



St. Charles Parish

Meeting Agenda

Parish Council

Council Chairman Dick Gibbs

Councilmembers Holly Fonseca,

La Sandra Darensbourg Gordon, Mary K. Clulee, Nicky Dufrene,

Marilyn B. Bellock, Bob Fisher, Julia Fisher-Perrier

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

Tuesday, September 8, 2020

6:00 PM

Council Chambers, Courthouse

Final

CALL TO ORDER

PRAYER

*Kathleen Collins, Executive Board
Daughters of the American Revolution*

PLEDGE

*Sheila Curry, Executive Board
Daughters of the American Revolution*

APPROVAL OF MINUTES

*Regular Meeting – July 27, 2020
Regular Meeting – August 10, 2020*

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 2020-0251 Tribute: Honorable Wendy Benedetto, Councilwoman-At-Large,
Division A

Sponsors: Ms. Fisher-Perrier, Ms. Fonseca, Ms. Darensbourg Gordon, Ms. Clulee, Mr. Gibbs, Mr.
Dufrene, Ms. Bellock and Mr. Fisher

Legislative History

8/24/20 Parish Council Meeting Cancelled
The regular St. Charles Parish Council Meeting scheduled for Monday,
August 24, 2020 at 6:00 pm - cancelled due to inclement weather.

- 2 2020-0261 A resolution to appoint a member to the St. Charles Parish Council to fill
the vacancy created by the resignation of At-Large, Division A
Councilwoman Wendy Benedetto.

Sponsors: Ms. Fonseca, Ms. Darensbourg Gordon, Ms. Clulee, Mr. Gibbs, Mr. Dufrene, Ms.
Bellock, Mr. Fisher and Ms. Fisher-Perrier

Legislative History

8/17/20 Council Member(s) Correspondence Sent
to Honorable R. Kyle Ardoin, Secretary of State, from Councilwoman Wendy Benedetto, formally notifying him of her resignation from the office of Councilwoman At-Large, Division A and to allow the vacancy to be filled pursuant to Article III Section A, 6, of the St. Charles Parish Home Rule Charter.

8/25/20 Council Secretary Correspondence Received
from Secretary of State R. Kyle Ardoin's Office enclosing copy of the notice of resignation received from Councilwoman Wendy Benedetto as Councilwoman At-Large, Division A, and informing the governing authority to call a special election, and make an appointment to fill the vacancy until the person elected assumes the office.

5 2020-0256 Proclamation: "Constitution Week"

Sponsors: Mr. Jewell

6 2020-0257 Proclamation: "National Child Passenger Safety Week" and "National Seat Check Saturday"

Sponsors: Ms. Darensbourg Gordon

7 2020-0262 Proclamation: "Need to Feed Month in St. Charles Parish"

Sponsors: Mr. Gibbs

8 2020-0263 A resolution providing for canvassing the returns and declaring the results of the special election held in the Parish of St. Charles, State of Louisiana, on Saturday, August 15, 2020, to authorize the renewal of special taxes (911 renewal, Road Lighting renewal, Library continuation) therein.

Sponsors: Mr. Jewell and Bond Counsel

17 2020-0254 Local Board of Review - 2020 Assessment - Regular Meeting, September 21, 2020, 6PM, Council Chambers, Courthouse

Sponsors: Mr. Gibbs

****Announcement****

Legislative History

8/17/20 Assessor List Exposed
August 17 - 31, 2020 List Exposed for Tax Payer Inspection

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2020-0255 Department of Finance

2020-0246 Library Board of Control

Legislative History

8/24/20 Parish Council Meeting Cancelled
The regular St. Charles Parish Council Meeting scheduled for Monday, August 24, 2020 at 6:00 pm - cancelled due to inclement weather.

2020-0260 German Coast Farmers' Market

2020-0248 Parish President Remarks/Report

Sponsors: Mr. Jewell

Legislative History

8/24/20 Parish Council Meeting Cancelled
The regular St. Charles Parish Council Meeting scheduled for Monday, August 24, 2020 at 6:00 pm - cancelled due to inclement weather.

ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC HEARING

Monday, September 21, 2020, 6:00 pm, Council Chambers, Courthouse, Hahnville

21 2020-0240 An ordinance to amend the Code of Ordinances to revise Chapter 15 Motor Vehicles and Traffic, Section 15-9. Speed Limits (a) (61) to include First Street, Second Street, Fourth Street, and Short Street in St. Rose to lower the speed limit to Fifteen (15) miles per hour.

Sponsors: Ms. Bellock

[This proposed ordinance was introduced, published, and scheduled for public hearing on August 24, 2020. The regular meeting scheduled for August 24th was cancelled-Courthouse closed due to inclement weather; therefore it must be re-introduced and re advertised for public hearing prior to consideration by the Parish Council.]

Legislative History

6/3/20 Council Member(s) Correspondence Sent
to the Residents of First Street, Second Street, Third Street, Fourth Street, and Short Street in St. Rose, from Councilwoman, District V, Marilyn B. Bellock, seeking feedback to determine the majority opinion of the residents, whether in favor or not in favor of reducing the speed limit from 25 miles per hour to 15 miles per hour on First Street, Second Street, Third Street, Fourth Street, and Short Street.

7/28/20 Council Member(s) Correspondence Sent
to Council Secretary Michelle Impastato, from Councilwoman, District V, Marilyn B. Bellock (email), with approval to move forward with the speed limit reduction on First Street, Second Street, Third Street, Fourth Street, and Short Street in St. Rose from 25 miles per hour to 15 miles per hour.

8/10/20 Council Member(s) Introduced
The regular parish council meeting scheduled for Monday, August 24, 2020 at 6:00 pm was cancelled on August 23, 2020. (Hurricane Storm Marco and Tropical Storm Laura)

File No. 2020-0240 placed on the September 8, 2020 agenda for introduction.

8/10/20 Parish Council Publish/Scheduled for Public Hearing to the Parish Council

8/24/20 Parish Council Meeting Cancelled
 The regular St. Charles Parish Council Meeting scheduled for Monday, August 24, 2020 at 6:00 pm - cancelled due to inclement weather.

22 2020-0242

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the zoning classification from O-L to R-1A and C-2 on approximately 83 acres in New Sarpy, as requested by Victoria Estates, LLC for Gore-St. Charles, LLC.

Sponsors: Mr. Jewell and Department of Planning & Zoning

[This proposed ordinance was introduced, published, and scheduled for public hearing on August 24, 2020. The regular meeting scheduled for August 24th was cancelled-Courthouse closed due to inclement weather; therefore it must be re-introduced and re advertised for public hearing prior to consideration by the Parish Council.]

Legislative History

7/7/20	Department of Planning & Zoning	Received/Assigned PH
8/6/20	Department of Planning & Zoning	Recommended Approval to the Planning Commission
8/6/20	Planning Commission	Recommended Approval to the Parish Council
8/10/20	Parish President	Introduced
	The regular parish council meeting scheduled for Monday, August 24, 2020 at 6:00 pm was cancelled on August 23, 2020. (Hurricane Storm Marco and Tropical Storm Laura)	
	File No. 2020-0242 placed on the September 8, 2020 agenda for introduction.	
8/10/20	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council
8/24/20	Parish Council	Meeting Cancelled
	The regular St. Charles Parish Council Meeting scheduled for Monday, August 24, 2020 at 6:00 pm - cancelled due to inclement weather.	

36 2020-0243

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, as amended, Sections III. and VI.A.[I].1.a., to add Historic Home Site Bed and Breakfast to permitted uses in the Open Land zoning district.

Sponsors: Mr. Jewell and Department of Planning & Zoning

[This proposed ordinance was introduced, published, and scheduled for public hearing on August 24, 2020. The regular meeting scheduled for August 24th was cancelled-Courthouse closed due to inclement weather; therefore it must be re-introduced and re advertised for public hearing prior to consideration by the Parish Council.]

Legislative History

8/10/20 Parish President Introduced
 The regular parish council meeting scheduled for Monday, August 24, 2020 at 6:00 pm was cancelled on August 23, 2020. (Hurricane Storm Marco and Tropical Storm Laura)

File No. 2020-0243 placed on the September 8, 2020 agenda for introduction.

8/10/20 Parish Council Publish/Scheduled for Public Hearing to the Parish Council

8/24/20 Parish Council Meeting Cancelled
 The regular St. Charles Parish Council Meeting scheduled for Monday, August 24, 2020 at 6:00 pm - cancelled due to inclement weather.

39 2020-0244 An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, as amended, Section XV.D to rezoning requests to meet a minimum of two (2) rezoning guidelines and criteria in order to receive a recommendation for approval from Planning Staff.

Sponsors: Mr. Jewell and Department of Planning & Zoning

[This proposed ordinance was introduced, published, and scheduled for public hearing on August 24, 2020. The regular meeting scheduled for August 24th was cancelled-Courthouse closed due to inclement weather; therefore it must be re-introduced and re advertised for public hearing prior to consideration by the Parish Council.]

Legislative History

8/10/20 Parish President Introduced
 The regular parish council meeting scheduled for Monday, August 24, 2020 at 6:00 pm was cancelled on August 23, 2020. (Hurricane Storm Marco and Tropical Storm Laura)

File No. 2020-0244 placed on the September 8, 2020 agenda for introduction.

8/10/20 Parish Council Publish/Scheduled for Public Hearing to the Parish Council

8/24/20 Parish Council Meeting Cancelled
 The regular St. Charles Parish Council Meeting scheduled for Monday, August 24, 2020 at 6:00 pm - cancelled due to inclement weather.

43 2020-0250 An ordinance to approve and authorize the execution of a contract with BLD Services, LLC, for Parish Project No. S170601 Luling Oxidation Pond Rehabilitation and Upgrades, with a Bid in the amount of \$6,646,555.00.

Sponsors: Mr. Jewell and Department of Wastewater

Legislative History

8/24/20 Parish President Introduced
 The regular parish council meeting scheduled for Monday, August 24, 2020 at 6:00 pm was cancelled on August 23, 2020. (Hurricane Storm Marco and Tropical Storm Laura)

File No. 2020-0250 placed on the September 8, 2020 agenda for introduction.

8/24/20 Parish Council Meeting Cancelled
 The regular St. Charles Parish Council Meeting scheduled for Monday, August 24, 2020 at 6:00 pm - cancelled due to inclement weather.

54 2020-0252

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the zoning classification from R-1A to R-3 on a 8,644 square foot area consisting of Lots 1 and 2, Square M, Good Hope Subdivision, municipal address 400 Apple Street, Norco, as requested by C & J Re Investors, LLC.

Sponsors: Mr. Jewell and Department of Planning & Zoning

Legislative History

6/18/20 Department of Planning & Zoning Received/Assigned PH
 8/6/20 Department of Planning & Zoning Recommended Denial to the Planning Commission
 8/6/20 Planning Commission Recommended Denial to the Parish Council
 8/24/20 Parish President Introduced
 The regular parish council meeting scheduled for Monday, August 24, 2020 at 6:00 pm was cancelled on August 23, 2020. (Hurricane Storm Marco and Tropical Storm Laura)

File No. 2020-0252 placed on the September 8, 2020 agenda for introduction.

8/24/20 Parish Council Meeting Cancelled
 The regular St. Charles Parish Council Meeting scheduled for Monday, August 24, 2020 at 6:00 pm - cancelled due to inclement weather.

65 2020-0253

An ordinance to approve and authorize the execution of Amendment No. 1 to the Cooperative Endeavor Agreement by and between St. Charles Parish and St. Charles Community Health Center, Inc., Ordinance No. 10-11-17, to extend the Agreement for the term of the Millage for Public Health Unit facilities.

Sponsors: Mr. Jewell

Legislative History

8/24/20 Parish President Introduced
 The regular parish council meeting scheduled for Monday, August 24, 2020 at 6:00 pm was cancelled on August 23, 2020. (Hurricane Storm Marco and Tropical Storm Laura)

File No. 2020-0253 placed on the September 8, 2020 agenda for introduction.

8/24/20 Parish Council Meeting Cancelled
 The regular St. Charles Parish Council Meeting scheduled for Monday, August 24, 2020 at 6:00 pm - cancelled due to inclement weather.

67 2020-0258 An ordinance to approve and authorize the execution of an engineering services agreement with Barowka and Bonura Engineers & Consultants (BBEC), LLC for providing all necessary services for the Ormond Railroad Culverts Project (P200801).

Sponsors: Mr. Jewell and Department of Public Works

ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

88 2020-0182 An ordinance to amend the St. Charles Parish Code of Ordinances, Chapter 6 Buildings and Building Regulations, Article II, Section 6-14 Permit Application to establish a process for analyzing the impact of traffic generated by new development by adding part (n) Traffic Impact Analysis.

Sponsors: Mr. Jewell and Department of Planning & Zoning

[This proposed ordinance was tabled on August 10, 2020, the regular meeting scheduled for August 24th was cancelled-Courthouse closed due to inclement weather; Public Hearing requirements were previously satisfied.]

Legislative History

6/15/20 Parish President Introduced
 The regular parish council meeting scheduled for Monday, August 24, 2020 at 6:00 pm was cancelled on August 23, 2020. (Hurricane Storm Marco and Tropical Storm Laura)

File No. 2020-0182 placed on the September 8, 2020 agenda.

6/15/20 Parish Council Publish/Scheduled for Public Hearing to the Parish Council

7/6/20 Legislative Committee Discussed.

Speakers:
 Parish President Matthew Jewell
 Mr. Mike Palamone, Chief Administrative Officer
 Mr. Michael Albert, Planning & Zoning Director

7/6/20 Parish Council Public Hearing Requirements Satisfied

Reported:
 P & Z Department Recommended: Approval

7/6/20 Parish Council Tabled.

Council Discussion

7/6/20 Parish Council Tabled.

7/27/20 Parish Council Remained Tabled

8/10/20 Parish Council Removed from the Table

8/10/20 Parish Council Removed from the Table

- 8/10/20 Parish Council Amended
Councilwoman Fonseca questioned the proposed revision to File No. 2020-0182.
Parish President Matthew Jewell discussed the proposed revision received by the Planning & Zoning Department.
Councilwoman Fisher-Perrier spoke on the matter.
Chairman Gibbs spoke on the matter.

Amendment: to amend the proposed ordinance in "SECTION I. (n) Traffic Impact Analysis." to change "...currently adopted Traffic Impact Analysis Policy (File No. 2020-0182)." to read "...currently adopted Traffic Impact Analysis Policy (Resolution No.)."
- 8/10/20 Parish Council Amended
- 8/10/20 Parish Council Tabled.
Public Hearing was previously satisfied

A motion was made by Councilmember Darensbourg Gordon, seconded by Councilmember Fisher-Perrier, to re-open Public Hearing on File No. 2020-0182. No vote taken to re-open File No. 2020-0182 for Public Hearing.

Councilwoman Fonseca requested to speak to obtain further clarification on the revision.
Mr. Jewell spoke on the matter.
Chief Administrative Officer Mike Palamone spoke on the matter.
Legal Services Director Corey Oubre spoke on the matter.
Further Discussion
- 8/10/20 Parish Council Tabled.
- 8/24/20 Parish Council Meeting Cancelled
The regular St. Charles Parish Council Meeting scheduled for Monday, August 24, 2020 at 6:00 pm - cancelled due to inclement weather.

RESOLUTIONS

102 2020-0249

A resolution providing supporting authorization to endorse the approval of a revised Preliminary Plat for Esperanza Business Park Phase II, with waivers from the maximum block length, as requested by Esperanza Land, LLC.

Sponsors: Mr. Jewell and Department of Planning & Zoning

Legislative History

- 5/2/17 Department of Planning & Zoning Received/Assigned PH
- 8/24/20 Parish President Introduced
The regular parish council meeting scheduled for Monday, August 24, 2020 at 6:00 pm was cancelled on August 23, 2020. (Hurricane Storm Marco and Tropical Storm Laura)

File No. 2020-0249 placed on the September 8, 2020 agenda.

8/24/20 Parish Council Meeting Cancelled
 The regular St. Charles Parish Council Meeting scheduled for Monday, August 24, 2020 at 6:00 pm - cancelled due to inclement weather.

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

MEETINGS

COMMUNITY ACTION ADVISORY BOARD: Wednesday, 9/9/20, 5PM, Council Chambers
COMMUNICATIONS DISTRICT (911): Monday, 9/14/20, 5PM, Council Chambers
LIBRARY BOARD OF CONTROL: Tuesday, 9/15/20, 6PM, Council Chambers
BOARD OF ADJUSTMENT (ZBA): Thursday, 9/17/20, 7PM, Council Chambers
PONTCHARTRAIN LEVEE DISTRICT: Monday, 9/21/20, 6PM, Pontchartrain Levee District Headquarters Complex, 2069 Railroad Avenue, Lutcher
ST. CHARLES PARISH COUNCIL: Monday, 9/21/20, 6PM, Council Chambers

ANNOUNCEMENTS

Board of Review: Parish Council will be sitting as a Board of Review September 11 – September 25, 2020

2020 Assessment List

Written or Oral Protests must be received by the Parish Council Office by September 14, 2020 – 4:00 pm

Public Hearings to consider the Proposed 2021 Capital and Consolidated Operating Budget:

Tuesday, October 27, 2020, 9AM

Thursday, October 29, 2020, 6PM

Monday, November 2, 2020, 6PM

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.

The Parish of St. Charles

September 8, 2020

TRIBUTE

Former Division A, Councilwoman-At-Large **Wendy Benedetto** is a native of New Orleans and has resided in Destrehan for more than 31 years. She is married to Randal Benedetto and they are the proud parents of three children and three grandchildren.

Wendy is a graduate of Bonnabel High School and attended Donaldson Real Estate School. She is a full-time Realtor with Latter & Blum Inc./Realtors.

Wendy is a very active member of the community. She currently serves as a member of the Ormond Civic Association and has served as a PTA president and in numerous other offices. She is a past president and board member of the Destrehan Booster Club.

Wendy has an extensive record as an Elected Official representing St. Charles Parish. She was first elected to the St. Charles Parish Council on October 20, 2007, as the District III Councilwoman and was re-elected to a second term on October 22, 2011. On October 24, 2015, she ran unopposed and was elected Councilwoman-At-Large, Division A and was re-elected in 2019.

Wendy has served with three St. Charles Parish Presidents and 22 fellow council members. She was part of the first Parish Council in the state to hold a female majority. Since holding office, she has been part of approximately \$46 million of improvements to drainage, approximately \$38 million to levee protection, and \$5 million to recreation.

Wendy served as St. Charles Parish Council Chairman in 2013 and 2016; she served as Vice-Chairman in 2011, 2018, and 2019. She has served as Chairman of the Legislative Committee for over 5 terms; 2010, 2016 - August 2020, and a member of the Committee for 7 years. She served as a member of the Operations, Maintenance, and Construction Management Committee, Special Projects/Public Safety, Health, and Environmental Committee, Contract/Finance and Administrative Committee, and the Hurricane Protection Projects Committee. She was recently appointed to the temporary Ad-Hoc Subcommittee of the Legislative Committee.

Wendy served as a member of the Retired and Senior Volunteer Program Advisory Council, the Regional Planning Commission, South Central Planning & Development Commission, and the Sunset Drainage District Board of Directors. She served as Ex-Officio member to the Hospital Service District No. 1 Board of Commissioners, and as a member of the River Region Caucus. She has previously participated in the Republican State Central Committee, Republican Women's Association, and served as a GNO Inc., Board Member.

Wendy served as a member of the Louisiana Police Jury Association, the Region II Executive Board Member, a member of the Community Development Committee, and as the Chairman of the Parks, Recreation & Tourism Committee. She served as a member of the National Association of County Officials, NACo's Next Generation, and the Community, Economic and Workforce Development Policy Steering Committee.

We want to thank **Former Councilwoman Wendy Benedetto** for her dedication and service to the citizens of St. Charles Parish and to wish her and her family the best in all of their future endeavors.

WENDY BENEDETTO

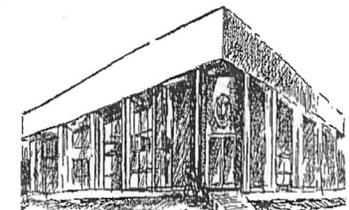
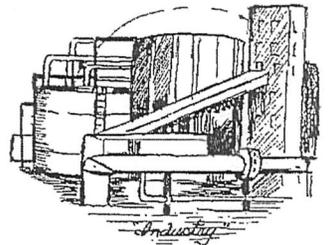
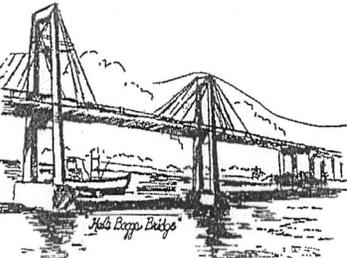
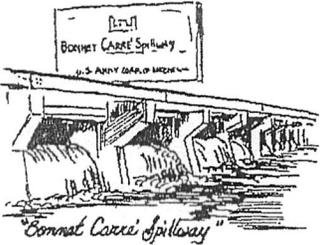
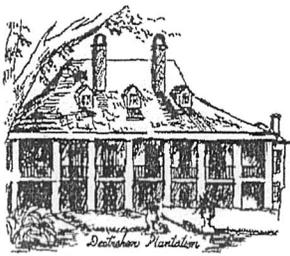
COUNCILWOMAN, DISTRICT III

JANUARY 14, 2008 – JANUARY 10, 2016

COUNCILWOMAN-AT-LARGE, DIVISION A

JANUARY 11, 2016 – AUGUST 25, 2020

"PARISH OF PLENTY"
created in 1807 from the county of the
"German Coast", a parish of
unprecedented economic and social
development, known for its
hospitality, rural living and sporting
opportunities... with the added
distinction of being located
on both sides of the
Mighty Mississippi River.



2020-0261

**INTRODUCED BY: ST. CHARLES PARISH COUNCIL
RESOLUTION NO. _____**

A resolution to appoint a member to the St. Charles Parish Council to fill the vacancy created by the resignation of At-Large, Division A Councilwoman Wendy Benedetto.

WHEREAS, effective August 25, 2020, At-Large, Division A Councilwoman Wendy Benedetto resigned as a member of the St. Charles Parish Council; and,

WHEREAS, in accordance with Article III Section A, 6, of the St. Charles Parish Home Rule Charter any vacancy on the Council shall be filled within thirty (30) days by majority vote of the remaining members; and,

WHEREAS, since the unexpired portion of the term is more than one year the appointee shall serve in office until the person elected to fill the vacancy assumes the office.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby appoint _____ as

Councilman-At-Large, Division A.

BE IT FURTHER RESOLVED that said appointment shall be effective immediately and shall continue until the person elected to fill the vacancy assumes the office.

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

And the resolution was declared adopted this _____ day of _____, 2020, to become effective immediately.

2020-0261 APPOINT COUNCILMEMBER DIVISION A (VACANCY-2020).docx

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

SECRETARY OF STATE
STATE OF LOUISIANA

3

R. KYLE ARDOIN
SECRETARY OF STATE



P.O. Box 94125
BATON ROUGE, LA 70804-9125

August 20, 2020



Michelle Impastato, Secretary
St. Charles Parish Council
Post Office Box 302
Hahnville, LA 70057

Dear Ms. Impastato:

In accordance with La. R.S. 18:653, I am enclosing a copy of the notice of resignation received on August 20, 2020 by our office from the Honorable Wendy Benedetto as Councilman at Large, Division A, Parish of St. Charles with an effective date of August 25, 2020.

Pursuant to La. R.S. 18:583, an anticipated vacancy has occurred in the above-specified office. In accordance with the St. Charles Parish Home Rule Charter Article III(A)(6)(c), the governing authority shall therefore within sixty (60) days call a special election in accordance with La. R.S. 18:402 and La. R.S. 18:602 **on or before October 19, 2020**. The next available election is March 20, 2021, primary, and April 24, 2021, general with qualifying dates of January 20, 21, & 22, 2021.

After the proclamation is issued calling the special election, a certified copy of the proclamation is to be mailed to our office. If the governing authority does not timely call the special election, we will forward a request to the Governor to do so pursuant to La. R.S. 18:602.

Additionally, pursuant to La. R.S. 18:583(D)(1) and the St. Charles Parish Home Rule Charter Article III(A)(6)(c), the governing authority shall within thirty (30) days of the office actually becoming vacant (after **August 25, 2020** but before or on **September 24, 2020**) make an appointment to fill the office. If the governing authority does not timely appoint an individual in connection with this vacancy, we will transmit notice to the Governor to do so in accordance with La. R.S. 18:602

If you have any questions concerning the above, please contact me at (225) 287-7475.

Sincerely,

A handwritten signature in cursive script that reads "Ray Wood".

Ray Wood
Attorney

Enclosure

cc: Hon. Lance Marino, St. Charles Parish Clerk of Court
Hon. Brian Champagne, St. Charles Parish Registrar of Voters



ST. CHARLES PARISH

WENDY BENEDETTO
COUNCILWOMAN AT LARGE, DIVISION A

P.O. BOX 302 • HAHNVILLE, LOUISIANA 70057
(985) 783-5000 • Fax: (985) 783-2067
www.stcharlesparish-la.gov

August 17, 2020

Honorable R. Kyle Ardoin
Louisiana Secretary of State
P.O. Box 94125
Baton Rouge, LA 70804-9125

Dear Honorable Ardoin:

I, Wendy Benedetto, am resigning from the office of Councilwoman At-Large, Division A of the Parish of St. Charles effective August 25, 2020. It has been my pleasure to serve the people of St. Charles Parish over the past 12 years. I appreciate the support of the people of St. Charles Parish and it has been an honor to serve them. It is with regret that I resign due to personal reasons. This correspondence shall formally notify you of my resignation and to allow my vacancy to be filled pursuant to Article III Section A, 6, of the St. Charles Parish Home Rule Charter.

Sincerely,

WENDY BENEDETTO
COUNCILWOMAN AT LARGE, DIVISION A

WB/MI:nb

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 17th DAY OF August 2020

ROBERT L. RAYMOND LSBA NO. 11408
NOTARY PUBLIC

RECEIVED
COMMISSIONS

'AUG 20 2020

LOUISIANA
SECRETARY OF STATE

2020-0256

P R O C L A M A T I O N

- WHEREAS,** *Our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America; and,*
- WHEREAS,** *The Constitution of the United States, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law, not by man; and,*
- WHEREAS,** *September 17, 2020, marks the two hundred thirty-third (233rd) anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention in 1787; and,*
- WHEREAS,** *it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and*
- WHEREAS,** *Public Law No. 915 guarantees the issuing of a proclamation by the President of the United States of America designating September 17th through September 23rd of each year as CONSTITUTION WEEK.*

NOW, THEREFORE, BE IT RESOLVED THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM THE WEEK OF SEPTEMBER 17 – 23, 2020 AS

"CONSTITUTION WEEK"

IN ST. CHARLES PARISH AND HEREBY URGE ALL CITIZENS TO STUDY THE CONSTITUTION, AND REFLECT ON THE PRIVILEGE OF BEING AN AMERICAN WITH ALL THE RIGHTS AND RESPONSIBILITIES WHICH THAT PRIVILEGE INVOLVES.

