

Before the Boundary Commission, St. Louis County, Missouri

In re: Proposal of the City of Florissant)	
)	
)	
)	File No. BC9602
)	Wedgwood Area
)	
)	
)	

**Summary and Decision of the Boundary Commission, St. Louis County
January 14, 1997**

Summary of Facts:

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

On April 15, 1996 a proposal requesting a boundary change (hereinafter referred to as the "official submittal") by the City of Florissant (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 May 21, 1996 a public hearing was conducted by the Commission based upon the official submittal.

The area proposed for annexation is generally located along the northern limits of the City of Florissant. It is more specifically bounded on the south and west by the City of Florissant and the remainder of the territory by unincorporated St. Louis County. Coldwater Creek represents the defined boundary between the proposed annexation area on the north and east, and St. Louis County. 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 area proposed to be annexed is developed primarily as single family residential properties in typical suburban subdivisions. Non-single family land use can be found along New Halls Ferry Road where institutional uses are located. There are larger undeveloped parcels located in flood plain areas. The only significant multiple family development is a 334 unit apartment

complex along the southeastern limits of the area.

BASIC ANNEXATION AREA INFORMATION DATA		
	<i>City of Florissant Declarations:</i>	<i>St. Louis County Declarations:</i>
<i>Area</i>	595 acres	595 acres
<i>Population</i>	5,043	5,043
<i>Dwelling Units</i>	n/a	1,903
<i>Dwelling Units per Three Acres</i>	n/a	9.5
<i>Total Assessed Valuation</i>	\$26,195,870	\$32,893,744
<i>Assessed Valuation per Capita</i>	\$5,194	\$6,523

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 greater 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 Florissant Declarations:

The financial evidence presented by the municipality only quantified the impact on the tax base of the existing municipality. The municipality estimated they would receive an additional \$1,075,300 in revenue from the annexed area. It was estimated the residents of the area would pay an additional \$52.64 to the City of Florissant. Subsequently, the City confirmed their commitment to a reduction in the Utility Tax, effective January, 1997 from the current 7% to 4%.

Revised financial projections were not submitted.

The municipality did not quantify the financial impact on the County except to point out “revenues lost by St. Louis County will be more than offset by the elimination of their services to this area.”

The municipality offered the following non-financial impacts:

Municipality:

- alignment of city limits to natural, logical borders or boundaries
- steady, consistent growth

Area subject to change:

- ensure quality of life through proper community planning and zoning
- prevention of adverse land development and land usage
- ability to use city services and facilities
- availability of convenient and more accessible government

St. Louis County Declarations:

The estimated impact of the annexation on a typical single family residential property would be a combined estimated increase in property (real and personal) tax and utility tax of \$55 per year. As a result, the County estimated the impact of the annexation on the tax base of the municipality would be an increase in revenue of \$1,086,404.

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 “Wedgwood Legal Description.”

FACTOR 3

(Ability to accommodate orderly incorporation in the County)

City of Florissant Declarations:

On the ability of the proposal to accommodate the orderly incorporation in the County, the City of Florissant 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 to Annexation Area						
<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>	<i>Date</i>
Police Services		St. Louis County	No	Florissant	No	6 mos
Fire/EMS/ALS Service	No Change					
Water Service	No Change					
Sewer Service	No Change					
Street Maintenance		St. Louis County	No	Florissant	No	6 mos
Utility Agreements	No Change					
Parks Service		St. Louis County	No	Florissant	No	6 mos
Recreation Service		St. Louis County	No	Florissant	No	6 mos
Refuse Service	No Change					
Sidewalk Maintenance		St. Louis County	No	Property Owner	Yes	6 mos
Street Lighting		Property Owner	Yes	Florissant	No	6 mos
Code Administration		St. Louis County	Yes	Florissant/St. Louis County	Yes	6 mos
Planning & Zoning		St. Louis County	No	Florissant	No	6 mos
Municipal Court		St. Louis County	No	Florissant	No	6 mos
Health Services		St. Louis County	No	Florissant	No	6 mos

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	Increase by \$.08/\$100 Assessed Valuation
Utility Tax	Increase from 5 to 7% ¹

Revenue, Cost and Balance Estimates after Annexation

Source of Revenue	New Revenue after Annexation Estimated	
	by Municipality	by County
Property Tax	\$21,000	\$26,315
Utility Tax	302,600	263,756
Sales Tax	532,500	519,117
Gasoline/Motor Vehicle Tax	118,500	157,392
County Road and Bridge Tax	27,500	34,538
Cigarette Tax	23,200	21,584
Cable T.V. Tax	0	13,702
Misc	50,000	50,000
Estimated Total New Revenue from Annexation Area	\$1,075,300	\$1,086,404
Estimated Cost of Extending Service to Area	\$1,017,100	\$1,017,100
Estimated Net Surplus (Deficit)	\$58,200	\$69,304

The estimated surplus by the City of Florissant would represent a 1.7% increase in the current General Fund Reserve (\$3,371,232) of the City.

