will make every effort to respond to your request in a timely manner.

Sincerely,

A handwritten signature in black ink that reads "Glenn A. Powers". The signature is written in a cursive style.

Glenn A. Powers
Planning Director

**PROPOSED ANNEXATION BY
THE CITY OF VALLEY PARK**

**SOUTHWEST EQUESTRIAN
AREA**

Report on BC1002
Prepared by St. Louis County Department of Planning
Submitted to St. Louis County Boundary Commission
September 27, 2010

I. INTRODUCTION

A. Purpose of Report

The purpose of this report is to provide information regarding a proposed annexation of 145.7 acres of unincorporated St. Louis County by the City of Valley Park. This analysis is primarily based on a review of the Plan of Intent submitted to the Boundary Commission by the City of Valley Park and comments made at the September 9, 2010 Public Hearing, as well as a comparison of City and County data.

B. History of Boundary Change Proposals in Area

Though the City of Valley Park has submitted proposals to annex portions of unincorporated St. Louis County in recent years, the area proposed for annexation (known as the Southwest Equestrian Area) has not been the subject of such a proposal.

II. GEOGRAPHIC INFORMATION

A. General Description of the Area Proposed to be Annexed

The 145.7-acre area proposed for annexation is generally bounded on the north by the existing city limits of Valley Park; on the south and west by Forest 44; and on the east by the existing city limits of Valley Park, the western right-of-way line of Smizer Mill Road, and the Avalon Hills subdivision. The area includes the following seven properties:

- 1030 Meramec Station Road,
- 1090 Meramec Station Road,
- 256 Hillsboro Road,
- 301 Hillsboro Road,
- 332 Hillsboro Road,
- 333 Hillsboro Road, and
- 560 Hillsboro Road.

Basic data for the proposed annexation area are provided in Table 1.

TABLE 1

BASIC ANNEXATION AREA DATA	
Area ¹	145.7 acres
Housing Units	1 ² ; 5 ³
Population	3 ² ; 16 ⁴
Total Assessed Valuation ¹	\$179,830
Assessed Valuation Per Capita ¹	\$59,943

Notes:

¹ Data provided by the St. Louis County Department of Planning.

² Housing unit and population count from the 2000 U.S. Census.

³ Housing unit count from field survey conducted by St. Louis County Department of Planning on August 25, 2010.

⁴ Population estimate based on the number of existing housing units multiplied by average household size from the 2000 U.S. Census.

B. Existing Land Use and Zoning

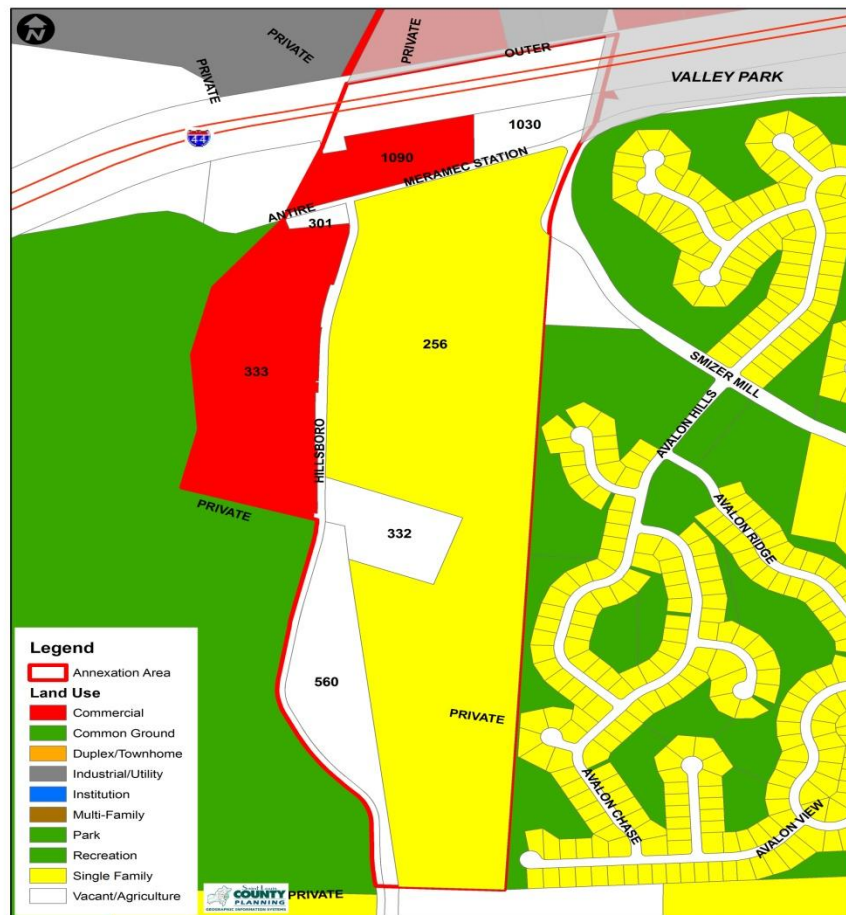
The proposed annexation area is comprised of a total of seven parcels. The existing land use of those parcels includes one single-family residence and four mobile homes on a single parcel, two commercial uses (Kraus Farms and Valley Mount Ranch), and four agricultural or vacant parcels. The existing land use of the proposed annexation area is listed in Table 2 and shown in Map 1.

