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**PROPOSED ANNEXATION BY THE
CITY OF FENTON**

**(815 ACRES SOUTH AND
EAST OF STATE HIGHWAY 30)**

**REPORT ON BC 98-03 PREPARED BY:
ST. LOUIS COUNTY DEPARTMENT OF PLANNING
FOR SUBMITTAL TO:
BOUNDARY COMMISSION ST. LOUIS COUNTY
MAY 5, 1998**

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SIMPLIFIED ANNEXATION

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SECTION 1: INTRODUCTION

The purpose of this report is to provide information regarding a proposed simplified annexation of approximately 815 acres of unincorporated St. Louis County by the City of Fenton. St. Louis County primarily bases this analysis on a review of the City of Fenton's Plan of Intent submitted to the Boundary Commission.

SECTION 2: GEOGRAPHY

General Description and Basic Data

The 815-acre area proposed for annexation is located along the southern limits of the municipality and, according to the Plan of Intent, is 26.67 percent adjacent to the existing City of Fenton. The City of Fenton abuts the proposed annexation area on the north and unincorporated St. Louis County on all other sides. The annexation proposal would extend the city limits eastwardly to the Meramec River, south to the St. Louis /Jefferson County boundary and west to State Highway 30. The following table provides basic data for the area.

TABLE 2-1

BASIC ANNEXATION AREA DATA	
Area	815 acres
Population	618
Dwelling Units	
Single-family	152
Multiple-family	112
Total Assessed Valuation	\$5,882,919.00
Per-capita Assessed Valuation	\$9,519.29

Source: City of Fenton Plan of Intent

Boundaries

The Plan of Intent states that, "This tract of land is presently in unincorporated St. Louis County, yet lies well within the geographic influence of the City of Fenton. This proposed area is the natural extension of the city's current corporate boundaries. In fact, this proposed annexation utilizes the natural boundaries of the Meramec River, St. Louis County line and State Highways 30 and 141." Generally, the geography of the proposed annexation area represents logical and compact boundaries utilizing natural, manmade and jurisdictional limits. However, it should be noted that the City of Fenton's legal description of the proposed annexation area indicates that it extends only to the southwestern bank of the Meramec River. If the proposed annexation is approved, St. Louis County recommends that the legal description be amended to extend boundaries to the corporate limits of Sunset Hills, so that an unincorporated strip does not remain between Fenton and Sunset Hills.

Community of Interest

Simplified annexations, which are generally petition driven, are typically based on residential areas wishing to become part of a municipality because the residents of the annexation area already identify with the community and desire the services the municipality can provide. Such boundary changes are frequently initiated by those affected by the incorporation.

This simplified annexation proposal is atypical in that it appears to be development driven and not resident driven. The Plan of Intent makes several references to commercial development and the use of tax increment financing. This is further supported by the chart on page A-1 of the Plan of Intent. The number of dwelling units, both single family and multiple family are expected to remain the same while the assessed value increases from \$5.8 million to \$21.3 million without additional population. It is not clear from the Plan of Intent nor from statements made at the public hearing held on April 14, 1998 that there is strong community support for the proposal.

The Plan of Intent identifies the community of interest to be the Olde Towne commercial center which provides local banking, shopping, and recreational opportunities for the unincorporated areas. It can also be noted that the major shopping areas, including the existing Schnucks, McDonalds, and Walgreens, are located in the Highway 30 and Highway 141 corridor are largely in unincorporated St. Louis County.

SECTION 3: SERVICES

The City of Fenton provides a full range of municipal services. Likewise, St. Louis County provides a variety of municipal services to the proposed annexation area and will continue to do so if area remains unincorporated.

In the Plan of Intent, Table A-7 under Factor 7 comparing city and county services should be clarified with respect to the Parks and Recreation, Solid Waste Management, and Streets, Sidewalk and Infrastructure Repair and Maintenance.

Parks and Recreation

George Winter Park, a County Park, is included in the proposed annexation. This 124.8 acre park will remain under the control of St. Louis County regardless of annexation.