¹The City confirmed their commitment to a reduction in the Utility Tax, effective January, 1997 from the current 7% to 4%. Revised financial projections were not submitted.

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:

City of Florissant Declarations:

The municipality did not quantify an effect the annexation would have on the distribution of tax resources in the county. They deferred to St. Louis County as being able to best present this information.

St. Louis County Declarations:

St. Louis County estimated the annual loss in gross revenue from the proposed annexation to be \$863,489. They offered the following analysis of revenue loss by funding source.

Estimated Gross Revenue Loss To St. Louis County from Wedgwood Annexation	
Revenue Source	Amount
Sales Tax	\$519,177
Utility Tax	188,397
County Road Funding (C.A.R.T.)	86,091
County Road and Bridge	34,538
Cigarette Tax	21,584
Cable T.V. Tax	13,702
TOTAL	\$863,489

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 Florissant Declarations:

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

Proposed Zoning - Wedgwood Annexation Area			
County Zoning Classification	Proposed Florissant Zoning Classification	Proposed Zoning Classification New or Existing	Timing for Transition
R-3 (Residential)	R-3 (Residential)	Existing	6 mos.
R-4 (Residential)	R-4 (Residential)	Existing	6 mos.
R-6A/R-6AA (Residential - multi-family)	R-5	Existing	6 mos.
FPR-3 (Flood Plain)	No Similar District	No District in Zoning Ordinance - Subject to Flood Plain Mgt. Ordinance	6 mos.
FPR-4 (Flood Plain)	No Similar District	No District in Zoning Ordinance - Subject to Flood Plain Mgt. Ordinance	6 mos.

The City of Florissant offered the following regarding their process for identifying proposed zoning districts. The City of Florissant would evaluate each property to determine the appropriate zoning classification. Properties would be classified in a City Zoning District most comparable to St. Louis County. Properties and buildings may be non-conforming subject to the City Zoning Ordinance. Any property varying considerably from the City Zoning Districts (R-3, R-4, R-5) would be evaluated for a new zoning district. (The City of Florissant did not offer a schedule for an evaluation or decision on the possible creation of new districts.)

St. Louis County Declarations:

The R-6 Residence District found in the County differs from that of the City, specifically the County's requirement on minimum square footage per dwelling unit. A 334 unit, multi-family apartment complex would become non-conforming.

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 Florissant Declarations:

Compactness of Area	
Criteria	Municipality
Service delivery/access	Access through one direct City connection
Community of Interest	Residents have common interests in schools, churches and commercial properties.
Natural and/or Man-Made Barriers	Coldwater Creek forms the boundary to the east, north and northwest.
Shared or Common Boundaries	The City limits of Florissant is on the south and west side of the Wedgwood Area

St. Louis County Declarations:

Regarding the natural barriers, the County commented that Coldwater Creek forms the northern boundary and represents the natural rounding off of a city boundary. From a compactness and shape standpoint, the proposed boundaries are reasonable.

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 Florissant Declarations:

Within six months of a favorable election vote, the City would provide full services to this area.

Decision

The City of Florissant 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 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.

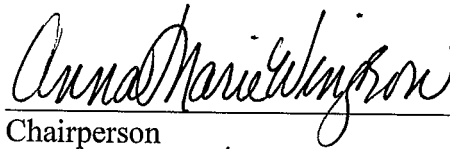
In accordance with Section 72.407 RSMo, the Boundary Commission herewith sets a vote in the City of Florissant and the area to be annexed to be held at an election on April 1, 1997. Such elections shall be held in accordance with Chapter 115 RSMo. The ballot for said separate elections shall read:

“Shall the City of Florissant annex the unincorporated territory adjacent to it as described in the legal description and map contained in the Boundary Commission’s Summary and Decision, Commission Number BC9602 (Wedgwood Area), of January 14, 1997?”