TABLE 2

EXISTING LAND USE	
Land Use	Address
Residential	256 Hillsboro Road
Commercial	1090 Meramec Station Road
	333 Hillsboro Road
Agricultural/Vacant	1030 Meramec Station Road
	301 Hillsboro Road
	332 Hillsboro Road
	560 Hillsboro Road

Source: Existing land use survey conducted by St. Louis County Department of Planning on August 25, 2010.

MAP 1: EXISTING LAND USE



The following photos depict the existing land use of the proposed annexation area:



256 Hillsboro Road – Residence



256 Hillsboro Road – Mobile Homes



256 Hillsboro Road – Mobile Home



256 Hillsboro Road – Mobile Home



333 Hillsboro Road – Kraus Farms



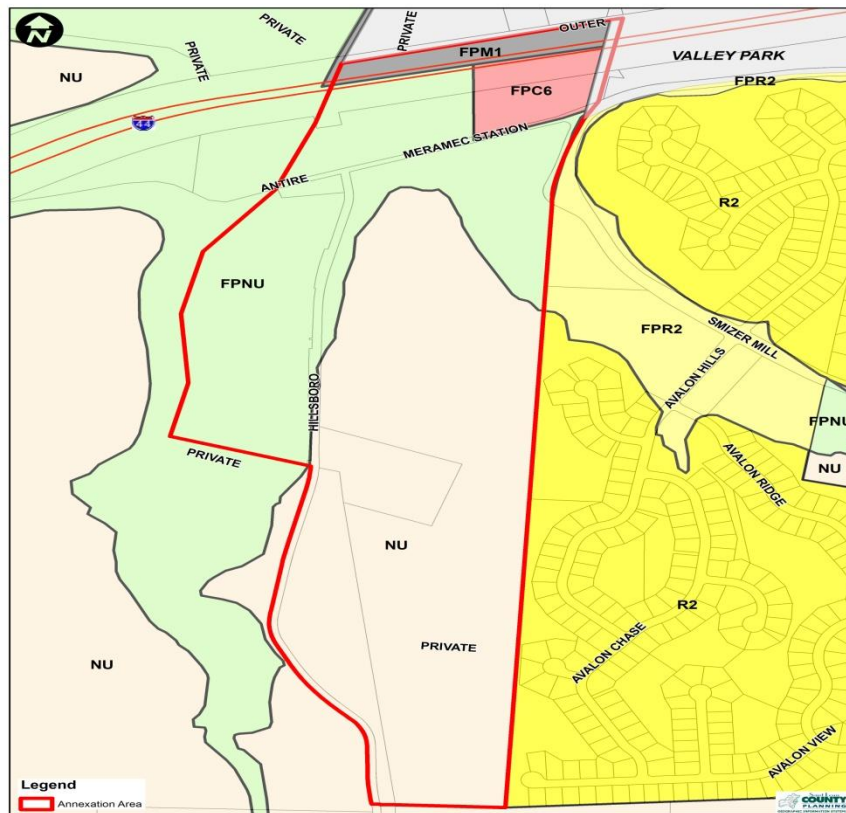
1090 Meramec Station Road – Valley Mount Ranch