BE IT FURTHER RESOLVED THAT, WE, THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, do hereby commend the seven New Orleans District IV Chapters of the NATIONAL SOCIETY-DAUGHTERS OF THE AMERICAN REVOLUTION; Chapters: Bayou Lafourche, Francois de Lery, New Orleans, Oliver Pollock Chapter, Spirit of '76, St. Tammany, and Vieux Carre for their patriotic programs commemorating the occasion; and, to express gratitude for the privilege of American citizenship in our Republic functioning under that superb body of laws, THE CONSTITUTION OF THE UNITED STATES.

MATTHEW JEWELL
PARISH PRESIDENT

NICKY DUFRENE
COUNCILMAN, DISTRICT IV

HOLLY FONSECA
COUNCILWOMAN AT LARGE, DIV. B

MARILYN B. BELLOCK
COUNCILWOMAN, DISTRICT V

LA SANDRA DARENSBOURG GORDON
COUNCILWOMAN, DISTRICT I

BOB FISHER
COUNCILMAN, DISTRICT VI

MARY K. CLULEE
COUNCILWOMAN, DISTRICT II

JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

DICK GIBBS
COUNCILMAN, DISTRICT III

Daughters of the American Revolution2020.pcl

2020-0257

P R O C L A M A T I O N

- WHEREAS,** every year, thousands of children are tragically injured or killed in motor vehicle traffic crashes. Many times, death and injuries can be prevented by proper use of car seats, boosters, and seat belts; and,
- WHEREAS,** today, all 50 States, the District of Columbia, and all U.S. Territories require the use of car seats for children travelling in motor vehicles. Car seat and seat belt laws were enacted because they save lives and prevent injuries; and,
- WHEREAS,** research shows that car seats reduce the risk of fatal injuries for infants and toddlers and they are most effective when installed and used correctly, that is why St. Charles Parish is committed to working closely with safety advocates to help ensure children arrive safe and alive. Our goal is to educate parents and caregivers about the best ways to keep kids safe while travelling, no matter how short or long the trip; and,
- WHEREAS,** during Child Passenger Safety Week, car seat safety events will be held across the country; and,
- WHEREAS,** St. Charles Parish encourages all parents and caregivers to take advantage of this service to make sure that their children are in the right car seats for their age and size, and that seats are installed properly. To locate an inspection station in your area, please go to safercar.gov/parents or call your local Fire Department.

NOW, THEREFORE, BE IT RESOLVED THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM **SEPTEMBER 20-26, 2020 AS**

“NATIONAL CHILD PASSENGER SAFETY WEEK”
AND PROCLAIM **SEPTEMBER 26, 2020 AS**
“NATIONAL SEAT CHECK SATURDAY”

IN ST. CHARLES PARISH AND URGE ALL CITIZENS TO HELP REDUCE INJURIES AND THE TRAGIC LOSS OF LIFE BY BUCKLING UP THEMSELVES AND THEIR CHILDREN ON EVERY TRIP, EVERY TIME.

MATTHEW JEWELL
PARISH PRESIDENT

NICKY DUFRENE
COUNCILMAN, DISTRICT IV

HOLLY FONSECA
COUNCILWOMAN AT LARGE, DIV. B

MARILYN B. BELLOCK
COUNCILWOMAN, DISTRICT V

LA SANDRA DARENSBOURG GORDON
COUNCILWOMAN, DISTRICT I

BOB FISHER
COUNCILMAN, DISTRICT VI

MARY K. CLULEE
COUNCILWOMAN, DISTRICT II

JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

DICK GIBBS
COUNCILMAN, DISTRICT III

2020-0257 Seat Check Saturday in SCP-Passenger Safety Week.2020.pcl

2020-0262**PROCLAMATION**

WHEREAS, *one in six households in Louisiana are at risk of hunger. Across our state and region, the rising cost of food, housing, and utilities, coupled with high unemployment and low-wage jobs have increased the need for emergency food assistance; and,*

WHEREAS, *the St. Charles Parish Department of Community Services, in partnership with the coalition of food banks throughout the parish, is working together to call attention to the need to restock and maintain adequate food supplies in our local food banks; and,*

WHEREAS, *food collection sites will be established throughout St. Charles Parish to collect unexpired non-perishable foods to be evenly distributed to the local food pantries; and,*

WHEREAS, *food insecurity has become an increasing issue in St. Charles Parish. In 2019, the local food banks served approximately 10,674 people and approximately 5,291 families throughout St. Charles Parish; and,*

WHEREAS, *because of COVID-19, many families that never expected to need assistance find themselves having to reach out. From January – August, 2020, the local food banks served approximately 10,099 people and approximately 2,755 families throughout St. Charles Parish; and,*

WHEREAS, *let us all join together to help feed America by starting with the citizens in our own parish.*

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM THE **MONTH OF OCTOBER 2020 AS**

“NEED TO FEED MONTH IN ST. CHARLES PARISH”

AND ENCOURAGE ALL CITIZENS OF ST. CHARLES PARISH TO SUPPORT THE EFFORTS OF THE LOCAL FOOD BANKS RESPONDING TO THE GROWING NEED FOR FOOD SUPPORT TO INDIVIDUALS AND FAMILIES IN ST. CHARLES PARISH.

MATTHEW JEWELL
PARISH PRESIDENT

NICKY DUFRENE
COUNCILMAN, DISTRICT IV

HOLLY FONSECA
COUNCILWOMAN AT LARGE, DIV. B

MARILYN B. BELLOCK
COUNCILWOMAN, DISTRICT V

LA SANDRA DARENSBOURG GORDON
COUNCILWOMAN, DISTRICT I

BOB FISHER
COUNCILMAN, DISTRICT VI

MARY K. CLULEE
COUNCILWOMAN, DISTRICT II

JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

DICK GIBBS
COUNCILMAN, DISTRICT III

Need to Feed Month 2020.pcl

2020-0263

INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(BOND COUNSEL)

RESOLUTION NO. _____

A resolution providing for canvassing the returns and declaring the results of the special election held in the Parish of St. Charles, State of Louisiana, on Saturday, August 15, 2020, to authorize the renewal of special taxes (911 renewal, Road Lighting renewal, Library continuation) therein.

BE IT RESOLVED by the St. Charles Parish Council (the "Governing Authority"), acting as the governing authority of the Parish of St. Charles, State of Louisiana (the "Parish"), that:

SECTION 1. Canvass. This Governing Authority does now proceed in open and public session to examine the official tabulations of votes cast at the special election held in the Parish of St. Charles, State of Louisiana, on SATURDAY, AUGUST 15, 2020 (the "Election"), to authorize the renewal of special taxes therein pursuant to the following propositions (the "Propositions"):

PROPOSITION NO. 1 OF 3
(911 MILLAGE RENEWAL)

Shall the Parish of St. Charles, State of Louisiana (the "Parish"), continue to levy a one (1) mill tax on all property subject to taxation in said Parish (an estimated \$1,500,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of improving, maintaining and/or operating public buildings of the Parish and acquiring, constructing, improving, maintaining and/or operating a 911 emergency telephone system (including the payment of necessary dispatch personnel)?

PROPOSITION NO. 2 OF 3
(ROAD LIGHTING MILLAGE RENEWAL)

Shall the Parish of St. Charles, State of Louisiana (the "Parish"), continue to levy a one and one hundredths (1.01) mills tax on all property subject to taxation in said Parish (an estimated \$1,500,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of providing and maintaining electric lights on the streets, roads, highways, alleys and public places of said Parish?

PROPOSITION NO. 3 OF 3
(LIBRARY MILLAGE CONTINUATION)

Shall the Parish of St. Charles, State of Louisiana (the "Parish"), continue to levy a four and fifty-three hundredths (4.53) mills tax on all property subject to taxation in said Parish (an estimated \$7,500,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of maintaining, operating, constructing, improving and supporting public libraries of said Parish, said millage to represent a three hundredths (.03) of a mill increase (due to reappraisal) over the 4.50 mills tax authorized to be levied through the year 2020 pursuant to an election held on October 2, 2010?

This Governing Authority does further proceed to examine and canvass the returns of the Election thereof.

SECTION 2. Election Results. According to the official certified tabulation of votes cast at said Election,

- (i) there was a total of **2,725** votes cast **IN FAVOR OF** Proposition No. 1 and a total of **986** votes cast **AGAINST** Proposition No. 1, resulting in a majority of **1,739** votes cast **IN FAVOR OF** Proposition No. 1;
- (ii) there was a total of **2,747** votes cast **IN FAVOR OF** Proposition No. 2 and a total of **967** votes cast **AGAINST** Proposition No. 2, resulting in a majority of **1,780** votes cast **IN FAVOR OF** Proposition No. 2; and
- (iii) there was a total of **2,438** votes cast **IN FAVOR OF** Proposition No. 3 and a total of **1,272** votes cast **AGAINST** Proposition No. 3, resulting in a majority of **1,166** votes cast **IN FAVOR OF** Proposition No. 3.

The Propositions were therefore duly **CARRIED** by a majority of the votes cast by the qualified electors voting at the Election.

SECTION 3. Promulgation of Election Result. The results of said election shall be promulgated by publication in the manner provided by law, after receipt from the Secretary of State's office of the actual costs of the election, as required by Act 205 of the Regular Session of the Legislature of Louisiana for the year 2019.

SECTION 4. Declaration. The foregoing results of the Election are hereby declared by this Governing Authority and shall be published as required by law.

SECTION 5. Procès Verbal. A *Procès Verbal* of the canvass of the returns of the Election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerk of Court and *Ex-Officio* Recorder of Mortgages in and for the Parish of St. Charles, who shall record the same in the Mortgage Records of said Parish; and another copy thereof shall be retained in the archives of this Governing Authority.

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

And the resolution was declared adopted on this, the 8th day of September, 2020, 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: _____

PROCÈS VERBAL OF THE CANVASS OF THE VOTES CAST AT THE SPECIAL ELECTION HELD IN THE PARISH OF ST. CHARLES, STATE OF LOUISIANA, ON SATURDAY, AUGUST 15, 2020.

BE IT KNOWN AND REMEMBERED that on Tuesday, September 8, 2020, at 6:00 p.m., at its regular meeting place, the St. Charles Parish Courthouse, 15045 River Road, Hahnville, Louisiana, the St. Charles Parish Council (the "Governing Authority"), acting as the governing authority of the Parish of St. Charles, State of Louisiana (the "Parish"), and being the authority ordering the special election held therein on Saturday, August 15, 2020, with the following members present:

_____;

There being absent: _____;

did, in open and public session, examine the official certified tabulations of votes cast at the said election, and did examine and canvass the returns of the said election, there having been submitted at said election the following propositions, to wit:

PROPOSITION NO. 1 OF 3
(911 MILLAGE RENEWAL)

Shall the Parish of St. Charles, State of Louisiana (the "Parish"), continue to levy a one (1) mill tax on all property subject to taxation in said Parish (an estimated \$1,500,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of improving, maintaining and/or operating public buildings of the Parish and acquiring, constructing, improving, maintaining and/or operating a 911 emergency telephone system (including the payment of necessary dispatch personnel)?

PROPOSITION NO. 2 OF 3
(ROAD LIGHTING MILLAGE RENEWAL)

Shall the Parish of St. Charles, State of Louisiana (the "Parish"), continue to levy a one and one hundredths (1.01) mills tax on all property subject to taxation in said Parish (an estimated \$1,500,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of providing and maintaining electric lights on the streets, roads, highways, alleys and public places of said Parish?

PROPOSITION NO. 3 OF 3
(LIBRARY MILLAGE CONTINUATION)

Shall the Parish of St. Charles, State of Louisiana (the "Parish"), continue to levy a four and fifty-three hundredths (4.53) mills tax on all property subject to taxation in said Parish (an estimated \$7,500,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of maintaining, operating, constructing, improving and supporting public libraries of said Parish, said millage to represent a three hundredths (.03) of a mill increase (due to reappraisal) over the 4.50 mills tax authorized to be levied through the year 2020 pursuant to an election held on October 2, 2010?

There was found by said count and canvass that (i) there was a total of **2,725** votes cast **IN FAVOR OF** Proposition No. 1 and a total of **986** votes cast **AGAINST** Proposition No. 1, as hereinabove set forth, and that there was a majority of **1,739** votes cast **IN FAVOR OF** Proposition No. 1 as hereinabove set forth, (ii) there was a total of **2,747** votes cast **IN FAVOR OF** Proposition No. 2 and a total of **967** votes cast **AGAINST** Proposition No. 2, as hereinabove set forth, and that there was a majority of **1,780** votes cast **IN FAVOR OF** Proposition No. 2 as hereinabove set forth and (iii) there was a total of **2,438** votes cast **IN FAVOR OF** Proposition No. 3 and a total of **1,272** votes cast **AGAINST** Proposition No. 3, as hereinabove set forth, and that there was a majority of **1,166** votes cast **IN FAVOR OF** Proposition No. 3 as hereinabove set forth.

Therefore, the Governing Authority did declare and proclaim and does hereby declare and proclaim in open and public session that the Propositions as hereinabove set forth were duly **CARRIED** by a majority of the votes cast by the qualified electors voting at the said special election held in the Parish on Saturday, August 15, 2020.

Results by precinct are available from the Secretary of this Governing Authority during regular business hours or via the Louisiana Secretary of State's website (voterportal.sos.la.gov).

Exhibit "A" attached hereto and made a part of this *Procès Verbal* is a copy of the Notice of Special Election and proof of publication thereof.

THUS DONE AND SIGNED at Hahnville, Louisiana, on this, the 8th day of September, 2020.

ATTEST:

Chairman

Secretary

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the St. Charles Parish Council (the "Governing Authority"), acting as the governing authority of the Parish of St. Charles, State of Louisiana (the "Parish"), on February 17, 2020, NOTICE IS HEREBY GIVEN that a special election will be held within the Parish on **SATURDAY, MAY 9, 2020**, and that at the said election there will be submitted to all registered voters in the Parish qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION NO. 1 OF 3
(911 MILLAGE RENEWAL)

Shall the Parish of St. Charles, State of Louisiana (the "Parish"), continue to levy a one (1) mill tax on all property subject to taxation in said Parish (an estimated \$1,500,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of improving, maintaining and/or operating public buildings of the Parish and acquiring, constructing, improving, maintaining and/or operating a 911 emergency telephone system (including the payment of necessary dispatch personnel)?

PROPOSITION NO. 2 OF 3
(ROAD LIGHTING MILLAGE RENEWAL)

Shall the Parish of St. Charles, State of Louisiana (the "Parish"), continue to levy a one and one hundredths (1.01) mills tax on all property subject to taxation in said Parish (an estimated \$1,500,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of providing and maintaining electric lights on the streets, roads, highways, alleys and public places of said Parish?

PROPOSITION NO. 3 OF 3
(LIBRARY MILLAGE CONTINUATION)

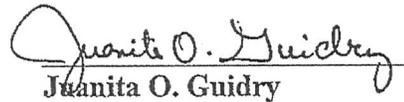
Shall the Parish of St. Charles, State of Louisiana (the "Parish"), continue to levy a four and fifty-three hundredths (4.53) mills tax on all property subject to taxation in said Parish (an estimated \$7,500,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of maintaining, operating, constructing, improving and supporting public libraries of said Parish, said millage to represent a three hundredths (.03) of a mill increase (due to reappraisal) over the 4.50 mills tax authorized to be levied through the year 2020 pursuant to an election held on October 2, 2010?

Said special election will be held at each and every polling place in the Parish, which polls will open at seven o'clock (7:00) a.m. and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541.

The polling places for the precincts are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

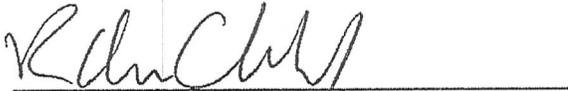
BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY CAME AND APPEARED JUANITA O. GUIDRY WHO, BEING DULY SWORN BY ME, DID DEPOSE AND SAY: THAT SHE IS LEGAL MANAGER OF THE ST. CHARLES HERALD-GUIDE, BEING A NEWSPAPER OF GENERAL CIRCULATION IN THE PARISH OF ST. CHARLES, STATE OF LOUISIANA, PUBLISHED WEEKLY IN BOUTTE, LOUISIANA.

Said notice was placed by the St. Charles Parish Council, giving Notice of Special Election which will be held on Saturday, May 9, 2020 for the following propositions: Proposition No. 1 of 3—911 Millage Renewal; Proposition No. 2 of 3—Road Lighting Millage Renewal and Proposition No. 3 of 3—Library Millage Continuation. Notice was published in the March 5, 12, 19 and 26, 2020 issues and is attached.


Juanita O. Guidry

SWORN TO AND SUBSCRIBED
BEFORE ME, NOTARY PUBLIC,
ST CHARLES PARISH, BOUTTE, LOUISIANA

26th DAY OF March, 2020


R. Dean Church, Jr. #20750

My commission expires at death

PROCLAMATION

I, the undersigned Chairman of the St. Charles Parish Council, the governing authority of the Parish of St. Charles, State of Louisiana (the "Parish"), do hereby declare, proclaim and announce that the propositions submitted at the special election held in the Parish on Saturday, August 15, 2020, were CARRIED by a majority of the votes cast at the said special election, all as described and set out in the above *Procès Verbal*.

THUS DONE AND SIGNED at Hahnville, Louisiana, on this, the 8th day of September, 2020.

Chairman

STATE OF LOUISIANA

PARISH OF ST. CHARLES

I, the undersigned Secretary of the St. Charles Parish Council (the "Governing Authority"), the governing authority of the Parish of St. Charles, State of Louisiana (the "Parish"), do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings and *Procès Verbal* made by said Governing Authority on September 8, 2020, providing for canvassing the returns and declaring the results of the special election held in the Parish on August 15, 2020, to authorize the renewal of special taxes therein.

IN FAITH WHEREOF, witness my official signature at Hahnville, Louisiana, on this, the 8th day of September, 2020.

Secretary

2020-0254

**ST. CHARLES PARISH
LOCAL BOARD OF REVIEW**

2020 ASSESSMENT LIST

CALENDAR*

JULY 30 & AUGUST 6	Notice of exposure of Assessment List published by the Assessor
AUGUST 17 – 31	List exposed daily by the Assessor (15-day period) for inspection by the taxpayers and other interested persons
SEPTEMBER 3 & 10	Notice of Local Board of Review (Council) public hearing published by the Assessor
SEPTEMBER 3	The Assessment list shall be certified by the Assessor to the Board of Review
SEPTEMBER 14	Taxpayer appeal deadline – 4:00 PM
SEPTEMBER 11 – 25	Board of Review shall consider the written or oral complaint of any person desiring to be heard who has timely filed Form 3101. The Board of Review has the authority to increase or decrease the assessment made by the Assessor in accordance with the fair market value or use value determination by the Board. The Assessment List, together with any changes in connection therewith, shall be certified and sent to the Tax Commission within 3 days of the close of the Board of Review.
SEPTEMBER 21	Board of Review 6:00 PM
SEPTEMBER 24	Assessment list shall be certified and sent to the Tax Commission.

WRITTEN OR ORAL PROTESTS MUST BE RECEIVED BY THE PARISH COUNCIL OFFICE PRIOR TO 4:00 PM ON SEPTEMBER 14, 2020.

* In accordance with Rules and Regulations established by the Louisiana Tax Commission

BOARD OF REVIEW

AS ADVERTISED BY THE ASSESSOR IN THE OFFICIAL JOURNAL, THE ASSESSMENT LIST HAS BEEN EXPOSED DAILY FOR INSPECTION BY THE TAXPAYERS AND OTHER INTERESTED PERSONS FOR A PERIOD OF FIFTEEN CALENDAR DAYS.

THE ASSESSOR HAS CERTIFIED THE ASSESSMENT LIST TO THE COUNCIL, ACTING AS THE BOARD OF REVIEW, TO RECEIVE ANY WRITTEN OR ORAL COMPLAINTS FROM TAXPAYERS DESIRING TO PROTEST THEIR ASSESSMENT.

(IF CHANGES ARE NOT MADE TO THE ASSESSMENTS, THE COUNCIL CHAIRMAN SHOULD ADVISE THAT THE LOUISIANA TAX COMMISSION SHALL BE NOTIFIED THAT THE ASSESSMENT LIST IS HEREBY CERTIFIED.)

Thursday, August 27, 2020

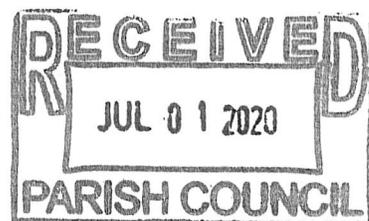


ST. CHARLES PARISH ASSESSOR'S OFFICE¹⁹

Tab Troxler, Assessor

July 1, 2020

Councilman Dick Gibbs
Chairman
St. Charles Parish Council
Post Office Box 302
Hahnville, LA 70057



RE: 2020 Board of Review

Dear Chairman Gibbs,

I am writing to advise that the Assessor's Office has set the following dates to complete the 2020 Annual Board of Review process. From August 17, 2020 through August 31, 2020 the tax roll will be available for public review and inspection in the Assessor's Office. The regular office hours have been extended from 8:00 a.m. to 6:00 p.m., Monday – Friday for this period. In addition, my office will be available for after-hours appointments as needed. The tax roll will be certified to the Board of Review on September 3, 2020.

I am hereby requesting that the Parish Council sit as the Board of Review at its September 21, 2020 meeting. Appeals to the Board of Review must be filed no later than 4:00 p.m., Monday, September 14, 2020 in the Parish Council Office.

Attached is Louisiana Tax Commission Form 3101 which must be used by any taxpayer filing an appeal to the Board of Review.

Should you have any questions or need any further information please feel free to contact me.

Sincerely,

Tab Troxler
Assessor

P.O. Box 303, 15045 River Road, Hahnville, Louisiana 70057

Phone: 985.783.6281 Fax: 985.783.6593 assessor@stcharlesassessor.com www.stcharlesassessor.com

Form 3101
Exhibit A
Appeal to Board of Review
by Property Owner/Taxpayer
For Real and Personal Property

Name: _____ Parish/District: _____
Taxpayer

Address: _____ City, State, Zip: _____

Ward: _____ Assessment/Tax Bill Number: _____ Appeal No. _____

(Attach copy of complete appeal submitted to the Board of Review) Board of Review
Address or Legal Description of Property Being Appealed (Also, please identify building by place of business for
convenience of appraisal) _____

I hereby request the review of the assessment of the above described property pursuant to L.R.S. 47:1992. I
timely filed my reports (if personal property) as required by law, and I have reviewed my assessment with my assessor.

The assessor has determined Fair Market Value of this property at:

Land \$ _____ Improvement \$ _____ * Personal Property \$ _____
Total \$ _____

I am requesting that the Fair Market Value of this property be fixed at:

Land \$ _____ Improvement \$ _____ * Personal Property \$ _____
Total \$ _____

* If you are not appealing personal property, leave this section blank.

I understand that property is assessed at a percentage of fair market value which means the price for the
property which would be agreed upon between a willing and informed buyer and a willing and informed seller under
usual and ordinary circumstances, the highest price the property would bring on the open market if exposed for sale for
a reasonable time. I understand that I must provide the Board of Review with evidence of fair market value to support
my claim.

Please notify me of the date, place and time of my appeal at the address shown below.

NOTE: If property owner/taxpayer disputes the Board of Review's decision, property owner/taxpayer may appeal to the La. Tax Commission by completing and submitting Appeal Form 3103.A to the LTC within 10 business days after certified mail delivery to the appealing taxpayer or assessor of the BOR's written determination. For further information, call the LTC at (225) 219-0339

Property Owner/Taxpayer: _____

Address: _____

Telephone No.: _____

Email Address: _____

2020-0240

**INTRODUCED BY: MARILYN B. BELLOCK, COUNCILWOMAN, DISTRICT V
ORDINANCE NO. _____**

An ordinance to amend the Code of Ordinances to revise Chapter 15 Motor Vehicles and Traffic, Section 15-9. Speed Limits (a) (61) to include First Street, Second Street, Fourth Street, and Short Street in St. Rose to lower the speed limit to Fifteen (15) miles per hour.

WHEREAS, paragraph (a) of Section 15-9 of the Code provides that it is unlawful to operate any motor vehicle at a speed in excess of twenty-five (25) miles per hour on Parish streets; and,

WHEREAS, that Paragraph (a) of Section 15-9 has been amended to provide exceptions; and,

WHEREAS, on November 8, 2010, Ordinance No. 10-11-4 was approved to add (61) to lower the speed limit on Third Street in St. Rose to Fifteen (15) miles per hour; and,

WHEREAS, the Parish Council desires to provide an exception to lower the speed limit on First Street, Second Street, Fourth Street, and Short Street in St. Rose to Fifteen (15) miles per hour.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Chapter 15 Motor Vehicles and Traffic, Section 15-9. Speed Limits (a) (61) of the Traffic Code is hereby amended as follows, with new text underlined and deleted text in ~~strikethrough~~:

(a) It shall be unlawful for any person to operate any motor vehicle at a speed in excess of twenty-five (25) miles per hour on any of the Parish streets, roads, highways and bridges,

EXCEPT:

(61) First Street, Second Street, Third Street, Fourth Street and Short Street in St. Rose, speed limit shall be fifteen (15) miles per hour.

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

And the ordinance was declared adopted this _____ day of _____, 2020, to become effective five (5) days after publication in the Official Journal.

2020-0240 Speed Limit amend (61) add First, Second, Fourth, Short Streets, St. Rose.docx

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2020-0242

**INTRODUCED BY: MATTHEW JEWELL, 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 O-L to R-1A and C-2 on approximately 83 acres in New Sarpy, as requested by Victoria Estates, LLC for Gore-St. Charles, LLC.

WHEREAS, the property owner requests rezoning from O-L to R-1A and C-2 on approximately 83 acres in New Sarpy containing several vacant lots of Victoria Acres Subdivision as well as a vacant, undesignated tract; and,

WHEREAS, the Planning and Zoning Department recommended approval of the request; and,

WHEREAS, the Planning and Zoning Commission recommended approval of the request at its regular meeting of August 6, 2020.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. The Zoning Ordinance of 1981 is amended to change the zoning classification from O-L to R-1A and C-2 on approximately 83 acres in New Sarpy as shown on sheet EX-1, "Zoning Exhibit," by Duplantis Design Group, dated 07-30-20, as by Victoria Estates, LLC for Gore-St. Charles, LLC.

SECTION II. The Department of Planning and Zoning is authorized to amend the Official Zoning Map, St. Charles Parish, Louisiana to reflect this reclassification from O-L to R-1A and C-2 on approximately 83 acres in New Sarpy as shown on sheet EX-1, "Zoning Exhibit," by Duplantis Design Group, dated 07-30-20, as by Victoria Estates, LLC for Gore- St. Charles, LLC.