Solid Waste Management

The time schedule to provide services to the residents of the area to be annexed does not specify if the City of Fenton has met the statutory requirement of RSMo 267.247. Provisions of the aforementioned statute applies to entities that service fifty or more residential accounts for solid waste disposal.

Streets, Sidewalks, Infrastructure Repair and Maintenance

In Section A-7, the table indicates that all streets, sidewalks and infrastructure will be provided by the City of Fenton. At the public hearing, however, the City of Fenton stated that not all streets will be maintained by the City of Fenton. Private streets will remain private. The City of Fenton will evaluate requests to dedicate private roadways to the City of Fenton, but no assurance is given regarding this acceptance nor maintenance.

The Missouri Department of Transportation controls and maintains roads such as Highway 141, Highway 30 and a segment of Country Home Drive. Additionally, Gravois Road, Old

South Highway 141 and Allen Road are all part of the St. Louis County Road system and will continue to be maintained. Further comments regarding these roads are included in Section 5, Traffic Generation Assessment Road Trust Fund.

SECTION 4: LAND USE/ZONING

Land Use and Zoning

The predominant zoning classification of land included in the annexation is designated as Non-Urban (NU), Park and Scenic(PS), Residential, and Mixed Use Development (MXD) by St. Louis County. The area is largely undeveloped and low in density.

The land use in the area was impacted in the early 1970's with the construction of Highway 30, a traffic alternative to Old Gravois Road. As a result of this rerouting, an isolated island of R-3 zoned land was created west of Highway 141 between the new Highway 30 and Old Gravois Road to the south. Due to its small size and high degree of exposure to heavily traveled roads on all sides, the residential viability of this land was reduced and the area became the subject of numerous commercial zoning requests. Most of the approved zoning requests have been for C-8 Planned Commercial and C-3 Shopping District designations. Also of note in this area near the State Route 141/State Highway 30 intersection is the proposed Highway30/Meramec Mall development. It has been know for some time the investors in this development are acquiring properties for this development, but to date, no formal proposal has been brought forward to the St. Louis County Planning Commission for zoning consideration. The properties located in this area are currently zoned MXD District and R-1 District.

Single family residential subdivisions have also been approved. These residential developments have been with the predominant zoning and density pattern of R-2 and R-3 Residence Districts. Residential development includes an 82 unit single-family residential subdivision located east of South Old Highway 141. Additionally, a 155 unit multiple-family residential development, R-6A 4,000 square foot, is located east of State Highway 30. Further east and northeast are single family residences on large lots and vacant tracts of lands, as well as a church all in the R-1One Acre Residence District. The 124.8 acre St. Louis County George Winter Park, zoned FPPS, is included in this proposal.

Comparison of County and City Zoning

The purpose of St. Louis County's "FP" or Flood Plain zoning district is to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. Provisions included in the St. Louis County Zoning Ordinance area designed to restrict or prohibit uses which are dangerous to health, safety, and property in the event flooding occurs. Permitted uses are to be able to withstand flood conditions. In order to ensure that the uses are compatible with flooding, the Zoning Ordinance requires that facilities which serve permitted uses be protected against flood damage at the tie of initial construction. The Zoning Ordinance also provides for control of the alteration of natural flood plains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters. In addition, the ordinance provides for regulations with regard to filling, grading, dredging, and other development which may increase erosion or flood damage. It is essential that no use or development in FP Flood Plain District increase the flooding problems of other properties.

Property zoned "FP" is also zoned under another applicable District governed by the St. Louis County Zoning Ordinance. The "FP" District constitutes an "overlay" District, and the other applicable zoning districts constitute the underlying zoning. Within the annexation proposal, much of the land is zoned as FPNU, FPPS, FPMXD, FPR-1 and FPR-2.

The use of the Non-Urban District (NU) regulations encompasses areas within rough natural topography, geological conditions, or location in relation to urbanized areas created practical difficulties in providing and maintaining public roads, and private or public utility services and facilities. The "NU" Non-Urban District also encompasses areas where specific potential development patterns have not been identified or where significant non-urban uses have been established.