The proposed annexation area contains three zoning districts: NU, FPNU and FPC-6 (see Map 2). Approximately two-thirds of the area is zoned NU, Non-Urban District. The NU District encompasses areas within which rough natural topography, geological conditions, or location in relation to urbanized areas creates practical difficulties in providing and maintaining public roads, and public or private utility services and facilities. This district is also assigned to those areas where specific potential development patterns have not been identified or where significant non-urban uses have been established. Single-family homes on lots of three or more acres are permitted uses in the NU District, while riding stables are permitted with a conditional use permit.

The remainder of the area is in the flood plain and, therefore, is zoned FPNU, Flood Plain Non-Urban District. As such, the NU District constitutes the underlying zoning and the FP District constitutes an "overlay" district. The FP District regulations control in the case of any conflict between the FP regulations and the regulations otherwise applicable to any property by virtue of its "underlying" zoning.

P.C. 53-04 was a request to change the zoning from FPNU, Flood Plain Non-Urban District to FPC-6, Flood Plain Office and Research Service District at 1030 Meramec Station Road. A preliminary site plan was presented at the public hearing, which showed a three-story 24,000 square foot office building, a 9,000 square foot office/warehouse building and an advertising sign along Interstate 44. The County Council approved the request on October 27, 2004. The Department noted in the report that advertising signs and warehousing were not allowed in the FPC-6. It is primarily an office use district. To date the property remains vacant.

MAP 2: ZONING



C. Comparison of City and County Zoning

The Plan of Intent states that all properties in the proposed annexation area will be reclassified from the County’s NU and FPNU Districts to the City of Valley Park’s PD-R, Planned Development Residential District. The only exception is the single property currently zoned FPC-6, which will be reclassified to PD-C, Planned Development Commercial. The city’s zoning ordinance states that the purpose of the Planned Development District is to provide a means of achieving greater flexibility in development of land in a manner not possible in conventional zones; to encourage a more imaginative and innovative design of projects; to promote a more desirable community environment; and to retain maximum control over both the structure and future operation of the development. The PD-R District allows planned developments involving residential uses only; likewise, the PD-C District allows planned developments involving commercial uses only. Riding stables are not listed as a permitted use in the PD-R District.

It should be noted that the City of Valley Park does not appear to have a Flood Plain District. Therefore, the Flood Plain designation would be removed from all properties located within the flood plain. Instead, such properties would be subject to the City’s flood plain policies.

D. Compactness and Other Boundary Issues

By statutory definition (Missouri Revised Statutes Section 72.400), “contiguousness” refers to an area proposed for annexation in which at least 15% of its boundary is adjacent to the municipality which is proposing the annexation. Valley Park’s Plan of Intent states that the area proposed to be annexed is 15.1% contiguous to the existing city limits of Valley Park. However, St. Louis County cannot verify that the proposed annexation area meets this statutory requirement because digital technology is not precise enough to do so. Regardless, the annexation of the proposed area by the City of Valley Park does not necessarily result in a more regular or natural boundary between the City and the County, as Interstate 44 currently provides a logical boundary at this location.