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

And the ordinance was declared adopted this _____ day of _____, 2020 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: _____

Commissioner Frangella: Next up 2020-13-R requested by Victoria Estates, LLC for a change of zoning district from O-L to R-1A and C-2 on approximately 83 acres on portions of Lot 3106, Victoria Plantation Subdivision, 14296 River Road, New Sarpy. Council District 6.

Mr. Welker: This is another rezoning request for a change from O-L Open Land to C-2 General Commercial and R-1A Single Family Residential

Commissioner Frangella: Chris let's wait until everyone comes in.

Mr. Welker: Yes this is a rezoning request to change the zoning from OL Open Land to C-2 General Commercial and R-1A Single Family Residential on a property consisting of approximately 83 acres designated as a large undesignated lot and several lots that kind of run along Vans Lane in Victoria Plantation Subdivision. The request meets both the first and third guidelines for rezoning. The new zoning pattern would allow for both commercial and residential uses as part of a large scale development would fit the future land use designation of residential mixed use. This pattern would also be more compatible with the existing neighborhood character and would not overburden public facilities and infrastructure based on input from the Departments of Waterworks and Public Works and Wastewater. The site is over 3 acres but a change to future land use maps would not be necessary as the current residential mixed use designation captures the type of development permitted by the proposed zoning. The department does recommend approval based on meeting the first and third guideline.

Commissioner Frangella: Mr. Albert can you clarify that this is strictly to change the zoning.

Mr. Albert: Yes thank you Mr. Chairman. For the public that's here, the question on this project here tonight is a zoning change, whether the vote is for or against, it will not approve or weigh in on the subdivision, the layout or the construction of it. This is about the housing density that would be allowed there in the future. There is an image in the agenda that shows a proposed layout by the developer at a future point, but that image is in there to inform why the commercial zoning line is struck like it is.

Commissioner Frangella: Thank you. Is the applicant present? Please state your name and address for the record.

Good evening, Heather Klingman with Duplantis Design Group. I'm here on behalf of Gore-St. Charles and the property owner. Myself I'm the civil engineer of record, we also have Hollingsworth Design here who are the Planners for the project. As Chris mentioned this is only a rezoning that we're coming before the Commission for on tonight. Currently Open Land looking to rezone to C-2 at the front along the River Road and then R-1A for all of the residential lots that would be behind the commercial. It is consistent with the zoning around it, it's consistent with the future land use plan so we just respectfully request consideration for the rezoning. Like you said this is not an approval for the subdivision itself but if you have any questions about drainage, sewer or anything like that we're here to answer any questions that you guys may have.

Commissioner Frangella: Ok. Thank you. Open public hearing for 2020-13-R anyone here to speak for or against? Please come forward. State your name and address for the record.

Diana LeBlanc, 135 Vans Lane. I've been there for about 37 years. Our main concern is the flooding and the traffic. Vans Lane is a very narrow street, we already have a lot of problems with speeding and everything down that street and we are concerned about how this will come about if the zoning is granted. I know that that the ingress and egress to that subdivision will be on River Road, that's according to what I've seen. If y'all can answer it I'd appreciate it.

Commissioner Frangella: This is just to rezone

Ms. LeBlanc: Just to rezone, I know

Commissioner Frangella: Without seeing plat plans or layouts or anything that's been approved through Planning & Zoning before it would get to us, there's no way we can make that change. Right now it's Open Land and it can be used for various things right now. Correct Ms. Stein?

Ms. LeBlanc: I understand that it's just a rezoning. I personally don't have an objection to the rezoning of this particular piece of property but we do want to be abreast of what's happening in that area as it is developed.

Commissioner Frangella: Hopefully with what we've already passed earlier with traffic studies and moratoriums we can get some of the drainage stuff fixed and all of that would be done before we get to that point. I'm not sure with all of that because this is just a change of zoning.

Ms. LeBlanc: Thank you Sir.

Commissioner Frangella: 2020-13-R anyone else here to speak for or against?

Rickey Landry, 211 Ormond Meadows Drive. I know this is just rezone so none of the plans have been approved for what's going to be built. I'm fine with the C-2, the residential I have a lot of questions for the drainage issues, my house abuts if the plans are correct, it's directly behind my house currently which would basically push water into my house which is already being flooded by my 2 neighbors and not draining to the street so I'm kind of against it. I think the Open Land would help more having a grass area with our current situation and more concrete on the ground would cause more issues. I would also like to be kept apprised of what's going on with the property if it is rezoned because I just want to know what's going on directly behind my house because I live on Ormond Meadows. From the plans there is a little canal and this is right on that canal directly behind my house. There are privacy concerns, I don't know if they are planning on building a wall around the area to gate in the community, that's my main concerns against the rezoning for right now. There is also I found out about this rezoning 2 days ago and I posted it on next door just to see who knew about it and a lot of people did not know about it, they received notification about the rezoning today, they couldn't make it to the meeting, some people still hasn't received the notifications for it that lived on Ormond Meadows and they would be affected by this and I don't know if they were sent to them or not, a lot of people just haven't received those notifications or received it too late to come.

Commissioner Frangella: So you're talking about people on the west side of the road correct?

Mr. Landry: Correct.

Commissioner Frangella: The abutting properties.

Mr. Landry: Yes.

Commissioner Frangella: Ms. Stein do you know anything about that?

Ms. Stein: I know the notifications were sent, certified mail can be a bit of a burden for the public. It's not a superfast method and if nobody's home the notice goes back to the post office for somebody to come and sign for it. That's why we also post signs and advertise in the Herald Guide. So it's noticed.

Commissioner Frangella: Thank you. Alright, thank you.

Mr. Landry: Thank you.

Commissioner Frangella: Open hearing, anyone else to speak for or against?

Gwen Trosclair, 125 Vans Lane in New Sarpy. I'm not up here to say for or against but I do want to make a point that the certified mail was left in the mail boxes, I did not sign

for it. I work for the post office for 27 years, it did not have the green card and we did not have to sign for it, not at all.

Commissioner Frangella: Thank you ma'am.

Mr. Albert: Marny we have the send receipts correct?

Ms. Stein: Yes.

Mr. Albert: We have proof of receipt Mr. Chairman.

John Albrecht, 155 Vans Lane. I think most of my concerns were addressed earlier with the moratorium. But just to let yall know, Vans Lane is a mess. First of all it's very narrow, busses roll down there, it's dangerous. The last flood I stood on Vans Lane, to the right the water was moving fast, that would be the St. Rose side. To the left where all the residences are the water wasn't moving at all. So there is a problem up at the railroad track that needs to be addressed hopefully before anything comes in. Personally I have no objection to the rezoning of the property, certainly something will happen and I hope they do a nice job. We like our little country setting on Vans but the water issues are very real and need to be addressed first. Thank you.

Commissioner Frangella: Public hearing for 2020-13-R anyone else to speak for or against? We will close the public hearing for 2020-13-R. Any questions or comments from the Commission? Seeing none we will call for the vote.

YEAS: Ross, Petit, Keen, Dunn, Frangella, Galliano

NAYS: None

ABSENT: Granier

Commissioner Frangella: And that passes unanimously and will go to the Council on the 24th.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT
CASE NUMBER: 2020-13-R

GENERAL INFORMATION

- ◆ **Name/Address of Applicant**
Victoria Estates, LLC
550 Bienville Street
New Orleans, LA 70130
(504)-224-2241; susangbrennan@gmail.com

Application Date: 7/7/2020

- ◆ **Location of Site**
14296 River Road, between Ormond Meadows Drive and Van’s Lane, New Sarpy

- ◆ **Requested Action**
Rezoning of approximately 83 acres on portions of a tract designated as Lot 3106, Victoria Plantation Subdivision from O-L, Open Land to R-1A, Single Family Residential and C-2, General Commercial.

SITE INFORMATION

- ◆ **Size of Parcel**
Approximately 83 acres.

- ◆ **Current Zoning and Land Use**
O-L; undeveloped and partially wooded

- ◆ **Surrounding Zoning and Land Use**
O-L, R-1A, and C-2 zoning is adjacent to the upriver side; R-1A and R-3 zoning is adjacent to the downriver side. R-1A(M) is adjacent to the Airline side, while B1 batture zoning abuts across River Road.

The subject site is surrounded primarily by single family development, specifically the neighborhoods comprising the Victoria Acres Subdivision across Vans Lane, and the Ormond Meadows Subdivision directly adjacent on the downriver side. The Ormond Meadows subdivision also consists of some multi-family development, while some commercial uses are located along River Road.

- ◆ **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 site has frontage on both River Road, a two-lane state highway and Vans Lane, a 30-foot wide local street with open swale drainage.

- ◆ **Utilities**
Representatives from the Departments of Waterworks and Public Works and Wastewater have no objection to the rezone as water, sewer, streets, and drainage can accommodate development of the tract to the density the proposed zoning allows.

APPLICABLE REGULATIONS

Appendix A. Section XV. - Amendment procedure
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.

[I.] R-1A. Single family residential detached conventional homes—Medium density.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Site-built single-family detached dwellings
 - (2) Accessory uses
 - (3) Private recreational uses
 - b. Special exception uses and structures include the following:
 - (1) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
 - (2) Showing the operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places.
 - c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private schools (except trade, business, and industrial).
 - (3) Golf courses (but not miniature courses or driving ranges) and country clubs with a site of at least five (5) acres and with all parking at least fifty (50) feet from rear and side property lines.
 - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all yard lines a distance of at least one (1) foot for each foot of building height.
 - (5) Modular, panelized and precut homes, provided that they are placed on a permanent foundation.
 - (6) Reserved.
 - (7) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - (8) Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council.
2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet per family; minimum width—sixty (60) feet
 - b. Minimum yard sizes:
 - (1) Front—Twenty (20) feet
 - (2) Side—Five (5) feet
 - (3) Rear—Twenty (20) feet
 - (4) For lots with less than one hundred (100) feet depth, front setback and rear setback shall be twenty (20) percent of lot depth respectively with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.
 - (5) 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, notwithstanding 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.
 - c. Accessory buildings:
 - (1) An accessory building may occupy no more than twenty-five (25) percent of the required rear yard.
 - (2) The accessory building shall not exceed two-story construction.
 - (3) Minimum setback of accessory buildings including overhangs, shall be three (3) feet.
 - (4) Nonresidential accessory buildings shall not be permitted.
 - d. Permitted encroachments:

- (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter. For accessory buildings, overhangs shall not be closer than three (3) feet to any property line.
- (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front or rear yard.

[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, notwithstanding 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.

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 the 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 site as Residential/Mixed Use, which calls for large-scale, creatively planned developments consisting predominately of residential uses of varying densities, along with neighborhood serving commercial development. The proposed zoning pattern, which focuses C-2 River Road with R-1A residential zoning to the rear would help foster the kind of development anticipated by the FLUM designation. Expanding existing C-2 and R-1A zoning districts would not be an instance of spot zoning. **The request meets the first guideline.**

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.* O-L zoning is specifically designed to allow use of large tracts until a development proposal is presented. The land-use character in this area of New Sarpy has not changed to the point that OL zoning prohibits low-density residential development or agricultural uses of the land. The upriver side of the tract is divided into 26 lots, most of which are an acre in size and fronted on Vans Lane. OL zoning permits houses and agricultural uses on these lots. **The request does not meet 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.* The proposed zoning would allow development of a large tract bounded by River Road and the railroad consistent and compatible with the existing neighborhood character, with neighborhood commercial uses located on the arterial, River Road, to serve residential neighborhoods that reach to the railroad. The uses permitted in the proposed C-2 and R-1A zoning districts would also be compatible with the existing development served by Vans Lane. While the Victoria Acres Subdivision was platted with acre-sized lots, many have been subdivided and, or developed with more than one dwelling. Representatives for Parish utilities, water, sewer, streets, and drainage, have indicated that they have no objection to the proposed rezoning as it would not overburden public facilities or infrastructure. **The request meets the third guideline.**

ANALYSIS

The applicant requests a change of zoning from O-L, Open Land to C-2, General Commercial and R-1A, Single Family Residential on a property consisting of approximately 83 acres and designated as Lot 3106, and several lots of Victoria Plantation Subdivision.

The request meets both the first and third guidelines for rezoning. The new zoning pattern, which would allow for both commercial and residential uses as part of a large scale development, would fit the FLUM designation of Residential/Mixed Use. This pattern would also be more compatible with the existing neighborhood character and would not overburden public facilities and infrastructure based on input from the Departments of Waterworks and Public Works and Wastewater.

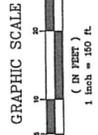
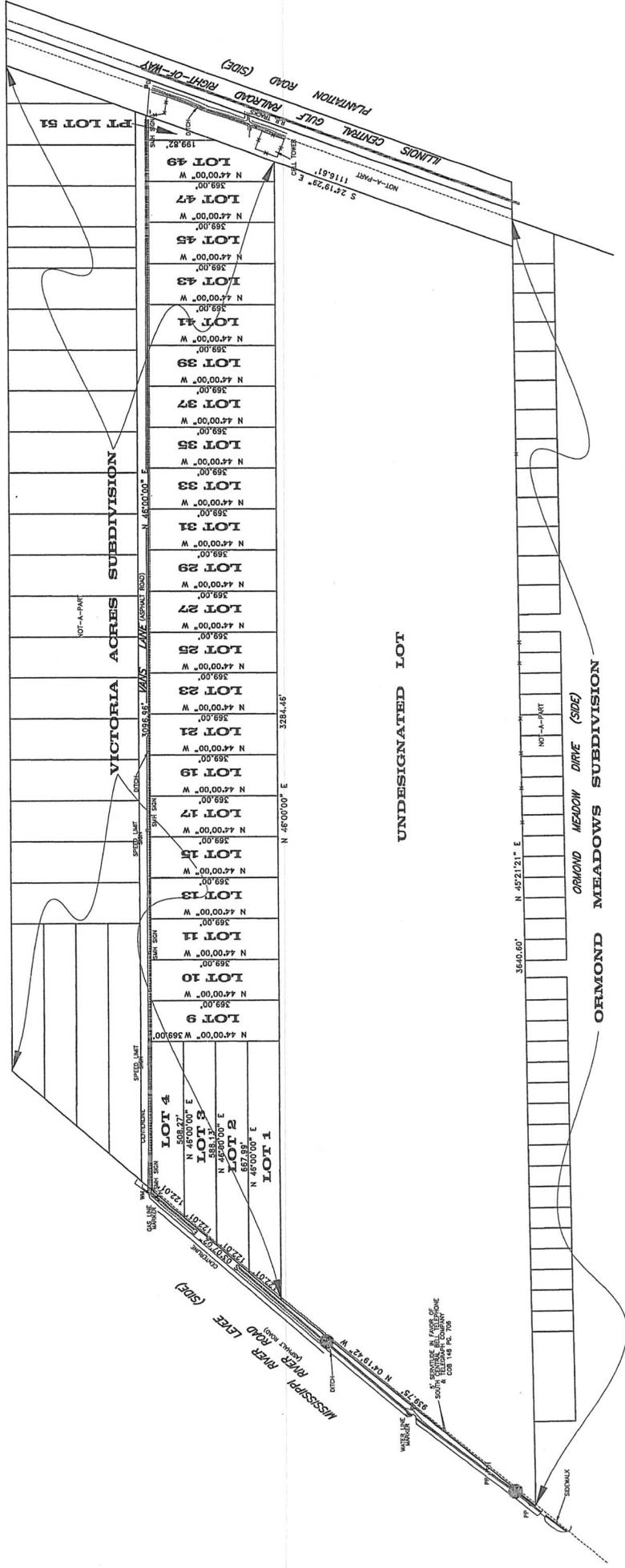
The site is over three acres, but a change to the FLUM would not be necessary as the current Residential/Mixed Use designation captures the type of development permitted by the proposed zoning.

DEPARTMENT RECOMMENDATION

Approval, based on meeting the first and third guidelines.

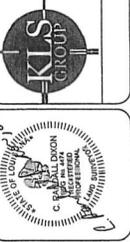
SURVEY OF
 UNDESIGNATED LOT IN VICTORIA PLANTATION,
 MULTIPLE LOTS IN VICTORIA ACRES,
 ST. CHARLES PARISH, LA

NEW SARPY SUBDIVISION



PROPERTY CORNERS TO BE SET AT LATER DATE.

KLS Group Inc.
 SURVEYORS - CONSTRUCTION LAYOUT
 15118 River Road, Metairie, LA 70002
 P: 504.885.9991 F: 504.885.9112
 www.klsurveyors.com
 Equal Opportunity Employer



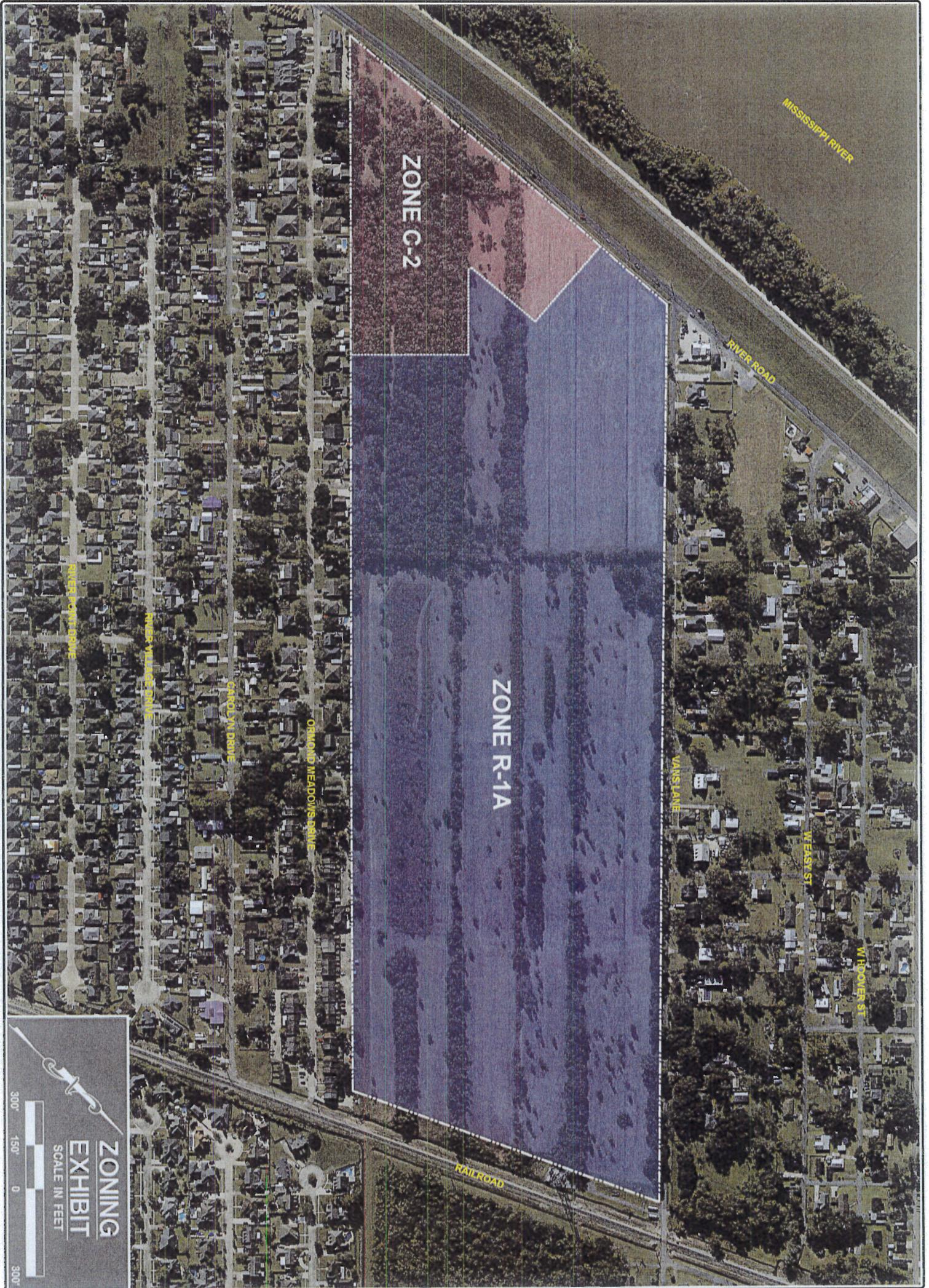
THIS IS TO CERTIFY THAT THE PROPERTY BOUNDARY SURVEY RECORDED HEREON WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IS IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS. THE ACTUAL SURVEY WAS CONDUCTED IN ACCORDANCE WITH ADMINISTRATIVE CODE TITLE 48:101, CHAPTER 25 FOR A CLASS "C" (SUBURBAN) SURVEY.
 MADE AT THE REQUEST OF INMC CONTRACTORS

GENERAL NOTES
 THE LOCATIONS OF UNDERGROUND AND OTHER NONVISIBLE UTILITIES SHOWN HEREON HAVE BEEN DETERMINED FROM DATA EITHER FURNISHED BY THE ASSIGNEE OR FROM RECORDS. THE ACTUAL RECORDS, WHERE FOUND, THE SURFACE FEATURES OF THE LOCATIONS ARE SHOWN. THE ACTUAL LOCATIONS OF UNDERGROUND UTILITIES ARE SHOWN. THE SURVEYOR HAS MADE A VISUAL CHECK OF THE LOCATION OF SUCH UTILITIES SHOWN HEREON, INCLUDING PRIOR TO THE SURVEY. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPLETING THIS SURVEY.
 THIS PERMETER SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE AND SHALL NOT BE RELIED UPON FOR THAT PURPOSE. THE SURVEYOR'S LIABILITY IS LIMITED TO THE LEGAL TITLE AND WAS MADE SOLELY ACCORDING TO THE INFORMATION PROVIDED THE SURVEYOR.

NOTE: ALL ANGLES ARE NOT UNLESS OTHERWISE NOTED. SOME ITEMS MAY NOT BE TO SCALE FOR CLARITY. DIMENSIONS ON SURVEY PREVAIL OVER THE SCALE. FENCES ARE SHOWN FOR GENERAL INFORMATION PURPOSES ONLY AND DO NOT REFLECT EXACT LOCATION OR CONDITION. THE SERVITUDES SHOWN ON THIS SURVEY ARE LIMITED TO THOSE EVIDENT ON SUCH RECORDS. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPLETING THIS SURVEY.
 THIS PERMETER SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE AND SHALL NOT BE RELIED UPON FOR THAT PURPOSE. THE SURVEYOR'S LIABILITY IS LIMITED TO THE LEGAL TITLE AND WAS MADE SOLELY ACCORDING TO THE INFORMATION PROVIDED THE SURVEYOR.

ELEVATION NOTE:
 THIS IS TO CERTIFY THAT SUBJECT PROPERTY IS LOCATED IN THE FOLLOWING FLOOD ZONE, FSR:
 FLOOD ZONE: AE
 FLOOD DATE: 16 JUNE 16, 1992
 BASE FLOOD ELEVATION: 8.0'
 TYP. FIN. IN SIDE WALK AT SE CORNER OF VANS AND RIVER ROAD ELEVATION 6.605'

REFERENCE NOTES
 ANGLES AND/OR BEARINGS ARE BASED ON REFERENCE PLAN #1 REFERENCE PLAN #1-J-L REEBS & SONS DATED JAN. 23, 1976, SURVEY DATED 3/17/1923, UNDEMARK SURVEY DATED JAN. 9, 1987
 DRAWN BY: JMC
 CHECKED BY: JMC
 FILE # VICTORIA/ESTATES




 300' 150' 0 300'
ZONING EXHIBIT
 SCALE IN FEET

EX-1	DRAWN GJP
	CHECKED MPR
	ISSUE DATE 07-30-20
	PROJECT NO. 19-540

VICTORIA ESTATES
 DESTREHAN, LOUISIANA
 ST. CHARLES PARISH

 FOR VICTORIA ESTATES, LLC
 NEW ORLEANS, LOUISIANA

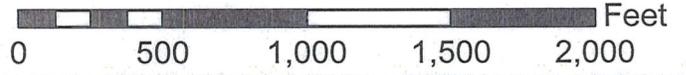

DDG
 DUPLANTIS DESIGN GROUP

314 E. Bayou Road
 Thibodaux, LA 70301
 Office: 985.447.0090
 Fax: 985.447.7009
www.ddgpc.com

2020-13-R

Requested by: Victoria Estates, LLC
O-L to R-1A and C-2

321





St. Charles Parish
Department of Planning & Zoning

14996 River Rd / P.O. Box 302 • Hahnville, LA 70057
Phone (985) 783-5060 • Fax (985) 783-6447
www.stcharlesparish-la.gov

Permit/Case #: _____
Receipt #: _____
Application Date: _____
Zoning District: _____
FLUM Designation: _____
Date Posted: _____

APPLICATION FOR ZONING MAP AMENDMENT
(CHANGE OF ZONING DISTRICT OR REZONING)

Fee: \$40 - \$200

Applicant: Susan Gore Brennan

Home address: 550 Bienville St., New Orleans, LA 70130

Mailing address (if different): _____

Phone #s: (504) 224-2241 Email: Susangbrennan@gmail.com

Property owner: Gore-St. Charles, L.L.C.

Municipal address of property: 14296 River Road, Destrehan, LA

Lot, block, subdivision: Undesignated lot in Victoria Plantation, Multiple Lots in Victoria Acres.

Change of zoning district from: Open Land District to: R-1A and C-2

Future Land Use designation of the property: Mixed Residential

(A fact sheet on Future Land Use designations is available at the Planning and Zoning Department).

Your written responses below will be forwarded to the Planning and Zoning Commission and Parish Council to help them make a determination on the merits of your request.

Describe how you plan to use the property if the rezoning is granted: Victoria Estates is a proposed community that will be designed to reengage the community aspect of small town living by providing amenities and facilities surrounded by great design. Approximately 76 acres will be allocated to single-family residential homes and the remaining property will be used for light retail and commercial. Property will also include a Farmer's Market, community parks, and a town square.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood?

There are residential subdivisions on the north and south sides of the property.
There is a restaurant located adjacent to the north side of the property along River Road.
Since there are existing commercial and residential areas adjacent to the site, the proposed residential and commercial zoning is compatible with the neighborhood.

Is there something about the property or the surrounding neighborhood that make the rezoning necessary?

Rezoning is necessary to subdivide the property which is currently zoned as an open land.
Open land districts are intended to be reclassified to the appropriate residential, commercial, or industrial category in accordance with the amendment procedure set forth by the zoning code.

How does your proposed use of the property comply with the Future Land Use designation for the property?

The future land use designation is mixed residential. The proposed use is largely residential with a designated commercial area to support the residential portion of the development and the surrounding residential areas.

If the property is rezoned, but your project does not develop, explain how other uses allowed in the new zoning district are compatible with the existing neighborhood? A list of allowed uses is available at the Planning and Zoning Department.

Rezoning a portion of the property to a R-1A district will only allow single family detached residential homes. This is compatible with the surrounding areas. The C-2 designation will allow commercial retail. This is compatible with the surrounding areas where there are C-2 zones north and south of the site along River Road. If not developed the allowable uses would not differ from the allowable uses in the adjacent C-2 zones to the north and south.

