

St. Charles Parish

Supplemental Agenda

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
www.stcharlesparish-la.gov

Parish Council

Council Chairman Dick Gibbs

*Councilmembers Wendy Benedetto, Paul J. Hogan,
Terrell D. Wilson, Mary K. Clulee, William Billy Woodruff,
Marilyn B. Bellock, Traci A. Fletcher, Julia Fisher-Perrier*

Monday, April 9, 2018

6:00 PM

Council Chambers, Courthouse

Final

ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC HEARING

Monday, April 23, 2018, 6:00 pm, Council Chambers, Courthouse, Hahnville

- S* 1 2018-0094** An ordinance approving and authorizing the execution of Change Order No. 1 (Final) for the Ellington Levee - Phase I Project No. P080905-5B, State Project No. BA-85, as part of the West Bank Hurricane Protection Levee Project, to decrease the contract amount by \$1,213,210.44 and increase the contract time by fifty nine (59) days.

Sponsors: Mr. Cochran and Department of Public Works

- S* 8 2018-0095** An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the zoning classification from R-1A, Single Family Residential Detached Conventional Homes - Medium Density to C-2, General Commercial District - Retail Sales on a portion of Lot E-1, Victoria Acres Subdivision, municipal address 14394 River Road, Destrehan as requested by Charles W. Lambert, Jr.

Sponsors: Mr. Cochran and Department of Planning & Zoning

Legislative History

2/22/18	Department of Planning & Zoning	Received/Assigned PH
4/5/18	Department of Planning & Zoning	Recommended Approval to the Planning Commission
4/5/18	Planning Commission	Recommended Approval to the Parish Council

Accommodations for Disabled

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.

2018-0094
INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. _____
An ordinance approving and authorizing the execution of Change Order No. 1 (Final) for the Ellington Levee – Phase I Project No. P080905-5B, State Project No. BA-85, as part of the West Bank Hurricane Protection Levee Project, to decrease the contract amount by \$1,213,210.44 and increase the contract time by fifty nine (59) days.

WHEREAS, Ordinance No. 15-11-26, adopted November 16, 2015, by the St. Charles Parish Council, approved and authorized the execution of a contract with Cycle Construction Company, LLC Ellington Levee – Phase I Project No. P080905-5B, State Project No. BA-85, in the amount of \$8,478,497.00; and,

WHEREAS, Change Order No. 1 (Final) is a result of changes within the scope of the contract to modify quantities to accurately reflect the final balancing of the project line items for the Construction Contract; and,

WHEREAS, the decrease in the contract amount by \$1,213,210.44 is a result of a decrease in quantity for thirteen (13) bid line items, an increase in quantity for five (5) bid line items, the addition of four (4) bid line items and the deletion of eight (8) bid line items; and,

WHEREAS, the increase in contract time by fifty nine (59) days is a result of additional work activities required to complete the project.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS,
SECTION I. That Change Order No. 1 (Final) for Ellington Levee – Phase I, Project No. P080905-5B, State Project No. BA-85, as part of the West Bank Hurricane Protection Levee Project, to decrease the contract amount by \$1,213,210.44 and increase the contract time of fifty nine (59) days is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute said Change Order on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2018, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____
SECRETARY: _____
DLVD/PARISH PRESIDENT: _____
APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____
RETD/SECRETARY: _____
AT: _____ RECD BY: _____

SECTION 00806**CHANGE ORDER**No. 1 (Final)DATE OF ISSUANCE 3-28-2018EFFECTIVE DATE 3-28-2018OWNER: St. Charles ParishCONTRACTOR: Cycle Construction Company, LLCContract: Ellington Levee- Phase IProject: Ellington Levee- Phase IOWNER's Contract No. P080905-5BENGINEER's Contract No. 10475-0340ENGINEER: Burk-Kleinpeter, Inc.

You are directed to make the following changes in the Contract Documents:

1. *Decrease the total quantity of the Silt Fence to 7,890 L.F.*
2. *Decrease the total quantity of the Geotextile (Separator) to 80,860 S.Y.*
3. *Decrease the total quantity of the Clearing and Grubbing to 69.93 ACRES.*
4. *Decrease the total quantity of the Granular Material to 11,491 C.Y.*
5. *Decrease the total quantity of the Onsite Excavation to 198,291 C.Y.*
6. *Decrease the total quantity of the Canal Fill to 24,570 C.Y.*
7. *Increase the total quantity of the Embankment to 110,097 C.Y.*
8. *Decrease the total quantity of the Unsuitable Material Hauled Offsite to 612 C.Y.*
9. *Decrease the total quantity of the Embankment (Offsite Borrow) to 0 C.Y.*
10. *Decrease the total quantity of the Staff Gages to 1 EACH.*
11. *Decrease the total quantity of the Vehicular Gate (Double Leaf) to 1 EACH.*
12. *Decrease the total quantity of the Rip-Rap (30lb) to 0 TON.*
13. *Decrease the total quantity of the 4" PVC to 0 L.F.*
14. *Increase the total quantity of the 15" CMP to 63 L.F.*
15. *Increase the total quantity of the 24" CMPA to 79 L.F.*
16. *Increase the total quantity of the 48" CMP to 57 L.F.*
17. *Decrease the total quantity of the 48" CMPA to 0 L.F.*
18. *Decrease the total quantity of the Surfacing to 5,471.84 C.Y.*