The City of Fenton does not have a flood overlay zone district similar to St. Louis County Zoning Ordinance. The City of Fenton, however, does enforce a flood plain management program. This regulation requires that every development built in the City of Fenton is built at or above the 100-year flood plain.

The City of Fenton does not have a Non-Urban (NU) District. The City of Fenton has indicated that land classified by the St. Louis County R-1, R-3, NU, PR and FPPS zone districts, east of Highway 141 will become R-1 Single-Family Residential. The R-1 designation is the most restrictive district in the City of Fenton Zoning Ordinance. George Winter Park will be zoned Parks and Recreational "PR".

The area west of Highway 141 to Highway 30 is designated as becoming zoned Commercial District "C-1" in anticipation of the potential for future retail development. The C-1 is a new zoning classification to the City of Fenton to accommodate large-scale suburban retail shopping complexes.

The area located between Highway 141 and Old Gravois and Highway 30 will be zoned with the Olde Towne Commercial District (OT-2). Further south of this area, a area zoned MXD and R-1 will be submitted to the City of Fenton Planning and Zoning for rezoning to C-1. It is unclear in the Plan of Intent what the zoning designation for the Polo Downs apartment complex will be.

SECTION 5: FINANCE

Relevant Tax Rates

In the Plan of Intent on page 7, there is a table below the heading "*Provide current listing of tax rates for area affected by boundary change*". There are several corrections that need to be made to this table. The table is designed as if it were a comparison of tax levies between St. Louis County and Fenton. Real and personal property tax rates are shown as "\$0.58/100 AV" for St. Louis County and "\$0.00/\$100 AV" for Fenton.

TABLE 5-1

TAX/LEVY	ST. LOUIS COUNTY	FENTON
Real Estate Property Tax Levy	\$0.58/\$100 AV	\$0.00/4100 AV
Personal Property	\$0.58/\$100 AV	\$0.00/\$100 AV
Utility Tax Rate Commercial	5% of Gross Receipts	5% of Gross Receipts
Utility Tax Rate- Residential	5% of Gross Receipts	0% of Gross Receipts
Cable TV Franchise Tax	5% of Gross Receipts	3% of Gross Receipts
AV= Assessed Valuation		

Source: City of Fenton Plan of Intent, p.7

This comparison is not accurate because even if the area in question is annexed by Fenton, residents will still have to pay the "\$0.58/\$100 AV" tax rate on real and personal property, because it is a countywide rate regardless of incorporation status. Real and personal property taxes levied by St. Louis County are not tax rates affected by the boundary change. Also, the County's franchise fee on cable television is 3 percent, not 5 percent as indicated in the table.

Impact on Other Taxing Jurisdictions

Under Factor 1 on page one of the Plan of Intent, the proposal states, *"Because of these factors , it is important to point out that the development of the property included in this annexation would have a greater positive impact on all other taxing districts than it would have for the City of Fenton. See Attachment 3."*

Based on the information provided on page A-3, this is not a true statement. The tax revenues for the Lindbergh School District, State of Missouri, St. Louis Community College District, Special School District, Metro Zoo, Park and Museum District, Sheltered Workshop, County Library District and MSD districts will remain the same according to the chart.

The chart shows the same tax revenue being generated for each of these districts whether the current unincorporated scenario continues, the area is annexed with no new development, or the area is annexed and developed with TIF assistance. All of the new revenues shown on the second half of page A-3 concerning these districts are unchanged.

The Fenton Fire Protection District is the only ad valorem taxing district which shows any increase in funding, and that is in the case of a development with TIF assistance. In that instance, the chart shows an increase in funding of \$74,804 for the fire district. However, those additional funds would be part of the "pass-through" which would be required for the district to bear the additional costs of serving a new TIF-supported commercial development. To the extent that those funds would simply enable the fire district to maintain its current level of service, given the added expense of a new development, they are not necessarily a benefit at all.