Permit/Case #: _____

2020-0243

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, as amended, Sections III. and VI.A.[I].1.a., to add Historic Home Site Bed and Breakfast to permitted uses in the Open Land zoning district.

WHEREAS, the St. Charles Parish Zoning Ordinance of 1981 restricts Historic home site bed and breakfasts to Historic (H) and General Commercial District-retail sales (C-2) zoning districts; and,

WHEREAS, many historic home sites exist in Open Land (O-L) zoning districts but cannot operate a bed and breakfast; and,

WHEREAS, expanding appropriate permitted uses in suitable zoning districts promotes economic development; and,

WHEREAS, the St. Charles Parish Council wishes to promote economic development by amending the definition of Historic Home Site Bed and Breakfast and the Zoning district criteria to allow this use in the O-L zoning district.

NOW, THEREFORE, THE ST. CHARLES PARISH COUNCIL ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Appendix A Section III. is amended as follows, with additional text in underline and deleted text in ~~strikethrough~~:

Historic home site bed and breakfast: Accommodations for tourists and travelers which provide sleeping rooms within an historic home or on the historic home site in another historic structure. Historic home sites are identified as having a main structure that is over one hundred (100) years old ~~and is located in a commercial or historic zoning district.~~

SECTION II. That the Code of Ordinances Appendix A. Section VI.A.[I].1.a. is amended to add *Historic Home Site Bed and Breakfast* as follows, with additional text in underline and deleted text in ~~strikethrough~~:

a. A building or land shall be used only for the following purposes:

(14) Historic Home Site Bed and Breakfast

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

And the ordinance was declared adopted this _____ day of _____, 2020, 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: _____

Commissioner Frangella: Next up 2020-07-ORD Matthew Jewell, Parish President/Dept. of Planning and Zoning for an ordinance to amend the St. Charles Parish Zoning Ordinance of 1981 Section III and VI.A.[I].1.a to add Historic Home Site Bed and Breakfast to permitted uses in the Open Land zoning district.

Ms. Stein: Thank you Mr. Chair. This is a pretty simple request. It's to expand the permitted uses within the Open Land zoning district for 1 very specific use which is using a historic home as a temporary accommodation, a bed and breakfast. We have a lot of historic houses in the Open Land zoning district and it would just help people maintain those properties and generate some revenue. So we recommend approval.

Commissioner Frangella: Alright, open public hearing for 2020-07-ORD, anyone here to speak for or against? Seeing none we'll close the public hearing for 2020-07-ORD, any questions from the Commissioners? Alright call for the vote.

YEAS: Ross, Petit, Keen, Dunn, Frangella, Galliano

NAYS: None

ABSENT: Granier

Commissioner Frangella: That motion passes unanimously.

St. Charles Parish Department of Planning & Zoning

Land Use Report**Case Number: 2020-07-ORD****Introduced by Matthew Jewell, Parish President/Dept. of Planning and Zoning****Background**

Property owners with historic homes have inquired about permitting low-impact use of the homes and sites to expand tourism opportunities.

Potential outcomes

Property owners who have homes over 100 years old within the Open Land, C-2, and Historic zoning districts will have the right to permit a bed and breakfast on the property.

Planning Staff have recently started working with the Louisiana Department of Culture, Recreation and Tourism data for Historic Standing Structures in the Parish, a resource which can help identify Historic Home Sites.

Recommendation

Approval.

2020-0244

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, as amended, Section XV.D to rezoning requests to meet a minimum of two (2) rezoning guidelines and criteria in order to receive a recommendation for approval from Planning Staff.

WHEREAS, St. Charles Parish established zoning districts with certain boundaries “for the purpose of promoting the public health, safety, morals, and general welfare” which are depicted on the “Official Zoning Map of St. Charles Parish, Louisiana”; and,

WHEREAS, Zoning encourages neighborhoods to develop in an orderly way by grouping compatible uses and separating incompatible uses; and,

WHEREAS, Section XV.D establishes the procedure to amend the map or “rezone” property and identifies three *Rezoning guidelines and criteria* by which a request to rezone should be evaluated; and,

WHEREAS, the St. Charles Parish Council wishes to preserve the integrity of the “Official Zoning Map of St. Charles Parish, Louisiana,” by requiring a rezone request to meet two or more of the *Rezoning guidelines and criteria* in order to receive a recommendation for approval from Planning Staff.

NOW, THEREFORE, THE ST. CHARLES PARISH COUNCIL ORDAINS:

That the St. Charles Parish Code of Ordinances, Appendix A.XV.D. is amended as follows, with additional text in underline and deleted text in ~~strikethrough~~:

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 two or more of the following criteria standards are met:

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

And the ordinance was declared adopted this _____ day of _____, 2020, 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: _____

2020-8-ORD Matthew Jewell, Parish President/Dept. of Planning and Zoning for an ordinance to amend the St. Charles Parish Zoning Ordinance of 1981 Section XV to require rezoning requests meet a minimum of two rezoning guidelines and criteria for an approval recommendation from the Department of Planning and Zoning.

Ms. Stein: Thank you Mr. Chair. Currently the zoning ordinance requires staff to answer 3 questions in order to determine if we're going to make a recommendation for approval or not make a recommendation for approval when somebody requests a rezoning. And those questions are:

1. Would the rezoning further the parishes long term goal, our vision in the comprehensive plan, does it line up with the comprehensive plan?
2. Would changing the zoning of a property the way an applicant has asked you to do it sticks a terrible, terrible problem that exists on the zoning map and the terrible problem that would be on the zoning map is that the zoning of that particular property is so incorrect that the person can't use their land and we would want to fix that for them.
3. Is the zoning that the person is asking for in line with the surrounding neighborhood and will it not make terrible, terrible problems with infrastructure. The uses that are permitted under the zoning that they are requesting, is it an ok idea to change the zoning or will those permitted uses that they are allowed to do the second the zoning is changed impact the neighbors dramatically and badly.

Right now when any rezone requests meets any one of those tests our guideline is to recommend approval but what we found is that when a rezone requests meets just one of those criteria we can compound a different problem with one of the other tests and we just say it's a great idea we recommend approval, rezone it. We might not be understanding some compounding problems of the other tests. So for example, if the zoning of somebody's property is single family residential and they are in the middle of a highway and they request a rezone to a different residential zone simply to use their property, they're requesting a different zone, you can say that the existing zoning on a highway for residential use is not a good idea but they shouldn't be asking for a different residential zoning district. That wouldn't further the parishes long term goals. So they've shown that the zoning is wrong but what they are requesting is not a good zoning district. When we require somebody to meet 2 of the 3 criteria, we're eliminating that problem. If the zoning of your property is wrong and you request a different zoning, it should be the zoning that is right. So you should meet test #2 and also test #3 at the same time and that goes for every rezoning, every test. When you meet 1 test you should always meet a second test so we would ask for your support so you can make better decisions, we can make better recommendations and the integrity of the zoning map continues.

Mr. Albert: This doesn't add any requirements about how you have to vote or how you have to look at it. This just makes sure that the staff reports are thoroughly vetting anything that comes to you. It doesn't change how the Council does their stuff, it just makes sure that our reports are given a strict adherence to the maps and to the requirements.

Commissioner Petit: Apologies, I'm full of questions tonight. So this also doesn't change anything that comes to us.

Mr. Albert: No.

Commissioner Petit: So even if they don't meet any of the criteria it still comes to the Commission?

Mr. Albert: Correct.

Commissioner Petit: Second question and last one I think, have you looked back to see how many recommendations were changed because it's kind of difficult understanding what this would impact so I would be curious if we could look over this last year or last 2 years, how many of the recommendations you've made to us would actually change due to this change.

Mr. Albert: Chris did you run the numbers?

Mr. Welker: We took a look at them going back to 2016 and there would be a substantial decrease in the amount of approval recommendations we would get. A lot of them, the majority just meets 1 criteria, often the 3rd criteria. So which one they meet varies quite a bit. With that being the case when we have a meeting it ties us up when we're having to make a recommendation but to answer your question it would be a decent decrease in the amount of approvals for recommendations.

Mr. Albert: Wasn't it a 30-40% reduction?

Ms. Stein: It was 37%

Mr. Albert: Reduction

Ms. Stein: Would change from approval recommendation to not approval.

Mr. Albert: but those should be based upon the land use map and the subsequent criteria. I mean that's really what the adopted land use plan puts forth.

Commissioner Frangella: I guess I have a question now, if it requires a waiver or an exception or whatever would that be more of a denial or would that be approval with?

Mr. Albert: Rezonings cannot be conditioned or waived or varied in any way.

Commissioner Frangella: I'm talking about sometimes the width of the property

Ms. Stein: For example tonight you had a request to rezone a lot that didn't meet the R-3 minimum standards and in our analysis we determined that that was an indication and that changing the zoning on that particular property would probably result in congestion of the streets, which is what the neighbors came out and said. We found that it certainly failed the third test because it would have been a non-conforming lot 10,000 sq. ft. would have been the minimum requirement.

Commissioner Frangella: Ok. Alright any other questions? Call for the vote. Instead open public hearing for 2020-8-ORD, anyone here to speak for or against? Seeing none we'll close the public hearing for 2020-8-ORD. Any final comments or questions? Let's call for the vote.

YEAS: Ross, Petit, Keen, Dunn, Frangella, Galliano

NAYS: None

ABSENT: Granier

Commissioner Frangella: That passes unanimously.

St. Charles Parish Department of Planning & Zoning

Land Use Report

Case Number: 2020-08-ORD

Introduced by Matthew Jewell, Parish President/Dept of Planning & Zoning

To require zoning petitions to meet a minimum of two (2) rezoning guidelines and criteria in order to receive a recommendation for approval from Planning Staff.

Background

St. Charles Parish has established zoning districts to encourage orderly development by grouping compatible uses and separating incompatible uses. These zoning districts are depicted on the "Official Zoning Map of St. Charles Parish, Louisiana".

Section XV.D of the St. Charles Parish Zoning Ordinance of 1981 establishes a procedure for property owners who want to change the zoning of their property. In this procedure are three guidelines which Planning and Zoning Department staff use to evaluate individual rezoning petitions and issue a recommendation.

Currently, a rezoning petition only needs to demonstrate that one of the three guidelines are met in order for staff to issue an approval recommendation. This ordinance would require a rezoning petition meet two of those three guidelines.

Potential outcomes

If this ordinance is approved, The Official Zoning Map of St. Charles Parish will be more likely to keep appropriate zoning districts and see fewer spot zones and fewer rezones that result in burden to infrastructure and negative impacts to surrounding neighborhoods.

Recommendation

Approval

2020-0250

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF WASTEWATER)**

ORDINANCE NO. _____

An ordinance to approve and authorize the execution of a contract with BLD Services, LLC, for Parish Project No. S170601 Luling Oxidation Pond Rehabilitation and Upgrades, with a Bid in the amount of \$6,646,555.00.

WHEREAS, sealed bids were received by St. Charles Parish on July 28, 2020 for S170601 Luling Oxidation Pond Rehabilitation and Upgrades; and,

WHEREAS, GSA Consulting Engineers, Inc. for the Project, have reviewed the bids and recommend that the Bid be awarded to the low bidder, BLD Services, LLC, in the total amount of \$6,646,555.00.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the bid of BLD Services, LLC, for the construction of St. Charles Parish Project No. S170601 Luling Oxidation Pond Rehabilitation and Upgrades, is hereby approved and accepted, in the amount of \$6,646,555.00.

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

SECTION III. A final Notice of Contract shall be printed and filed in place of the contract documents with the St. Charles Parish Clerk of Court and in the records of the St. Charles Parish Council.

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

And the ordinance was declared adopted this _____ day of _____, 2020, 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 00500**CONTRACT**

This agreement entered into this _____ day of _____, 2020, by BLD Services, LLC, hereinafter called the "Contractor", whose business address is 2424 Tyler Street, Kenner, LA 70062, and the St. Charles Parish, hereinafter called the "Owner".

Owner and Contractor, in consideration of premises and the mutual covenants; consideration and agreement herein contained, agree as follows:

ARTICLE 1**STATEMENT OF WORK**

- 1.01 Contractor shall furnish all labor and materials and perform all of the work required to build, construct and complete in a thorough and workmanlike manner:
- 1.02 The abovementioned work shall be completed in strict accordance with Contract Documents prepared by: GSA Consulting Engineers, Inc.
- 1.03 It is recognized by the parties herein that said Contract Documents including by way of example and not of limitation, the Drawings and Specifications dated March 2020, Addenda number(s) 1 & 2, the Instruction to Bidders, Supplemental Instructions to Bidders, Louisiana Uniform Public Works Bid Form, General Conditions, Supplementary Conditions (if applicable), any Addenda thereto, impose duties and obligations upon the parties herein, and said parties thereby agree that they shall be bound by said duties and obligations. For these purposes, all of the provisions contained in the aforementioned Contract Documents are incorporated herein by reference with the same force and effect as though said Contract Documents were herein set out in full.

The Work for Luling Oxidation Pond Rehabilitation and Upgrades, Parish Project No. S170601, is generally described as follows: 1) installation of a concrete headworks structure with an automatic bar screen (rated for 3.5 MGD average daily flow and 10.5 MGD peak flow), manual bar screen bypass, two (2) screw pumps (each rated for 10.5 MGD peak flow), and a concrete gravity transfer box to send flow to a 3.5 MGD, 7-acre oxidation pond, 2) sludge removal, deepening by an additional 2 feet, and a liner installation within the existing 7-acre pond, 3) construction of an earthen levee around the 7-acre pond, 4) installation of a chain link fence around the entire plant, 5) the addition of a number of new aerators and baffle curtains within the 7-acre pond for proper BOD and TSS reduction, and 6) miscellaneous electrical and instrumentation work (including two generators) associated with the plant improvements.

ARTICLE 2

ENGINEER

- 2.01 The Project has been designed by GSA Consulting Engineers, Inc. who is hereinafter called "Engineer" and who will assume all duties and responsibilities and have the rights and authority assigned to Engineer in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

ARTICLE 3

CONTRACT TIME

- 3.01 The Contractor shall complete all of the Work under the Contract within 548 calendar days from the date stated in the Notice to Proceed.

ARTICLE 4

LIQUIDATED DAMAGES

- 4.01 Owner and Contractor recognize that the Owner will suffer direct financial loss if Work is not completed within the Contract Time specified plus any extensions thereof allowed in accordance with these General Conditions of this Contract, and therefore, time is of the essence. They also recognize the delays, expense and difficulties involved in proving in a legal proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Contractor and Surety agree to forfeit and pay Owner Seven Hundred and Fifty dollars \$750 per day as Liquidated Damages for delay (but not as a penalty). Such Liquidated Damages will be assessed for each calendar day that expires after the Contract Time. This amount represents a reasonable estimate of Owner's expenses for extended delays and the costs associated therein. This provision shall be effective between the parties ipso facto and without demand or putting in default, it being specifically agreed that the Contractor by his mere failure to complete the work on or before the date specified shall be deemed in default.

ARTICLE 5

CONTRACT PRICE

- 5.01 The Owner will pay and the Contractor will accept in full consideration for the performance of the Contract the sum of:
- a) (\$6,646,555.00) Six Million Six Hundred Forty-Six Thousand Five Hundred Fifty-Five Dollars and Zero Cents based on unit prices specified within this contract document. Contract price is firm and subject only to modification by written Change Order agreed to and signed by both parties and the Engineer and approved by the St. Charles Parish Council.

ARTICLE 6

PAYMENT PROCEDURES

- 6.01 Contractor shall submit Applications for Payment to the Engineer in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.
- 6.02 Progress Payments. Progress payments will be based upon estimated quantities of contract unit price items or upon estimated percentages of completion of the schedule of lump sum values of labor and materials incorporated into the Work or suitably stored, on the last day of each month or other mutually agreed regular monthly date ending the progress payment period, less retainage.
- 6.03 Application for Payment Form. The form of the Application for Payment must be suitable to the Owner. The Owner reserves the right to withhold payment until the form of Application for Payment is deemed acceptable by the Owner.
- 6.04 Retainage. Per Paragraph 15.01.D retainage shall be withheld and payments will be made by the Owner in the payment amount of:
- a) Ninety percent (90%) of the approved payment applications for projects with contract of less than \$500,000.00; or
 - b) Ninety-five percent (95%) of the approved payment applications for projects with contract prices of \$500,000.01 or greater.
- 6.05 The normal retainage shall not be due the Contractor until after Substantial Completion and expiration of the forty-five (45) day lien period and submission to the Engineer of a clear lien certificate and invoice for retainage.
- 6.06 Final Payment. Upon the final completion of all Work, the Contractor may request a final inspection and may make a final Application for Payment as provided by Paragraph 15.06 of the General Conditions.
- 6.07 Final Acceptance. When Final Acceptance is granted by the Owner, the Owner shall file the certificate with the Recorder of Mortgages for St. Charles Parish.
- 6.08 At the expiration of the lien period the Contractor shall obtain a certificate from the Recorder of Mortgages of the Parish of St. Charles that the Contract is clear of any liens or privileges, and said certificate shall be presented to the Owner for final payment and release of retainage, less any such sums as may be lawfully withheld under the Contract.

- 6.09 Claims. Pursuant to La. R.S. 38:2242, when the Owner receives any claim of nonpayment arising out of the Contract, the Owner shall deduct such claim from the Contract Sum. The Contractor, or any interested party, may deposit security, in accordance with La. R.S. 38:2242.2, guaranteeing payment of the claim with the Recorder of Mortgages for St. Charles Parish. When the Owner receives original proof of such guarantee from the Recorder of Mortgages, the claim deduction will be added back to the Contract Sum.

ARTICLE 7

CONTRACTOR'S REPRESENTATIONS

- 7.01 In order to induce Owner to enter into this Agreement, Contractor makes the following representations:
- 7.02 Contractor has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance or finishing of the Work.
- 7.03 Contractor has studied carefully all reports of explorations and tests of subsurface physical conditions and drawings of physical conditions which are identified in the Information Available To Bidders and as provided in the General Conditions.
- 7.04 Contractor has obtained and carefully studied (or assumed responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports and studies (in addition to or to supplement those referred to in Paragraph 2 above) which pertain to the subsurface or physical conditions at or contiguous to the site or which otherwise may affect the cost, progress, performance or furnishing of the Work as Contractor considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents. In exercising its responsibility with respect to subsurface conditions and physical conditions at the site, Contractor has or will obtain or perform at no additional cost to the Owner such additional examinations, investigations, explorations, tests, reports, studies, or similar information or data as may be required by Contractor for such purposes.

ARTICLE 8

CONTRACT DOCUMENTS

- 8.01 The following Contract Documents, which comprise the entire Agreement between Owner and Contractor, are all hereby made a part of that Agreement to the same extent as if incorporated herein in full:
- a) Contract (Section 00500)
 - b) Performance Bond (Section 00611)

- c) Payment Bond (Section 00610)
- d) Insurance Certificates
- e) Advertisement for Bids (Section 00010)
- f) Louisiana Uniform Public Works Bid Form (Section 00300)
- g) Addenda (Numbers 1 to 2 inclusive)
- h) Contract documents bearing the general title "Luling Oxidation Pond Rehabilitation and Upgrades" dated March 2020.
- i) Drawings, consisting of a cover sheet dated March 2020 and the sheets listed on Drawing G1; each sheet bearing the following general title: "Luling Oxidation Pond Rehabilitation and Upgrades".
- j) General Conditions (Section 00700)
- k) Supplementary Conditions (if applicable for compliance purposes) (Section 0800)

There are no Contract Documents other than those listed above in this Article 8. The Contract may only be amended, modified or supplemented as provided for in the General Conditions.

ARTICLE 9

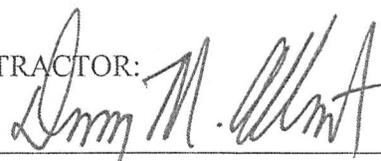
MISCELLANEOUS

- 9.01 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and, unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents. Notwithstanding the foregoing, the Owner may assign this contract to the State of Louisiana or any political subdivision, municipality, special district or authority thereof without Contractor's consent and without recourse.
- 9.02 Owner and Contractor each binds himself, his partners, successors, assigns and legal representatives to the other party hereto, his partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

9.03 It is hereby agreed and understood by the parties hereto that any and all disputes that may result in litigation shall be litigated in the 29th Judicial District Court for the Parish of St. Charles.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement effective as of the date first written above. All portions of the Contract Documents have been signed or identified by Owner and Contractor or by Engineer on their behalf.

OWNER: Parish of St. Charles

CONTRACTOR: 

By: _____

By: _____

Title: _____

Title: Project Manager/Estimator

ATTEST:

ATTEST:

By: _____

By: 

Title: _____

Title: Project Manager

END OF SECTION



ST. CHARLES PARISH

BID TABULATION
LULING OXIDATION POND REHABILITATION & UPGRADES
ST. CHARLES PARISH PROJECT NO. S170601
GSA PROJECT NO. 2017-07
BID DATE: TUESDAY, JULY 28, 2020



REF. NO.	QUANTITY	UNIT	DESCRIPTION	BID SERVICES, LLC		NCMC, LLC		THE LEMOINE COMPANY, LLC	
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	1	LUMP SUM	MOBILIZATION/DEMobilIZATION	\$450,000.00	\$450,000.00	\$596,214.02	\$596,214.02	\$685,000.00	\$685,000.00
2	1	LUMP SUM	CONSTRUCTION LAYOUT	\$40,000.00	\$40,000.00	\$31,000.00	\$31,000.00	\$70,000.00	\$70,000.00
3	1	LUMP SUM	CIVIL SITEWORK (DRAINAGE)	\$10,000.00	\$10,000.00	\$12,000.00	\$12,000.00	\$86,000.00	\$86,000.00
4	1	EACH	PROJECT SIGN	\$2,500.00	\$2,500.00	\$950.00	\$950.00	\$1,000.00	\$1,000.00
5	1	LUMP SUM	CLEARING AND GRUBBING	\$25,000.00	\$25,000.00	\$850.00	\$850.00	\$20,000.00	\$20,000.00
6	1,275	TONS	6-INCH THICK LIMESTONE ROAD	\$60.00	\$76,500.00	\$60.50	\$77,137.50	\$61.00	\$77,775.00
7	4,000	SQ.YD.	GEOTEXTILE FABRIC (CLASS D)	\$2.00	\$8,000.00	\$2.23	\$8,920.00	\$1.50	\$6,000.00
8	1	LUMP SUM	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	\$10,000.00	\$10,000.00	\$7,000.00	\$7,000.00	\$8,000.00	\$8,000.00
9	333	CU.YD.	LIMESTONE BASE	\$75.00	\$24,975.00	\$98.69	\$32,863.77	\$115.00	\$38,295.00
10	5	ACRES	HYDRO-MULCH	\$3,500.00	\$17,500.00	\$2,790.00	\$13,950.00	\$3,000.00	\$15,000.00
11	5	EACH	EXPLORATORY EXCAVATION	\$750.00	\$3,750.00	\$1,353.00	\$6,765.00	\$4,000.00	\$20,000.00
12	1	LUMP SUM	RELOCATION OF INFRASTRUCTURE ITEMS	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00
13	6,950	L.F.	CHAIN LINK FENCING	\$15.00	\$104,250.00	\$15.30	\$106,335.00	\$16.00	\$111,200.00
14	1	LUMP SUM	EXCAVATION OF POND BOTTOM	\$660,000.00	\$660,000.00	\$755,000.00	\$755,000.00	\$425,000.00	\$425,000.00
15	1	LUMP SUM	LAGOON LEVEE CONSTRUCTION	\$175,000.00	\$175,000.00	\$232,000.00	\$232,000.00	\$270,000.00	\$270,000.00



ST. CHARLES PARISH

BID TABULATION
LULING OXIDATION POND REHABILITATION & UPGRADES
ST. CHARLES PARISH PROJECT NO. S170601
GSA PROJECT NO. 2017-07
BID DATE: TUESDAY, JULY 28, 2020



REF. NO.	QUANTITY	UNIT	DESCRIPTION	BLD SERVICES, LLC		NCMC, LLC		THE LEMOINE COMPANY, LLC	
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
16	1	LUMP SUM	DISPOSAL OF UNUSABLE EXCAVATED MATERIAL INTO 50- ACRE POND	\$115,000.00	\$115,000.00	\$55,000.00	\$55,000.00	\$120,000.00	\$120,000.00
17	600	L.F.	FURNISH AND INSTALL LEVEE SHEET PILING	\$315.00	\$189,000.00	\$367.50	\$220,500.00	\$325.00	\$195,000.00
18	1	LUMP SUM	PUMP-OUT OF 7-ACRE POND	\$200,000.00	\$200,000.00	\$1.00	\$1.00	\$35,000.00	\$35,000.00
19	17,289	SQ.YD.	LEVEE EMBANKMENT LINER	\$15.00	\$259,335.00	\$14.32	\$247,578.48	\$11.00	\$190,179.00
20	4	EACH	FURNISH AND INSTALL AERATORS - 40 HP	\$21,500.00	\$86,000.00	\$24,340.00	\$97,360.00	\$20,000.00	\$80,000.00
21	9	EACH	FURNISH AND INSTALL AERATORS - 10 HP	\$10,000.00	\$90,000.00	\$11,880.00	\$106,920.00	\$12,000.00	\$108,000.00
22	8	EACH	AERATOR AND BAFFLE CURTAIN MOORING PILING	\$7,000.00	\$56,000.00	\$8,980.00	\$71,840.00	\$7,000.00	\$56,000.00
23	1,200	L.F.	FURNISH AND INSTALL BAFFLE CURTAIN AND HARDWARE	\$125.00	\$150,000.00	\$121.00	\$145,200.00	\$118.00	\$141,600.00
24	1	LUMP SUM	ELECTRICAL, INSTRUMENTATION & CONTROLS (COMPLETE)	\$500,000.00	\$500,000.00	\$640,000.00	\$640,000.00	\$825,000.00	\$825,000.00
25	1	LUMP SUM	FURNISH AND INSTALL TWO GENERATORS (COMPLETE)	\$235,000.00	\$235,000.00	\$212,000.00	\$212,000.00	\$215,000.00	\$215,000.00
26	1	LUMP SUM	MISCELLANEOUS CONCRETE PADS	\$10,000.00	\$10,000.00	\$15,000.00	\$15,000.00	\$1,000.00	\$1,000.00
27	1	EACH	FIBERGLASS BUILDING	\$155,000.00	\$155,000.00	\$112,000.00	\$112,000.00	\$90,000.00	\$90,000.00
28	1	LUMP SUM	TIE EXISTING INFLUENT FORCE MAINS INTO MANIFOLD PIPING	\$27,500.00	\$27,500.00	\$25,000.00	\$25,000.00	\$80,000.00	\$80,000.00
29	1	LUMP SUM	CONSTRUCT CONCRETE HEADWORKS STRUCTURE	\$435,000.00	\$435,000.00	\$505,000.00	\$505,000.00	\$350,000.00	\$350,000.00
30	1	EACH	NEW MECHANICAL BAR SCREEN AND ASSOCIATED COMPONENTS	\$310,000.00	\$310,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00
31	1	LUMP SUM	ALUMINIUM GRATING, HANDRAILS, WALKWAYS, AND STAIRS	\$140,000.00	\$140,000.00	\$184,000.00	\$184,000.00	\$150,000.00	\$150,000.00