19. *Increase the total quantity of the Seeding, Fertilizing to 29.98 ACRES.*
20. *Decrease the total quantity of the Baseline "B" Existing Access Road Grading to 5,427 L.F.*
21. *Decrease the total quantity of the Baseline "B" Existing Access Road Grading Supplement Surfacing to 77 C.Y.*
22. *Decrease the total quantity of the Access Route Offsite Improvements (Primrose St. & River Ridge Dr. Intersection) to 0 L.S.*
23. *Decrease the total quantity of the Access Route Offsite Improvements (Gregory Dr. & Texaco Rd. Intersection) 0 L.S.*
24. *Decrease the total quantity of the Concrete Pavement (7" Thick) to 0 S.Y.*
25. *Decrease the total quantity of the Sacked Concrete Revetment to 15 C.Y.*
26. *Delete the installation of Kellogg Pump Station Discharge Crossing.*
27. *Install Board Road over the existing Cousins Pump Station discharge lines and the Sanitary Force Main.*
28. *Install existing Vehicular Gate at Magnolia culvert crossing.*
29. *Determine the sizes of submerged unknown pipes in the existing canal near the intersection of Primrose St. and Valencia Dr.*
30. *Install double barrel 42" CMPA (40' L.F.) near the intersection of Primrose St. and Valencia Dr.*

Description:

1. Delete the Following Work Items:
 - a. Contract Item #17: Embankment (Offsite Borrow)
Delete item in its entirety. (-\$290,000)
 - b. Contract Item #20: Rip-Rap (30LB)
Delete item in its entirety. (-\$10,050)
 - c. Contract Item #22: 4" PVC
Delete item in its entirety. (-\$1,118)
 - d. Contract Item #27: 48" CMPA
Delete item in its entirety. (-\$8,700)
 - e. Contract Item #37: Access Route Offsite Improvements (Primrose St. & River Ridge Dr. Intersection)
Delete item in its entirety. (-\$7,100)
 - f. Contract Item #38: Access Route Offsite Improvements (Gregory Dr. & Texaco Rd. Intersection)
Delete item in its entirety. (-\$18,600)
 - g. Contract Item #39: Concrete Pavement (7" Thick)
Delete item in its entirety. (-\$26,250)
 - h. Contract Item #41: Kellogg Pump Station Discharge Crossing
Delete item in its entirety. (-\$350,000)

Total of Deducted Items = (-\$711,818.00)

1. Add the Following Work Items:

- a. New Contract Item # 42: Board Road Mat Installation and Maintenance
Addition of \$21,928.52 L.S.
- b. New Contract Item # 43: Existing Vehicular Gate Installation
Addition of \$2,765.79 EACH
- c. New Contract Item # 44: Determination of two unknown pipes
Addition of \$2,451.81 L.S.
- d. New Contract Item # 45: Installation & removal of cofferdam and Installation of double barrel
42" CMPA
Addition of \$32,401.14 L.S.

Total of Added Work Items = (+\$59,547.26)

2. Revise the Following Work Item Quantities:

- a. Contract Item # 3: Silt Fences
The quantity is to be changed to 7,890 L.F. (-\$25,040)
- b. Contract Item #7: Geotextile (Separator)
The quantity is to be changed to 80,860 S.Y. (-\$5,530)
- c. Contract Item #8: Clearing and Grubbing
The quantity is to be changed to 69.93 ACRES (-\$23,550)
- d. Contract Item #10: Granular Material
The quantity is to be changed to 11,491 S.Y. (-\$29,053)
- e. Contract Item #13: Onsite Excavation
The quantity is to be changed to 198,291 C.Y. (-\$303,608.50)
- f. Contract Item #14: Canal Fill
The quantity is to be changed to 24,570 C.Y. (-\$34,650)
- g. Contract Item #15: Embankment
The quantity is to be changed to 120,097 C.Y. (+\$160,776)
- h. Contract Item #16: Unsuitable Material Hauled Offsite
The quantity is to be changed to 612 C.Y. (-\$207,298)
- i. Contract Item #18: Staff Gages
The quantity is to be changed to 1 EACH (-\$1,400)
- j. Contract Item #19: Vehicular Gate (Double Leaf)
The quantity is to be changed to 1 EACH (-\$28,000)
- k. Contract Item #23: 15" CMP
The quantity is to be changed to 63 L.F. (+\$2,204)
- l. Contract Item #25: 24" CMPA
The quantity is to be changed to 79 L.F. (+\$2,645)