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

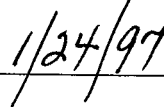
- A. of the votes cast on the question in Florissant and
 - B. of votes cast in each voting jurisdiction comprising the unincorporated area of the County
- are in favor of the boundary change.

ATTEST:



Chairperson

Date



FarnsworthPolk, Inc.engineers
& surveyorsWEDGWOOD
Legal Description

A tract of land in Blocks 2,3,4,7,8,9,10,12,13,14,15,18,19,20 and 36 in St. Ferdinand Commons and in Lots 1,2,3,4,5,6 and 7 of Francis G. Aubuchon Estates all in Township 47 North, Range 6 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the Southeast corner of Gardenview Plat 4 as recorded in Plat Book 118 Page 10 of the St. Louis County Records, thence along the Southern line of said subdivision North 89 degrees 29 minutes 40 seconds West a distance of 276.15 feet calculated, 244.66 feet record to a point in the centerline of Paddock Creek Drainage Right of Way, 60.00 feet wide; thence along said centerline North 17 degrees 08 minutes 00 seconds East a distance of 168.16 calculated, 170.99 feet record; thence along a curve to the right having a radius of 475.90 feet, an arc distance of 197.13 feet; thence North 06 degrees 36 minutes 00 seconds East a distance of 45.00 feet; thence along a curve to the left having a radius of 777.04 feet, an arc distance of 198.91 feet; thence North 08 degrees 04 minutes 00 seconds West a distance of 191.00 feet; thence along a curve to the left having a radius of 505.02 feet, an arc distance of 197.44 feet; thence North 30 degrees 28 minutes 00 seconds West a distance of 32.23 feet; thence along a curve to the left having a radius of 194.97 feet, an arc distance of 176.58 feet to the intersection of the centerline of Cold Water Creek Drainage Right of Way, 100.00 feet wide; thence along said centerline of Cold Water Creek and a curve to the left having a radius of 855.37 feet, an arc distance of 132.40 to a point of continuous curve; thence continuing along said centerline and a curve to the left having a radius of 955.37 feet, an arc distance of 227.31 feet; thence North 13 degrees 05 minutes 30 seconds West a distance of 300.70 feet; thence along a curve to the right having a radius of 955.37 feet, an arc distance of 705.60 feet; thence North 29 degrees 13 minutes 30 seconds East a distance of 3212.90 feet more or less; thence along a curve to the right having a radius of 955.37 feet, an arc distance of 1351.45 feet more or less; thence South 69 degrees 43 minutes 30 seconds East a distance of 282.50 feet more or less to a point in the Southwest line New Halls Ferry Road, 170 feet wide; thence South 67 degrees 31 minutes 00 seconds East a distance of 262.30 feet to a point in the Northeast line of said road; thence continuing along said centerline of Cold Water Creek South 67 degrees 31 minutes 00 seconds East a distance of 273.67 feet; thence South 67 degrees 50 minutes 59 seconds East a distance of 709.41 feet; thence along a curve to the left having a radius of 955.37 feet, an arc distance of 657.88 feet to a point of reverse curvature; thence continuing along said centerline and a curve to the right having a radius of 1320.00 feet, an arc distance of 472.29 feet to a point of continuing curvature; thence along a curve to the right having a radius of 507.23 feet, an arc distance of 374.40 feet; thence continuing along said centerline South 55 degrees 51 minutes 15 seconds East a distance of 310.20 feet; thence along a curve to the right having a radius of 1432.69 feet, an arc distance of 516.98 feet; thence South 35 degrees 10 minutes 45 seconds East a