BID TABULATION
LULING OXIDATION POND REHABILITATION & UPGRADES
ST. CHARLES PARISH PROJECT NO. S170601
GSA PROJECT NO. 2017-07
BID DATE: TUESDAY, JULY 28, 2020



REF. NO.	QUANTITY	UNIT	DESCRIPTION	BLD SERVICES, LLC		NCMC, LLC		THE LEMOINE COMPANY, LLC	
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
32	1	EACH	FURNISH AND INSTALL EFFLUENT FLOWMETER	\$10,000.00	\$10,000.00	\$19,000.00	\$19,000.00	\$8,000.00	\$8,000.00
33	1	EACH	FURNISH AND INSTALL INFLUENT FLOWMETER AND VAULT	\$80,000.00	\$80,000.00	\$96,000.00	\$96,000.00	\$108,000.00	\$108,000.00
34	2	EACH	FURNISH AND INSTALL SCREW PUMPS	\$290,000.00	\$580,000.00	\$425,000.00	\$850,000.00	\$400,000.00	\$800,000.00
35	26	L.F.	8-INCH DUCTILE IRON PIPE	\$165.00	\$4,290.00	\$198.31	\$5,156.06	\$160.00	\$4,160.00
36	19	L.F.	12-INCH DUCTILE IRON PIPE	\$185.00	\$3,515.00	\$309.84	\$5,886.96	\$160.00	\$3,040.00
37	26	L.F.	14-INCH DUCTILE IRON PIPE	\$265.00	\$6,890.00	\$456.23	\$11,861.98	\$250.00	\$6,500.00
38	12	L.F.	16-INCH DUCTILE IRON PIPE	\$300.00	\$3,600.00	\$409.04	\$4,908.48	\$300.00	\$3,600.00
39	1,600	L.F.	18-INCH DUCTILE IRON PIPE	\$200.00	\$320,000.00	\$185.74	\$297,184.00	\$180.00	\$288,000.00
40	100	L.F.	24-INCH DUCTILE IRON PIPE	\$480.00	\$48,000.00	\$294.58	\$29,458.00	\$400.00	\$40,000.00
41	110	L.F.	30-INCH DUCTILE IRON PIPE	\$495.00	\$54,450.00	\$409.44	\$45,038.40	\$450.00	\$49,500.00
42	35	L.F.	36-INCH DUCTILE IRON PIPE	\$900.00	\$31,500.00	\$563.01	\$19,705.35	\$400.00	\$14,000.00
43	1,300	L.F.	2-INCH HDPE WATER LINE	\$15.00	\$19,500.00	\$4.72	\$6,136.00	\$20.00	\$26,000.00
44	14	TONS	DUCTILE IRON FITTINGS	\$28,000.00	\$392,000.00	\$15,145.00	\$212,030.00	\$14,000.00	\$196,000.00
45	2	EACH	METAL PIPE SUPPORTS	\$1,250.00	\$2,500.00	\$2,900.00	\$5,800.00	\$2,000.00	\$4,000.00
46	2	EACH	CONCRETE PIPE SUPPORTS	\$1,500.00	\$3,000.00	\$1,800.00	\$3,600.00	\$3,000.00	\$6,000.00
47	2	EACH	FURNISH AND INSTALL ALUMINUM STOP GATE	\$7,500.00	\$15,000.00	\$7,600.00	\$15,200.00	\$4,500.00	\$9,000.00



ST. CHARLES PARISH

BID TABULATION
LULING OXIDATION POND REHABILITATION & UPGRADES
ST. CHARLES PARISH PROJECT NO. S170601
GSA PROJECT NO. 2017-07
BID DATE: TUESDAY, JULY 28, 2020



REF. NO.	QUANTITY	UNIT	DESCRIPTION	BLD SERVICES, LLC		NCMC, LLC		THE LEMOINE COMPANY, LLC	
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
48	1	LUMP SUM	BIOSOLIDS TRANSFER TO EXISTING OXIDATION POND	\$155,000.00	\$155,000.00	\$205,000.00	\$205,000.00	\$200,000.00	\$200,000.00
49	1	LUMP SUM	BYPASS PUMPING	\$185,000.00	\$185,000.00	\$112,000.00	\$112,000.00	\$275,000.00	\$275,000.00
50	1	EACH	18-INCH PLUG VALVE	\$14,000.00	\$14,000.00	\$11,750.00	\$11,750.00	\$14,000.00	\$14,000.00
51	1	EACH	24-INCH PLUG VALVE	\$33,000.00	\$33,000.00	\$22,900.00	\$22,900.00	\$30,000.00	\$30,000.00
TOTAL BASE BID					\$6,646,555.00		\$6,917,000.00		\$6,974,849.00

2020-0252

**INTRODUCED BY: MATTHEW JEWELL, 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 to R-3 on a 8,644 square foot area consisting of Lots 1 and 2, Square M, Good Hope Subdivision, municipal address 400 Apple Street, Norco, as requested by C & J Re Investors, LLC.

WHEREAS, the property owner requests rezoning from R-1A to R-3 on an 8,644 square foot property that is developed with a structure numbered 400 Apple Street, comprising portions of several lots on the north side of Fourth Street between Apple Street and St. Charles Street in Norco; and,

WHEREAS, the Planning and Zoning Department recommended denial of the request; and,

WHEREAS, the Planning and Zoning Commission recommended denial of the request at its regular meeting of August 6, 2020.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. The Zoning Ordinance of 1981 is amended to change the zoning classification from R-1A to R-3 on the property of C & J Re Investors, a 8,644 square foot area developed with a building addressed 400 Apple Street, comprising several lots on the north side of Fourth Street between Apple Street and St. Charles Street.

SECTION II. 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 R-3 on the property of C & J Re Investors, a 8,644 square foot area developed with a building addressed 400 Apple Street, comprising several lots on the north side of Fourth Street between Apple Street and St. Charles Street.

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

And the ordinance was declared adopted this _____ day of _____, 2020 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

2020-12-R for a change of zoning district from R-1A to R-3 on approximately 8,644 sq ft on portions of Lots 1 and 2, Square M, Good Hope Subdivision, **400 Apple Street, Norco**, Council District 6.

Planning Department Recommendation:

Denial

Planning Commission Recommendation:

Denial

Commissioner Frangella: Next up 2020-12-R requested by C&J Re Investors, LLC for a change of zoning district from R-1A to R-3 on approximately 8,644 sq. ft. on portions of Lots 1 and 2, Square M, Good Hope Subdivision, 400 Apple Street, Norco. Council District 6.

Mr. Welker: this is a rezoning request for 400 Apple Street from R-1A, Single Family Residential, to R-3, Multi-Family Residential on 2 separately described pieces of property that make up about 8,647 sq. ft. During our review we found that the request does not meet any of the 3 criteria for rezoning. An R-3 zoning district does not conform to the future land use map and would be considered a spot zone and what it entirely a single family residential area. The existing R-1A zoning does not prevent reasonable development of the property and the uses permitted in the proposed district, mainly multi-family, would be incompatible with the surrounding neighborhood which is predominately single family with some legally non-conforming 2 family buildings. So the department does recommend denial due to not meeting any of the 3 criteria.

Commissioner Frangella: Ok. Is the applicant present and wanting to speak? State your name and address for the record please.

Cliff Davis, 4626 St. Charles Avenue, New Orleans

Commissioner Frangella: Is there anything you'd like to add?

Mr. Davis: Basically we're just coming in trying to change this building that used to be commercial on the bottom, currently there are 2 units, non-conforming on top, a commercial space down below that's been empty and dilapidating for many, many years. There used to be 4 different electrical hook ups so at 1 point it did have that capacity. Basically on the 300 block of Apple there is multi-family that's been there since the 1960's. Like Chris said there is also other multi-family that's been there and it's dilapidating due to the owner not wanting to put any money into it. We're just basically trying to come, I was offered this opportunity to purchase the property and redo it and make it nicer, even the ingress and egress, it doesn't have the proper for safety and fire and everything and we're going to be adding the fire safety walls between the units. We have plenty of space for the 10 parking spaces, it's required to have 2.5 per unit. Yes we are a little short on total square footage, I guess if you look back they sold some of land to the next door neighbor, on the 3rd page, so yes we are a little short and the city took some of the property line away to expand the 4th Street there, if you're looking at the survey. So we're requesting hopefully that you can give us the opportunity to basically improve the property and have more housing for people there.

Commissioner Frangella: Ok. Any questions? Alright, thank you. We're going to open public hearing for 2020-12-R, anyone here to speak for or against? Please come forward. State your name and address.

Good afternoon, my name is Rose Brignac and I live at 353 Apple Street, Norco, La. and I'm here to oppose the zoning change. This location is surrounded by single family homes and I do not feel like it's a place for multi-family residential homes. I feel like the location can't handle the parking, the yard space cannot handle more than 1 family. It's located very close to the corner and I feel like it's dangerous for single family home with children much less multi-family homes. All my neighbors I spoke to are against having this here and like I said it's a single family location and I feel like it should stay this way. I appreciate your time and I hope you have a great evening.

Commissioner Frangella: Thank you. Anyone else to speak for or against?

Wayne Brady, 566 Oak Street, Norco. I've lived there my whole life, well I've lived in Norco my whole life. I grew up right across the street from the residence we're talking about and I'm opposed to the zoning change. For 1 thing I don't think the location can handle parking, the west side of the building and the south side of the building is close to the street, close to Apple Street and close to 4th Street. The yard space can't handle more than 1 family and it's very dangerous because Apple Street has a lot of traffic and people

go pretty fast down Apple Street. A lot of the neighbors I talked to they are not in favor of this so I'm here to oppose the zoning change. Thank you very much.

Commissioner Frangella: Alright, thank you. We have open public hearing for 2020-12-R, anyone else here to speak?

Ms. Stein: I just wanted to say that we did receive 5 emails basically opposed and you should have those.

Commissioner Frangella: You can come back up Mr. Davis.

Mr. Davis: they keep saying it's for single family but it's 2 units non-conforming right now so there's been multiple people living there for years, it's not just been a single family living there for years, so it's not like I'm trying to drastically change anything, which I do understand their concerns. It's zoned single family but it's 2 units, it's upstairs and there have been multiple people living in those units as well. I just wanted to let you know that. Thank you.

Commissioner Frangella: Ms. Stein do we know how long it's been since somebody has been in the residence?

Ms. Stein: As far as occupancy we don't have records that show when the last tenants were in it but we have done loads of research on the property and multiple utility records and departmental records suggests that the building has been consistently a duplex at least but we can't confirm any more units than 2 so it can continue and we've determined this under the previous owner, it can continue as a 2-family structure with no changes.

Commissioner Frangella: Ok, thank you very much. Close the public hearing for 2020-12-R. Any questions or comments? This is in my district and I did receive emails first and I told them to forward them to the Commissioners. Any more comments? Call for the vote.

YEAS: None

NAYS: Ross, Petit, Keen, Dunn, Frangella, Galliano

ABSENT: Granier

Commissioner Frangella: That motion fails.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2020-12-R

GENERAL INFORMATION

- ◆ **Name/Address of Applicant**
Clifford J. Davis
C&J Re Investors, LLC
4626 St. Charles Avenue
New Orleans, LA 70115
(347)-982-7119; candjreinvestors@gmail.com

Application Date: 6/18/2020

- ◆ **Location of Site**
400 Apple Street, Norco

- ◆ **Requested Action**
Rezoning from R-1A, Single Family Residential-Detached Conventional Homes to R-3, Multi-Family Residential on two separate but contiguous properties designated as a portion of Lots 1 AND 2, Square M, Good Hope Subdivision.

SITE INFORMATION

- ◆ **Size of Site**
Approximately 8,647 square feet (currently two lots)

- ◆ **Current Zoning and Land Use**
R-1A; the site is developed with a two-story multi-unit building. The two units on the second floor are used as residential dwellings while the first floor is vacant.

- ◆ **Surrounding Zoning and Land Use**
The site is surrounded by R-1A zoning and is located in a developed neighborhood consisting primarily of site-built single family homes. Specifically, single family homes are located adjacent to the Airline side, to the rear across St. Charles Street, and to the front across Apple Street. A legally non-conforming duplex is located to the River Road side, across Fourth Street.

- ◆ **Future Land Use Recommendation**
Low Density Residential: (from 4 up to 8 dwellings per gross acre) this category includes the Parish's predominantly single family detached subdivisions, including those developed consistent with the R-1A (6,000 sq. ft. minimum lot size) and R-1B (10,000 sq. ft. minimum lot size) zoning districts. It also allows accessory units and individual mobile homes on small platted lots zoned R-1AM. Neighborhood-serving uses such as neighborhood parks, churches and servitudes may also be included in this land use category.

- ◆ **Traffic Access**
The site is a through lot on a corner, with access possible from Apple, Fourth, and St. Charles Streets.

- ◆ **Utilities**
Representatives from the Department of Waterworks and Department of Public Works & Wastewater stated they have no objection to the request. If approved, a backflow preventer will be required if each unit will be on a single water meter.

APPLICABLE REGULATIONS

Appendix A. Section XV. - Amendment procedure

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.

[VIII.] R-3. Multi-family residential:

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) All uses allowed in the R-2 district.
 - (2) Multi-family dwellings.
 - (3) Boarding and lodging houses.
 - (4) Townhouses (see Section VII for Supplemental Use and Performance regulations).
 - b. Special exception uses and structures: As approved by the Planning and Zoning Commission only:
 - c. Special permit uses and structures:
 - (1) Supplemental C-1 and C-2 uses.
 - (2) *Reserved.*
 - (3) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
2. Spatial Requirements:
 - a. Minimum lot size: Ten thousand (10,000) square feet; minimum width - sixty (60) feet; two thousand five hundred (2,500) square feet per family.
 - b. Minimum yard requirements:
 - (1) Front - twenty (20) feet
 - (2) Side - ten (10) feet
 - (3) Rear - twenty (20) 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, notwithstanding 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.
 - c. Maximum land coverage: Eighty (80) percent (twenty (20) percent green space).
 - d. Accessory buildings:
 - (1) Accessory buildings shall be of one story construction not to exceed sixteen (16) feet in height.
 - (2) Accessory buildings shall be located on the same parcel of land as the main structure.
 - (3) Nonresidential accessory buildings shall not be permitted.
 - e. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front or rear yard.
3. Transportation System: Servitude of access, local, or collector street.
4. Special Provisions:
 - a. Where any multi-family residential district (R-3) abuts any residential zoning 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.

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 the 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 designation for this site is Low Density Residential, which accounts for single family dwellings at a density of 4 to 8 units per acre. The residential density permitted in the R-3 district, which is up to 17 dwellings per acre, is not provided for by this designation. The request would also be considered a spot zone, as no R-3 zoning is located in the area. **The request does not meet the first guideline.**

- 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 site is comprised of two lots—the rear appears on the map entitled “Good Hope Subdivision” by J.A. Carmena dated 1921 and the lot with the building appears on “Map of Subdivision of Lot E” by H.E. Landry, dated 1929. This building was likely developed shortly after the lots were platted. The site has consistently been zoned for single-family uses since the 1973 zoning (R-1) and again with the 1981 Parish-wide zoning (R-1A(M) which was changed to R-1A area-wide in 1990).

Department records and anecdotal reports suggest the building has been occupied by commercial uses on the ground floor and up to two residential uses on the second floor over time; however, since at least 2003, Entergy & Waterworks records show no more than two meters in active use.

The property owner can continue to use the building with two residential units; this is a legally non-conforming use that could be permitted with no changes to the building or site. The Parish’s non-conforming use requirements prohibit the expansion of this type of site, in order to prevent negative impacts to the surrounding single family neighborhood character.

The existing R-1A zoning does not prevent reasonable use of the property. The applicant seeks to expand a non-conformity through a zoning change. While the change would accommodate one aspect of the request, a change to R-3 would not significantly increase the development potential of the site, and the improvements required will be difficult to meet, and further variance requests would be required to bring the use into current compliance. **The request does not meet 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.* The site does not meet the minimum 10,000 sq. ft. area required for an R-3 lot. If the site is rezoned, the combined lots could be permitted for residential uses at a density of one (1) dwelling unit per 2500 square feet of lot area or up to three (3) dwelling units. Renovation to multifamily uses at any density would require site design improvements: 2.5 off-street parking stalls per unit, landscaping, and buffer fencing which would be incompatible with the surrounding neighborhood and may cause congestion of streets or drainage impacts. **The request does not meet the third guideline.**

ANALYSIS

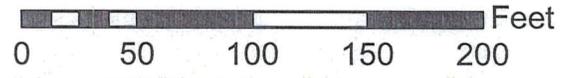
The applicant requests a change of zoning from R-1A, Single Family Residential to R-3, Multi-Family Residential on 8,647 square feet spread across two separate lots located at 400 Apple Street, Norco.

The request does not meet any of the three criteria for rezoning. An R-3 zoning district does not conform to the FLUM, and it would be a spot zone. The existing R-1A zoning does not prevent reasonable development of the property. And the uses permitted in the proposed district, mainly multi-family residential development, would be incompatible with the surrounding neighborhood which is predominantly single-family with some legally non-conforming two-family buildings.

DEPARTMENT RECOMMENDATION

Denial due to failing the three criteria and proposing a spot zone.

2020-12-R
Requested by: C & J
R-1A to R-3



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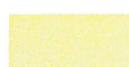
2020-12-R
Requested by: C & J
R-1A to R-3



62

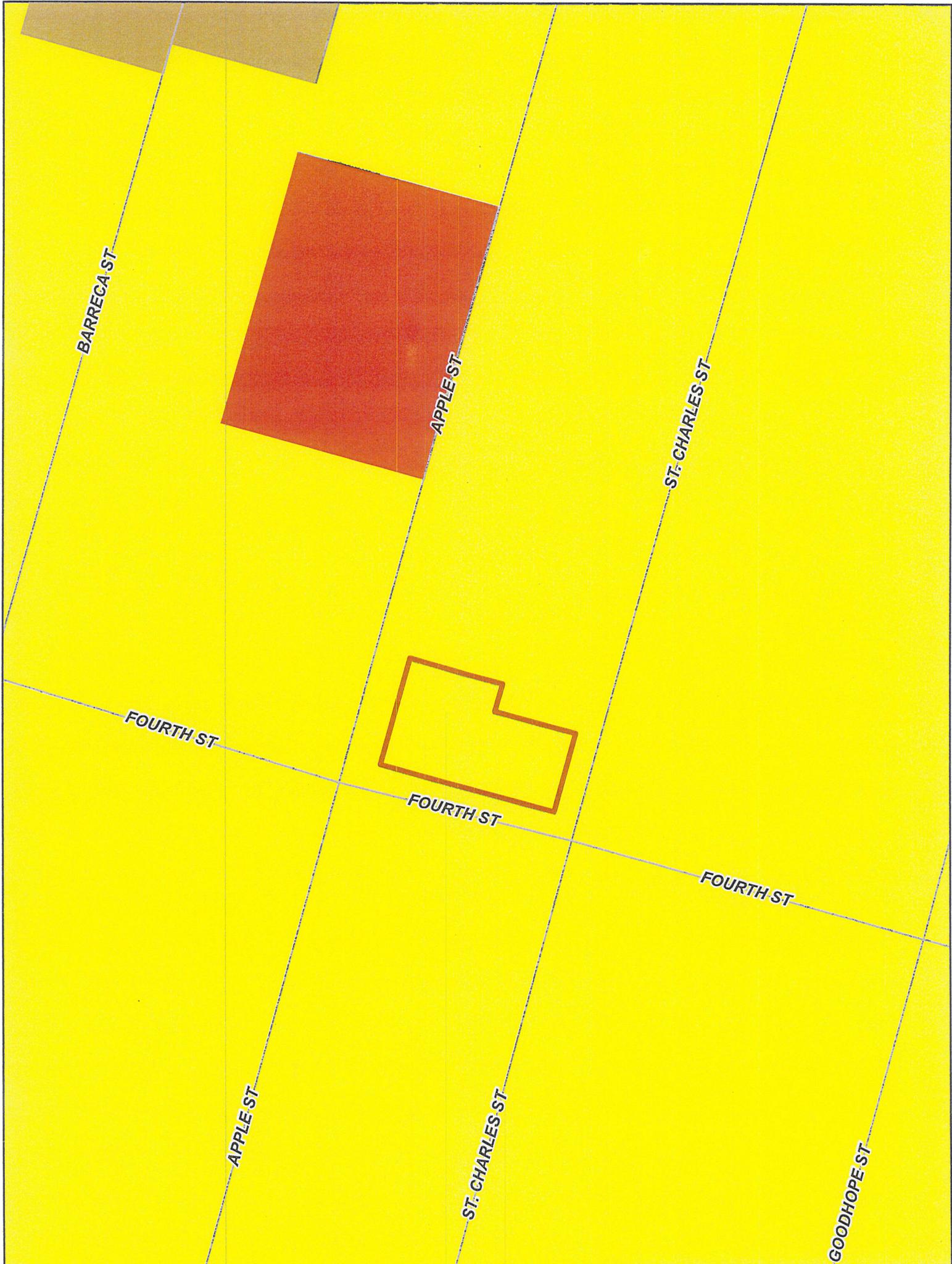
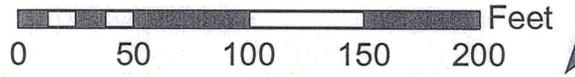


Zoning

-  C1
-  R1A
-  R1M

2020-12-R
Requested by: C & J
R-1A to R-3

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FLUM

-  Commercial
-  Low Density Residential
-  Manufactured Home / Recreational Vehicle (RV) Park



St. Charles Parish
Department of Planning & Zoning
 14996 River Rd / P.O. Box 302 • Hahnville, LA 70057
 Phone (985) 783-5060 • Fax (985) 783-6447
 www.stcharlesparish-la.gov

Permit/Case #: 2020-12-R
 Receipt #: 3260310
 Application Date: 6/18/2020
 Zoning District: R-1A
 FLUM Designation: LOR
 Date Posted: _____

**APPLICATION FOR ZONING MAP AMENDMENT
 (CHANGE OF ZONING DISTRICT OR REZONING)**

Fee: \$40 - \$200

Applicant: C & J RE INVESTORS, LLC
 Home address: 4626 SAINT CHARLES AVE NEW ORLEANS, LA 70115
 Mailing address (if different): _____
 Phone #s: 347-982-7119 Email: CANDJREINVESTORS@GMAIL.COM
 Property owner: C & J RE INVESTORS, LLC
 Municipal address of property: 400 APPLE STREET NORCO, LA 70079
 Lot, block, subdivision: GOOD HOPE SUBDIVISION
 Change of zoning district from: R1A to: R3
 Future Land Use designation of the property: LOW DENSITY RESIDENTIAL
 (A fact sheet on Future Land Use designations is available at the Planning and Zoning Department).

Your written responses below will be forwarded to the Planning and Zoning Commission and Parish Council to help them make a determination on the merits of your request.

Describe how you plan to use the property if the rezoning is granted: CONVERT THE DOWNSTAIRS AREA TO TWO - TWO BEDROOM 1 BATH APARTMENTS AS THE TOP FLOOR IS ALREADY.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood?
THE AREA IS MOSTLY SINGLE FAMILY WITH SOME COMMERCIAL AS WELL. THE PROPERTY IS GOING TO BE USED TO OFFER RENTALS FOR LOCAL FAMILIES OR PEOPLE WORKING IN THE AREA.

Is there something about the property or the surrounding neighborhood that make the rezoning necessary?
IN THE CURRENT CONDITIONS OF THE ECONOMY AND COVID-19 HAVING ANOTHER COMMERCIAL SPACE DOES NOT SEEM VIABLE. PEOPLE NEED AFFORDABLE PLACES TO LIVE OVER HOPING TO BE ABLE TO FIND SOMEONE WANTING TO RENT A SPACE FOR A BUSINESS.

How does your proposed use of the property comply with the Future Land Use designation for the property?

If the property is rezoned, but your project does not develop, explain how other uses allowed in the new zoning district are compatible with the existing neighborhood? A list of allowed uses is available at the Planning and Zoning Department.
THE FACT THAT IT HAS TWO UNITS ON THE TOP FLOOR ALREADY AND HAS TWO BATHROOMS PLUMBED ON THE LOWER FLOOR. ALSO THERE WERE PREVIOUSLY 4 ELECTRIC METERS ON THE PREMISES.

2020-0253

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
ORDINANCE NO. _____**

An ordinance to approve and authorize the execution of Amendment No. 1 to the Cooperative Endeavor Agreement by and between St. Charles Parish and St. Charles Community Health Center, Inc., Ordinance No. 10-11-17, to extend the Agreement for the term of the Millage for Public Health Unit facilities.

WHEREAS, St. Charles Parish in conjunction with the Louisiana Department of Health and Hospitals, Office of Public Health and the United States Department of Health and Human Services, Bureau of Primary Care are working jointly through the St. Charles Community Health Center, Inc. to provide Public Health Services to the citizens of St. Charles Parish; and,

WHEREAS, it is the desire of St. Charles Parish and St. Charles Community Health Center, Inc. to extend the Cooperative Endeavor Agreement for use of the Public Health Unit at 843 Milling Avenue in Luling and to provide health care services to the citizens of our Parish, regardless of their ability to pay, at Health Center facilities including Luling and Norco; and,

WHEREAS, on November 6, 2018 the voters of St. Charles Parish renewed the dedicated Millage for Public Health Unit facilities and services for the period 2020 – 2029, which services St. Charles Community Health Center, Inc. has agreed to continue providing to the citizens of St. Charles Parish.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Amendment No. 1 to Ordinance No. 10-11-17, the Cooperative Endeavor Agreement by and between St. Charles Parish and St. Charles Community Health Center, Inc., is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute said Amendment No. 1 to Ordinance No. 10-11-17, the Cooperative Endeavor Agreement by and between St. Charles Parish and St. Charles Community Health Center, Inc. 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 _____, 2020, 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: _____

**AMENDMENT NO. 1 TO
COOPERATIVE ENDEAVOR AGREEMENT
BY AND BETWEEN ST. CHARLES PARISH
AND
ST. CHARLES COMMUNITY HEALTH CENTER, INC.**

BE IT KNOWN, that on the days and date hereinafter stated,

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by Matthew Jewell, its Parish President, appearing herein pursuant to Ordinance No. _____, adopted by the St. Charles Parish Council on the ____ day of _____, 2020, a certified copy of which is attached hereto and made a part hereof, whose mailing address is P. O. Box 302, Hahnville, LA 70057;

AND

ST. CHARLES COMMUNITY HEALTH CENTER, INC., represented herein by Mark F. Keiser, MBA, MHA, MPH, its Chief Executive Officer, 843 Milling Avenue, Luling, LA 70070

HEREBY AGREE THAT:

The Cooperative Endeavor Agreement by and between St. Charles Parish and St. Charles Community Health Center, Inc. (Ordinance No 10-11-17) is hereby amended in Section II. Term., by adding the following sentence at the end of the section:

This Agreement is hereby extended, effective January 1, 2021 and shall terminate on December 31, 2030.

