

**Before the Boundary Commission, St. Louis County, Missouri**

In re: Proposal of the City of Manchester )  
 )  
 ) File No. BC9615  
 ) Hanna-Sulphur Spring 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 July 3, 1996 a proposal requesting a boundary change (hereinafter referred to as the "official submittal") by the City of Manchester (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 17, 1996 a public hearing was conducted by the Commission based upon the official submittal. Within the 60 day period after the close of the public hearing a revised proposal was submitted on November 7.

The area proposed for annexation is located south of the City, generally bounded by Sulphur Spring on the west, by Hanna Road on the east, Big Bend Road on the south, and the existing limits of Manchester on the north. 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.

<b>BASIC ANNEXATION AREA INFORMATION DATA</b>		
	<i>City of Manchester Declarations:</i>	<i>St. Louis County Declarations:</i>
<i>Area</i>	0.8 Square Miles	595.88 acres
<i>Population</i>	3,213	3,146
<i>Dwelling Units</i>	1,154	1,251
<i>Dwelling Units per Three Acres</i>	5.80	6.29
<i>Total Assessed Valuation</i>	\$29,109,369	\$31,376,265
<i>Assessed Valuation per Capita</i>	\$9,060	\$10,290

<b>INFORMATION REGARDING ANNEXATION AREA AS AN UNINCORPORATED POCKET</b>	
<b>Criteria</b>	<b>Finding</b>
Average residential density in excess of one dwelling per three acres	The area has a residential density greater than one dwelling unit per three acres
Population of less than five thousand (5,000) people	The population of the area is 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 Manchester Declarations:*

The residents will be required to pay a slightly higher property tax, but the City of Manchester anticipates this will be entirely offset by the slightly lower utility gross receipts tax and the savings from free trash, yard waste and recycling service.

The municipality stated the County would lose some revenue but realize a cost savings from no longer having to service this area. Additionally, the change in distribution of sales tax revenues requires "A" cities such as Manchester to share some of their revenue, lessening the impact on the County.

The municipality offered the following non-financial impacts:

- Municipality:
  - ▶ sales tax based upon the number of residents will allow for a more secure revenue base
  - ▶ a more diverse population base to participate in City programs
- Area subject to change:
  - ▶ residents will receive services from a local rather than a regional government
  - ▶ more direct input through local representatives
  - ▶ will receive trash and yard waste pickup and curbside recycling services free of charge
  - ▶ city will pay for street lights on public roadways and park and recreation programs will be offered at reduced rates

*St. Louis County Declarations:*

Residents will experience a minimal tax increase if the annexation occurs, with an estimated increase of \$67 per year in personal and real property taxes. They also indicate the slightly lower utility tax of 4.5% will decrease this approximately \$10 per year, and the savings in free trash, recycling, and compost pick up will largely offset the property tax increase. Businesses would also be subject to additional business license fees, which are based on gross receipts.

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 "Hanna-Sulphur Spring Area Legal Description."

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

*City of Manchester Declarations:*

On the ability of the proposal to accommodate the orderly incorporation in the County, the City of Manchester represented that nothing in this proposal would prevent or adversely affect the orderly incorporation of 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.

<b>Provision of Services to Annexation Area</b>						
<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	Manchester	No	*
Fire/EMS/ALS Service	No Change					
Water Service	No Change					
Sewer Service	No Change					
Street Maintenance		St. Louis County	No	Manchester/ St. Louis County	No	*
Utility Agreements	No Change					
Parks Service		St. Louis County	No	Manchester	No	*
Recreation Service		St. Louis County	No	Manchester	No	*
Refuse Service		Private Haulers	yes	Manchester	No	*
Sidewalk Maintenance		St. Louis County	No	Manchester	No	*
Street Lighting		St. Louis County	yes	Manchester	no	*
Code Administration		St. Louis County	Yes	Manchester/St. Louis County	Yes	*
Planning & Zoning		St. Louis County	No	Manchester	No	*
Municipal Court		St. Louis County	No	Manchester	No	*
Health Services	No Change					

\* The City will be able to extend total services to the proposed area within 4 to 6 months after voter approval.

