

ST. LOUIS COUNTY, MISSOURI

BUZZ WESTFALL, COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
GLENN A. POWERS, DIRECTOR

July 8, 1997

MEMORANDUM:

TO: Boundary Commission, St. Louis County

FROM: Glenn A. Powers, Director **GAP**
Department of Planning

RE: Comments on proposed Fenton Simplified Annexation (Baptist Church Property)

The following are the comments of the Department of Planning on the above referenced proposed annexation. Our comments are organized by Boundary Commission factor. A July 3, 1997 dated memorandum with comments and additional information from the St. Louis County Department of Highways and Traffic is attached to this document.

Factor 1 Impact

The Plan of Intent indicates that the existing three home owners in the annexation area would benefit from annexation by receiving free trash collection as well as free recycling pickup and yard waste removal that is paid by the City. There would also be an additional benefit of a \$10 per month payment toward each household's MSD bill that is provided to residents of Fenton. The City also does not levy a utility tax on residential properties. There is also no city real estate or personal property tax levy. Combined savings for a typical homeowner in the area is estimated at \$390 per year if the annexation is successful.

However, because of the strong likelihood that the area would be developed commercially if the annexation is approved, the projected savings to the three homeowners would not materialize or would be short-lived at best. The Plan of Intent indicates that the City could receive an additional \$176,812 in yearly revenue from the area if it were to develop commercially.

Factor 3 Orderly Incorporation in the County

The Plan of Intent states that "This tract of land is presently in unincorporated St. Louis County, yet lies well within the geographic perimeter and corporate boundaries of Fenton proper." This statement is both contradictory and confusing. If the area lies well within the corporate boundaries of Fenton why does it need to be annexed? While the area is situated in proximity of the Fenton "old town" it in fact is outside of the geographic perimeter of the City. State Highways 141 and 30 are significant roadways which effectively separate the existing City from the area proposed to be annexed.

Factor 6 Current Tax Rates

The tax table in the Plan of Intent could be misleading to a reader. No explanation is made that, while Fenton does not levy city taxes on real estate or personal property, the St. Louis County tax on real estate and personal property is paid by all county property owners and residents whether their property is located in a municipality or an unincorporated area. Thus, there would be no savings from these taxes if the area is annexed, only no new taxes would be owed the City. In addition, it should be noted that \$.105 of the \$.58 per \$100 assessed valuation county tax rate is for the County Road and Bridge tax which would be transferred to the City if the annexation is successful.

Factor 7 Sources of Revenue

The Plan of Intent estimates that if the area is annexed and developed commercially the City will receive \$176,812 in yearly revenue. Subtracting the Plan of Intent estimated cost of \$2,000 per year to provide services to the area, the City would gain \$174,812 in annual revenues. Conversely, if the area remains in its current development state, the Plan of Intent estimates \$1,578 in annual revenues versus \$1,700 in annual expenses to provide services to the area, resulting in a small annual loss to the City. Clearly, it is in the City's best interest for the area to be developed commercially.

The Plan of Intent addresses the collection of traffic generation assessments for any future development that could occur in the area proposed for annexation under Factor 7. In its attached July 3, 1997 dated memorandum, the St. Louis County Department of Highways and Traffic recommends that "... the Boundary Commission make the subject proposal contingent upon the City amending its Plan of Intent to make provisions for the continuance of the Traffic Generation Assessment Road Trust Fund administered by St. Louis County in consideration of the Highway System Plan . . ." should the City of Fenton be allowed to annex the area.

Factor 9 Zoning

The area proposed for annexation is currently zoned R-2 Residence District and R-3 Residence District with the northern portion of the area, which is traversed by Fenton Creek and its adjacent flood plain, being zoned FPR-2 Flood Plain R-2 Residence District and FPR-3 Flood Plain R-3 Residence District. An adjacent property to the southwest in unincorporated St. Louis County is zoned C-8 Planned Commercial District. Other properties to the southeast, across State Highway 30 in unincorporated St. Louis County, are zoned C-2 Shopping District, FPC-2 Flood Plain C-2 Shopping District, C-3 Shopping District, FPC-3 Flood Plain C-3 Shopping District, C-8 Planned Commercial District, and FPC-8 Flood Plain C-8 Planned Commercial District. Properties further to the east of State Highways 30 and 141 in the City of Fenton are zoned OT-2 Commercial Zone District. Portions of the properties are in the flood plain.

The Plan of Intent indicates that a developer as owner under contract of the properties in the area proposed for annexation has submitted a concept plan for commercial development of the site to the City of Fenton. The Plan of Intent states that "The developer seeks the appropriate zoning for the proposed retail/commercial uses. These have been identified to be similar to those permitted in the OT-2 Commercial Zone District."

While it is not the purpose of this memorandum to determine the appropriateness of the area proposed for annexation for commercial zoning, it is acknowledged that the intersection location of the properties in the area as well as adjoining and nearby commercially zoned properties are arguments that could be offered in support of such a request.

It is further noted that a request for commercial development of the area has not been submitted or discussed with the St. Louis County Department of Planning. However, the St. Louis County Department of Highways and Traffic reports that informational meetings involving a potential commercial developer and the City of Fenton officials were held at which roadway improvements and flood plain development requirements for the area were discussed.

Subsequent to meetings with the St. Louis County Department of Highways and Traffic, the developer in question decided to pursue annexation of the area as a means of circumventing stricter St. Louis County requirements that would require compensating "cut and fill" for properties located in the flood plain that might be used for the proposed retail/commercial development. The City of Fenton uses less stringent requirements for building in the flood plain which would allow more intense development of the site. The St. Louis County Department of Highways and Traffic has indicated a concern regarding potential flooding not only on the site itself but on existing and proposed adjacent roadways if the development in question is not built in accord with St. Louis County standards.