All other provisions of said Cooperative Endeavor Agreement shall remain as first written.

ST. CHARLES PARISH

BY: _____
Matthew Jewell
Parish President

WITNESS: _____

DATE

**ST. CHARLES COMMUNITY
HEALTH CENTER, INC.**

BY: _____
Mark F. Keiser, MBA, MHA, MPH
Chief Executive Officer

WITNESS: _____

DATE

2020-0258

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)**

ORDINANCE NO. _____

An ordinance to approve and authorize the execution of an engineering services agreement with Barowka and Bonura Engineers & Consultants (BBEC), LLC for providing all necessary services for the Ormond Railroad Culverts Project (P200801).

WHEREAS, the Ormond area south of the CN Railroad is especially flood prone; and,

WHEREAS, additional hydraulic capacity is needed through the CN Railroad to adequately convey stormwater from south Ormond; and,

WHEREAS, the attached Agreement between St. Charles Parish and BBEC, LLC describes the details of the proposed services and compensation.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Engineering Services Agreement between St. Charles Parish and BBEC, LLC for services as required by the Department of Public Works is hereby approved and accepted.

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

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

And the ordinance was declared adopted this _____ day of _____, 2020, 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: _____

ENGINEERING SERVICES AGREEMENT

THIS AGREEMENT made and effective as of the ____ day of _____, 2020 by and between ST. CHARLES PARISH acting herein by and through its President, who is duly authorized to act on behalf of said Parish, hereinafter called the OWNER, and Barowka and Bonura Engineers & Consultants (BBEC), LLC a corporation acting herein by and through its Contracting Officer, hereinafter called ENGINEER. Whereas the Owner desires to employ a professional consulting engineering firm to perform engineering services for the CN Railroad Culverts in Ormond project, Project No. P200801, as described in Ordinance No. _____ which is attached hereto and made a part hereof.

1.0 GENERAL TERMS

The Owner agrees to employ the Engineer and the Engineer agrees to perform professional services required for the project described above. Engineering will conform to the requirements of the Owner and to the standards of the agencies participating with the Owner in the Project. The Engineer will coordinate all work between the Owner and all participating agencies and regulating agencies, if needed. Written authorization to begin different phases of the project will be given to the Engineer by the Owner, including Permitting, Preliminary Design, Final Design, Bidding Assistance, Construction Services and Closeout. The Owner may terminate the Contract by written notification and without cause per Section 11.0 during any phase of the project.

The Engineer shall at all times during this Agreement maintain a valid Louisiana Engineering License and any other applicable licenses necessary for performance of the Project.

All work shall be under the direction of the Owner, and all plans, specifications, etc. shall be submitted to the Owner and all approvals and administration of this contract shall be through the Owner.

2.0 PROJECT

2.1 The Owner hereby contracts with the ENGINEER to perform all necessary professional services in connection with the Project as specified in the ENGINEER'S attached proposal, dated August 17, 2020 and all other requirements in this Agreement.

2.2 In general, the Project consists of the following major elements:

The project understanding is described in the enclosed proposal from Engineer, dated August 17, 2020.

- 2.3 The Engineer agrees to comply with all Federal, State, and Local Laws and Ordinances applicable to the scope of services and work or in entering any other agreement with any another party to complete the work.

3.0 SERVICES OF ENGINEER

- 3.1 Engineer shall provide Owner professional engineering services in all phases of the Project to which this Agreement applies and as hereinafter provided to properly plan and execute the work on the project(s) assigned to the Engineer. These services may include but may not be limited to serving as Owner's professional engineering representative for the Project, providing professional engineering consultation and advice, and furnishing customary civil, surveying, geotechnical, structural and construction engineering.
- 3.2 Services provided by the Engineer shall be performed in accordance with generally accepted professional engineering practice at the time and the place where the services are rendered.
- 3.3 Engineer shall obtain from Owner authorization to proceed in writing for each phase of the Project.
- 3.4 Engineer shall provide minutes of all meetings with St. Charles Parish regarding any phase of the Project.
- 3.5 Engineer shall provide basic services to complete the project, including all necessary services described herein or usually implied as a prerequisite for the performance of the services whether or not specifically mentioned in this agreement, including attendance by the Engineer at project conferences and public hearings.
- 3.6 Preliminary Design Phase:
- 3.6.1 The Design Memorandum or Preliminary Engineering Design Report will summarize the process and design criteria, and initiate acquiring necessary permits. The document will be used in the development of final design plans and specifications and will serve as a guide by designers and other interested parties.
- 3.6.2 The Design Memorandum will consist minimally of the following sections:
- a. Site Development – project site plan that includes anticipated construction area required and any known servitudes or property owners.
 - b. Hydraulics/hydrology.
 - c. Design criteria including a listing of all standard specifications to be used by type (concrete, piling, steel, roads/foundations, etc.).
 - d. Preliminary drawings – 11" x 17" (minimum size).

- e. The following indexes: Drawings, Division 00 St. Charles Parish Bidding Documents showing revision number, Division 01 St. Charles Parish General Specifications showing revision number, and Divisions 2 through 16 material and equipment specifications, to be used in final design.
 - f. Engineer's preliminary opinion of probable costs.
 - g. Summary of estimated quantities – initial bid schedule.
 - h. Additional data that will be needed such as boundary surveying, topographic surveying, and geotechnical data.
- 3.6.3 The engineer will deliver to owner within 15 days following Preliminary Design authorization, a detailed description (including specifications) and estimated cost of required additional services such as boundary survey, topographical survey, or geotechnical investigation. In addition, the engineer will also deliver estimated time and cost to apply for regulatory permits from local, state or federal authorities. The owner will have the option to utilize their own surveyor, land/servitude acquisition consultant, permit consultant, or geotechnical firm.
- 3.6.4 Meet with the Owner and presenting findings of the Preliminary Design Report.
- 3.6.5 The Preliminary Design Report and Engineer's documentation and opinion of costs, along with the following documents and files, shall be delivered to the Owner within 60 days or as otherwise stated in the written authorization from Owner to Engineer to proceed with Preliminary Design.
- a. Two (2) copies of the report for review.
 - b. Once the report has been finalized, submit two (2) copies of the revised report plus one (1) electronic file copy in PDF format.
 - c. Two (2) copies of the drawings (11" x 17" minimum).
 - d. Once the drawing review is complete, submit one copy of the revised drawings.
 - e. All files will be titled so as to distinguish between preliminary and final design stages.
- 3.7 Final Design Phase:
- 3.7.1 Prepare for incorporation into the Bidding Documents the final drawings based on the accepted preliminary design documents to show the scope, extent, and character of the work to be furnished and performed by Contract (hereinafter called "Drawings") and Specifications which will be prepared in conformance with the sixteen division format of the Construction Specifications Institute.
- 3.7.2 Preparing and furnishing to the Owner a revised opinion of probable total project costs based on the final Drawings and Specifications.
- 3.7.3 Preparing the Project Manual that includes St. Charles Parish's standard front-end documents and Division 1, and the Engineer's technical

specifications for review and approval by the Owner (and the Owner's legal and other advisors).

3.7.4 Meeting with the Owner and presenting the final design.

3.7.5 The Final Design Services shall be completed and Engineer's documentation and opinion of costs, along with the following documents and files, shall be delivered to the Owner within 120 days or as otherwise stated in the written authorization from Owner to Engineer to proceed with Final Design Phase.

- a. Two (2) copies of the Project Manual for review.
- b. Once Project Manual has been finalized, submit two (2) stamped copies of the revised document plus one (1) electronic file copy in PDF format.
- c. Two (2) copies of the drawings – D Size for review.
- d. Once the drawing review is complete, submit two stamped copies of the revised drawings plus one (1) electronic file copy of each drawing in AutoCADD format (release 2000 or later) and in PDF format.
- e. All files will be titled so as to distinguish between preliminary and final design stages.

3.8 Bidding Assistance Phase:

3.8.1 Produce Bidding Documents (specifications and 22" by 34" drawings) for each Project for bidding purposes.

3.8.2 Assist Owner as necessary in advertising for and obtaining bids for construction, materials, equipment and services; and maintain a record of prospective bidders to whom Bidding Documents have been issued, attend Pre-Bid Conferences and receive and process fees for Bidding Documents. Distribute Bidding Documents to potential bidders.

3.8.3 Issue addenda as appropriate to interpret, clarify or expand the Bidding Documents.

3.8.4 Consult with and advise Owner as to the acceptability of subcontractors, suppliers and other persons and organizations proposed by the prime contractor (herein called "Contractor") for those portions of the work as to which such acceptability is required by the Bidding Documents.

3.8.5 Consult with Owner and confirm in writing the acceptability of substitute materials and equipment proposed by Contractor when substitution prior to the award is required by the Bidding Documents.

3.8.6 Attend the Bid Opening, prepare Bid Tabulation Sheets and assist Owner in evaluating bids or proposals and recommend, in writing, contract awarding. In addition, Engineer shall assemble contract documents as specified by the Owner.

3.9 Construction Services Phase

3.9.1 General Administration of Construction Contract. Engineer shall consult with and advise Owner and act as Owner's representative as provided in

Articles 1 through 17, inclusive, of the Standard General Conditions of the Construction Contract of the Engineer's Joint Contract Documents Committee. The extent and limitations of the duties, responsibilities and authority of Engineer as assigned in said Standard General Conditions shall not be modified, except as Engineer may otherwise agree in writing. All of Owner's instructions to Contractor will be issued through Engineer who will have authority to act on behalf of Owner to the extent provided in said Standard General Conditions except as otherwise provided in writing.

- 3.9.2 Visits to Site and Observation of Construction. In connection with observations of the work of Contractor while it is in progress.
- 3.9.3 Engineer shall make visits to the site once per month minimum, or more frequent visits as deemed necessary by Owner and/or progress of work during the construction periods to observe as an experienced and qualified design professional the progress and quality of the various aspects of Contractor's work. Based on information obtained during such visits and on such observations, Engineer shall endeavor to determine in general if such work is proceeding in accordance with the Contract Documents and Engineer shall keep Owner informed of the progress of the work.
- 3.9.4 The purpose of Engineer's visits to (and representation by Resident Project Representative if utilized) the site will be to enable Engineer to better carry out the duties and responsibilities assigned to and undertaken by Engineer during the Construction Services Phase, and, in addition, by exercise of Engineer's efforts as an experienced and qualified design professional, to provide for Owner a greater degree of confidence that the completed work of Contractor will conform generally to the Contract Documents and that the integrity of the design concept as reflected in the Contract Documents has been implemented and preserved by Contractor. On the other hand, Engineer shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct or have control over Contractor's work nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor, for safety precautions and programs incident to the work of Contractor or for any failure of Contractor to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor furnishing and performing their work except unless otherwise specifically set forth herein. Accordingly, Engineer can neither guarantee the performance of the construction contracts by Contractor nor assume responsibility for Contractor's failure to furnish and perform their work in accordance with the Contract Documents.
- 3.9.5 Interpretations and Clarifications. Engineer shall issue necessary interpretations and clarifications of the Contract Documents.
- 3.9.6 Shop Drawings: Engineer shall review and approve (or take other appropriate action in respect of) Shop Drawings (as that term is defined in the aforesaid Standard General Conditions), samples and other data which Contractor is required to submit, but only for conformance with the design concept of the Project and compliance with the information given in the

Contract Documents. Such reviews and approvals or other action shall not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto unless provided otherwise herein.

- 3.9.7 Substitutes. Engineer shall evaluate and determine the acceptability of substitute materials and equipment proposed by Contractor and make a recommendation to Owner for his approval.
- 3.9.8 Inspections and Tests. Engineer shall have authority, as Owner's representative, to require special inspection or testing of the work, and shall receive and review all certificates of inspections, testing and approvals required by laws, rules, regulations, ordinances, codes, orders or the Contract Documents (but only to determine generally that their content complies with the requirements of, and the results certified indicate compliance with, the Contract Documents).
- 3.9.9 Dispute between Owner and Contractor. Engineer shall act as initial interpreter of the requirements of the Contract Documents and judge of the acceptability of the work thereunder and make recommendations on all claims of Owner and Contractor relating to the acceptability of the work or the interpretation of the requirements of the Contract Documents pertaining to the execution and progress of the work.
- 3.9.10 Applications for Payment. Based on Engineer's on-site observations as an experienced and qualified design professional, on information provided by the Resident Project Representative and on review of applications for payment and the accompanying data and schedules:
 - 3.9.10.1.1 Engineer shall determine the amounts owed to Contractor and recommend in writing payments to Contractor in such amounts. Such recommendations of payment will constitute a representation to Owner based on such observations and review, that the work has progressed to the point indicated, and that, to the best of Engineer's knowledge, information and belief, the quality of such work is generally in accordance with the Contract Documents (subject to an evaluation of such work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Contract Documents and to any other qualifications stated in the recommendation). In the case of unit price work, Engineer's recommendations of payment will include final determination of quantities and classifications of such work (subject to any subsequent adjustments allowed by the Contract Documents).
 - 3.9.10.1.2 By recommending any payment Engineer will not thereby be deemed to have represented that exhaustive, continuous or detailed reviews or examinations have been made by Engineer to check the quality or quantity of Contractor's work as it is furnished and performed beyond the responsibilities specifically assigned to Engineer in this Agreement and the Contract

Documents. Engineer's review of Contractor's work for the purposes of recommending payments will not impose on Engineer responsibility to supervise, direct or control such work or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto or Contractor compliance with laws, rules, regulations, ordinances, codes or orders applicable to their furnishing and performing the work. It will also not impose responsibility on Engineer to make any examination to ascertain how or for what purposes any Contractor has used the moneys paid on account of the Contract Price, or to determine that title to any of the work, materials or equipment has passed to Owner free and clear of any lien, claims, security interests or encumbrances, or that there may not be other matters at issue between Owner and Contractor that might affect the amount that should be paid unless otherwise specifically set forth herein.

- 3.9.11 Construction Closeout Document. Engineer shall receive and review maintenance and operating instructions, tests and approvals which are to be assembled by Contractor in accordance with the Contract Documents (but such review will only be to determine that their content complies with the requirements of, and in the case of certificates of inspection, tests and approvals the results certified indicate compliance with, the Contract Documents); and shall transmit them to Owner with written comments.
- 3.9.12 Inspection. Engineer shall conduct an inspection to determine if the work is substantially complete and a final inspection to determine if the completed work is acceptable. If the completed work is acceptable, the Engineer shall recommend in writing, a Notice of Substantial Completion to the Owner and the Contractor that the work is acceptable (subject to any conditions therein expressed).
- 3.9.13 Pre-Construction Conference. Engineer shall assist Owner in conducting a Pre-Construction Conference with Contractor for the project to discuss construction-related matters. Engineer will supply additional stamped copies of the Specification and Construction Drawings incorporating addenda items generated during the bid process and/or one (1) electronic file copy of each drawing in AutoCADD format (release 2000 or later) and in PDF format titled to reflect "Construction Drawings" as requested by the Contractor.
- 3.9.14 Owner shall select independent material testing labs. Engineer shall review testing results and based on these results, recommend to Owner the acceptability of material provided by the Contractor and used in the Project.
- 3.9.15 Limitation of Responsibilities. Engineer shall not be responsible for the acts or omissions of any Contractor, or of any subcontractor or supplier, or any of the Contractor's or Sub-Contractor's or supplier's agents or employees or any other persons (except Engineer's own employees and

agents) at the site or otherwise furnishing or performing any of the Contractor's work; however, nothing contained in this Agreement shall be construed to release Engineer from liability for failure to properly perform duties and responsibilities assumed by Engineer in the Contract Documents.

3.9.16 Work Directive Changes and Change Orders. To be provided as appropriate to construct the project and in accordance with State and Local Laws.

3.10 Close Out Phase:

3.10.1 Prepare a final set of stamped project drawings reflecting "as built" along with one (1) electronic file copy of these drawings in AutoCADD format (release 2000 or later) and in PDF format titled to reflect "as built".

3.10.2 In company with Owner, visit the Project to conduct a Substantial Completion Inspection and observe any apparent defects in the completed construction, assist Owner in consultations and discussions with Contractor concerning correction of such deficiencies, and make recommendations as to replacement or correction of defective work.

3.10.3 Engineer shall have 45 days from Contractor's Substantial Completion date to complete requirements of Contractor's Contract.

4.0 OWNERSHIP OF DOCUMENTS

4.1 Documents including but not limited to plans, specifications, maps, basic survey notes, sketches, charts, computations and all other data prepared or obtained under the terms of this authorization shall become the property of the Owner and shall be made available for Owner's inspection at any time during the Project and, shall be delivered to the Owner prior to termination or final completion of the Contract.

4.2 Engineer may retain a set of documents for its files.

4.3 Reuse of Documents. Any reuse of documents or materials without written authorization or adaptation by Engineer to the specific purpose intended will be at Owner's sole risk and without liability or legal exposure to Engineer or to Engineer's independent professional associates, subcontractors, and consultants.

4.4 No materials, to include but not limited to reports, maps or other documents produced as a result of this Contract, in whole or in part, shall be available to Engineer for copyright purposes. Any such materials produced as a result of this Contract that might be subject to copyright shall be the property of the Owner and all such rights shall belong to the Owner, and the Owner shall be sole and exclusive entity who may exercise such rights.

5.0 SUPPLEMENTARY SERVICES

The Engineer shall provide, when requested in writing by the Owner, supplementary services not included in the basic services.

The compensation to the Engineer for the supplemental services, when performed by the Engineer, shall be in the form of a lump sum, billable hours, or "not to exceed" hourly rate which is mutually agreeable to the Owner and the Engineer in writing.

Such supplementary services may include the following:

- A. Soil investigations.
- B. Laboratory inspection of materials and equipment.
- C. Right-of-Way, easement and property acquisition surveys, plats, maps and documents.
- D. Any major revisions for which the Engineer is not responsible, that are authorized by the Owner after the completion and approval of either the preliminary or final plans, and specifications.
- E. Services concerning replacement of any work damaged by fire or other causes during construction.
- F. Services made necessary by the default of the contractor in the performance of the construction contract.
- G. Services as an expert witness in connection with court proceedings.
- H. Traffic engineering if necessary.
- I. Topographic and/or boundary survey.
- J. Preparation of environmental assessment documents and/or environmental permits
- K. If all or part of the work is to be financed by a Federal or State Grant, the Engineer shall assist the Owner in the preparation of the Grant application and with the Grant Administration, unless otherwise specifically agreed upon previously herein.

6.0 DEFECTIVE WORK

During such visits and on the basis of such observations, Engineer may disapprove of or reject Contractor's work while it is in progress if Engineer believes that such work will not produce a completed Project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the Project as reflected in the Contract Documents.

7.0 NOTICE TO PROCEED

The Owner shall notify the Engineer in writing to undertake the services stated in this Agreement, and the Engineer shall commence the services within ten (10) days after receipt of such notification. The work necessary for the completion of each individual project/work task shall be completed within a time period agreed upon (in writing) between the Owner and the Engineer, following the notice to proceed.

If the Owner desires to divide the Project into various parts, a Notice to Proceed shall be issued for each part, and the Owner and the Engineer shall mutually agree upon the period of time within which services for each part of the Project shall be performed.

The Engineer will be given time extensions for delays beyond their control or for those caused by tardy approvals of work in progress by various official agencies, but no additional compensation shall be allowed for such delays.

8.0 PAYMENTS

8.1 For performance of Basic Engineering, the Owner shall authorize and pay the Engineer a not-to-exceed fee, based on the hourly rates in the Proposal and actual time worked and charges incurred. For the various phases the Engineer shall be paid as follows:

Permitting, Preliminary Design, Final Design, Bidding, Assistance, Construction Services and Closeout	\$331,520
Resident Project Representative	TBD*

* Scope and cost to be negotiated between parties and authorized by mutual written amendment to the contract.

8.2 If authorized in writing by Owner, for the performance of, or for obtaining from others Additional Services which are not considered normal or customary Basic Engineering, the Owner shall pay Engineer based on monthly invoices submitted by the Engineer, within sixty (60) days of receipt of Engineer's invoice.

8.3 For Additional Authorized Services provided by the Engineer such as, but not limited to, wetlands permitting, land and right-of-way acquisition, surveying, NPDES and LADEQ permit renewal or acquisition work, etc. Owner shall pay Engineer based on an agreed upon hourly rate(s) between the Owner and Engineer. Payment shall be not-to-exceed based on hourly rates and actual hours worked.

8.4 The following documentation shall be required for payment to Engineer and shall be attached to the monthly invoice.

- a. A copy of the Owner's written authorization to perform the service.
- b. Timesheets for all hours invoiced.
- c. Invoice copies, logs or other substantiation of non-salary expenses.

8.5 When the Engineer's fee is based on a percentage of the construction costs, the fee for basic engineering services will have a maximum limitation of 110-percent and a minimum limitation of 90-percent of the Engineer's opinion of probable construction cost submitted with the final Bidding Documents.

- 8.6 The Engineer's conceptual opinion of probable cost shall initially be used for the determination of interim fees until the final opinion of probable cost is determined for the final Bidding Documents.
- 8.7 For Additional Authorized Services that Engineer acquires from subcontractors and/or subconsultants, Owner shall pay Engineer a fixed sum previously agreed upon by Owner and Engineer, such sum to be established in each case when the scope of the work involved has been determined and before any of the Additional Services are provided. The use of subcontractors and/or subconsultants shall be subject to the provisions set forth in this Agreement. The following documentation shall be required for payment to Engineer and shall be attached to the monthly invoice:
- a. A copy of the Owner's written consent for the subcontractor and/or subconsultant to perform the service stating the Owner's and Engineer's agreed upon fixed sum established for the service performed.
 - b. Evidence that the subcontractor and/or subconsultant is insured as required by this Agreement.
- 8.8 For Additional Engineering, Owner shall pay Engineer for the fee negotiated at the time the work is assigned by the method stipulated in the contract amendment.

9.0 BUDGET LIMITATIONS

The construction budget for this Project shall be determined by the Owner, and the Engineer shall be advised of the budget limitation in writing by the Owner and the Engineer shall indicate his acceptance of same in writing to the Owner. Any subsequent budget revisions shall be confirmed in writing.

If, at the completion of the Preliminary or Design Phase, the Engineer does not concur with the construction budget, he shall so notify the Owner, and the Engineer and Owner shall mutually agree on a revised construction budget prior to any work on the Design Phase.

If no bid is received within the budget limitation and a redesign of the project is required by the Owner, such redesign shall be accomplished by the Engineer at no additional cost to the Owner, provided, however, if the receipt of bids is, for any reason, delayed beyond a period of six (6) months from the date of the completion of the Design Phase the amount stated as the construction budget shall be adjusted, immediately prior to the time bids are received, by use of a construction cost index acceptable to both parties of this agreement.

10.0 FUNDS

No work shall be authorized until funds are established for each individual task.

11.0 TERMINATION OR SUSPENSION

- 11.1 This Agreement may be terminated for any reason by either party upon thirty (30) days written notice.
- 11.2 The Engineer, upon receipt of such notice, shall immediately discontinue all services in connection with the performance of this Agreement and shall proceed to cancel promptly all existing orders and contracts insofar as such orders or contracts are chargeable to this Agreement.
- 11.3 The Engineer shall, as soon as practicable after receipt of notice of termination, submit a statement showing in detail the services performed and payments received under this Agreement to the date of termination.
- 11.4 The Owner shall then pay the Engineer promptly that portion of the prescribed fee to which both parties agree.
- 11.5 Engineer fully acknowledges that no payment will be made for any work performed or expenses incurred after receipt of the termination by either party unless mutually agreed upon in writing.
- 11.6 Failure to meet agreed delivery dates or authorized extensions are considered substantial failures and breach of this contractual agreement by Engineer.

12.0 INSURANCE

- 12.1 The Engineer shall secure and maintain at his expense such insurance that will protect him and the Owner, from claims under Workmen's Compensation Acts and from claims for bodily injury, death or property damage which may arise from performance of services under this Agreement. Insurance for bodily injury or death shall be in the unencumbered amount of \$1,000,000.00 for one person and not less than \$1,000,000.00 for all injuries and/or deaths resulting from any one occurrence. The insurance for property damage shall be in the unencumbered amount of \$1,000,000.00 for each accident and not less than \$1,000,000.00 aggregate.
- 12.2 The Engineer shall also secure and maintain at his expense professional liability insurance in the unencumbered sum of \$1,000,000.00.
- 12.3 All certificates of insurance SHALL BE FURNISHED TO THE OWNER and shall provide that insurance shall not be cancelled without ten (10) days prior written notice to the Owner. The Owner may examine the policies.
- 12.4 Engineer shall include all subcontractors and/or subconsultants as insured under its policies or shall furnish separate certificates for each. All coverages for subcontractors and/or subconsultants shall be subject to all the requirements stated herein.

- 12.5 St Charles Parish shall be named as an additional insured on general liability insurance policies.
- 12.6 For all purposes under Louisiana law, the principals of this Contract shall be recognized as the statutory employer of all contract employees as provided in LSA-R.S. 23:1061.

13.0 INDEMNIFICATION

Engineer shall indemnify and hold harmless the Owner, its employees, agents and representatives, against any and all claims, demands, suits or judgments for sums of money to any party for loss of life or injury or damages to person or property growing out of, resulting from or by any reason of any negligent act by the Engineer, its employees, agents, servants or representatives, while engaged upon or in connection with the services required or performed hereunder.

14.0 WARRANTY

- 14.1 Engineer warrants that it will perform its design services with the degree of skill and to the standard of care required of the engineering profession to meet all Federal, State and Local requirements.
- 14.2 If Engineering Services for project designed by Engineer does not meet those requirements noted herein above, then to the extent that this occurs as a direct result of Engineer's failure to meet the standard of care in its design services, Engineer will indemnify the Parish for Engineer's share of the costs incurred to bring Engineering Services for project to the limitations mandated.
- 14.3 The obligations expressed in Section 14 above in no way limit the Engineer's obligations expressed elsewhere in this Contract.

15.0 EXCLUSIVE JURISDICTION AND VENUE

For all claims arising out of or related to this agreement, ENGINEER hereby consents and yields to the exclusive jurisdiction and venue of the Twenty-Ninth Judicial District Court for the Parish of St. Charles, State of Louisiana, and expressly waives any (a) pleas of jurisdiction based upon Engineer's residence and (b) right of removal to Federal Court based upon diversity of citizenship.

16.0 OTHER

This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations, oral or written, not specified within this Agreement. This Agreement may not be modified, supplemented or amended in any manner, except by written agreement signed by both parties.