- m. Contract Item #26: 48" CMP
The quantity is to be changed to 57 L.F. (+\$9,300)
- n. Contract Item #29: Surfacing
The quantity is to be changed to 5,471.84 C.Y. (-\$32,112)
- o. Contract Item #30: Seeding, Fertilizing, and Mulching
The quantity is to be changed to 29.98 ACRES. (+\$1,536)
- p. Contract Item #35: Baseline "B" Existing Access Road Grading
The quantity is to be changed to 5,427 L.F. (-\$37,829.20)
- q. Contract Item #36: Baseline "B" Existing Access Road Grading Supplement Surfacing
The quantity is to be changed to 77 C.Y. (-\$7,380)
- r. Contract Item #40: Sacked Concrete Revetment
The quantity is to be changed to 15 C.Y. (-\$1,950)

Total of Change in Work Items Quantity = (-\$560,939.70)

Reason for Change Order:

1. Deleted the Following Work Items

- a. Contract Item #17: Embankment (Offsite Borrow) was not used due to sufficient quantity of the required embankment material available at the clay pit on the project site.
- b. Contract Item #20: No quantity of this material was required to complete the project.
- c. Contract Item #22: No quantity of this material was required to complete the project.
- d. Contract Item #27: No quantity of this material was required to complete the project.
- e. Contract Item #37: The work in this line item was not was required to complete the project.
- f. Contract Item #38: The work in this line item was not was required to complete the project.
- g. Contract Item #39: No quantity of this material was required to complete the project.
- h. Contract Item #41: The Contractor's means and methods didn't include a haul road substantial enough to get large lifting equipment to the site.

2. Add the Following Work Items

- a. New Contract Item # 42: To protect the existing Cousins Pump Station discharge pipes and Sanitary Force Main due to hauling operations.
- b. New Contract Item # 43: To install existing Vehicular Gate at Magnolia Ridge culvert crossing.
- c. New Contract Item # 44: To determine the size of submerged drain pipes in the existing canal near the intersection of Primrose St. and Valencia Dr. which needed to be extended to the proposed canal for proper drainage.

- d. New Contract Item # 45: Existing 42" CMPA needed to be extended to the proposed canal for proper drainage.

3. Revise the Following Work Item Quantities

- a. Contract Item # 3: No silt fence installation along the Texaco Rd., between the Sta. 10+00 and Sta. 68+50 due to the field conditions (impractical to install the silt fence) and based on the final balancing of the quantity.
- b. Contract Item #7: Removal of the installation of sand base, geotextile wrapping at the future Ellington Pump Station (separate contract) location and based on the final balancing of the quantity.
- c. Contract Item #8: The decrease in the quantity is based on the final balancing of the quantity.
- d. Contract Item #10: Removal of the installation of sand base at the future Ellington Pump Station (separate contract) location and based on the final balancing of the quantity.
- e. Contract Item #13: The decrease in the quantity is based on the final balancing of the quantity.
- f. Contract Item #14: The decrease in the quantity is based on the final balancing of the quantity.
- g. Contract Item #15: The increase in the quantity is based on the final balancing of the quantity.
- h. Contract Item #16: The decrease in the quantity is based on the final balancing of the quantity.
- i. Contract Item #18: The decrease in the quantity is based on the final balancing of the quantity.
- j. Contract Item #19: The decrease in the quantity is based on the final balancing of the quantity.
- k. Contract Item #23: The increase in the quantity is based on the final balancing of the quantity.
- l. Contract Item #25: The increase in the quantity is based on the final balancing of the quantity.
- m. Contract Item #26: The increase in the quantity is based on the final balancing of the quantity.
- n. Contract Item #29: The decrease in the quantity is based on the final balancing of the quantity.
- o. Contract Item #30: The increase in the quantity is based on the final balancing of the quantity.
- p. Contract Item #35: The decrease in the quantity is based on the final balancing of the quantity.
- q. Contract Item #36: The decrease in the quantity is based on the final balancing of the quantity.
- r. Contract Item #40: The decrease in the quantity is based on the final balancing of the quantity.

4. Change in Contract Time:

Additional 59 days in contract time incurred due to:

- a. 2 days for the installation of board road mats over the existing discharge lines at the Cousins Pump Station and the sanitary force main to protect the discharge pipes and the sanitary force main from the damage due to hauling operations from the project.
- b. 1 day for determination of two unknown drain pipes in the existing canal near the intersection of Primrose Street and Valencia Drive.

- c. 56 days for the installation & removal of cofferdam, and installation of double barrel 42" CMPA near the intersection of Primrose Street and Valencia Drive for proper drainage.

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ 8,478,497.00
Net Increase (Decrease) from previous Change Orders No. <u>-</u> to <u>-</u> : \$ 0.00
Contract Price prior to this Change Order: \$ 8,478,497.00
Net increase (decrease) of this Change Order: -\$ 1,213,210.44
Contract Price with all approved Change Orders: \$ 7,265,286.56

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>12-29-2017 (730 Project Days)</u> Ready for final payment: <u>2-12-2018 (45 Day Lien)</u> (days or dates)
Net change from previous Change Orders No. <u>-</u> to <u>-</u> : Substantial Completion: <u>-</u> Ready for final payment: <u>-</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>12-29-2017</u> Ready for final payment: <u>2-12-2018</u> (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: <u>+59 Days</u> Ready for final payment: <u>+45 Days (Filed Substantial Comp)</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>02-26-2018</u> Ready for final payment: <u>4-24-2018 (45 Day Lien fm file SC)</u> (days or dates)


RECOMMENDED:

APPROVED:

ACCEPTED:

By: _____
ENGINEER (Authorized Signature)

By: _____
OWNER (Authorized Signature)

By:  _____
CONTRACTOR (Authorized Signature)

Date: _____

Date: _____

Date: 4/4/18

2018-0095

**INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the zoning classification from R-1A, Single Family Residential Detached Conventional Homes – Medium Density to C-2, General Commercial District – Retail Sales on a portion of Lot E-1, Victoria Acres Subdivision, municipal address 14394 River Road, Destrehan as requested by Charles W. Lambert, Jr.