**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 \$.20/\$100 Assessed Valuation
Utility Tax	Decrease from 5 to 4.5%

**Revenue, Cost and Balance Estimates after Annexation**

Source of Revenue	New Revenue after Annexation Estimated	
	by Municipality	by County
Property Tax	\$64,120	\$62,752
Utility Tax	137,470	114,000
Sales Tax	402,510	313,898
Gasoline/Motor Vehicle Tax	120,920	109,885
County Road and Bridge Tax	35,010	32,945
Cigarette Tax	15,540	13,034
Cable T.V. Tax	15,300	8,476
Misc Fees and Fines	79,970	79,570
Additional revenue after revisions		4,733
Estimated Total New Revenue from Annexation Area	\$870,840	\$739,293
Estimated Cost of Extending Service to Area	\$870,430	\$870,430
<b>Estimated Net Surplus (Deficit)</b>	<b>\$410</b>	<b>(\$131,137)</b>

\* The difference in estimated revenues reflects the inclusion of the 1/4 cent and 1/2 cent sales tax in the City's figures.

The estimated surplus by the City of Manchester would represent a less than one-tenth of one percent increase in the current General Fund Reserve (\$1,123,621) 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:

*City of Manchester Declarations:*

The municipality did not quantify an effect the annexation would have on the distribution of tax resources in the county. They indicated the County would lose revenue from sales taxes, utility tax, road and bridge tax, etc. but these losses would be offset by savings in expenditures and will not be "extraordinary" as defined in the St. Louis County Boundary Commission Rules.

*St. Louis County Declarations:*

St. Louis County estimated the annual loss in gross revenue from the proposed annexation to be \$493,641. They offered the following analysis of gross revenue loss by funding source:

<b>Estimated Gross Revenue Loss To St. Louis County from Hanna-Sulphur Spring Area Annexation</b>	
<b>Revenue Source</b>	<b>Amount</b>
Sales Tax	\$234,820
Utility Tax	120,483
County Road Funding (C.A.R.T.)	83,883
County Road and Bridge	32,945
Cigarette Tax	13,034
Cable T.V. Tax	8,476
<b>TOTAL</b>	<b>\$493,641</b>

**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 Manchester Declarations:*

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

<b>Proposed Zoning - Hanna Sulphur Spring Area Annexation</b>			
County Zoning Classification	Proposed Manchester Zoning Classification	Proposed Zoning Classification New or Existing	Timing for Transition
R-2 (Residential)	R-2 (Residential)	Existing	6 mos.
R-3 (Residential)	R-3 (Residential)	New	6 mos.
R-4 (Residential)	R-4 (Residential)	New	6 mos.
R-6 (Multi-Family Residential)	R-6 (Multi-Family Residential)	Revised R-3	6 mos.
C-8 (Planned Commercial)	PCD	Existing	6 mos.

In general, the City of Manchester identified that setback requirements vary, but any annexed parcels will be treated as non-conforming. The proposed area contains five zoning classifications, and though some do not match, the City proposes to change several current classifications to integrate the zoning.

*St. Louis County Declarations:*

The City of Manchester has more stringent setback requirements and minimum floor requirements for homes that do not exist in St. Louis County. The majority of subdivisions contain single family lots smaller than the minimum size required by Manchester's zoning Ordinance, but the City states it will consider changing several of its current classifications to accommodate the proposed area.

**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 Manchester Declarations:*

<b>Compactness of Area</b>	
Criteria	Municipality
Service delivery/access	Bounded by well travelled roadways that do not limit access to the area
Community of Interest	Residents of the proposed area consider themselves a part of the Manchester Community and many have requested to be annexed.
Natural and/or Man-Made Barriers	No natural or man-made barriers exist.
Shared or Common Boundaries	The entire southern boundary is shared with the proposed area.

*St. Louis County Declarations:*

There are direct street connections from the existing boundary to the area and ample road access to facilitate the provision of services. The area is contiguous to the City of Manchester's southern border.