The only taxing district shown on page A-3 as benefiting from the annexation would be St. Louis County, and that would only be in the case of a TIF-supported development. Without the proposed TIF development, St. Louis County would also lose revenues from per capita tax generators such as the gasoline tax, cigarette tax and motor vehicle taxes. The following table summarizes the loss of revenue for St. Louis County.

TABLE 5-2

ST. LOUIS COUNTY REVENUE LOSS	
FEE/TAX	REVENUE LOSS (\$)
Sales Tax ¹	\$68,369.34
Co. Road and Bridge Tax ²	\$6,177.00
Utility Gross Receipts Tax ³	\$41,084.38
Cable TV Franchise Fee ⁴	\$1,999.00
MO Highway User Funds ⁵	\$18,840.00
Interest ⁶	\$1,523.00
Cigarette Tax ⁷	\$2,768.64
TOTAL REVENUE LOSS	\$140,761.36

Source: See notes below

The County would also lose its per capita distribution of "B" pool sales tax for the population which would be taken away from unincorporated St. Louis County. According to the chart on page A-3, St. Louis County would lose \$24,290 annually (the difference between (\$52,234 in the "Current Unincorporated Scenario" column and \$27,944 in the "No New Development" column).

If the annexation area were to be developed using TIF assistance, the chart shows an increase of \$579,706 of increased Group "B" tax distribution. The last line on page A-3 also shows no change in sales tax unless the area is developed with TIF, in which case there is an estimate of \$1,114,819 in pool sales tax revenues.

It is unclear if the latter number represents the entire one percent of the tax as shown in the first column or if the fifty percent which would go to the TIF special allocation fund has already been removed. Because no data is provided concerning the revenue stream to be generated by the proposed TIF development, it is impossible to verify the numbers. A major reason for the uncertainty is that the "Increased Group "B" distribution" line towards the top of the chart shows a \$579,706 jump in sales tax revenues, but that figure is not fifty percent of the \$1,114,819 total shown on the last line.

More importantly, the tax revenue figures shown in the column "Development With TIF Assistance" are completely theoretical. Presumably, they are based on estimates for the G.J. Grewe proposal to develop a large scale retail center in the annexation area. But no information concerning the proposal appears in the Plan of Intent in terms of what would be built or what real property and sales/utility taxes would be generated. In addition, no city can guarantee the provision of TIF funding for a specific developer, because TIF relies on a public process (which has not occurred) and determinations of eligibility by a public commission. Therefore, the figures are entirely speculative. Given these facts, no claim that the annexation would benefit all other affected taxing districts can be supported.

¹ Based on \$110.63 per person. Estimated population 618 persons

² St. Louis County Department of Highways and Traffic

³ St. Louis County estimate formula is ((housing units*.99)*2000)+(non-residential improvement A.V./4))* .05

⁴ St. Louis County estimate formula is ((housing units*.5)*annual cost of cable)*.03

⁵ St. Louis County Department of Highways and Traffic

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⁷ Based on 4.48 per person

One possibility that could have been argued is that personal property taxes paid to various ad valorem taxing districts will increase as a result of development. Personal property taxes are not subject to capture by TIF districts. However, without any information regarding the proposed development, and with no guarantee of TIF assistance, there is no information to support this argument. The Plan of Intent does not discuss personal property tax increases.

Traffic Generation Assessment Fund

The proposed area of annexation is included in 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. The Plan of Intent states, *"If this proposed area is annexed and developed, the City will require all developers to uphold the spirit and intent of the TGA."*

Requiring developers to *"uphold the spirit and intent"* of the TGA does not guarantee that the roads in the Hawkins-Bowles-Summit-Gravois TGA will benefit from any future development. In addition, the statement that, *"the City and the County have come to an agreement that the developer will be required to contribute funds that are equal to TGA, in which the City may collect and distribute these funds to improve the roadways"* is incorrect. The City of Fenton and St. Louis County have not come to any agreement regarding the TGA for this annexation proposal.