WHEREAS, the property owner requests rezoning the property from R-1A to C-2; and,
WHEREAS, the St Charles Parish Department of Planning and Zoning recommended approval of the rezoning; and,
WHEREAS, the St. Charles Parish Planning and Zoning Commission recommended approval of the request at its regular meeting on April 5, 2018.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. St. Charles Parish hereby approves an ordinance amending the Zoning Ordinance of 1981, to change the zoning classification from R-1A to C-2 on a portion of Lot E-1, Victoria Acres Subdivision, municipal address 14394 River Road, Destrehan as requested by Charles W. Lambert, Jr.

SECTION II. That the Department of Planning and Zoning is authorized to amend the Official Zoning Map, St. Charles Parish, Louisiana to reflect this reclassification from R-1A to C-2 on a portion of Lot E-1, Victoria Acres Subdivision, municipal address 14394 River Road, Destrehan as requested by Charles W. Lambert, Jr.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2018 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZR-2018-01 requested by Charles W. Lambert. Jr. for a zoning reclassification from R-1A to C-2 Lot E-1, Victoria Acres, 14394 River Rd, Destrehan. Council District 6.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZR 2018-01

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date:** 02/22/18
Charles W. Lambert, Jr.
101 Vans Lane
Destrehan, LA 70047
(985)-764-9826
- ◆ **Location of Site**
Lot E-1, Victoria Acres Subdivision, 14394 River Road, Destrehan
- ◆ **Requested Action**
Change of zoning of a 75' x 106' portion of Lot E-1 from R-1A, Single Family Residential Detached Conventional Homes to C-2, General Commercial – Retail Sales. The purpose is to provide additional parking and storage space for the Seafood Pot restaurant (14386 River Road). The current R-1A zoning does not allow the expansion of the commercial use.

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel**
16,325 square feet total; approximately 7,950 square feet to be rezoned
- ◆ **Current Zoning and Land Use**
Lot E-1 is split zoned R-1A, Single Family Residential Detached Conventional Homes and C-2, General Commercial - Retail Sales; the C-2 portion is developed with a post office while the R-1A portion is vacant but cleared.
- ◆ **Surrounding Zoning and Land Uses**
C-2 zoning is located adjacent to the front and W. Easy Street side; R-1A zoning is adjacent to the rear; OL zoning is across Van's Lane.

The Seafood Pot restaurant is adjacent to the front; a site-built single-family residence is adjacent to the rear; undeveloped land is located across Van's Lane; a gravel parking area is adjacent to the W. Easy Street side.
- ◆ **Future Land Use Recommendation**
Residential / Mixed Use: This land use designation applies in areas appropriate for large scale, creatively planned developments where the predominant use is residential, but where a variety of housing types at varying densities are encouraged, as well as compatible, local serving commercial and service uses. Development under this land use category is anticipated to take the form of Planned Developments (PD's) as well as Traditional Neighborhood Developments (TND's)
- ◆ **Traffic Access**
The C-2 portion of Lot E-1 has approximately 99 feet of frontage on River Road. The R-1A portion has approximately 75 feet of frontage on Van's Lane.
- ◆ **Utilities**
Standard utilities are available and representatives of the Departments of Waterworks, Public Works/Wastewater and Public Works/Drainage indicate that existing utilities can serve the proposed expansion of the adjacent restaurant or accommodate other commercial development.

APPLICABLE REGULATIONS

Appendix A. Section VI.

[III.] C-2 General commercial district— Retail sales:

1. Use Regulations:
 - a. A building or land shall be used for the following purposes:
 - (1) All uses allowed in C-1 District.