From a compactness and shape standpoint, the extension of the City of Manchester's boundaries as proposed appears to be logical.



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 Manchester Declarations:*

The effective date of the annexation will be within 4 to 6 months of a successful election.

**Decision**

The City of Manchester 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.

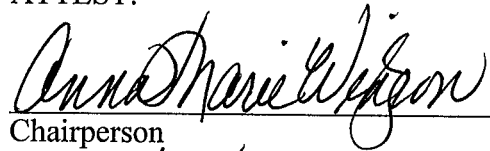
In accordance with Section 72.407 RSMo, the Boundary Commission herewith sets a vote in the City of Manchester and the area to be annexed to be held at an election on April 1, 1997. Such elections shall be held in accordance with Chapter 115 RSMo. The ballot for said separate elections shall read:

**“Shall the City of Manchester 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 BC9615 (Hanna-Sulphur Spring Area), of January 14, 1997?”**

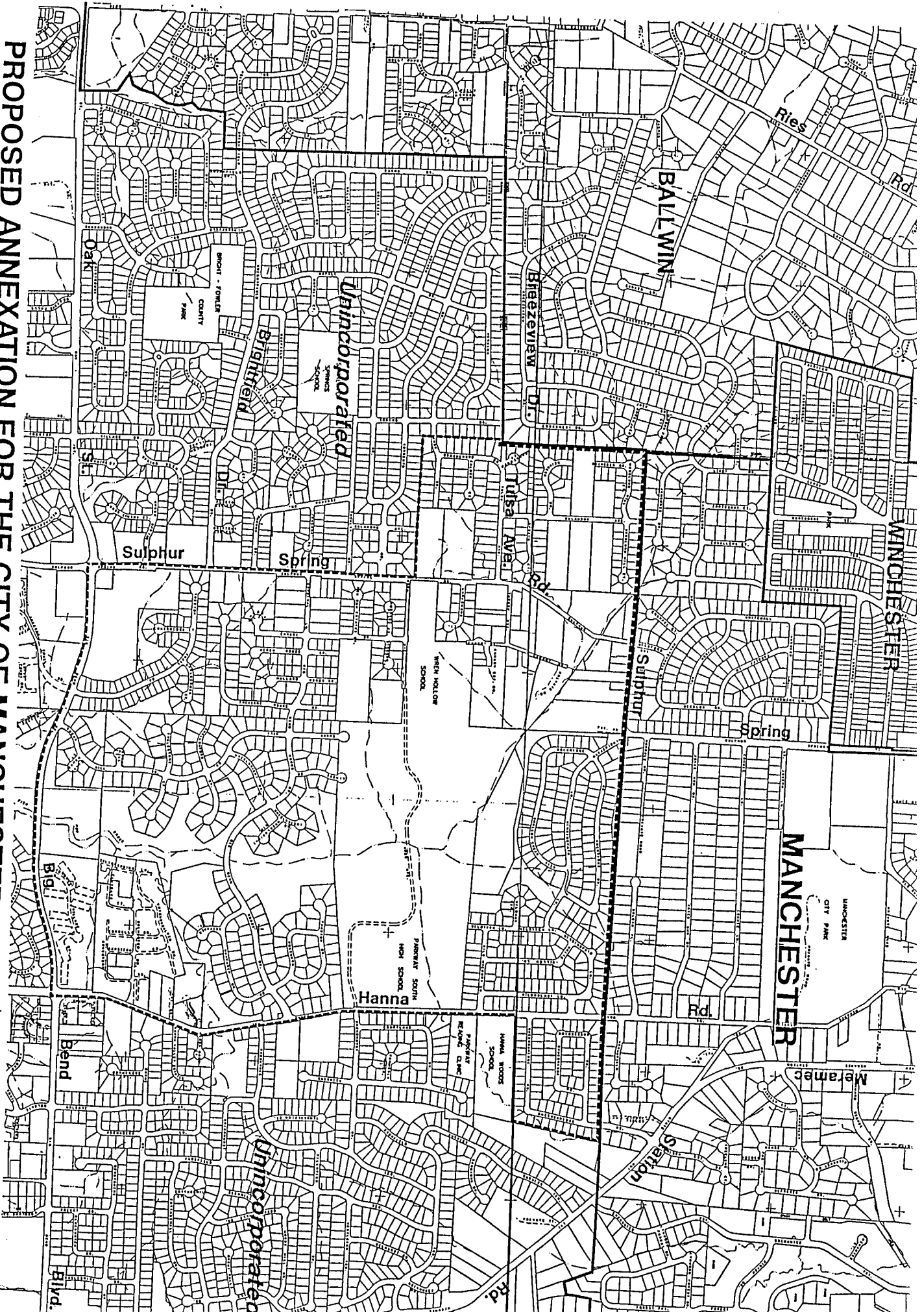
The annexation shall take effect six months following the certification of election results if a separate majority:

- A. of the votes cast on the question in Manchester 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 1/24/97



**PROPOSED ANNEXATION FOR THE CITY OF MANCHESTER, MISSOURI**

— Existing City Limits  
 - - - - Proposed Annexation

TOTAL ACREAGE :  
 = 595.88 Acres  
 = 0.93 Sq. Mi.

## EXHIBIT B

### LEGAL DESCRIPTION

#### HANNA-SULPHUR SPRING PROPOSAL

The point of beginning is located by starting at the most eastwardly southeast corner of the city limits of the City of Manchester, Missouri; hence westwardly on the abridged said city limit line a distance of around 1,690 feet to the point of beginning; said point being the intersection of the Manchester city limit line and the northeast corner of lot 87 of Bainbridge Plat No. 1; thus proceeding southwestwardly from said intersection point along the east line of lots 87 through 77 of Bainbridge Plat 1, to a point on the southeast corner on lot 77; hence proceeding westwardly along the southern line of lots 77 through 64 of Bainbridge Plat No. 1 and continuing around 10 feet on the prolongation of said line to the eastern right-of-way line of Hanna Road; hence southerly on said right-of-way line a distance of around 4,400 feet to a point of intersection with the southern right-of-way line of Big Bend Road; hence proceeding westwardly along the said Big Bend right-of-way to a point of intersection with the western right-of-way line of Sulphur Spring Road; hence turning northwardly on said Sulphur Spring Road right-of-way to a point of intersection with the southern property line of the n/f Waldman, Leonard J. & L. property (locator number 24R63-0215); hence proceeding westwardly on said line to the southeast corner of lot 54 of Forest View Park; hence continuing westward along the southern line of lots 54 through 61 of Forest View Park, terminating at a point being the southwest corner of said lot 61; hence turning northward along the western line of lots 61 through 69 of Forest View Park to a point of intersection with the southeast corner of Lot 7 of Lafayette Woods Subdivision; said point being the current most east southeast corner of the city limit line of the City of Ballwin, Missouri; hence proceeding northwardly on said city limit line to its intersection at a point with the southern city limit line of Manchester, Missouri, said point being the most southwestern corner of Manchester, Missouri; hence proceeding eastwardly on the said southern city limit line a distance of around 6,560 feet to the point of beginning.



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

January 24, 1997

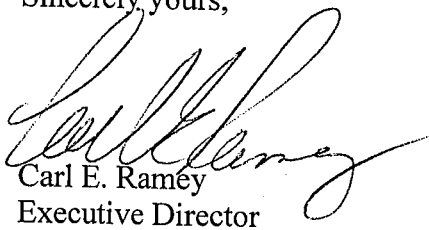
Mr. Michael B. Leavitt  
City Administrator  
City of Manchester  
14318 Manchester Road  
Manchester, MO 63011-4072

Dear Mike:

Enclosed is an executed final copy of the **Summary and Decision of the Boundary Commission, St. Louis County** on BC9615, the City of Manchester's proposal to annex the unincorporated territory described as Hanna-Sulphur Spring. 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.