Factor 10 Compactness

The proposed annexation would not round off the City's boundaries and would in fact create an irregular boundary. State Highway 141 for the most part forms a logical boundary between the existing City to the north and east and unincorporated St. Louis County to the south and west. In fact, the area proposed to be annexed is only adjacent to the existing city limits on one side. Three sides of the area abut unincorporated St. Louis County. The area proposed to be annexed is only 30.6 percent contiguous to the Fenton city limits.

Access to the properties in the northern portion of the area to be annexed is only available from State Highway 141 (also known as New Smizer Mill Road); there is no direct access from State Highway 30. In addition, Fenton Creek imposes a significant barrier between portions of the area situated north and south of the creek. The properties in the southern portion of the area can only be accessed indirectly from State Highway 30 via Country Home Drive which has one connection with State Highway 30; there is no direct access from State Highway 141. While future proposed road improvements could improve access to the site, the fact remains that a substantial portion of the area would only be accessible from the existing City via a very circuitous route. Thus, the natural creek barrier and the existing roadway system would effectively block the efficient delivery of services from the City to the area proposed to be annexed.

GAP/LJG/dlv
(bnd\bc97.fen)

Attachment

RECEIVED JUL 3 1997



ST. LOUIS COUNTY, MISSOURI
BUZZ WESTFALL, COUNTY EXECUTIVE
DEPARTMENT OF HIGHWAYS AND TRAFFIC
J. MICHAEL DOOLEY, P.E., DIRECTOR

July 3, 1997

MEMORANDUM: Mr. Len Groszek
Comprehensive Planning Division

Subject: Boundary Commission Information Request Regarding
City of Fenton Simplified Annexation
(Baptist Church Property Area)

Reference is made to your memo dated June 13, 1997, wherein you requested information concerning the above subject.

Enclosed is a table entitled "Proposed Annexations within St. Louis County". The data is intended to aid in evaluating impact on County Government and the City's ability to continue uninterrupted service on the affected roadways.

CITY OF FENTON

The proposed Baptist Church Property Area annexation is encompassed by the Hawkins-Bowles-Summit-Gravois Traffic Generation Assessment Road Trust Fund established by St. Louis County Ordinance No. 15,284 which was approved on December 13, 1990.

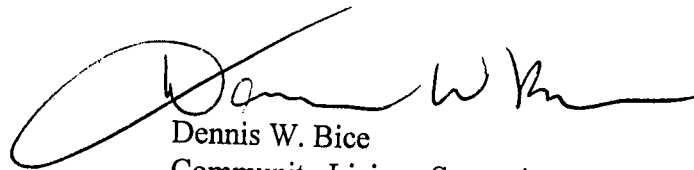
This annexation area is served by Highway 141 and Highway 30, which are Missouri Department of Transportation roads.

The proposed annexed area is not presently served by any St. Louis County Highway roads, except County Home Drive just southwest of the area, which is shown on the St. Louis County Highway System Plan to be extended thru the annexed area and connected to Highway 141, attached for reference. We have met with the City of Fenton officials and area subdivision trustees regarding the extension of Country Home Drive and its connection with Highway 141. We have requested their comments so their input can be considered. There are concerns that the proposed development may increase traffic on Country Home Drive that will negatively affect citizens of unincorporated St. Louis County such that we may request that Country Home Drive be cul-de-saced.

We have been advised by the Developer that because of the amount of infrastructure required on site, there are not sufficient funds available to improve Country Home Drive to a collector classification. St. Louis County doesn't have funds to address this construction.

DEPARTMENT OF HIGHWAYS AND TRAFFIC'S RECOMMENDATIONS

Since the continuation of the Hawkins-Bowles-Summit-Gravois Generation Assessment Road Trust Fund could be integral in meeting the needs of area residents and the traveling public for road improvements as development progresses in the area sought to be annexed by the City of Fenton. The Department of Highways and Traffic recommends that the Boundary Commission make the subject proposal contingent upon the City amending its Plan of Intent to make provisions for the continuance of the Traffic Generation Assessment Road Trust Fund administered by St. Louis County in consideration of the Highway System Plan following annexation by the City.



Dennis W. Bice
Community Liaison Supervisor

DWB/kth
Attachments

cc: Mr. Donald E. Spencer, P.E., Acting Director
Mr. Glenn Powers, P.E., Director, Department of Planning
Mr. John A. Ross, St. Louis County Counselor

PROPOSED ANNEXATION WITHIN ST. LOUIS COUNTY

EXHIBIT 1

AREA	POPULATION	REAL PROPERTY	REAL PROPERTY & PERSONAL PROPERTY	CRS MILES	ARS MILES	CRS & ARS MILES	ARS TO BE TO BE CRS MILES	ROAD AND BRIDGE TAX	MO. HIGHWAY USER FUNDS		CABLE TV		INTEREST	
									COUNTY LOSS	CITY GAIN	COUNTY LOSS	*CITY GAIN	COUNTY LOSS	CITY GAIN
Fenton	31/ac	9	\$123.311	\$140.712	0	0	0	\$148	\$360	\$325	\$25	\$18	UNKNOWN	

*To be furnished by St. Louis County Department of Planning

Prepared by
St. Louis County Department of Highways and Traffic
JFB/kth 7/03/97

ANNEXATIONS

Traffic Generation Assessment contributions are one of several methods this Department has of financing roadway improvements. They are not sufficient for major widenings for long distances but they do allow for lane additions, improved intersection geometrics, signalization and other improvements that help relieve congestion. If municipalities, through annexations, do not impose the TGA on development and adopt St. Louis County's Trust Funds which are established in these areas, they are permitting additional traffic to be generated to the arterial roads and other access roads without providing any supplemental method of funding road improvements associated with this further development and its increased traffic. They are requiring St. Louis County to fund these needed road improvements with other sources of revenue usually requiring additional taxation. This continues to be a burden to the residents of the municipalities, as well as unincorporated St. Louis County, while permitting the particular municipality to attract additional development and generate additional revenues from that development. The developers are relieved of development costs which can be directly attributed to the additional traffic they generate.