- (2) Retail sales (except auto and mobile home sales), usage, and storage
- (3) Hotels, motels and apartment hotels
- (4) [Repealed by Ord. No. 92-9-14, 9-8-92.]
- (5) Restaurants (including drive-in restaurants) and cafeterias. Specific land use requirements for restaurants serving alcoholic beverages are contained in subsection III.59. of these regulations, with further details contained within Chapter 3 of the St. Charles Parish Code of Ordinances.
- (6) Animal hospitals where all animals are kept inside the building
- (7) Service station
- (8) Commercial recreation facilities
- (9) Commercial greenhouses and nurseries
- (10) Commercial schools
- (11) Shops not to exceed two thousand five hundred (2,500) square feet of floor area for the repair and servicing of the following:
 - Bicycles
 - Radios
 - Televisions
 - Stereos and recorders
 - Household appliances
 - Locksmith
 - Typewriters
 - Other similar uses
- (12) Shops not to exceed two thousand five hundred (2,500) square feet of floor area may also include the following uses:
 - Dressmakers
 - Millinery
 - Tailors
 - Baking goods sales
 - Laundry and dry cleaners
 - Theatres (but not the drive-in type)
- (13) Laboratories
- (14) Customary accessory uses incidental to the above uses when located on the same lot
- (15) Funeral homes (provided that a petition of no objection signed by a majority of property owners within a three hundred foot radius of the site and one hundred (100) percent of the property owners on the same street within the same block be filed with the Planning Zoning Department)
- (16) Cemeteries and mausoleums, provided however that such uses shall be located on sites of at least twenty (20) acres, all graves shall be set back at least fifty (50) feet from all property lines, shall have a minimum street frontage of one hundred (100) feet and a fence or screen planting six (6) feet high shall be provided along all property lines adjoining all districts Cellular/communication towers.
- (17) Other uses of similar intensity.
- (18) Mini-storage facilities (limited to one-story construction in C-2 district).
- (19) Historic home site bed and breakfast.
- b. Special exception uses and structures include the following:
 - (1) Dwelling units contained within the office building
 - (2) Reserved
 - (3) Reserved
 - (4) Churches
 - (5) Movie theaters
 - (6) Temporary on-site construction buildings for a period of one (1) year upon approval of the Planning Director.
- c. Special permit uses and structures include the following:
 - (1) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (2) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (3) Office buildings for gaming operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) Motor vehicle repair. Automobile sales and service on designated federal and state highways; body repair activities being strictly prohibited in the C-2 zoning district.
 - (5) Heating and air conditioning service.
 - (6) Sheet metal shops
 - (7) Plumbing shops.
 - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
 - (9) Bingo halls, video bingo parlors, and off-track betting establishments upon review of the planning commission and ordinance of the St. Charles Parish Council.
- 2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet, minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
- 3. Transportation Requirements: Arterial
- 4. Special Provisions:
 - a. Where any commercial use in a C-2 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten

(10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.

Appendix A. Section XV. - Amendment procedure

- A. The Council may amend this Ordinance when amendments are properly introduced as outlined in Section XIV. No such amendment shall be effective unless:
 1. The Planning Commission has received a full analysis report from the Planning and Zoning Department on the merits of the proposed amendment and the Commission has held a public hearing on the proposed amendment offering standard public notice according to the Commission rules; and
 2. The Council has received a full analysis which includes a recommendation from the Planning and Zoning Department on the merits of the proposed amendment and including a recommendation from the Commission contained within a verbatim transcript of the portion of the Commission meeting relating to the proposed amendment; and
 3. The Council has held a public hearing on the proposed amendment offering standard public notice according to the Council rules.
- B. Following review by the Planning and Zoning Department, a public hearing will be held by the Planning and Zoning Commission. The Planning and Zoning Department shall post a sign on the affected property which calls attention to the public hearing at least ten (10) days prior to that hearing date. Similar notification shall also be posted at the principal office of the Department of Planning and Zoning. The public hearing shall be advertised in the official journal of the parish at least three (3) times on at least three (3) separate weeks, and at least fifteen (15) days shall elapse between the first publication and the date of the hearing. Notice of the time and place of the public hearing shall be sent by certified mail not less than ten (10) days in advance of the hearing to all abutting property owners. Following this public hearing, the recommendation of the Planning and Zoning Commission shall be forwarded to the Parish Council by the Planning and Zoning Department.
- C. A Planning Commissioner making a motion which differs from the Planning Staff recommendation may render a written statement in suitable form, for transmittal by the Secretary with the Commission and Staff reports to the Council. In addition, any other member may submit a written opinion on the matter, which shall be transmitted to the Council by the Secretary along with the Commission report.
- D. *Rezoning guidelines and criteria:* Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:
 1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.
 2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
 3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure. The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.
- E. *Rezoning approval criteria:* Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:
 1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map. and
 2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.
- F. *Withdrawal of applications:*
 1. Any application which the applicant wishes to withdraw from a Planning Commission public hearing must be withdrawn by written notice to the Department of Planning and Zoning not later than the Wednesday at noon preceding the Commission meeting, and following such withdrawal will not be accepted for readvertisement for six (6) months, except on majority vote by the Commission.
 2. When application is duly advertised and not withdrawn as set forth above, a public hearing shall be held by the Commission and a report forwarded to the Council along with any application received. Said application may be withdrawn from Council action only by written request to the Council Secretary before Thursday at noon preceding the public hearing. Any such application withdrawn in this manner shall not be accepted for re-advertising for one (1) year.
 3. Any rezoning application withdrawn after Commission action but prior to Council action may be refiled with the Commission in less than one (1) year provided that the Commission approves a written request showing there is evidence not previously considered or extenuating circumstances.
 4. Any rezoning application denied by Council shall be prohibited for applying for the same map amendment for a period of one (1) year from the date of denial.