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& surveyors

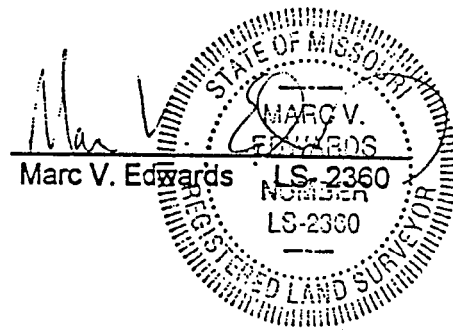
distance of 2152.98 feet more or less; thence leaving said centerline of Cold Water Creek South 76 degrees 18 minutes 15 seconds West a distance of 272.58 feet; thence South 00 degrees 17 minutes 15 seconds West a distance of 129.95 feet to the Southeastern corner of Wedgwood Plat 10 as recorded in Plat Book 116 Pages 12 and 13 of the St. Louis County Records; thence along the South line of said Wedgwood Plat 10, South 89 degrees 42 minutes 45 seconds West a distance of 574.47 feet to the Northeast corner of Flower Valley Phase 2 as recorded in Plat Book 146 Page 59 of the St. Louis County Records; thence along the East line of said subdivision, South 00 degrees 17 minutes 15 seconds East a distance of 410.18 feet; thence North 33 degrees 03 minutes 45 seconds West a distance of 24.39 feet; thence along the South lines of said Flower Valley Phase 2 and Flower Valley Phase 1 as recorded in Plat Book 138 Page 95 of the St. Louis County Records South 89 degrees 42 minutes 45 seconds West a distance of 1441.92 feet; thence South 62 degrees 58 minutes 15 seconds West a distance of 15.13 feet; thence North 27 degrees 01 minutes 45 seconds West a distance of 50.00 feet; thence South 62 degrees 58 minutes 15 seconds West a distance of 317.74 feet to a point in the Northeast line of New Halls Ferry Road, 120.00 feet wide; thence South 62 degrees 58 minutes 15 seconds West a distance of 120.00 feet to a point in the Southwest line of said road; thence along said Southwest line South 27 degrees 01 minutes 45 seconds East a distance of 160.00 feet more or less to the Southeast corner of property now or formerly of Frank Giardina as recorded in Deed Book 7442 Page 87 of the St. Louis County Records; thence along the South line of said property South 89 degrees 49 minutes 30 seconds West a distance of 273.88 feet more or less to the Southeast corner of Wedgwood Plat 11 as recorded in Plat Book 116 Pages 48 and 49 of the St. Louis County Records; thence along the South line of said subdivision South 89 degrees 49 minutes 30 seconds West a distance of 1324.12 feet to a point in the East line Wedgwood Plat 6 as recorded in Plat Book 112 Pages 34 and 35 of the St. Louis County Records; thence along said East line South 00 degrees 09 minutes 30 seconds East a distance of 663.72 feet to the Southeast corner of said subdivision, said corner also being the Northeast corner of Cross Keys Estates as recorded in Plat Book 279 Page 12 of the St. Louis County Records; thence along the East line of said Cross Keys Estates South 00 degrees 21 minutes 35 seconds East a distance of 1331.41 feet to the Southeast corner of property now or formerly of Lendal Brown as recorded in Deed Book 8998 Page 1846 of the St. Louis County Records; thence along the South line of said property South 89 degrees 29 minutes 29 seconds West a distance of 669.07 feet to the Southwest corner of property now or formerly of James Brown as recorded in Deed Book 9159 Page 142 of the St. Louis County Records, said corner also being the Southeast corner of property now or formerly of Harry L. Mobley as recorded in Deed Book 5456 Page 432 of the St. Louis County Records; thence along the South line of said Mobley property and the South line of Misty Ridge as recorded in Plat Book 311 Page 31 of the St. Louis County Records South 89

(City of Florissant - Wedgwood)

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& surveyors

degrees 29 minutes 29 seconds West a distance of 330.53 feet to the Southeast corner of Virginia Manor as recorded in Plat Book 124 Page 16 of the St. Louis County Records; thence along the South line of said subdivision South 89 degrees 52 minutes 50 seconds West a distance of 330.75 feet to the Southeast corner of Gardenview Plat 2 as recorded in Plat Book 113 Page 40 of the St. Louis County Records; thence along the South line of said subdivision South 89 degrees 51 minutes 20 seconds West a distance of 1009.59 feet to the Southeast corner of Gardenview Plat 1 as recorded in Plat Book 112 Page 20 of the St. Louis County Records; thence along the South line of said subdivision South 89 degrees 51 minutes 20 seconds West a distance of 326.00 feet to the Southwest corner of said subdivision, said corner also being the Northwest corner of Thunderbird Manor Plat 4 as recorded in Plat Book 91 Page 43 of the St. Louis County Records; thence thence along the West line of said Thunderbird Manor South 00 degrees 30 minutes 20 seconds West a distance of 90.00 feet to the Point of Beginning and containing 595 acres more or less.



Note:

Bearing system adopted from Wedgwood Subdivision Plat. Bearings differ from Kensington Square Legal Description by approximately 00 degrees 12 minutes 40 seconds more or less.

Description is based on record information and does not represent an actual boundary survey.