III. FINANCIAL IMPACTS OF PROPOSED ANNEXATION

The City of Valley Park levies both a property tax (\$0.470) and a personal property tax (\$0.570) that are in addition to the St. Louis County property tax and personal property tax. The City’s sales tax rate is 7.925%, which is one cent higher than the unincorporated County rate of 6.925%. The City’s additional one cent sales tax is dedicated in equal amounts to capital improvements and storm water improvements. As a “point-of-sale” sales tax city, Valley Park retains most of the tax revenues collected within its borders. The City’s utility tax rate is currently 5.0%, which is equal to the St. Louis County rate. Both Valley Park and the County impose an annual per-unit fee for their respective Sewer Lateral Repair programs. The City of Valley Park charges \$50 per year, nearly double the \$28 fee that the County charges.

A. Impact on Area Residents and Property Owners

Annexation by the City of Valley Park would result in higher property tax, personal property tax, sales tax and sewer lateral fees for residents and property owners in the proposed annexation area. Utility tax, however, would not change. As such, an owner of a house in the area proposed for annexation with an *appraised value* of \$95,600 would experience an increase in taxes and fees of approximately \$136 (excluding sales tax). Additionally, rates for trash collection and recycling services would increase by \$45 annually; however,

yard waste service would be included. A tax rate comparison between the City of Valley Park and unincorporated St. Louis County is provided in Table 3.

TABLE 3

2009 CITY AND COUNTY TAX RATES^{1, 2}		
Taxes/Fees	City of Valley Park	Unincorporated St. Louis County
City Property Tax	\$0.470	N/A
City Personal Property Tax	\$0.570	N/A
County Property Tax	\$0.523	\$0.523
County Personal Property Tax	\$0.523	\$0.523
Sales Tax	7.925%	6.925%
Utility Tax	5.0%	5.0%
Sewer Lateral Fee	\$50.00	\$28.00

Notes:

¹ Tax rates provided are those most commonly levied by municipalities, but may not represent all taxes and fees collected.

² It should be noted that Missouri state statutes require taxing jurisdictions, including municipalities, to set their property tax rates by October 1. The City of Valley Park has indicated that the city's tax rates will remain unchanged as of October 1, 2010.

Property taxes are based on a rate per \$100.00 of assessed value. A property owner in Valley Park pays a city property tax *in addition to* the county property tax. Based on the residential rate of \$0.470, an owner of a house in Valley Park with an *appraised value* of \$95,600 (which equals an *assessed value* of \$18,160) would pay \$85.35 in property taxes to the city. Owners of real property in St. Louis County pay the county property tax rate of \$0.523 regardless of whether the property is in a city or in unincorporated St. Louis County.

Personal property taxes are based on a rate per \$100.00 of assessed value. Valley Park levies a personal property tax rate of \$0.570. In Valley Park, the owner of a vehicle with an assessed value of \$5,000 would pay \$28.50 in personal property taxes to the city. Owners of personal property in St. Louis County pay the county property tax rate of \$0.523 regardless of whether the owner resides in a city or in unincorporated St. Louis County.

The sales tax rate in Valley Park is 7.925%, which is one cent higher than the sales tax rate in unincorporated St. Louis County (6.925%). Since there are no commercial retail properties currently within the area proposed to be annexed, there will be no effect on retail store purchases. However, it should be noted that when purchasing a vehicle or boat, the sales tax rate applied is based on where the purchaser lives, not on where the vehicle is purchased. For example, with the purchase of a \$20,000 vehicle, a Valley Park resident would pay \$200.00 more in sales taxes than a resident of unincorporated St. Louis County.

Valley Park and St. Louis County currently have the same utility tax rate of 5.0%. It should be noted that Missouri state statutes restrict St. Louis County from raising its rate, while municipalities do not have this restriction and rates vary across the county from 0-11%.

Valley Park’s sewer lateral fee of \$50.00 is higher than St. Louis County’s fee of \$28.00, a difference of \$22.00 per year.