Previously in the Plan of Intent the City states, *"it is expected that the undeveloped parcels within this area will eventually be developed for both retail and /or commercial uses."* If Fenton does not impose the TGA on development and adopt St. Louis County's Trust Funds which are established in the proposed annexation area, the City is 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. This movement would be unfair and a burden to residents of all municipalities as well as unincorporated St. Louis County. The City of Fenton, however, would benefit from the generation of additional revenues from the new development. Finally, the developers are relieved of development costs which can be directly attributed to the additional traffic they generate.

MEMO:

DATE: MAY 15, 1998

TO: BOUNDARY COMMISSION MEMBERS

FROM: CARL E. RAMEY, EXECUTIVE DIRECTOR

**SUBJECT: CORRECTION TO FENTON REPORT BY ST. LOUIS COUNTY
PLANNING DEPARTMENT**

At the last meeting it was noted that at the bottom of page 4 there seemed to be information left out of the report. The Planning Department has since faxed its revision which is attached. Essentially, they left out the last sentence of that paragraph. However, I did note they have reformatted the document and the problem paragraph is now on page 5. I will obtain from the department a corrected copy for the official record.

The Missouri Department of Transportation controls and maintains roads such as Highway 141, Highway 30 and a segment of Country Home Drive. Additionally, Gravois Road, Old South Highway 141 and Allen Road are all part of the St. Louis County Road system and will continue to be maintained. Further comments regarding these roads are included in Section 5, Traffic Generation Assessment Road Trust Fund.

SECTION 4: LAND USE/ZONING

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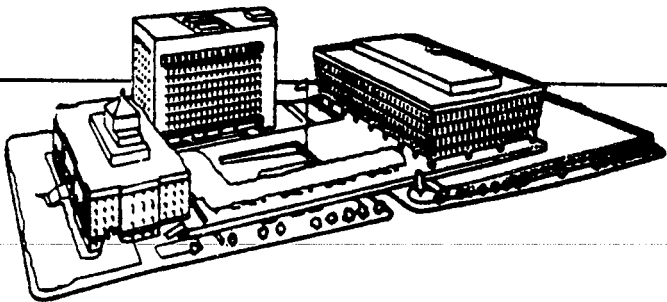
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ST. LOUIS COUNTY, MISSOURI

BUZZ WESTFALL, COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
GLENN A. POWERS, DIRECTOR

May 5, 1998

Boundary Commission, St. Louis County
1516 South Brentwood Boulevard, Suite 101
St. Louis, Missouri 63144

RE: Proposed Fenton Annexation (BC 98-03)

Dear Commissioners:

St. Louis County Government is pleased to submit this analysis of the annexation proposed by the City of Fenton. This report is a review of the proposed annexation from the perspective of St. Louis County Government. St. Louis County intends this report to be an objective analysis of the Plan of Intent that will serve as a guide to the Boundary Commission in its deliberations.

Should the Commission require additional information, please contact me at 889-2520.

Sincerely,

A handwritten signature in cursive script that reads "Glenn A. Powers".

Glenn A. Powers, Director
Department of Planning

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applicable zoning districts constitute the underlying zoning. Within the annexation proposal, much of the land is zoned as FPNU, FPPS, FPMXD, FPR-1 and FPR-2.

The use of the Non-Urban District (NU) regulations encompasses areas within rough natural topography, geological conditions, or location in relation to urbanized areas created practical difficulties in providing and maintaining public roads, and private or public utility services and facilities. The "NU" Non-Urban District also encompasses areas where specific potential development patterns have not been identified or where significant non-urban uses have been established.

The City of Fenton does not have a flood overlay zone district similar to St. Louis County Zoning Ordinance. The City of Fenton, however, does enforce a flood plain management program. This regulation requires that every development built in the City of Fenton is built at or above the 100-year flood plain.

The City of Fenton does not have a Non-Urban (NU) District. The City of Fenton has indicated that land classified by the St. Louis County R-1, R-3, NU, PR and FPPS zone districts, east of Highway 141 will become R-1 Single-Family Residential. The R-1 designation is the most restrictive district in the City of Fenton Zoning Ordinance. George Winter Park will be zoned Parks and Recreational "PR".