TRUST FUNDS AND TRAFFIC GENERATION ASSESSMENT

Trust fund areas are geographic areas of unincorporated St. Louis County established by legislation. The purpose of the trust fund is to collect traffic generation assessments from development originating within the area and to thus provide a funding mechanism to allow improvement of the road system necessitated by the additional traffic generated by development.

The Traffic Generation Assessment is based on ordinance required parking spaces which relate directly to traffic generated. The monetary assessment placed on each parking space is based on trip generated values taken from the Trip Generation Handbook published by the Institute of Transportation Engineers. Parking spaces for commercial development are charged more than office development because the trip generation for the commercial development is far greater than for the office development. The intent of the assessment is to allow a developer to determine up front his anticipated road improvement costs and to arrive at an equitable contribution for road improvements from each category of development.

In dealing with the development of previously zoned property and rezoning without ordinance conditions, we use the Traffic Generation Assessment to arrive at an equivalent value of road improvements associated with development. Unless there is a safety hazard to the traveling public, such as inadequate sight distance which must be corrected, the developer can again determine his/her maximum road improvements cost.

The developer is given credit toward the Traffic Generation Assessment for off-site road improvements required of the development. Utility relocations and sidewalks are not creditable items. The value of the road improvement is based on materials quantities taken from approved roadway plans multiplied by the Subdivision Escrow Prices determined by the Department of Planning. If the value of the required road improvements is less than the Traffic Generation Assessment, the developer is required to provide a cash escrow equal to the difference at the time his building permit is issued. This cash amount is placed in the TGA trust fund established for that particular area.

Deposits in the TGA trust fund accounts are used for road improvements in the trust fund area based on priorities and needs. They can also be used to reimburse a developer for road improvement costs which we determine are mandatory and in excess of the Traffic Generation Assessment amount.

For additional details of the above requirements, refer to the attached Traffic Generation Assessment Determination Chart and Section 75.00 of the Department's Design Criteria Book.

75.00 Traffic Generation Assessment and Trust Fund

Traffic generation assessments are imposed on certain new developments to finance the costs of roadway improvements that are necessary to relieve the impact of new development traffic.

Traffic generation assessments are used for infrastructure road improvements and may include lane widenings, geometric improvements, traffic signal facilities, bridges, overlays, purchase of off-site right-of-way, etc., on County and State roads.

1. Application - In unincorporated St. Louis County, current traffic generation assessment (TGA) is only assessed on individual projects on which roadway improvement conditions are established in the zoning ordinance approved by the County Council, i.e. rezoned/amended MXD, PEU, C-8, and M-3 zonings. The ordinance conditions may or may not spell out specifically what infrastructure road improvements are to be accomplished with the TGA. Where no specific development ordinance is required, improvements are provided pursuant to the Subdivision Ordinance and/or Miscellaneous Regulations of the Zoning Ordinance for single lot development.
2. Rates - The traffic generation assessment is based upon the traffic generation and calculated by a dollar amount per measurable unit, typically per parking space or loading space. The dollar amount per parking space is based upon the average daily and peak hour traffic. The number of required parking and loading spaces is determined by The St. Louis County Zoning Ordinance. Refer to 75.10-1 for rates. On January first of each year, these rates are increased to account for inflation in construction costs. The Department uses the percent change for the construction cost index for the St. Louis Area, from December of a given year to December of the following year, as published in the Engineering News Record to determine what the rate increase should be. Refer to 75.20-1 for annual change of construction cost index.
3. General Conditions - Right-of-way dedication requirements along State and County roads will not be credited towards the developer's traffic generation assessment contribution except where right-of-way widening requirements of an existing public roadway exceed a width of twenty (20) feet as provided in Section 1005.180 of the Subdivision Ordinance. In cases where excessive right-of-way widening is required, the developer is given credit commensurate with the market value of the property prior to development. The cost of allowable portions of the improvements shall be credited towards the developer's traffic generation assessment contribution. Any remaining portion of the traffic generation assessment contribution will be applied to existing infrastructure road

improvements to relieve the impact of development generated traffic and may include but not be limited to lane widenings, geometric improvements, traffic signal facilities, bridges, etc., on County and State roads as may or may not be specified in the Ordinance conditions.