ANNUAL REPORT FOR THE CITY OF FLORISSANT, MISSOURI: BC 9602 - WEDGWOOD

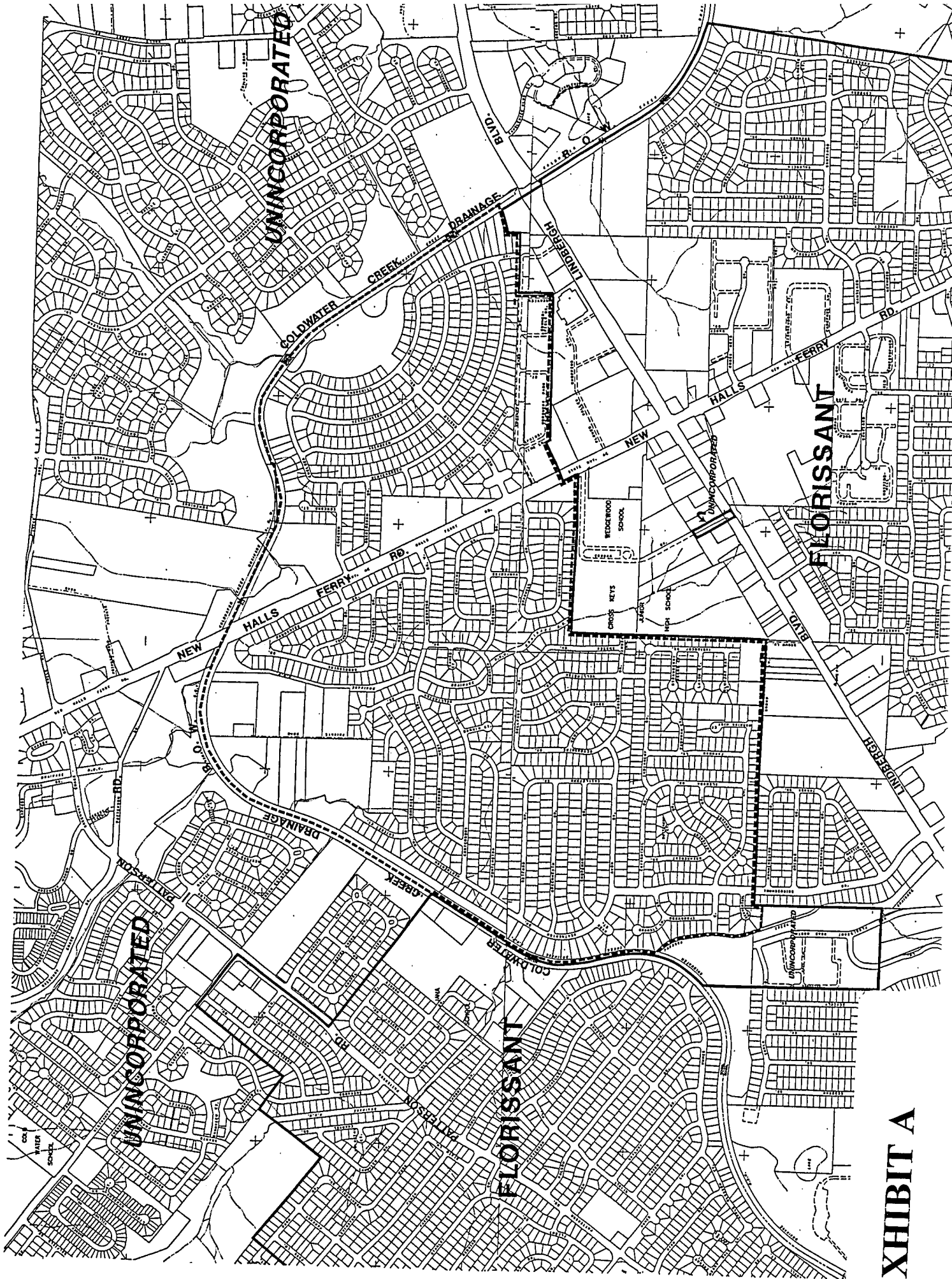


EXHIBIT A



**BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI**

January 24, 1997

Mr. John Hessel
Lewis, Rice & Fingersh
500 N. Broadway
St. Louis, MO 63102

Dear John:

Enclosed are the executed final copies of the **Summary and Decision of the Boundary Commission, St. Louis County** for BC9601, BC9602, BC9603, and BC9613, the proposals by the City of Florissant to annex the unincorporated territories described accordingly as Area West, Wedgwood, Crest Aire, and Kensington. These copies are for your official records.

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

Sincerely yours,

Carl E. Ramey
Executive Director

encl.

cc: Carol Fritschie, City Clerk