The area west of Highway 141 to Highway 30 is designated as becoming zoned Commercial District "C-1" in anticipation of the potential for future retail development. The C-1 is a new zoning classification to the City of Fenton to accommodate large-scale suburban retail shopping complexes.

The area located between Highway 141 and Old Gravois and Highway 30 will be zoned with the Olde Towne Commercial District (OT-2). Further south of this area, a area zoned MXD and R-1 will be submitted to the City of Fenton Planning and Zoning for rezoning to C-1. It is unclear in the Plan of Intent what the zoning designation for the Polo Downs apartment complex will be.

SECTION 5: FINANCE

Relevant Tax Rates

In the Plan of Intent on page 7, there is a table below the heading "*Provide current listing of tax rates for area affected by boundary change*". There are several corrections that need to be made to this table. The table is designed as if it were a comparison of tax levies between St. Louis County and Fenton. Real and personal property tax rates are shown as "\$0.58/100 AV" for St. Louis County and "\$0.00/\$100 AV" for Fenton.

TABLE 5-1

TAX/LEVY	ST. LOUIS COUNTY	FENTON
Real Estate Property Tax Levy	\$0.58/\$100 AV	\$0.00/4100 AV
Personal Property	\$0.58/\$100 AV	\$0.00/\$100 AV
Utility Tax Rate Commercial	5% of Gross Receipts	5% of Gross Receipts
Utility Tax Rate- Residential	5% of Gross Receipts	0% of Gross Receipts
Cable TV Franchise Tax	5% of Gross Receipts	3% of Gross Receipts
AV= Assessed Valuation		

Source: City of Fenton Plan of Intent, p.7

This comparison is not accurate because even if the area in question is annexed by Fenton, residents will still have to pay the "\$0.58/\$100 AV" tax rate on real and personal property, because it is a countywide rate regardless of incorporation status. Real and personal property taxes levied by St. Louis County are not tax rates affected by the boundary change. Also, the County's franchise fee on cable television is 3 percent, not 5 percent as indicated in the table.

Impact on Other Taxing Jurisdictions

Under Factor 1 on page one of the Plan of Intent, the proposal states, *"Because of these factors , it is important to point out that the development of the property included in this annexation would have a greater positive impact on all other taxing districts than it would have for the City of Fenton. See Attachment 3."*

Based on the information provided on page A-3, this is not a true statement. The tax revenues for the Lindbergh School District, State of Missouri, St. Louis Community College District, Special School District, Metro Zoo, Park and Museum District, Sheltered Workshop, County Library District and MSD districts will remain the same according to the chart.

The chart shows the same tax revenue being generated for each of these districts whether the current unincorporated scenario continues, the area is annexed with no new development, or the area is annexed and developed with TIF assistance. All of the new revenues shown on the second half of page A-3 concerning these districts are unchanged.

The Fenton Fire Protection District is the only ad valorem taxing district which shows any increase in funding, and that is in the case of a development with TIF assistance. In that instance, the chart shows an increase in funding of \$74,804 for the fire district. However, those additional funds would be part of the "pass-through" which would be required for the district to bear the additional costs of serving a new TIF-supported commercial development. To the extent that those funds would simply enable the fire district to maintain its current level of service, given the added expense of a new development, they are not necessarily a benefit at all.

The only taxing district shown on page A-3 as benefiting from the annexation would be St. Louis County, and that would only be in the case of a TIF-supported development. Without the proposed TIF development, St. Louis County would also lose revenues from per capita tax generators such as the gasoline tax, cigarette tax and motor vehicle taxes. The following table summarizes the loss of revenue for St. Louis County.