Trash collection and recycling services are provided to unincorporated residents on a fee-for-service basis through a contract authorized by St. Louis County. Services are provided to one- and two-family homes and multi-family dwellings with individual curbside waste collection in one of eight designated Waste Districts. The minimum level of service includes once-a-week trash removal, once- a-week recycling and twice-yearly bulk pickups. In Waste District 4, Veolia ES is the contracted hauler. Currently, the annual price of the minimum level of service is \$159.00 (\$13.25/month). A resident may add yard waste to their service at the rate of \$7.84 per month. It should be noted that yard waste pickup must be subscribed to by the quarter. There is also a senior citizen discount (65+ head of household) of 10%, which amounts to \$143.10 annually (\$11.92/month). Valley Park provides trash collection and recycling services as part of its municipal services. The current cost for Valley Park residents is \$204 annually (\$17/month) for the minimum level of service and yard waste service. As such, the annual cost for trash collection and recycling services is \$45 higher in the City of Valley Park than in the County’s Waste District 4. However, it should be noted that the Valley Park rate includes yard waste service, whereas there is an additional fee for yard waste service under the County contract agreement with Veolia ES.

B. Impact on St. Louis County

The total annual revenue loss that County Government could experience as a result of the proposed annexation is estimated to be \$2,095. A breakdown of County revenue loss by funding source is provided in Table 4.

TABLE 4

ESTIMATED ANNUAL COUNTY REVENUE LOSS FROM THE PROPOSED ANNEXATION	
	Annexation Area
Sales Tax ^{1, 4}	\$278
Utility Tax ^{2, 4}	\$447
Highway User Tax ³	\$1,162
County Road and Bridge Tax ³	\$189
Cigarette Tax ⁴	\$10
Cable TV Tax ³	\$9
TOTAL	\$2,095

Notes:

¹ Estimate based on \$116 per capita less the County annexation adjustment (approximately 20%).

² Assumes average annual utility bill of \$2,000 and a 5% utility tax for residential units; non-residential estimates are not accurate at a small area level.

³ Estimate by the St. Louis County Department of Highways and Traffic.

⁴ Estimate by the St. Louis County Department of Planning.

C. Impact on Annexing Municipality

Table 5 compares the City's and the County's estimates of new revenues for Valley Park if the annexation is successful.

TABLE 5

CITY AND COUNTY ESTIMATE OF VALLEY PARK'S NEW ANNUAL REVENUES		
Source	County Estimated Amount	City Estimated Amount ⁶
Sales Tax ^{1, 4}	\$348	--
Utility Tax ^{2, 4}	\$447	--
Highway User Tax ³	\$69	--
County Road and Bridge Tax ³	\$189	--
Cigarette Tax ⁴	\$10	--
Cable TV Tax ³	\$9	--
Property/Personal Property Tax ⁵	\$478	\$478
TOTAL	\$1,550	\$478

Notes:

¹ County estimate based on \$116 per capita.

² County estimate assumes average annual utility bill of \$2,000 with utility gross receipts tax rate of 5% for residential units; non-residential estimates are not accurate at a small area level.

³ County estimate by the St. Louis County Department of Highways and Traffic.

⁴ County estimate by the St. Louis County Department of Planning.

⁵ City of Valley Park estimate.

⁶ Estimates from Valley Park Plan of Intent.

The County estimates that Valley Park will receive \$1,550 from the area if annexed; the City estimates increased revenues of \$478. The difference between total estimates is \$1,072. This difference can be accounted for by the fact that the City did not provide estimates of sales tax, utility tax, highway user tax, road and bridge tax, cigarette tax, and cable television tax revenues.

Valley Park's Plan of Intent indicates that the proposed annexation will result in estimated expenses of \$1,000 for the City of Valley Park. The Plan of Intent states that the City will provide residential sanitation collection, street maintenance and snow removal, street lights, planning, zoning and code enforcement services, and police protection. However, the plan does not specifically list which services are included in the \$1,000 estimate of expenses.

The Plan of Intent also states that no capital improvements are planned in the proposed annexation area.