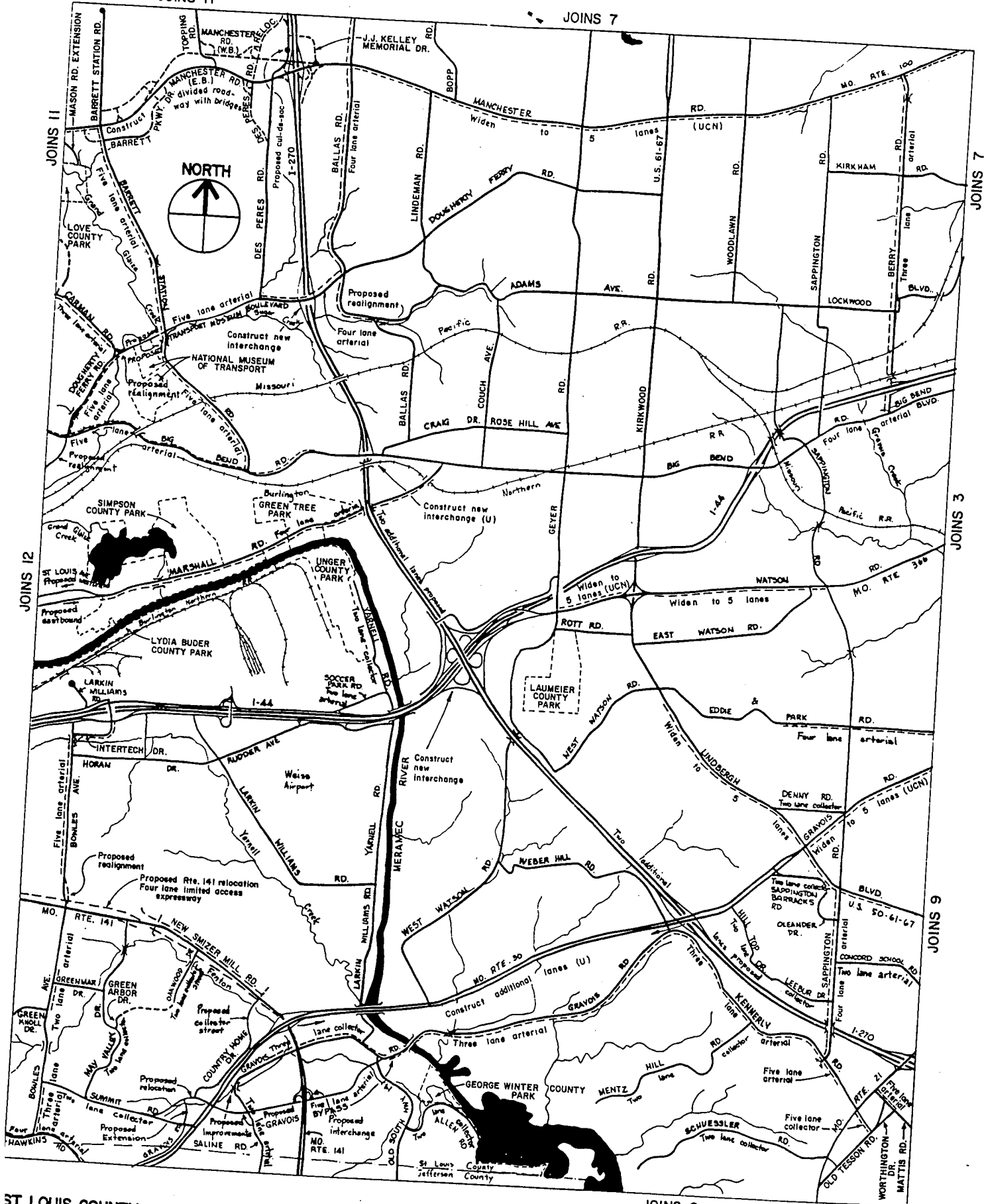
The developer's total obligation for road improvements shall not exceed the traffic generation assessment contribution except when improvements are considered mandatory for the safety of the travelling public as included in the Ordinance conditions. If the road improvements exceed the traffic generation assessment contribution and are not mandatory for the safety of the travelling public, the Department will prioritize the road improvement requirements such that the total cost of road improvements do not exceed the traffic generation assessment contribution.

4. Method of Payment and Creditable Items - Traffic generation assessment contribution and/or credits for roadway improvement shall be deposited with St. Louis County through standard escrow procedure prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution and/or credits for roadway improvements through standard escrow procedure prior to issuance of building permits for each phase of development. Any remaining portion of the traffic generation assessment contribution shall be deposited with St. Louis County in the form of a cash escrow.

Credit for road improvements is given for off-site road improvements to County and State roads including, but not limited to: pavement, aggregate subbase, grading, rock excavation, stormwater improvements, bridges, traffic signals, channelization islands, stabilized shoulder adjacent to State roadways, off-site replacement of existing sidewalk or construction of new sidewalk adjacent to County roadways when necessitated by road improvement requirements, right-of-way in excess of that allowed by Section 1005.180 of The St. Louis County Subdivision Ordinance, and relocation or adjustment of utilities on private easement when payment is required, unless the relocation or adjustment is due solely to on-site development requirements. In addition, credit is given for interior road improvements which exceed collector road requirements of a sixty (60) foot right-of-way and thirty-nine (39) foot pavement. The engineer shall submit a construction cost estimate of these creditable items based upon the Department's current Schedule of Unit Prices (refer to Section 73.00) when applicable, or rates for items not found on the Schedule of Unit Prices based on recent contract unit prices shall be submitted for review and approval to the Department during the construction plan review phase. The approved amount of creditable items is forwarded to the

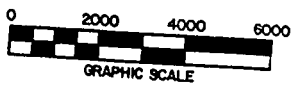
Department of Public Works for their use in issuance of building permits. Building permits may be issued up to the amount of credit the developer has received for road improvements, and after that, the developer must deposit cash escrow for remaining building permits. Should the developer desire to proceed with building permits prior to approval of the estimate for creditable items, the developer may deposit cash escrow for building permits, and receive a credit for subsequent building permits for that development and or a refund when the amount of creditable items has been approved or at the completion of the development.

5. As a Guide - The traffic generation assessment is used as a reference or guide for determining the extent of roadway improvement requirements on developments not associated with a Zoning Ordinance establishing development conditions, except when improvements are considered mandatory for the safety of the traveling public.
6. Within Incorporated St. Louis County - Within incorporated St. Louis County, requirement of the traffic generation assessment is within the jurisdiction of the municipality involved. Most municipalities do not impose a traffic generation assessment as such. However, where a new development, redevelopment, or addition to an existing development is proposed along one of the County Arterial Roads within a municipality, jurisdiction of access to these roadways is under the control of St. Louis County Government. In this case, a developer may be required to provide a traffic study for his proposed facility and roadway improvements to the arterial roads are imposed (which may be adjacent to or off-site of the development) to relieve the impact of traffic generated by that development. Improvements by developments located along an arterial road in a municipality are limited to the maximum amount that would be imposed on a developer in the unincorporated County for the same type development, except when improvements are considered mandatory for the safety of the traveling public.
7. Trust Fund - Trust Fund Areas were formulated in parts of unincorporated St. Louis County where significant roadway infrastructure needs were determined. These areas are legally defined for the purpose of using all of the trust fund contribution from each development within a Trust Area for all the roadway needs within that area. A listing of major roadway trust funds in unincorporated St. Louis County follows:

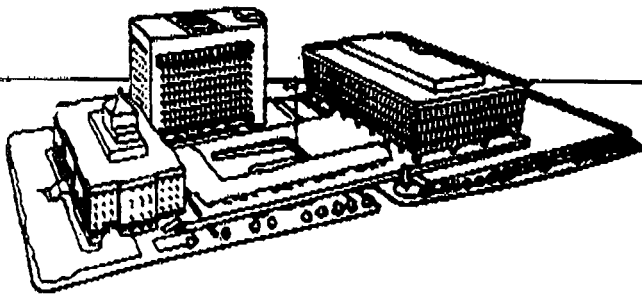


ST. LOUIS COUNTY HIGHWAY SYSTEM PLAN
 PREPARED BY THE DEPARTMENT OF PLANNING AND
 THE DEPARTMENT OF HIGHWAYS AND TRAFFIC
 AUGUST 25, 1987, REV. 3-14-89, 12-20-89, 9-5-90
 -5-90

80.00-10



8



ST. LOUIS COUNTY, MISSOURI

BUZZ WESTFALL, COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
GLENN A. POWERS, DIRECTOR

July 8, 1997

MEMORANDUM:

TO: Boundary Commission, St. Louis County

FROM: Glenn A. Powers, Director **GAP**
Department of Planning

RE: Comments on proposed Fenton Simplified Annexation (Baptist Church Property)

The following are the comments of the Department of Planning on the above referenced proposed annexation. Our comments are organized by Boundary Commission factor. A July 3, 1997 dated memorandum with comments and additional information from the St. Louis County Department of Highways and Traffic is attached to this document.

Factor 1 Impact

The Plan of Intent indicates that the existing three home owners in the annexation area would benefit from annexation by receiving free trash collection as well as free recycling pickup and yard waste removal that is paid by the City. There would also be an additional benefit of a \$10 per month payment toward each household's MSD bill that is provided to residents of Fenton. The City also does not levy a utility tax on residential properties. There is also no city real estate or personal property tax levy. Combined savings for a typical homeowner in the area is estimated at \$390 per year if the annexation is successful.

However, because of the strong likelihood that the area would be developed commercially if the annexation is approved, the projected savings to the three homeowners would not materialize or would be short-lived at best. The Plan of Intent indicates that the City could receive an additional \$176,812 in yearly revenue from the area if it were to develop commercially.

Factor 3 Orderly Incorporation in the County

The Plan of Intent states that "This tract of land is presently in unincorporated St. Louis County, yet lies well within the geographic perimeter and corporate boundaries of Fenton proper." This statement is both contradictory and confusing. If the area lies well within the corporate boundaries of Fenton why does it need to be annexed? While the area is situated in proximity of the Fenton "old town" it in fact is outside of the geographic perimeter of the City. State Highways 141 and 30 are significant roadways which effectively separate the existing City from the area proposed to be annexed.

41 SOUTH CENTRAL, CLAYTON, MISSOURI 63105 (314) 889-2520 Fax No. 889-3729 TDD No. 889-2467

Fenton Simplified Annexation (Baptist Church Property)
July 8, 1997
Page Two

Factor 6 Current Tax Rates

The tax table in the Plan of Intent could be misleading to a reader. No explanation is made that, while Fenton does not levy city taxes on real estate or personal property, the St. Louis County tax on real estate and personal property is paid by all county property owners and residents whether their property is located in a municipality or an unincorporated area. Thus, there would be no savings from these taxes if the area is annexed, only no new taxes would be owed the City. In addition, it should be noted that \$.105 of the \$.58 per \$100 assessed valuation county tax rate is for the County Road and Bridge tax which would be transferred to the City if the annexation is successful.

Factor 7 Sources of Revenue

The Plan of Intent estimates that if the area is annexed and developed commercially the City will receive \$176,812 in yearly revenue. Subtracting the Plan of Intent estimated cost of \$2,000 per year to provide services to the area, the City would gain \$174,812 in annual revenues. Conversely, if the area remains in its current development state, the Plan of Intent estimates \$1,578 in annual revenues versus \$1,700 in annual expenses to provide services to the area, resulting in a small annual loss to the City. Clearly, it is in the City's best interest for the area to be developed commercially.

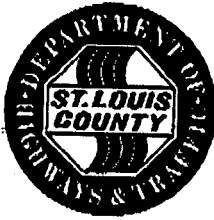
The Plan of Intent addresses the collection of traffic generation assessments for any future development that could occur in the area proposed for annexation under Factor 7. In its attached July 3, 1997 dated memorandum, the St. Louis County Department of Highways and Traffic recommends that "... the Boundary Commission make the subject proposal contingent upon the City amending its Plan of Intent to make provisions for the continuance of the Traffic Generation Assessment Road Trust Fund administered by St. Louis County in consideration of the Highway System Plan ..." should the City of Fenton be allowed to annex the area.

Factor 9 Zoning

The area proposed for annexation is currently zoned R-2 Residence District and R-3 Residence District with the northern portion of the area, which is traversed by Fenton Creek and its adjacent flood plain, being zoned FPR-2 Flood Plain R-2 Residence District and FPR-3 Flood Plain R-3 Residence District. An adjacent property to the southwest in unincorporated St. Louis County is zoned C-8 Planned Commercial District. Other properties to the southeast, across State Highway 30 in unincorporated St. Louis County, are zoned C-2 Shopping District, FPC-2 Flood Plain C-2 Shopping District, C-3 Shopping District, FPC-3 Flood Plain C-3 Shopping District, C-8 Planned Commercial District, and FPC-8 Flood Plain C-8 Planned Commercial District. Properties further to the east of State Highways 30 and 141 in the City of Fenton are zoned OT-2 Commercial Zone District. Portions of the properties are in the flood plain.