TABLE 5-2

ST. LOUIS COUNTY REVENUE LOSS	
FEE/TAX	REVENUE LOSS (\$)
Sales Tax ¹	\$68,369.34
Co. Road and Bridge Tax ²	\$6,177.00
Utility Gross Receipts Tax ³	\$41,084.38
Cable TV Franchise Fee ⁴	\$1,999.00
MO Highway User Funds ⁵	\$18,840.00
Interest ⁶	\$1,523.00
Cigarette Tax ⁷	\$2,768.64
TOTAL REVENUE LOSS	\$140,761.36

Source: See notes below

The County would also lose its per capita distribution of "B" pool sales tax for the population which would be taken away from unincorporated St. Louis County. According to the chart on page A-3, St. Louis County would lose \$24,290 annually (the difference between (\$52,234 in the "Current Unincorporated Scenario" column and \$27,944 in the "No New Development" column).

If the annexation area were to be developed using TIF assistance, the chart shows an increase of \$579,706 of increased Group "B" tax distribution. The last line on page A-3 also shows no change in sales tax unless the area is developed with TIF, in which case there is an estimate of \$1,114,819 in pool sales tax revenues.

It is unclear if the latter number represents the entire one percent of the tax as shown in the first column or if the fifty percent which would go to the TIF special allocation fund has already been removed. Because no data is provided concerning the revenue stream to be generated by the proposed TIF development, it is impossible to verify the numbers. A major reason for the uncertainty is that the "Increased Group "B" distribution" line towards the top of the chart shows a \$579,706 jump in sales tax revenues, but that figure is not fifty percent of the \$1,114,819 total shown on the last line.

More importantly, the tax revenue figures shown in the column "Development With TIF Assistance" are completely theoretical. Presumably, they are based on estimates for the G.J. Grewe proposal to develop a large scale retail center in the annexation area. But no information concerning the proposal appears in the Plan of Intent in terms of what would be built or what real property and sales/utility taxes would be generated. In addition, no city can guarantee the provision of TIF funding for a specific developer, because TIF relies on a public process (which has not occurred) and determinations of eligibility by a public commission. Therefore, the figures are entirely speculative. Given these facts, no claim that the annexation would benefit all other affected taxing districts can be supported.

¹ Based on \$110.63 per person. Estimated population 618 persons

² St. Louis County Department of Highways and Traffic

³ St. Louis County estimate formula is ((housing units*.99)*2000)+(non-residential improvement A.V./4)*.05

⁴ St. Louis County estimate formula is ((housing units*.5)*annual cost of cable)*.03

⁵ St. Louis County Department of Highways and Traffic

⁶ St. Louis County Department of Highways and Traffic

⁷ Based on 4.48 per person

One possibility that could have been argued is that personal property taxes paid to various ad valorem taxing districts will increase as a result of development. Personal property taxes are not subject to capture by TIF districts. However, without any information regarding the proposed development, and with no guarantee of TIF assistance, there is no information to support this argument. The Plan of Intent does not discuss personal property tax increases.

Traffic Generation Assessment Fund

The proposed area of annexation is included in 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. The Plan of Intent states, *"If this proposed area is annexed and developed, the City will require all developers to uphold the spirit and intent of the TGA."*

Requiring developers to *"uphold the spirit and intent"* of the TGA does not guarantee that the roads in the Hawkins-Bowles-Summit-Gravois TGA will benefit from any future development. In addition, the statement that, *"the City and the County have come to an agreement that the developer will be required to contribute funds that are equal to TGA, in which the City may collect and distribute these funds to improve the roadways"* is incorrect. The City of Fenton and St. Louis County have not come to any agreement regarding the TGA for this annexation proposal.

Previously in the Plan of Intent the City states, *"it is expected that the undeveloped parcels within this area will eventually be developed for both retail and/or commercial uses."* If Fenton does not impose the TGA on development and adopt St. Louis County's Trust Funds which are established in the proposed annexation area, the City is 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. This movement would be unfair and a burden to residents of all municipalities as well as unincorporated St. Louis County. The City of Fenton, however, would benefit from the generation of additional revenues from the new development. Finally, the developers are relieved of development costs which can be directly attributed to the additional traffic they generate.