REZONING GUIDELINE EVALUATION

Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. *The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.* The Future Land Use Map (FLUM) designates this property for Residential / Mixed Use. This FLU category anticipates primarily residential development with compatible, local-serving commercial uses. The purpose of the rezoning is to allow the site of the adjacent restaurant, which would be considered a local-serving commercial use, to expand. As an expansion of an existing Commercial zoning district, the request is not a spot zone. The request conforms to the development pattern established by the Comprehensive Plan, and is not a spot zone. **The first guideline is met.**
2. *The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property.* The subject site could be developed under the current zoning with a site built single-family house. Development in this area is infrequent, with the adjacent site located at 14386 River Road having been used commercially since 1999 and as a restaurant since 2003. The adjacent residence located at 85 Van's Lane was developed in 2008. The land use pattern in this area has not changed to the point where the existing zoning does not allow for reasonable use of the subject site. **The request fails the second guideline.**
3. *Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.* Most of the uses permitted in the C-2 zoning district would be compatible with the more local-serving commercial uses (restaurant, small retail shop) found in this area, and the site is likely too small to accommodate most incompatible commercial uses (mini-storage, movie-theater, hotel). Also, where conflicts between adjacent residential and commercial uses occur, the Parish's site design guidelines require a 10 foot landscaped buffer, improving compatibility between adjacent commercial and residential sites. Representatives from Public Works & Wastewater and Waterworks have facilities servicing the area which can accommodate C-2 uses capable of developing on the site. **The third guideline is met.**

ANALYSIS

The applicant requests a rezoning of the R-1A portion of Lot E-1 to C-2. The remaining portion of Lot E-1 is currently zoned C-2. The purpose of the rezoning is to allow for the expansion of The Seafood Pot restaurant, specifically to accommodate more parking and storage. The current R-1A zoning does not permit the proposed plans for the restaurant.

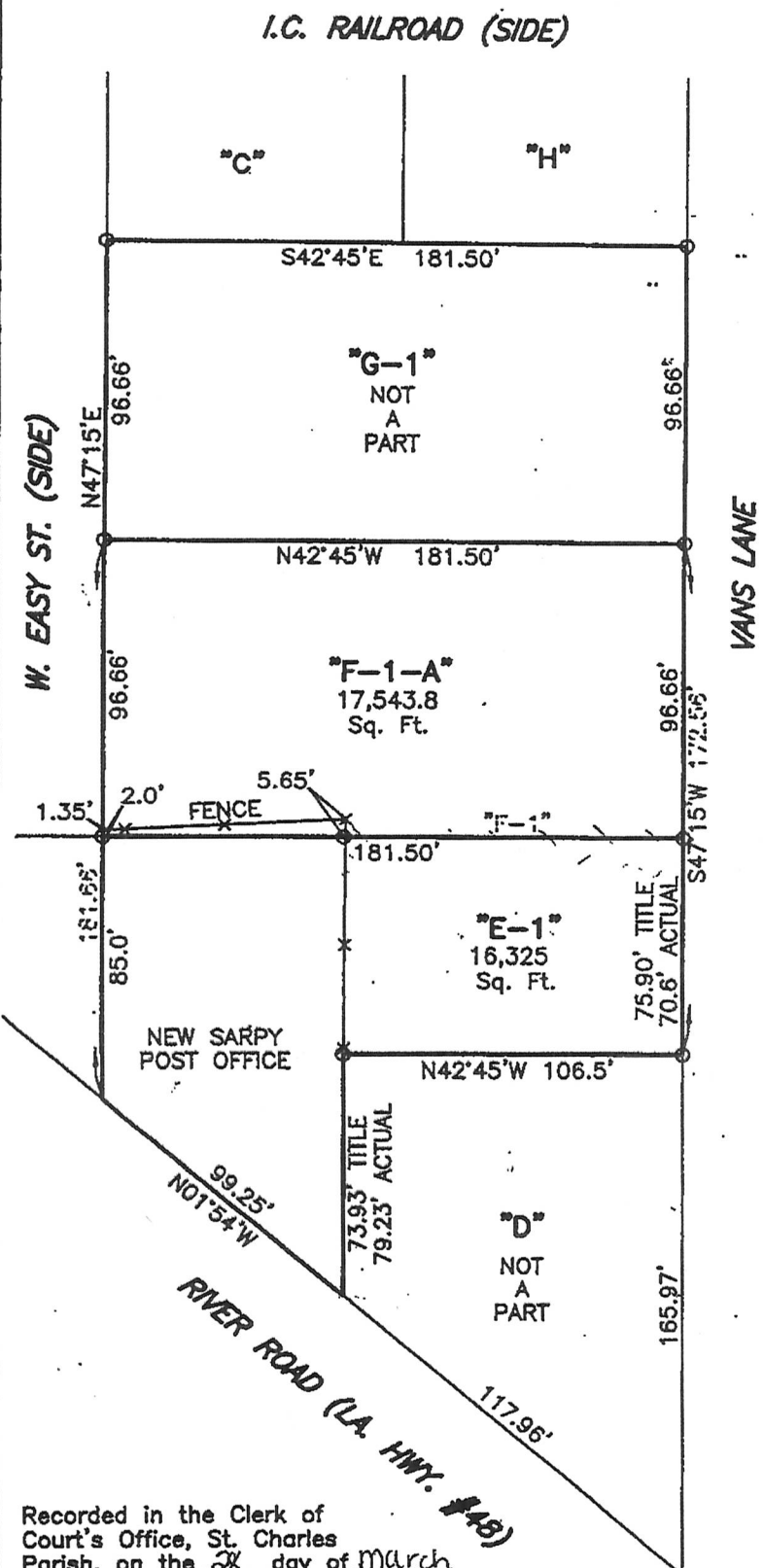
The proposed rezoning to C-2 would meet the first and second rezoning guidelines, as it is compatible with the Future Land Use designation of the Comprehensive Plan, is not a spot zone due to being an expansion of existing C-2 zoning, and other C-2 uses permitted and capable of developing on the site would not be incompatible with existing neighborhood character nor overburden public facilities.