The Plan of Intent indicates that a developer as owner under contract of the properties in the area proposed for annexation has submitted a concept plan for commercial development of the site to the City of Fenton. The Plan of Intent states that "The developer seeks the appropriate zoning for the proposed retail/commercial uses. These have been identified to be similar to those permitted in the OT-2 Commercial Zone District."

RECEIVED JUL - 8 1997



ST. LOUIS COUNTY, MISSOURI
BUZZ WESTFALL, COUNTY EXECUTIVE
DEPARTMENT OF HIGHWAYS AND TRAFFIC
J. MICHAEL DOOLEY, P.E., DIRECTOR

July 3, 1997

MEMORANDUM: Mr. Len Groszek
Comprehensive Planning Division

Subject: Boundary Commission Information Request Regarding
City of Fenton Simplified Annexation
(Baptist Church Property Area)

Reference is made to your memo dated June 13, 1997, wherein you requested information concerning the above subject.

Enclosed is a table entitled "Proposed Annexations within St. Louis County". The data is intended to aid in evaluating impact on County Government and the City's ability to continue uninterrupted service on the affected roadways.

CITY OF FENTON

The proposed Baptist Church Property Area annexation is encompassed by the Hawkins-Bowles-Summit-Gravois Traffic Generation Assessment Road Trust Fund established by St. Louis County Ordinance No. 15,284 which was approved on December 13, 1990.

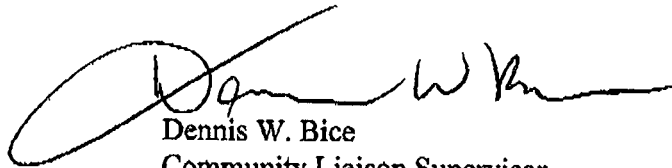
This annexation area is served by Highway 141 and Highway 30, which are Missouri Department of Transportation roads.

The proposed annexed area is not presently served by any St. Louis County Highway roads, except County Home Drive just southwest of the area, which is shown on the St. Louis County Highway System Plan to be extended thru the annexed area and connected to Highway 141, attached for reference. We have met with the City of Fenton officials and area subdivision trustees regarding the extension of Country Home Drive and its connection with Highway 141. We have requested their comments so their input can be considered. There are concerns that the proposed development may increase traffic on Country Home Drive that will negatively affect citizens of unincorporated St. Louis County such that we may request that Country Home Drive be cul-de-saced.

We have been advised by the Developer that because of the amount of infrastructure required on site, there are not sufficient funds available to improve Country Home Drive to a collector classification. St. Louis County doesn't have funds to address this construction.

DEPARTMENT OF HIGHWAYS AND TRAFFIC'S RECOMMENDATIONS

Since the continuation of the Hawkins-Bowles-Summit-Gravois Generation Assessment Road Trust Fund could be integral in meeting the needs of area residents and the traveling public for road improvements as development progresses in the area sought to be annexed by the City of Fenton. The Department of Highways and Traffic recommends that the Boundary Commission make the subject proposal contingent upon the City amending its Plan of Intent to make provisions for the continuance of the Traffic Generation Assessment Road Trust Fund administered by St. Louis County in consideration of the Highway System Plan following annexation by the City.



Dennis W. Bice
Community Liaison Supervisor

DWB/kth
Attachments

cc: Mr. Donald E. Spencer, P.E., Acting Director
Mr. Glenn Powers, P.E., Director, Department of Planning
Mr. John A. Ross, St. Louis County Counselor

PROPOSED ANNEXATION WITHIN ST. LOUIS COUNTY

EXHIBIT 1

AREA	POPULATION	REAL PROPERTY	REAL PROPERTY & PERSONAL PROPERTY	CRS MILES	ARS MILES	CRS & ARS MILES	CRS TO BE CRD MILES	ROAD AND BRIDGE TAX	MO. HIGHWAY USER FUNDS		CABLE TV		INTEREST	
									COUNTY LOSS	CITY GAIN	COUNTY LOSS	CITY GAIN	COUNTY LOSS	CITY GAIN
Fenton	9	\$123,311	\$140,712	0	0	0	0	\$148	\$360	\$325	\$25	\$18	UNKNOWN	

*To be furnished by St. Louis County Department of Planning

ANNEXATIONS

Traffic Generation Assessment contributions are one of several methods this Department has of financing roadway improvements. They are not sufficient for major widenings for long distances but they do allow for lane additions, improved intersection geometrics, signalization and other improvements that help relieve congestion. If municipalities, through annexations, do not impose the TGA on development and adopt St. Louis County's Trust Funds which are established in these areas, they are permitting additional traffic to be generated to the arterial roads and other access roads without providing any supplemental method of funding road improvements associated with this further development and its increased traffic. They are requiring St. Louis County to fund these needed road improvements with other sources of revenue usually requiring additional taxation. This continues to be a burden to the residents of the municipalities, as well as unincorporated St. Louis County, while permitting the particular municipality to attract additional development and generate additional revenues from that development. The developers are relieved of development costs which can be directly attributed to the additional traffic they generate.

TRUST FUNDS AND TRAFFIC GENERATION ASSESSMENT

Trust fund areas are geographic areas of unincorporated St. Louis County established by legislation. The purpose of the trust fund is to collect traffic generation assessments from development originating within the area and to thus provide a funding mechanism to allow improvement of the road system necessitated by the additional traffic generated by development.