IN WITNESS WHEREOF, the parties to these presents have hereunto caused these presents to be executed the day, month and year first above mentioned.

WITNESSES:

ST. CHARLES PARISH

By: Matthew Jewell
Parish President

Date:

WITNESSES:

ENGINEER

By:

Date:

BBEC Barowka and Bonura
Engineers and Consultants, L.L.C.

August 17, 2020

Mr. Miles Bingham, P.E., Director
St. Charles Parish Department of Public Works
15045 River Road
Hahnville, LA 70057

Subject: **Improving the Drainage Systems Crossings the Railroads in St.
Charles Parish
Engineering Proposal (Revised)**

Dear Mr. Bingham:

We are pleased to submit this proposal to perform engineering services related to improving the drainage systems crossing the railroads in St. Charles Parish.

Our proposed scope includes the following phases of work as described in the Parish's Standard Contract for Engineering Services:

- Permitting (including railroad and coastal use permits)
- Preliminary Design Phase
- Final Design Phase
- Bidding Assistance Phase
- Construction Services Phase
- Close Out Phase

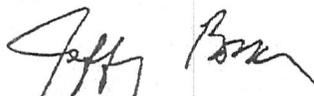
I propose the scope of the project to include the drainage facilities crossing and/ or adjacent to the CN railroad as highlighted in attached Exhibit A. The preliminary construction cost estimate for the proposed work is \$4,789,371.95, including a 10% contingency. A copy of the detailed preliminary construction cost estimate is provided in Exhibit B. Based on a single construction contract, we propose a upper limit of \$331,520.00.

**Barowka & Bonura
Engineers & Consultants, L.L.C.**

We look forward to working with you on the very important project. And, we can begin work immediately.

If we can be of further assistance on this matter, please feel free to contact me.

Sincerely,
Barowka and Bonura Engineers and Consultants, LLC



Jeffrey Bonura, P.E.

Attachments

As part of the analysis for 50-year and 100-year design storms, four phases were modeled and are proposed as improvements required to mitigate flowing for the 50-year and 100-year rainfall events. The details and results for each phase are provided as follows.

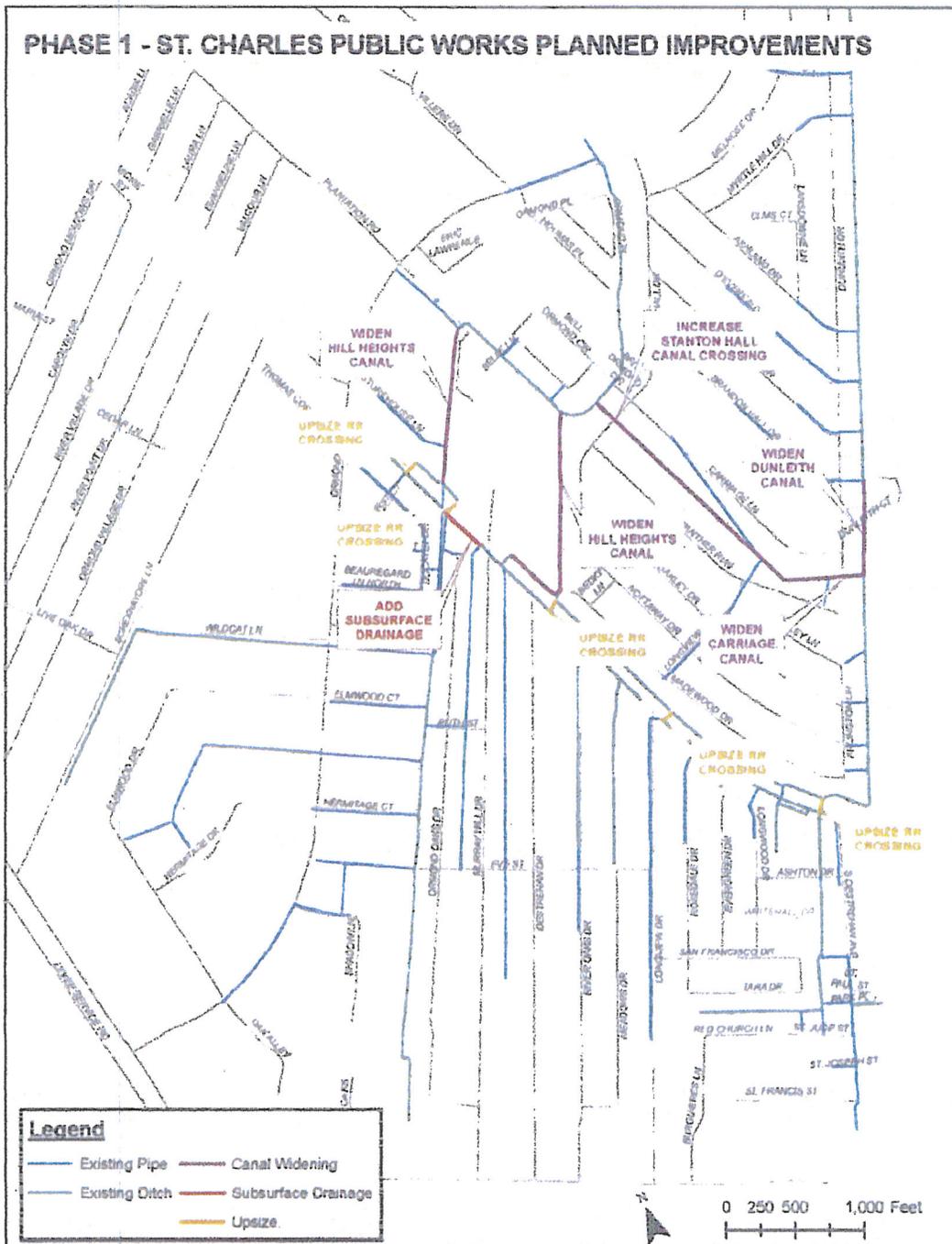
Phase 1 – St Charles Public Works Planned Improvements

- Increase area of Destrehan Pump Station #2 sump to 0.56 acres, invert El -12, 1100 cfs pump capacity (currently under design)
- No restricted flow – assume existing catch basins and pipes have maximum flow
- Widen Dunleith Canal to PS#2 to 50 ft bottom
- Widen Carriage Canal to 50 ft bottom
- Increase Stanton Hall canal crossing to 2-6'x20' box culverts
- Increase widths of Hill Heights ditches to 50 ft with 3:1 slopes, 8 ft max depth (10 ft easement for maintenance) **ONLY THAT PORTION PARALLEL TO, ADJACENT TO, AND AFFECTED BY THE CN RAILROAD.**
- Add 60" RCP on south side of tracks to connect Ormond Ditch to CN Railroad Trestle
- Upsize existing railroad crossings as shown in the table below

Location of Railroad Crossing	Existing Pipe Size	Area of Existing Crossing (sf)	Additional Crossing Area Required (sf)	
			50-Year Design	100-Year Design
Ducayet Dr (P-103)	48" RCP	12.6	67.4 ²	67.4 ²
Ormond Oaks Dr (P-013/P-099)	48" RCPA 84" RCP	49.9	30.1 ³	30.1 ³
Destrehan Dr (P-113)	42" CMP	9.6	31.8 ⁴	31.8 ⁴
Longview Dr (P-041)	48" RCP	12.6	12.6 ⁵	19.2 ⁶
Longwood Dr (P-045)	54" RCP	25.9	-- ¹	-- ¹
S Destrehan Ave (P-048/P-049)	42" CMP 66" CMP	33.4	46.6 ⁷	46.6 ⁷

Notes:

1. Existing pipe not full – do not need to upsize.
2. Equivalent to approximate area of 4-60" RCP or 3-72" RCP
3. Equivalent to approximate area of 2-54" RCP or 1-72" RCP
4. Equivalent to approximate area of 3-48" RCP or 2-54" RCP
5. Equivalent to approximate area of 1-48" RCP
6. Equivalent to approximate area of 2-42" RCP or 1-60" RCP
7. Equivalent to approximate area of 3-60" RCP or 2-72" RCP



ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
202-01-00100	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	1.00	LUMP SUM	\$45,000.00	\$45,000.00
201(01)	Clearing and Grubbing	1.00	LUMP SUM	\$45,000.00	\$45,000.00
203(02)	DRAINAGE EXCAVATION	1125.00	CU YD	\$40.00	\$45,000.00
203(05)	EMBANKMENT(NET SECTION)	1540.00	CU YD	\$7.00	\$10,780.00
203(08)(A)	GEOTEXTILE FABRIC(UNDER BOX CULVERT AND FLUME)	760.00	SQ YD	\$4.00	\$3,040.00
204(01)	TEMPORARY EROSION CONTROL	1.00	LUMP SUM	\$45,000.00	\$45,000.00
401(01)	AGGREGATE SURFACE COURSE(12" THICK)	100.00	SQ YD	\$39.00	\$3,900.00
701(03)A	REINFORCE CONCRETE PIPE (60")	270.00	LIN FT	\$420.00	\$113,400.00
701(03)C	REINFORCED CONCRETE PIPE(48")(EXTENSION)	80.00	LIN FT	\$225.00	\$18,000.00
701(15)	CONCRETE COLLAR	10.00	EACH	\$4,000.00	\$40,000.00
702-01	JUNCTION BOX	5.00	EACH	\$20,000.00	\$100,000.00
702-02	MANHOLES (PARISH STANDARD)	3.00	EACH	\$10,000.00	\$30,000.00
702-03	CATCH BASINS	2.00	EACH	\$10,000.00	\$20,000.00
702-04(B)	ADJUSTING CATCH BASINS/DROP INLETS	10.00	EACH	\$2,000.00	\$20,000.00
713-01	TEMPORARY SIGNS AND BARRICADES	1.00	LUMP SUM	\$0.00	\$0.00
722-02	PROJECT SITE LABORATORY (Equipped)(Large-Lengthy Project)	1.00	EACH	\$40,000.00	\$40,000.00
723-01(A)	GRANULAR MATERIAL (CANAL BACKFILL BY BOX CULVERT AND FLUME(NET SECTION)	1157.33	CU YD	\$30.00	\$34,719.90
726(01)	BEDDING MATERIAL(CRUSHED STONE)(BOX CULVERTS AND FLUME-NOT SECTION)	78.19	CU YD	\$90.00	\$7,037.10
727-01-00100	MOBILIZATION	1.00	LUMP SUM	\$110,000.00	\$110,000.00
728-01(A)	JACKED PIPE(48 X 1.0 ASTM GRADE E)	120.00	LIN FT	\$2,400.00	\$288,000.00
728-01(B)	JACKED PIPE(60 X 1.25 ASTM GRADE E)	440.00	LIN FT	\$2,700.00	\$1,188,000.00
728-01(C)	JACKED PIPE(72 X 1.25 ASTM GRADE E)	72.00	LIN FT	\$2,850.00	\$205,200.00
728(02)(A)	PIPE JACKING SET UP	7.00	EACH	\$32,000.00	\$224,000.00
728(02)(B)	ADDITIONAL PIPE JACKING SET UP	7.00	EACH	\$16,000.00	\$112,000.00
729(19)(B)	DEAD END ROAD INSTALLATION(TYPE B)	5.00	EACH	\$5,000.00	\$25,000.00
739(01)	HYDRO-SEEDING	2750.00	SQ YD	\$0.65	\$1,787.50
740-01	CONSTRUCTION LAYOUT	1.00	LUMP SUM	\$50,000.00	\$50,000.00
741-01(8)	WATER MAIN (8") (DUCTILE IRON-RESTRAINED JOINTS)	200.00	LIN FT	\$100.00	\$20,000.00
741-01(12)	WATER MAIN (12") (DUCTILE IRON-RESTRAINED JOINTS)	200.00	LIN FT	\$150.00	\$30,000.00
741-02(8)	GATE VALVE(8")	2.00	EACH	\$2,000.00	\$4,000.00

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
741-02(12)	GATE VALVE(12")	2.00	EACH	\$3,000.00	\$6,000.00
742-01	SANITARY SEWER FORCE MAIN (8") PVC/C-900 PIPE)	600.00	LIN FT	\$100.00	\$60,000.00
805(01)	CLASS "A" CONCRETE (BOX CULVERT)	800.74	CU YD	\$1,500.00	\$1,201,110.00
806(01)(A)	DEFORMED REINFORCING STEEL (BOX CULVERT)	45000.00	POUND	\$2.50	\$112,500.00
NS(01)	RAILROAD FLAGMEN	1.00	LUMP SUM	\$30,000.00	\$30,000.00
NS(02)	TEMPORARY ACCESS	1.00	LUMP SUM	\$62,000.00	\$62,000.00
NS(03)	RAILROAD BALLAST	20.00	CU YD	\$175.00	\$3,500.00
	Subtotal				\$4,353,974.50
	10% Contingency				\$435,397.45
	Total				\$4,789,371.95

2020-0182

INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)

ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Code of Ordinances, Chapter 6 Buildings and Building Regulations, Article II, Section 6-14 Permit Application to establish a process for analyzing the impact of traffic generated by new development by adding part (n) Traffic Impact Analysis.

WHEREAS, the permitting process is routine, orderly, and intended to ensure safe, adequate, and proper construction practices; and,

WHEREAS, these requirements are necessary for understanding the impact of new development on existing infrastructure; and,

WHEREAS, the St. Charles Parish Council wishes to ensure that quality of life remains high and that the transportation network remains safe.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Chapter 6 Buildings and Building Regulations, Article II, Section 6-14 Permit Application, is amended as follows, with additional text in underline and deleted text in ~~strikethrough~~:

Sec. 6-14. - Permit application.

To obtain a permit, the applicant shall first file an application on a form furnished by the department of planning and zoning for that purpose. Such application shall contain, at minimum the following information:

- (a) Property owners' contact information;
- (b) Applicant's contact information;
- (c) Contractor's contact information;
- (d) Municipal address of the site (an address will be assigned by the department of planning and zoning when not otherwise available);
- (e) Deed or Act of Sale of the site;
- (f) Survey of the site;
- (g) Site plan including all proposed dimensions, elevation, setbacks, parking, loading, and landscaping where required;
- (h) Two (2) complete sets of printed construction plans as well as an electronic format if available. Plans must detail at least the following information: (1) Intended occupancy; (2) Square footage; (3) Type of construction; (4) All necessary details; (5) Plans for any proposed foundation, structural, concrete or masonry, electrical, mechanical, plumbing, natural gas, liquefied gas, or other fuel gas work.
- (i) The design wind speed and high wind design standard criteria on which the design was based must be stated on the drawings. Certification, under penalty of perjury, that the construction documents are in compliance with the prescribed Louisiana State Uniform Construction Code.
- (j) When required by the building official a certified stamped set of construction plans by a licensed registered Louisiana professional civil engineer and/or licensed architect shall be furnished;
- (k) Anticipated completion of construction.
- (l) Debris shall be contained in an approved container during construction or hauled off daily. A copy of the agreement with provider of service to contain or remove and haul off all construction debris, garbage, trash, etc., generated during construction to a state permitted disposal site must be included. For minor residential permits, the planning department may accept an alternative form of debris removal. Failure to contain or haul off debris in accordance with agreement by any person or commercial vendor shall be convicted of a misdemeanor and violators upon conviction will incur penalties as defined in R.S. 14:100.1, penalty fine of not more than five hundred dollars (\$500.00) and/or imprisoned for not more than six (6) months, or restitution of costs incurred by the department of public works as determined by the court for each offense.
- (m) When required by the MS4 administrator, a stormwater pollution prevention plan, including all required documentation, shall be submitted in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control, section 25-51.

(n) Traffic Impact Analysis. A Traffic Impact Analysis (TIA) is required for all new commercial, industrial, townhome, apartment, and multiplex construction. The TIA, including all required documentation, shall be submitted in accordance with the Parish's currently adopted Traffic Impact Analysis Policy (Resolution No. _____).

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

And the ordinance was declared adopted this _____ day of _____, 2020 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: _____

ST CHARLES PARISH

Traffic Impact Analysis (TIA) POLICY

This policy establishes requirements for studies that provide information on traffic projected to be generated by all proposed developments. The purpose and intent of these requirements is to protect the health, safety, and welfare of the citizens and visitors of St Charles Parish (hereinafter "The PARISH") by ensuring the provision of safe and adequate transportation facilities. The objective of the policy is to establish requirements for the identification of potential traffic impacts, operational and/or safety, of proposed developments and potential mitigation where required. Traffic Impact Policies are a standard method utilized by all levels of government to address the contribution to traffic congestion by new or expanded development. A list of references utilized to develop this policy based on best practices is attached.

The landowner, developer and/or engineering representative (hereinafter "The APPLICANT") must provide an engineering study to document the anticipated impact of the proposed development on the existing transportation network. All information and analysis submitted by the APPLICANT must follow the requirements and methods outlined in this policy.

Developments seeking access to state roadways where a review of a traffic impact study is performed by the Louisiana Department of Transportation and Development (hereinafter "The LADOTD") are not exempt from the requirements in this policy.

Procedures

The PARISH Department of Planning and Zoning (hereinafter "the DPZ") should be contacted prior to all new development applications, Plat Plan and Building Permit Applications, to arrange for a Pre-Application Meeting. At this meeting, a representative of the Department of Public Works (hereinafter "the DPW") will determine the level of traffic impact analysis required. This policy does not apply to an individual requesting a single family or two-family residential access.

If required, the APPLICANT shall submit a Traffic Scoping Information Form and the required supporting documentation to the DPZ two weeks (14 days) prior to the Pre-Application Meeting. The scope of the traffic impact study, required format, and required supporting documentation will be determined by the DPW Representative at the Pre-Application Meeting. A subsequent Traffic Scoping Meeting may be scheduled with the DPW Representative if more specific information or analysis are required.

In instances where the APPLICANT is requesting access to a state roadway and/or where a traffic impact study is required by the LADOTD Traffic Impact Policy, the PARISH process should be initiated first. LADOTD should not be contacted until after the PARISH Pre-Application/Traffic Scoping Meeting unless the PARISH requests LADOTD attend. When the LADOTD process is initiated separately, the APPLICANT shall inform and invite the designated PARISH representative to LADOTD traffic impact meetings and copy him/her on subsequent correspondence. If the designated PARISH representative is not available or elects not to attend any meetings with LADOTD regarding traffic impacts /access connections, the APPLICANT shall provide him/her minutes of the meeting(s).

The APPLICANT shall be solely responsible for the cost of preparation of any required Traffic Impact Studies. The APPLICANT should provide the required stamped and signed TIA and supporting data to the DPW, or their designee, for review and approval. Review fees will be assessed in accordance with the St Charles Parish Fee schedule. The DPW, or their designee, shall provide a TIA Approval Letter to the APPLICANT that clearly outlines any required mitigation.

The TIA Approval Letter shall be included in the packet provided to the commissioners for projects requiring approval by the Planning Commission.

When required by the DPW, the TIA Approval Letter shall be submitted with the Permit Application for projects requiring a building permit. A building permit will not be issued unless the APPLICANT receives a TIA Approval Letter.

Required mitigation measures, if any, shall be in place prior to issuance of a Certificate of Occupancy.

Traffic Scoping Meeting

The APPLICANT shall submit a Traffic Scoping Information Form to the DPW prior to the Pre-Application Meeting. At this meeting, the DPW, or their designee, shall discuss and develop the following Traffic Impact Analysis requirements based on project specific conditions:

- TIA Threshold
- Study area
- Data Collection Requirements which could include, but not be limited to:
 - Traffic Signal Inventory /phasing/timing
 - Seven-day, 24-hour volume counts
 - Turning movement counts
 - Daily volume counts
 - Classification counts

- o Field observations
- o Crash history
- o Travel times
- o Speed data
- Trip generation and distribution which could include, but not be limited to:
 - o Land Use Category
 - o Daily trips
 - o Peak hour trips
 - o Internal Capture percentages
 - o Pass by percentages
- Analysis requirements which could include, but not be limited to:
 - o Capacity Analysis
 - o Turn Lane Warrant Analysis
 - o Signal Warrant Analysis
 - o Safety Analysis
 - o Roundabout Study
 - o AutoTurn Analysis
 - o Simulation Modeling
- Incorporation of trips for other proposed developments within the study area and/or growth rate usage and methodology

Trip Generation Rates

In general, applicants shall use the trip rates (use fitted equation if available) contained in the most recent edition of the Institute of Transportation Engineers' (ITE) *Trip Generation* manual or count data from an equivalent site.

Traffic Impact Analysis Threshold Levels

A TIA shall be required for all subdivisions (new or expansions), all new commercial/industrial developments requiring a building permit, and all multi-family developments (townhomes, apartments, and multiplexes). Individual single-family and two-family residences are exempt from this requirement. Where expansion of an existing commercial/industrial facility will increase an existing building or paved area by 50% or more, the expansion shall also be subject to a traffic study.

Generally, three (3) threshold levels of Traffic Impact Studies (Thresholds 1, 2, and 3) are defined to include, but not be limited to, the following requirements. The exact requirements based on site-specific and project specific elements will be defined at the Pre-Application Meeting.

Threshold 1 (Traffic Impact Analysis Statement Required) - If the proposed development results in less than forty (<40) peak hour trips, either AM or PM (whichever is greater) the APPLICANT will be required to submit the following items:

- a. The proposed trip generation and distribution with source of information;
- b. Traffic Scoping Information Form with Required Additional Information (may include revisions per the Pre-Application Meeting);
- c. Sight distance evaluation at proposed driveway locations.

Threshold 2 (Traffic Impact Analysis Study Required) - If the proposed development results in greater than forty (>40) and less than four hundred (<400) peak hour trips, either AM or PM (whichever is greater) the APPLICANT will be required to submit the items for Threshold 1 plus the following additional items:

- d. Capacity analysis for existing and proposed conditions at intersections within the study area established during the Pre-Application Meeting;
- e. Capacity analysis for proposed conditions at the development driveways;
- f. Left turn lane, right turn lane and signal warrants at the development driveways;
- g. Recommendations for mitigating improvements to maintain or improve the existing Level-of-Service, as well as recommendations for driveway locations and configurations.

Threshold 3 (Limited Traffic Impact Analysis Study Required) - If the proposed development results in greater than four hundred (>400) peak hour trips, either AM or PM the APPLICANT will be required to submit the items for Thresholds 1 and 2 plus the following items:

- h. Obtain summary of the crash history within the study area;
- i. Review crash reports and provide recommendations to improve safety.

The peak hour trips are not the only threshold factor in deciding the analysis that will be required. At the discretion of the DPW, or their designee, other items which significantly influence the traffic movements or safety may require a higher level of study. These include but are not limited to the following:

- High volumes on surrounding roads affecting access to a proposed development
- Proximity of proposed access points to existing drives or intersections
- Areas currently experiencing excessive traffic congestion
- Developments that include drive-through operations
- Lack of existing left turn lanes on adjacent roadways
- Areas currently undergoing substantial growth

- Inadequate sight distance at access points
- High-accident areas

The APPLICANT shall meet all applicable requirements found in the Parish Zoning and Subdivision Ordinance Code. The PARISH has the right to require mitigating improvements for which the APPLICANT will be the financial responsible.

Documentation

Threshold 2 and 3 Traffic Impact Analysis studies shall be stamped and signed by an approved registered Louisiana Professional Engineer who is a certified PTOE.

Contents and Format

The contents of a TIA, as well as the TIA study area limits shall vary depending on the site and prevailing conditions. Content requirements shall be established by the DPW, or their designee during the Pre-Application Meeting.

Each TIA must take into account other proposed developments in the study area for which a TIA has been submitted or approved. This information shall be obtained and provided by the DPW, or their designee, and/or the LADOTD. A growth rate may be applied to existing traffic data in lieu of estimated trips for specific developments if approved by the DPW in the Pre-Application Meeting.

The TIA study shall be prepared in the following format:

1. Description of Study Area: A vicinity map and description of the study area shall be provided. The map shall include roadways that allow access to the site and are included in the study area. Documentation of the study area development established during the Pre-Application Meeting shall be included in the appendix.
2. Description of the Project: This description shall include the size of the parcel, access to the site, onsite circulation, and the existing and proposed uses of the site. In addition, the square footage of each use or number and size of units proposed shall be specified. A proposed site plan proposed shall be included.
3. Existing Conditions: The existing conditions, in the vicinity of the project, shall be described including field observations. Existing traffic controls and geometrics (number of lanes, intersection configurations, etc.) on roadways or at intersections within the study area shall be described in detail.

4. Existing Traffic Volumes: Traffic data shall be collected/conducted at study area intersections during peak hours and dates approved by the DPW, or their designee. The TIA shall include a description of traffic count type, location of count and date of collection. A figure that presents AM and PM peak hour counts with turning movements and average daily traffic shall be included when applicable. Raw count data shall be included in the appendix.

Unless approved by the DPW at the Pre-Application Meeting, the counts shall be conducted during the school year (September through May) and during weeks that have no major school holidays. (These holidays shall include, but are not limited to, Thanksgiving, Christmas Break, Spring Break, Mardi Gras, Labor Day, and Exam weeks.) Counts shall not be conducted during special events in the area unless for a specific purpose.

5. Trip Generation Estimates: Traffic volumes expected to be generated by the proposed development shall be estimated. Trip generation calculations shall be included in the appendix.
6. Trip Distribution: Trips generated by the site must be distributed and assigned to the roadway network to determine the project's impacts. The methodology and assumptions which are used in the determination of trip distribution shall be described. For projects with several phases to be developed over several years, the trip distribution shall be estimated for the completion of each phase of the development as well as the final build-out of the development. A figure that presents the new trips distributed and assigned to the roadway network shall be included.
7. Projected Traffic Volumes within the TIA Study Area: Project generated, and distributed trips shall be estimated for intersections in the study area, including proposed driveways. A figure that presents AM and PM peak hour projected volumes with turning movements shall be included. A detailed description shall be included of how the trips generated from other proposed developments are incorporated in the model or how the use of the growth rates approved by the DPW, or their designee, at the Pre-Application Meeting are being applied in the model.
8. Capacity Analysis: Capacity analyses provide an indication of how well the study area intersections serve existing and future traffic demands. A description of the methodology and Level of Service (LOS) definitions shall be included within the TIA. For existing and future conditions, LOS at all study intersections, inclusive of the site access locations, shall be calculated for signalized and unsignalized intersections using procedures contained in the *Highway Capacity Manual*. The LOS and delay shall

be reported for each turning movement at each approach, each overall approach and the overall intersection as applicable in tabular format. Capacity analysis documentation shall be included in the appendix.

The objective of the APPLICANT shall be to maintain or improve the existing LOS. An overall LOS "D" shall be considered acceptable. Where LOS "D" is not existing or the existing LOS cannot be achieved with improvements /mitigation, a description of impacts, constraints, mitigation measures analyzed, and results shall be provided.