If the rezoning is approved and the lot developed as planned, there are other processes and requirements which would need to be met. A subdivision should occur to combine the lots to be used for the restaurant. Regarding site design, some landscaping will likely be required; most significantly, a 10 foot wide, fenced, and landscaped buffer will be required along the rear property line, where a conflict with the adjacent single-family residence occurs.

DEPARTMENT RECOMMENDATION

Approved, based on meeting the 1st and 3rd rezoning guidelines

This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found that the surveyed property as shown hereon is in a special flood hazard area. The property lies in an A99 zone as per sheet 0125 of said maps, having an effective date of May 2, 2003. The base flood elevation of this zone is +4.60' NGVD

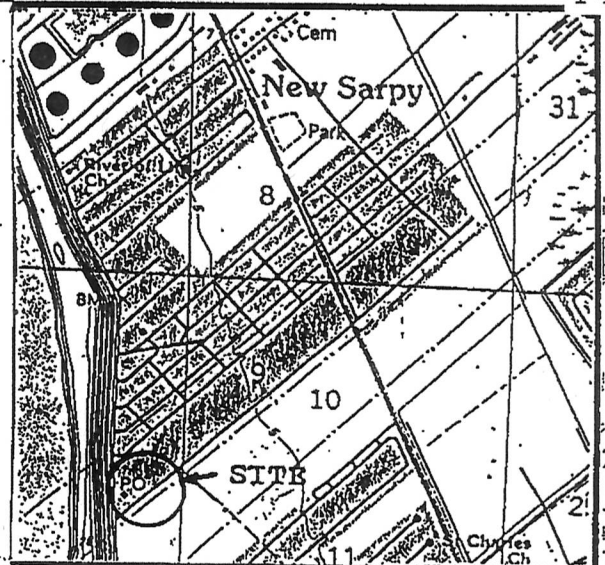


Recorded in the Clerk of Court's Office, St. Charles Parish, on the 28 day of March 2005 in Conveyance Book 1418 Folio 820. Entry No. 356434.

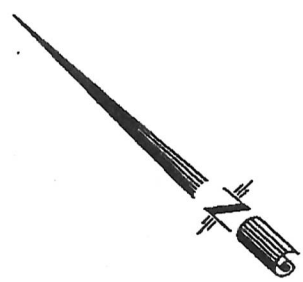
SURVEY & RESUBDIVISION OF LOT "F-1" OF A RESUBDIVISION OF LOTS 5 & 6 OF VICTORIA ACRES SUBDIVISION INTO LOTS "E-1" & "F-1-A" LOCATED IN SECTION 9, TOWNSHIP 12 SOUTH, RANGE 8 EAST AT NEW SARPY, ST. CHARLES PARISH, LA.

FILE #	05K008
SCALE:	1" = 60'
DATE:	2/14/05

THIS SURVEY WAS PERFORMED BY MYSELF OR UNDER MY DIRECT SUPERVISION AND CONTROL. SURVEYED IN ACCORDANCE WITH THE LOUISIANA "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS "C" SURVEY. o: DENOTES 1/2" IRON ROD SET



VICINITY MAP
SCALE: 1" = 2000'



APPROVALS:

[Signature]
DIRECTOR, DEPT. OF PLANNING & ZONING
CHAIRMAN / COMMISSION

3-23-05
DATE

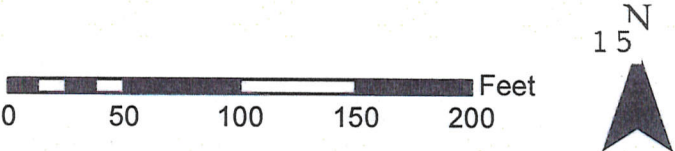
[Signature]
ST. CHARLES PARISH PRESIDENT

3/28/2005
DATE

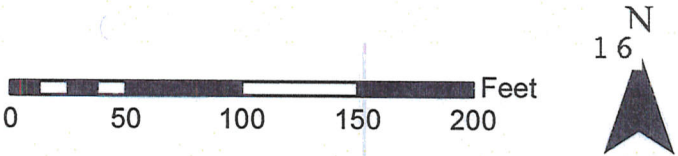
[Signature]
SURVEYOR

R.P. BERNARD, PLS
LA. REG. #226
P.O. BOX 402, BOUTTE, LA.