The Traffic Generation Assessment is based on ordinance required parking spaces which relate directly to traffic generated. The monetary assessment placed on each parking space is based on trip generated values taken from the Trip Generation Handbook published by the Institute of Transportation Engineers. Parking spaces for commercial development are charged more than office development because the trip generation for the commercial development is far greater than for the office development. The intent of the assessment is to allow a developer to determine up front his anticipated road improvement costs and to arrive at an equitable contribution for road improvements from each category of development.

In dealing with the development of previously zoned property and rezoning without ordinance conditions, we use the Traffic Generation Assessment to arrive at an equivalent value of road improvements associated with development. Unless there is a safety hazard to the traveling public, such as inadequate sight distance which must be corrected, the developer can again determine his/her maximum road improvements cost.

The developer is given credit toward the Traffic Generation Assessment for off-site road improvements required of the development. Utility relocations and sidewalks are not creditable items. The value of the road improvement is based on materials quantities taken from approved roadway plans multiplied by the Subdivision Escrow Prices determined by the Department of Planning. If the value of the required road improvements is less than the Traffic Generation Assessment, the developer is required to provide a cash escrow equal to the difference at the time his building permit is issued. This cash amount is placed in the TGA trust fund established for that particular area.

Deposits in the TGA trust fund accounts are used for road improvements in the trust fund area based on priorities and needs. They can also be used to reimburse a developer for road improvement costs which we determine are mandatory and in excess of the Traffic Generation Assessment amount.

For additional details of the above requirements, refer to the attached Traffic Generation Assessment Determination Chart and Section 75.00 of the Department's Design Criteria Book.

75.00 Traffic Generation Assessment and Trust Fund

Traffic generation assessments are imposed on certain new developments to finance the costs of roadway improvements that are necessary to relieve the impact of new development traffic.

Traffic generation assessments are used for infrastructure road improvements and may include lane widenings, geometric improvements, traffic signal facilities, bridges, overlays, purchase of off-site right-of-way, etc., on County and State roads.

1. Application - In unincorporated St. Louis County, current traffic generation assessment (TGA) is only assessed on individual projects on which roadway improvement conditions are established in the zoning ordinance approved by the County Council, i.e. rezoned/amended MXD, PEU, C-8, and M-3 zonings. The ordinance conditions may or may not spell out specifically what infrastructure road improvements are to be accomplished with the TGA. Where no specific development ordinance is required, improvements are provided pursuant to the Subdivision Ordinance and/or Miscellaneous Regulations of the Zoning Ordinance for single lot development.
2. Rates - The traffic generation assessment is based upon the traffic generation and calculated by a dollar amount per measurable unit, typically per parking space or loading space. The dollar amount per parking space is based upon the average daily and peak hour traffic. The number of required parking and loading spaces is determined by The St. Louis County Zoning Ordinance. Refer to 75.10-1 for rates. On January first of each year, these rates are increased to account for inflation in construction costs. The Department uses the percent change for the construction cost index for the St. Louis Area, from December of a given year to December of the following year, as published in the Engineering News Record to determine what the rate increase should be. Refer to 75.20-1 for annual change of construction cost index.
3. General Conditions - Right-of-way dedication requirements along State and County roads will not be credited towards the developer's traffic generation assessment contribution except where right-of-way widening requirements of an existing public roadway exceed a width of twenty (20) feet as provided in Section 1005.180 of the Subdivision Ordinance. In cases where excessive right-of-way widening is required, the developer is given credit commensurate with the market value of the property prior to development. The cost of allowable portions of the improvements shall be credited towards the developer's traffic generation assessment contribution. Any remaining portion of the traffic generation assessment contribution will be applied to existing infrastructure road

3-14-89

75.00-1

improvements to relieve the impact of development generated traffic and may include but not be limited to lane widenings, geometric improvements, traffic signal facilities, bridges, etc., on County and State roads as may or may not be specified in the Ordinance conditions.

The developer's total obligation for road improvements shall not exceed the traffic generation assessment contribution except when improvements are considered mandatory for the safety of the travelling public as included in the Ordinance conditions. If the road improvements exceed the traffic generation assessment contribution and are not mandatory for the safety of the travelling public, the Department will prioritize the road improvement requirements such that the total cost of road improvements do not exceed the traffic generation assessment contribution.

4. Method of Payment and Creditable Items - Traffic generation assessment contribution and/or credits for roadway improvement shall be deposited with St. Louis County through standard escrow procedure prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution and/or credits for roadway improvements through standard escrow procedure prior to issuance of building permits for each phase of development. Any remaining portion of the traffic generation assessment contribution shall be deposited with St. Louis County in the form of a cash escrow.

Credit for road improvements is given for off-site road improvements to County and State roads including, but not limited to: pavement, aggregate subbase, grading, rock excavation, stormwater improvements, bridges, traffic signals, channelization islands, stabilized shoulder adjacent to State roadways, off-site replacement of existing sidewalk or construction of new sidewalk adjacent to County roadways when necessitated by road improvement requirements, right-of-way in excess of that allowed by Section 1005.180 of The St. Louis County Subdivision Ordinance, and relocation or adjustment of utilities on private easement when payment is required, unless the relocation or adjustment is due solely to on-site development requirements. In addition, credit is given for interior road improvements which exceed collector road requirements of a sixty (60) foot right-of-way and thirty-nine (39) foot pavement. The engineer shall submit a construction cost estimate of these creditable items based upon the Department's current Schedule of Unit Prices (refer to Section 73.00) when applicable, or rates for items not found on the Schedule of Unit Prices based on recent contract unit prices shall be submitted for review and approval to the Department during the construction plan review phase. The approved amount of creditable items is forwarded to the

Department of Public Works for their use in issuance of building permits. Building permits may be issued up to the amount of credit the developer has received for road improvements, and after that, the developer must deposit cash escrow for remaining building permits. Should the developer desire to proceed with building permits prior to approval of the estimate for creditable items, the developer may deposit cash escrow for building permits, and receive a credit for subsequent building permits for that development and or a refund when the amount of creditable items has been approved or at the completion of the development.