D. Traffic Generation Assessment

The Plan of Intent states that the area is not subject to a "St. Louis County Assessment Trust Fund". This statement is incorrect as the proposed annexation area is in the Hawkins-Bowles-Summit-Gravois Traffic Generation Assessment Road Trust Fund.

IV. PROVISION OF SERVICES

A. Existing and Proposed Services

The provision of services to its residents is local government's primary responsibility and function. Currently, St. Louis County is the provider of a variety of municipal-type services to the proposed annexation area. If the annexation is successful, the services currently provided by St. Louis County would be transferred to the City of Valley Park. Table 6 lists basic municipal-type services provided in the area proposed to be annexed and identifies their current and proposed provider.

TABLE 6

SERVICES		
Service	Current Provider	Proposed Provider
Police Protection	St. Louis County	St. Louis County ¹
Fire Protection/EMS/ALS	Valley Park and Fenton Fire Protection Districts	
Street Maintenance ²	St. Louis County	City of Valley Park
Parks and Recreation	St. Louis County	City of Valley Park
Refuse Collection	Veolia ES ³	City of Valley Park
Street Lighting	Property Owner	City of Valley Park
Planning, Zoning and Subdivision Regulations	St. Louis County	City of Valley Park
Building Code Enforcement	St. Louis County	City of Valley Park
Mechanical Permits and Inspections	St. Louis County	St. Louis County ¹
Residential Occupancy Permits and Inspections	St. Louis County	City of Valley Park
Municipal Court	St. Louis County	City of Valley Park

Notes:

- ¹ The City of Valley Park has some specialized contracts with St. Louis County to provide certain services, including police protection.
- ² 2.40 lane miles of roads on the County Road System would be transferred to Valley Park if the annexation occurs.
- ³ The County has contracted with Veolia ES to provide trash service through its residential trash district program.

Provision of County Services

St. Louis County currently is able to reasonably access the area proposed to be annexed via Meramec Station Road and Hillsboro Road. St. Louis County provides quality efficient municipal services to the proposed annexation area and will continue to do so if the area remains unincorporated.

St. Louis County as a Service Provider

As one of the largest providers of local services in the state of Missouri, St. Louis County offers a full range of services to unincorporated residents (see Table 6). In West County, St. Louis County operates a West County Government Center staffed with more than 50 employees offering a variety of services. The area is also served by 71 commissioned officers in the West County (7th) Police Precinct, whose headquarters are located at 232 Vance Road. The County provides complete police services to the City of Valley Park through a contractual agreement. There are 12 full-time officers assigned to

the Valley Park neighborhood police station, which is located at 320 Benton Street. There are 32 employees from the Department of Highways and Traffic who work out of the District 4 (Southwest) Maintenance Station maintaining more than 651 lane miles of local roads. The County has other employees who only work only in West County, such as inspectors from the Office of Neighborhood Preservation who routinely work in the same neighborhoods. West County also has 13 County park sites totaling over 6,302 acres, including Queeny Park, Lone Elk Park and the Museum of Transportation. Other services are provided to by the Departments of Health, Human Services, Planning and Public Works. For example, the County Older Resident Programs (CORP) provides quality service to Saint Louis County residents age 60 and over by addressing the needs of older adults with a wide variety of programs, services and opportunities such as: transportation, home visits and telephone reassurance, home care and repair, legal assistance, information and referral, active aging, and much more.

County Police

The St. Louis County Police Department continues to be one of the best law enforcement units in the region and the state. It is one of only seven agencies in the U.S. (and the only one in the Midwest) to receive the TRI-ARC Excellence Award, receiving triple accreditation. In September 2009, the Police Department began reorganization that resulted in an additional 38 officers being put on the street, including three sergeants, two detectives, and 33 officers. This excellence and effort is all part of St. Louis County's continued goal of reducing crime. In 2009, areas under the jurisdiction of the St. Louis County Police Department experienced the second number of serious crimes in the past twenty years.