PZR-2018-01
Requested by: Charles Lambert, Jr.
Rezoning from R-1A to C-2



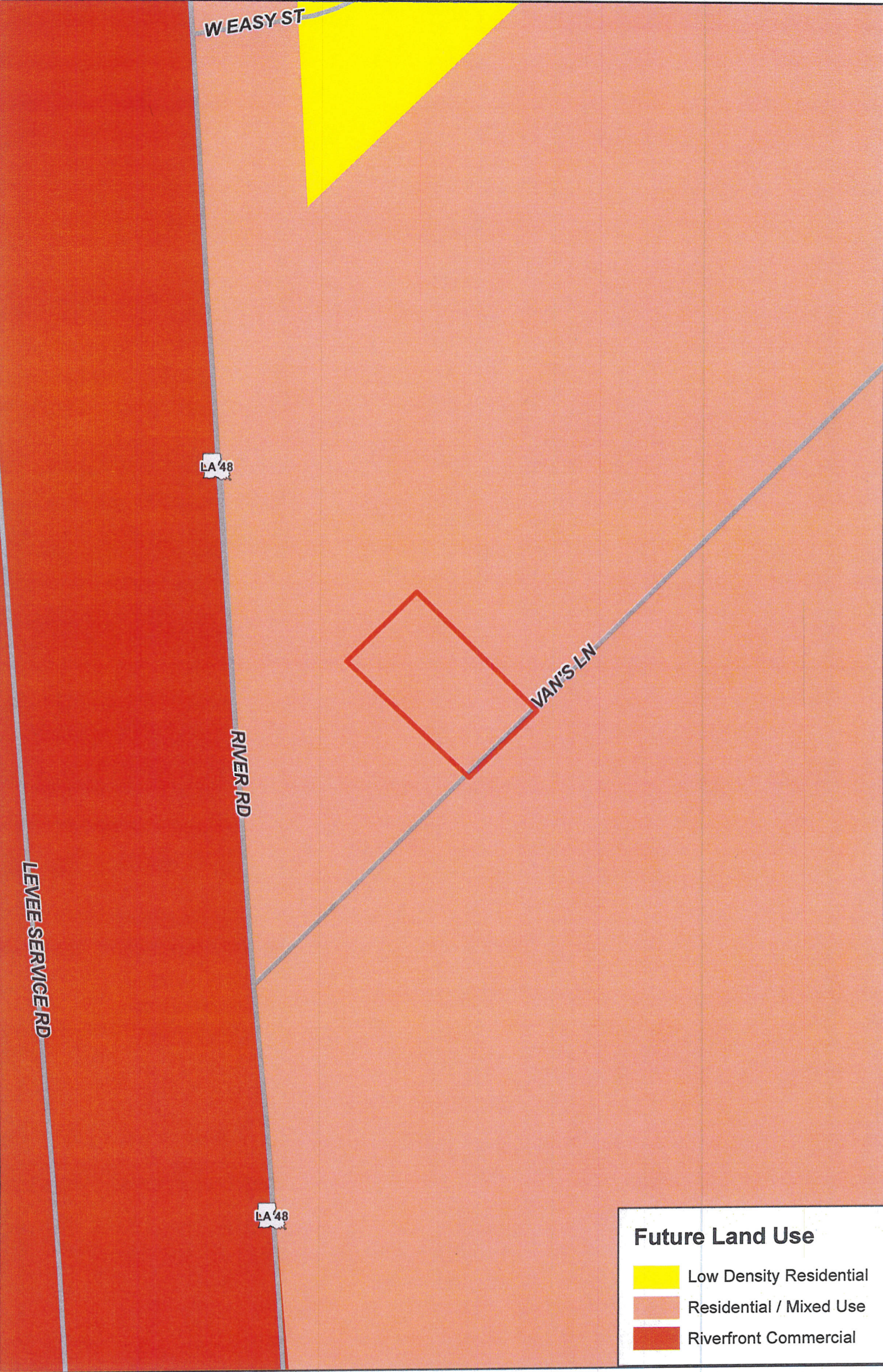
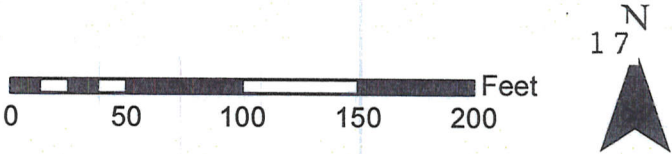
PZR-2018-01
Requested by: Charles Lambert, Jr.
Rezoning from R-1A to C-2






Zoning Districts

	B1
	C2
	OL
	R1A

PZR-2018-01
Requested by: Charles Lambert, Jr.
Rezoning from R-1A to C-2



Future Land Use

-  Low Density Residential
-  Residential / Mixed Use
-  Riverfront Commercial