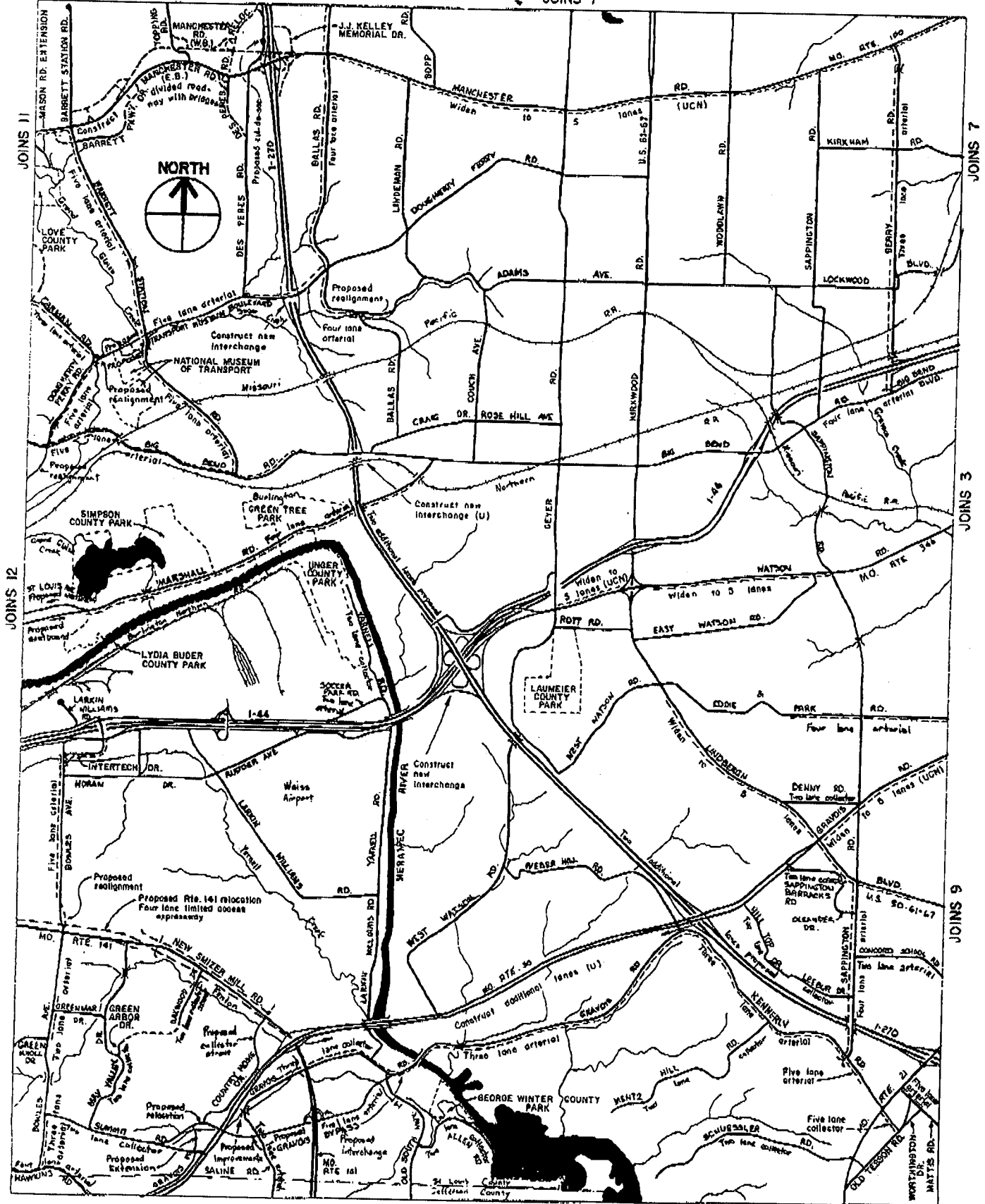
5. As a Guide - The traffic generation assessment is used as a reference or guide for determining the extent of roadway improvement requirements on developments not associated with a Zoning Ordinance establishing development conditions, except when improvements are considered mandatory for the safety of the traveling public.
6. Within Incorporated St. Louis County - Within incorporated St. Louis County, requirement of the traffic generation assessment is within the jurisdiction of the municipality involved. Most municipalities do not impose a traffic generation assessment as such. However, where a new development, redevelopment, or addition to an existing development is proposed along one of the County Arterial Roads within a municipality, jurisdiction of access to these roadways is under the control of St. Louis County Government. In this case, a developer may be required to provide a traffic study for his proposed facility and roadway improvements to the arterial roads are imposed (which may be adjacent to or off-site of the development) to relieve the impact of traffic generated by that development. Improvements by developments located along an arterial road in a municipality are limited to the maximum amount that would be imposed on a developer in the unincorporated County for the same type development, except when improvements are considered mandatory for the safety of the traveling public.
7. Trust Fund - Trust Fund Areas were formulated in parts of unincorporated St. Louis County where significant roadway infrastructure needs were determined. These areas are legally defined for the purpose of using all of the trust fund contribution from each development within a Trust Area for all the roadway needs within that area. A listing of major roadway trust funds in unincorporated St. Louis County follows:

8-3-90

75.00-3

JOINS 11

JOINS 7



ST. LOUIS COUNTY HIGHWAY SYSTEM PLAN
 PREPARED BY THE DEPARTMENT OF PLANNING AND
 THE DEPARTMENT OF HIGHWAYS AND TRAFFIC
 AUGUST 26, 1987, REV. 3-14-89, 12-20-89, 9-5-90
 9-5-90

80.00-10