Table 7 indicates the number of calls for service and man-hours spent in the proposed annexation area for 2008, 2009 and 2010 (YTD). The number of calls and hours spent responding to service needs in this area has remained about the same since 2008. A total of 0.28 man-hours were spent responding to directed calls for service.

TABLE 7

CALLS FOR SERVICE		
Year	Calls for Service	Hours
2008	12	7.96
2009	17	9.45
2010 (YTD)	11	7.43
TOTAL	40	24.84

Source: St. Louis County Police Department.

The Neighborhood Policing Officer (NPO) reported that there is no established Neighborhood Watch Program in the area proposed for annexation due to its small area and population.

Neighborhood Preservation

The Office of Neighborhood Preservation conducts a visual inspection of all residential properties in the unincorporated areas of St. Louis County on an annual basis. In addition, property maintenance enforcement occurs in a pro-active and complaint-based fashion. No notices of violation have been given in the proposed annexation area for several years.

B. Services Not Affected

The area will continue to be served by the Valley Park Fire Protection District (west of Hillsboro Road, Fenton Fire Protection District (east of Hillsboro Road), Rockwood School District and other independent taxing jurisdictions. The services provided by these jurisdictions and their respective tax rates would not be affected by annexation.

Regarding library services, Missouri Revised Statutes Section 182.480 provides that after October 13, 1965, any annexation by a city having within its boundaries a municipal library district shall not extend the boundaries of the municipal library district, and any annexed areas shall remain in the county library district, and the taxable property in any such annexed areas shall only be subject to taxation by the county library district and shall not be subject to taxation by the municipal library district. Though the proposed annexation area will continue to be served by the St. Louis County Library system, the Valley Park City Attorney stated at the September 9, 2010 Public Hearing that privileges to the Valley Park Library would also be extended to residents if the area is annexed by the City of Valley Park.

V. CONCLUSION

St. Louis County believes that the proposed annexation is not in the best interest of the area to be annexed. Unincorporated residents and property owners benefit from St. Louis County's economies of scale, service efficiencies and professional level of expertise. In the Plan of Intent, Valley Park states, "The area produces only marginal City revenues and will constitute somewhat a burden on the City in extending police and street maintenance services." St. Louis County has the proven capacity of providing excellent police and street maintenance to the area. In fact, significant investment has been made in road improvements to Antire Road, Hillsboro Road and Meramec Station Road in the last four years. Valley Park's Plan of Intent does not indicate the level of road maintenance costs anticipated if this area were to be annexed; St. Louis County's annual expenditures of \$19,625 for maintenance and snow removal on these roads is not insignificant. Since the area is expected to generate about \$1,500 annually in revenues by St. Louis County's estimates, Valley Park would need to use funds derived from other areas of the City to meet this area's service needs.

St. Louis County also has the regulatory controls necessary to protect environmentally sensitive land, such as the portion of the annexation area that is in the flood plain. St. Louis County is committed to the strict enforcement of FEMA flood plain regulations. The County Flood Damage Prevention Ordinance sets standards that are in some respects higher than FEMA for the reclamation and development of flood-prone land. Based on these reasons, there is simply not a compelling purpose in altering service delivery and jurisdictional controls for the area by a boundary change.

Additionally, Valley Park's Plan of Intent states that "Much of the land owners of this area have requested the annexation." Yet there were no property owners or residents from the annexation area in attendance at the September 9, 2010 Public Hearing. Additionally, St. Louis County is not aware of any residents who have proactively voiced their dissatisfaction with the County or their

desire to join the City of Valley Park. Thus, the annexation does not appear to be driven by the property owners or residents.

Finally, the configuration of the annexation does not constitute “the creation of logical and reasonable municipal boundaries”, but rather creates an elongated peninsula jutting into and completely surrounded by unincorporated St. Louis County. Further, it is unclear whether this annexation meets the 15% contiguity requirement.

For these reasons, St. Louis County is opposed to the annexation.