9. Warrant Analysis: Traffic signal and/or left/right turn lane warrants may be conducted and storage lengths recommended where applicable. Meeting warrants is not the only consideration for signalization and/or left/right turn lanes, engineering judgment must also be applied. Warrant analyses documentation shall be included in the appendix.
10. Crash Data: When required, three years of the most current crash data shall be obtained for intersections within the study area. The details of the safety analysis shall be determined on a project specific basis by the DPW, or their designee.
11. Traffic Improvements: Improvements to the network should be developed to address deficiencies. Improvements shall be analyzed to determine the expected impact.
12. Conclusions and Recommendations: The equivalent of an executive summary should be provided to describe the proposed project, the data collected, the analysis conducted, improvements considered and resulting recommendations.

Actions Based on TIA/ Mitigation

A proposed development which is subject to the TIA requirements of this policy may be disapproved when the results of the required TIA demonstrate that the proposed project will overburden the existing roadway system by causing a reduction in service of affected roadways, negatively impacts the safety of the roadway, or is below the adopted Level of Service (LOS) "D". In the case where the existing Level of Service (LOS) is below "D", the required mitigating improvements shall improve the LOS to "D" or better. An APPLICANT, in coordination with the DPW, or their designee, may modify the development proposal to reduce traffic-related impacts. Modifications to applications for projects may include, but shall not be limited to:

- Dedication of additional right of way
- Re-routing of traffic and proposed access points serving the proposed project
- Traffic signal timing and/or phasing adjustments (with coordination and approval from the owner of the signal)

- Restriping or reconfiguration of intersections
- Construction of additional lanes
- Installation of a roundabout
- Installation of a signal
- Providing funding for infrastructure improvements
- Any other recommendations by the DPW upon review.

APPLICANTS will be responsible for the cost and implementation of identified improvement(s) to mitigate the traffic impact of their proposed development unless funding can be provided through a grant mechanism.

If traffic mitigation is part of an approved Traffic Impact Analysis, all approved traffic improvements must be implemented prior to issuance of an occupancy permit that it is to be completed within construction of a subsequent phase.

Mitigation shall comply with the St Charles Parish Master Plan in place at the time of application, if any. The APPLICANT shall verify with the DPW whether a Master Plan proposed route or improvement will affect the subject property. If so, access through the property and/or require Right-of-Way, may be required to be dedicated to the Parish as part of the APPLICANTS's mitigation efforts.

The Parish has the right to place moratoriums in areas where reasonable operational conditions, as determined by the DPW, or their designee, are not able to be achieved with mitigation.

Waiver of/Exemption from TIA Requirements

The Planning Commission may not waive the traffic impact analysis submittal requirements of this policy without the consent of both the Department of Planning and Zoning and the Department of Public Works.

REFERENCE PUBLICATIONS

- A. Traffic Impact Policy for New Access Requests Affecting Traffic on State Routes, Louisiana Administrative Code, State of Louisiana Division of Administration
- B. Access Connection Permits, Louisiana Administrative Code, State of Louisiana Division of Administration
- C. Access Connection Policy, Louisiana Department of Transportation and Development (LADOTD)
- D. Traffic Impact Policy for New Access Requirements, LADOTD
- E. Trip Generation Manual, 9th Edition, Institute of Transportation Engineers
- F. Highway Capacity Manual, Special Report 209, Transportation Research Board
- G. Manual on Uniform Traffic Control Devices for Streets and Highways, US Department of Transportation, Federal Highway Administration
- H. Engineering Directives and Standards VI.1.1.9, Department of Transportation and Development, Office of Highways
- I. Traffic Impact Analysis, St. Tammany Regulatory Ordinance, 2014
- J. Public Infrastructure Design Standards, Lafayette Consolidated Government, Department of Public Works, 2015

Commissioner Frangella: Next up 2020-04-ORD Matthew Jewell, Parish President/Dept. of Planning and Zoning for an ordinance to amend the St. Charles Parish Code of Ordinances, Chapter 6 Buildings and Building Regulations, Article II, Section 6-14 Permit Application to establish a process for analyzing the impact of traffic generated by new development by adding part (n) Traffic Impact Analysis.

Mr. Albert: Thank you Mr. Chair. I'm going to speak on this one but it basically applies to the next one. What we are implementing in code is a process to formally have traffic reviewed and brought to you and the Planning Department to inform the process. There are many occasions when we get questions from the public regarding traffic safety, how many vehicles is this going to add to daily trips and neighborhoods and our ability to do this right now is limited and completely dependent upon coordination with the state DOTD which good faith effort occasionally is difficult to get. The ordinance, the first one you're looking at is one that would set up a process for doing this with commercial development, so any commercial activity and some multi-family residential activity, apartments and stuff, we would be able to get traffic numbers and recommend remedies to those projects if there is a traffic related problem. Mr. Palamone is here to speak on the regional impacts and how other jurisdictions have dealt with this from his own experience.

Mr. Palamone: Thanks Michael. So we just went through a big discussion about measuring the impact of drainage on our residents in the parish and then parish properties. What this traffic impact analysis will do, it will add to the evaluation of our infrastructure just like drainage, just like wastewater now we want to look at traffic, those are all elements of the parish infrastructure that are important to the current residents in the parish. It will also, as Michael mentioned, safety, part of the traffic impact will look at things like sight distances on corner and so on and so forth. Geometry of the roadways that are being proposed, so there is a safety component that is tied to this as well. This also as Michael mentioned the DOTD, this traffic impact puts a tie between the parish and the DOTD, in other words the developer #1 has to come to us 14 days before the pre-application meeting, at that point we will determine what the scope of services is for the area of influence that the development will have on our roads and network. At that point if it is within ¼ mile of a state route then Title 70 part 1 of the state code kicks in which then ties it to the DOTD access map policy, they have to go and visit the DOTD and we have the option to go with them or not, so again the DOTD and the parish are going to be tied together in evaluating the traffic. Page 7 of the policy will give you some of the mitigating impacts that could happen as well as what could be threshold, the threshold review is on page 4. Review process, I sent out, I gave Michael a copy of other areas around that state that have traffic impact analysis including the DOTD and you'll find similar evaluations of thresholds of how many trips are being generated by the development, the review process, study requirements, which we also have in here, what the study is supposed to look like. It will give you the evaluation and the mitigations based on those evaluations and then also it will give you the mitigating strategies to mitigate whatever impacts that are being presented. Again this is not uncommon in other areas in the state as you can see, I think we have Lafayette on there, Ascension Parish, Jefferson Parish, St. Tammany Parish so it's very commonly done in all parts of the state. Additionally, I also gave you the number of PTOE's registered in the state. There are 80 of them. There's not like a limited number where there's only a few firms I can do this, it was somehow broadcasted that there was a limited number of PTOE's, 80 is a lot. There are a lot of firms that have PTOE's on board that can handle these studies for different developers.

Mr. Albert: Just to say the one you're looking at here for 2020-04 is related to building permit and construction. The next one is for subdivisions. I know there is not a lot of experience but a lot of development we see will be below a threshold so don't think that small business is going to get trapped up in this, they're going to get pre-cleared, they're going to be small enough to not generate the traffic count numbers to trigger the more intense requirements of this section.

Mr. Palamone: Right and threshold #1, it almost boils down to just a couple of simple things, a letter of no impact which is not a significant amount of money when you're going through the process. It looks at things like safety and sight distances, but it's not a lot done when it's below 40, when you get above 40 then depending on the area of influence,

the scope of the study it would definitely get bigger and larger but on a typical subdivision, I mean you're not talking a lot of money, 100 and something homes, we're talking in the neighborhood of maybe 10, 7,000 to 10,000 to 12,000 and you divide that by 100 homes, there's some argument that it's going to drive up the cost. I don't think it's a significant amount considering the residents in that area are going to have to live with whatever this development is and the traffic impact that's going to be presented by the developer. As Mr. Jewell mentioned the latter part of the drainage analysis and many times I see there's always some level of a cost sharing of the improvements that are necessary with the municipality, the parish and / or the developer.

Commissioner Frangella: Ok any other questions? Alright thank you. Open public hearing for 2020-04-ORD anyone here to speak for or against? Please come forward.

Ms. Stein: Our understanding is that no one signed up to speak for this matter.

Commissioner Frangella: Alright we'll close the public hearing for 2020-04-ORD. Any questions or comments from the Commission? Ok we'll call for the vote.

YEAS: Ross, Petit, Keen, Dunn, Frangella, Galliano

NAYS: None

ABSENT: Granier

Commissioner Frangella: That passes unanimously.

St. Charles Parish Department of Planning & Zoning

Land Use Report

Case Number: 2020-04-ORD

Introduced by Matthew Jewell, Parish President/Dept. of Planning and Zoning

An ordinance to amend the St. Charles Parish Code of Ordinance, Chapter 6 Buildings and Building Regulations, Article II, Section 6-14 Permit Application to establish a process for analyzing the impact of traffic generated by new development by adding part (n) Traffic Impact Analysis.

Background

A traffic impact analysis or study (TIA) is a document that reports the estimated effect that traffic generated by a proposed development will have on the capacity, the operations, and/or the safety of a street system.

A TIA policy contains the specific requirements that a TIA document must meet for a jurisdiction.

Parishes and municipalities throughout Louisiana require TIAs as part of the development process to protect their street system from congestion and maintain safe travel.

The Parish President, through the Department of Planning and Zoning proposes that developers should be required to submit a TIA for some building permits, and has proposed a policy to do so.

The Parish Council discussed an ordinance to adopt a TIA at both their Legislative Committee meeting and regular Council meeting on July 6, 2020. The ordinance does not appear to have been specifically referred to the Planning and Zoning Commission to make a recommendation to the Council; the Planning and Zoning Department felt it was implied in the discussion.

The Parish Council also discussed the policy regarding TIAs, entitled, ST CHARLES PARISH traffic Impact Analysis (TIA) Policy, and has been asked to adopt the policy by resolution.

Potential outcomes

- Improved street functionality for Parish residents.
- Improved and informed quantitative data for residents regarding traffic.
- Additional cost for developments that meet the threshold that requires a TIA.

Recommendation

Approval, as the attached ordinance is slightly revised to refer to the "ST. CHARLES PARISH Traffic Impact Analysis POLICY" by the number of the Council resolution if it is adopted.

2020-0249

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

RESOLUTION NO. _____

A resolution providing supporting authorization to endorse the approval of a revised Preliminary Plat for Esperanza Business Park Phase II, with waivers from the maximum block length, as requested by Esperanza Land, LLC.

WHEREAS, on July 10, 2017, the St. Charles Parish Council adopted Resolution 6295 endorsing waivers from several geometric standards of the Subdivision Regulations to approve a Preliminary Plat for Esperanza Business Park Phase 2; and,

WHEREAS, the Preliminary Plat was filed in Book 850 page 529; and,

WHEREAS, the Planning and Zoning Commission granted construction approval on November 1, 2018; and,

WHEREAS, the developer has completed extensions of Deputy Jeff G. Watson Drive and Rue Sucre to provide for the subdivision, but has not built Rue Bon Temps which would connect the two streets and separate the blocks of the subdivision; and,

WHEREAS, as a result, the blocks of the subdivision are approximately 2150 feet long and 2290 feet long, exceeding the maximum 1500 feet; and,

WHEREAS, the developer has requested a waiver to allow the longer blocks; and,

WHEREAS, the Planning and Zoning Commission approved the revised preliminary plat with the requested waiver at their August 6, 2020 meeting.

NOW, THEREFORE, BE IT RESOLVED THAT THE ST. CHARLES PARISH COUNCIL, hereby provides this supporting authorization to endorse the approval of a revised Preliminary Plat entitled "Preliminary Plan Esperanza Business Park Phase 2," by Stephen Flynn, PLS dated 5/25/2017 and revised 5/4/2018, 9/19/2018, 10/9/2018, and 7/21/2020 with waivers from the maximum block length as requested by Esperanza Land, LLC.

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

And the resolution was declared adopted this _____ day of _____, 2020, 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: _____

Commissioner Frangella: PZS-2017-31 requested by Esperanza Land, LLC, approval of a revised Preliminary Plat for Esperanza Business Park Phase 2. Zoning District M-1 and M-2. Council District 1.

Mr. Welker: This is as you mentioned the consideration of a revised preliminary plat for Esperanza Business Park Phase 2. Just some background, the Planning Commission approved the original preliminary plat on June 1, 2017 with waivers from subsurface drainage, street names, block length, lot orientation and lot width. The Parish Council endorsed the waivers in Resolution No. 6295. The Planning Commission approved construction plans on November 1, 2018 and the developer began construction in April 2019. In April 2020 the subdivision was nearing completion, the developer had been working with the Department of Public Works and Wastewater to complete the subdivision without building Rue Bon Temps, the street would have connected the extensions of Deputy Jeff G. Watson Drive to Rue Sucre and provided frontage for 8 lots that were part of the subdivision. The resulting change in the geometric layout of the subdivision and by omitting this center street during construction increases the block length from 1,750 ft. approved originally along Deputy Jeff G. Watson Drive to 2,146 ft. and from 1,529 ft. originally along Rue Sucre to 2,289 ft. This increase cannot be approved without approval of new waivers which the developer has requested and the Department of Public Works and Wastewater offers no objection to. The resulting Parcel C 43.3 acres in area is irregularly shaped but meets the required 100 ft. width and 10,000 and 15,000 sq. ft. area for the M-1 and M-2 zoning districts. The resulting side lot lines for Parcel C are not perpendicular to Rue Sucre however, the proposed lot lines follow the patterns that the Planning & Zoning Commission approved on the original preliminary plat. The Planning & Zoning Department does not object to allowing a variation to the requirements of the side lot lines of Parcel C. In addition to the changes that resulted from Rue Bon Temps not being built, the original preliminary plat did not indicate the full extent of the drainage servitude which extends almost to LA 3127. Construction plans show the full extent of that proposed servitude with this revised preliminary plat. All the 3 major subdivision plats will show the full extent of this drainage servitude. With all that being said the department does recommend approval contingent upon the waiver for the maximum 1500 ft. block length by both Planning Commission and Parish Council.

Commissioner Frangella: Ok is the applicant present?

Good evening ladies and gentlemen. I'm Danny Hebert, 14433 River Road, Hahnville. I'm here representing Esperanza Land LLC. The original preliminary plat had a center street Rue Bon Temps that had 8 lots, 4 on each side that were approximate 375 by almost 600 ft. The developer has entered into discussions with a potential buyer that may increase the size of what we had originally platted. So the street will eventually be built at some point and we'll be back to you for construction approval and that will get built. So we were requesting a block length waiver from 1700 ft. to approx. 2200 ft. I'm here to answer your questions, thank you.

Commissioner Frangella: Thank you. Open public hearing for PZS-2017-31, anyone here to speak for or against? Seeing none, close public hearing for PZS-2017-31. Any comments or questions for Mr. Hebert from the Commission? Alright call for the vote.

YEAS: Ross, Petit, Keen, Dunn, Frangella, Galliano

NAYS: None

ABSENT: Granier

Commissioner Frangella: That passes unanimously.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZS-2017-31

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant**
Esperanza Land, LLC
14035 River Road
Luling, LA 70070
985.785.6218; debbie@514enterprises.com

Application Date: 5/2/17

- ◆ **Location of Site**
Approximately 884.61 to 913.55 feet west of Judge Edward Dufresne Parkway and adjacent to the north of the Union Pacific Railroad right-of-way, Luling

- ◆ **Requested Action**
Approval of revisions to the plat for Esperanza Business Park Phase II:
 - Remove Rue Bon Temps street and eight lots
 - Add drainage servitude over Parcels A & B, Lots 34 & 35, and three large tracts

SITE – SPECIFIC INFORMATION

- ◆ **Size of Area**
Approximately 85.91 acres

- ◆ **Current Zoning and Land Use**
The subdivision site is split zoned between M-1 and M-2 zoning. Proposed Lots 28 through 35 and a portion of Parcel C are zoned M-1, while proposed lots 11 through 19 and the other portion of Parcel C are zoned M-2.

Most of the site consists of agricultural fields while the portion of the site abutting the railroad is developed with a concrete plant.

- ◆ **Surrounding Zoning and Land Uses**
M-1 zoning is located adjacent to the northeast, M-1 zoning is located adjacent to the southwest, M-1 and C-3 zoning is located adjacent to the southeast, and C-3 zoning is located adjacent to the northwest.

The M-1 zoning to the northeast is developed with a mix of industrial and institutional uses/government agencies; land zoned M-1 to the southwest is used for agriculture, the land zoned M-1 and C-3 to the southeast is developed with office and institutional uses, the land zoned C-3 to the northwest consists of agricultural land.

- ◆ **Plan 2030 Recommendation**
Business Park: Although office uses are permitted within the Light Industry land use category and the associated M-1 zoning district, this zoning classification also permits a variety of industrial uses that would be incompatible with the development of a quality, planned corporate office, research or technology park. Therefore, this new land use category (and the zoning district that should be developed to implement it) would provide for the development of planned business, office, technology and research activities, with uses limited to these and directly related ancillary uses, such as shipping offices, office supply, hotels and restaurants. Business parks should be planned to incorporate consistent standards of development quality. – St. Charles Parish 2030 Comprehensive Plan, 64.

- ◆ **Traffic Access**
Deputy Jeff. G. Watson Drive and Rue Sucre from Judge Edward Dufrene Parkway.

APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure.

- D. *Major Resubdivisions.* For any subdivision or resubdivision resulting in six (6) or more lots, including any remainder of the original lot, plat, tract, parcel, and/or any subdivision or resubdivision requiring dedication of public improvements, approval shall consist of preliminary plat approval and construction approval by the Planning and Zoning Commission, and final approval by the Parish Council.
- E. *Preliminary Plat Requirements.*
1. When Required. A formal preliminary plat shall be required for all subdivisions except where no street, drainage, or sewer improvements are required. (See Section II.C.).
 2. Mandatory Submission Requirements. The preliminary plat shall conform to the laws of the State of Louisiana governing surveying, platting, and subdivision of land. The preliminary plat shall contain the following mandatory information:
 - a. The name(s) and address(es) of the owner(s) and subdivider(s).
 - b. The seal of the land surveyor preparing the plat and the date of preparation. The plat shall be dated within one (1) year of the subdivision application date.
 - c. A title block containing the subdivision name, location of the property, a true north arrow, and the required scale for the preliminary plat, both written and graphic. The preliminary plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet for a subdivision of one hundred and sixty (160) acres and less. If the subdivision contains more than one hundred and sixty (160) acres, the preliminary plat may be drawn to a scale of one (1) inch equals two hundred (200) feet.
 - d. Existing property lines, including width and names of bounding streets.
 - e. Section and township lines.
 - f. Zoning district boundary lines, only when such boundary lines bisect the proposed subdivision.
 - g. Location and dimensions of existing improvements, including municipal numbering where applicable.
 - h. Qualifying statement, as follows: "St. Charles Parish land use regulations, including setback standards, supersede private subdivision covenants where parish regulations are more restrictive."
 - i. Existing drainage ditches and canals and their respective servitudes.
 - j. Existing lakes and ponds.
 - k. Name(s) and address(es) of adjoining property owner(s) as they appear on the tax assessor's roles.
 - l. Name(s) of adjoining subdivisions.
 - m. Layout and dimensions, including area, of all proposed lots which shall be numbered consecutively.
 - n. Layout and dimensions of servitudes and rights-of-way, including sidewalks.
 - o. Existing bridges, culverts, watermains, sanitary and storm sewers, and other underground structures indicating pipe sizes, grades, and manholes.
 - p. Existing contours at one-foot intervals using mean sea level datum for ground slope within the subdivisions.
 - q. Proposed method and source of sewage disposal and/or treatment.
 - r. Proposed method and plan for drainage.
 - s. Location and size of any proposed school sites, park sites, playgrounds, or other special uses of land.
 - t. A composite road plan with graphic alignment, proposed street names, right-of-way widths, curve radii and tangent length, intended type of surfacing material, street lighting plan, and the location and type of any proposed railroad crossing(s) for subdivision access. (Ord. No. 00-8-1, § I, 8-7-00)
 - u. Vicinity map at a scale of one (1) inch equals two thousand (2,000) feet.
 - v. Statement of Dedication. Submission of the Preliminary Plat shall be accompanied by a written "Statement of Dedication," Indicating the subdivider's intent to submit a final "Act of Dedication" prior to approval of the Final Plat.
4. Preliminary Plat Procedure.
- a. Submission Procedure. An application for subdivision approval and the Preliminary Plat shall be submitted to the Director of Planning and Zoning from the record owner(s) of the property being subdivided. If the property is in the name of a corporation, a resolution authorizing the subdivision or authorizing an individual to request such approval shall be submitted. One (1) Mylar or film reproducible copy, five (5) original copies, and one (1) 11" × 17" Mylar or film reproducible copy of the Preliminary Plat shall accompany the application. Upon submission, the Preliminary Plat shall be stamped with the date of filing, and with an acknowledgment that the required filing fees have been paid. (Ord. No. 00-11-12, § IV, 11-20-00)
 - b. Departmental Review. The Director of the Department of Planning and Zoning shall then review the Preliminary Plat for conformance with the relevant land use regulations. The Director of Planning and Zoning shall inform the subdivider in writing within fifteen (15) calendar days of the date of receipt of the Preliminary Plat the data submitted does or

does not meet the objectives of these subdivision regulations. If the data submitted does not meet the objectives of these regulations, the reason(s) shall be so stated. When the Preliminary Plat is found to conform to these regulations, the Commission, through the Department of Planning and Zoning, shall schedule a public hearing on the proposed subdivision.

Subdivision Ordinance, Section II. Subdivision Procedure. E. 4.

- c. ***Waiver or Modification of Specific Subdivision Regulations.*** Should the Director discover that specific aspects of the submitted Preliminary Plat fail to conform to the regulations contained in this ordinance, he may choose to forward the proposal for formal consideration by the Planning Commission and Parish Council if the literal enforcement of one or more provisions of the ordinance (i) is impracticable, or (ii) will exact undue hardship because of peculiar conditions pertaining to the land in question. Financial hardships shall not be considered as valid criteria for any such waiver or modification of existing regulations. Any application for Preliminary Plat approval which contains a request for a waiver or modification of any subdivision regulation shall contain a specific reference to the request and state the reasons that the request be granted. The Planning Commission, with a supporting resolution of the Council, may grant a waiver or modification of these regulations only when such requests meet the conditions of this subsection (i, ii) and are not detrimental to the public interest.
- d. **Public Hearing Notice.** The Department of Planning and Zoning 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 and at the building in which the public hearing shall be held. 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 the following parties:
- (1) The subdivider and the owners (at the address(es) listed on the Preliminary Plat).
 - (2) The owners of the land adjoining the platted land as their names appear on the tax assessor's records. If the subdivider owns the contiguous property, the next subsequent landowner shall be notified.
 - (3) The St. Charles Parish Council through the Council Secretary.
- e. **Public Hearing/Decision Process.** The subdivider or his representative shall be present at the public hearing to explain the proposal and to answer questions. Following the public hearing, the Commission shall either:
- (1) Approve the Preliminary Plat as submitted.
 - (2) Conditionally approve the Preliminary Plat with conditions stated in writing.
 - (3) Disapprove the Preliminary Plat within sixty (60) calendar days of the date of the public hearing unless the time is extended by mutual agreement between the Commission and the subdivider.

The reason(s) for disapproval shall be stated in writing to the subdivider. Approval or conditional approval shall be evidenced by the Commission Chairman's signature on the Preliminary Plat. Any conditions or requirements shall be referenced and attached to the Preliminary Plat and application. The Commission, through the Department of Planning and Zoning, shall notify the Parish President and the Parish Council of the decision regarding the presented Preliminary Plat. Approval or conditional approval shall be valid for a period of six (6) months from the date of the Commission decision, unless extended by the Commission. Preliminary Plat approval of any successive phase of an approved subdivision expires when construction is interrupted on any such phase for a period of six (6) months or more.

Subdivision Ordinance, Section III. Geometric Standards B. Blocks 1. Length:

No block shall be longer than one thousand five hundred (1,500) feet nor less than five hundred (500) feet between street centers. Block separation, including stub outs, shall be paved to provide a minimum of two (2) ingresses and egresses to the proposed subdivision or accommodation for future access may be approved.

Subdivision Ordinance, Section III. Geometric Standards. C. Lots 2. Lot Lines:

All lot side lines shall be at right angles to straight street lines or radial to curved street lines unless a variation is approved in writing by the Commission.

ANALYSIS

The applicant requests approval of a revised Preliminary Plat for Esperanza Business Park Phase 2. The Planning Commission approved the original preliminary plat, on June 1, 2017 with waivers from sub-surface drainage, street names, block length, lot orientation, and lot width. The Parish Council endorsed the waivers in resolution 6295.

The Planning Commission approved Construction Plans on November 1, 2018. The developer began construction in April 2019.

In April 2020, the subdivision was nearing completion. Developers had worked with the Department of Public Works and Wastewater to complete the subdivision without building Rue Bon Temps. The street would have connected the extensions of Deputy Jeff G Watson Drive to Rue Sucre and provided frontage for eight (8) lots. The resulting change in the geometric layout of the subdivision increases the block length from 1,750.25 feet, approved originally along Deputy Jeff G. Watson Drive to 2,146.95 feet and from 1,529.68 feet approved originally along Rue Sucre to 2,289.80 feet.

This increase cannot be approved without approval of new waivers, which the developer has requested and the Department of Public Works and Wastewater offers no objection to.

The resulting "Parcel C," 43.3 acres in area, is irregularly-shaped, but meets the required 100-foot width and 10,000/15,000 sf. area for a lot in the M-1/M-2 zoning district. The resulting side lines for Parcel C are not perpendicular to Rue Sucre; however, the proposed side lot lines follow the pattern that the Planning and Zoning Commission approved on the original Preliminary Plat. The Planning and Zoning Department does not object to allowing a variation to the requirement for the side lot lines for Parcel C.

In addition to the changes that resulted from Rue Bon Temps not being built, the original Preliminary Plat did not indicate the full extent of the drainage servitude which extends almost to LA 3127. Construction plans showed the full extent of that proposed servitude. With this revised Preliminary Plat, all the three major subdivision plats will show the full extent of the drainage servitude.

DEPARTMENT RECOMMENDATIONS

Approval, contingent on approval of a waiver from the maximum 1,500-foot block length by both the Planning Commission and the Parish Council.
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PRELIMINARY PLAN DRAINAGE SERVIDUTES

OVER AND ACROSS PARCEL A, PARCEL B, LOT 34 & LOT 35 OF ESPERANZA BUSINESS PARK PHASE 2, & TRACT 12 OF ASHTON PLANTATION & THE JUDGE ROBERT MILLING TRACT AND DR. C. WALTER MATTINGLY TRACT OF ESPERANZA PLANTATION SITUATED IN SECTIONS 1, 81, 89, 100, 101, 102, 121, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

LIONEL HWEEL
DR. C. WALTER MATTINGLY TRACT

DR. C. WALTER MATTINGLY TRACT
JUDGE ROBERT MILLING TRACT

DIVIDING LINE IS THE CENTER OF THE CANAL

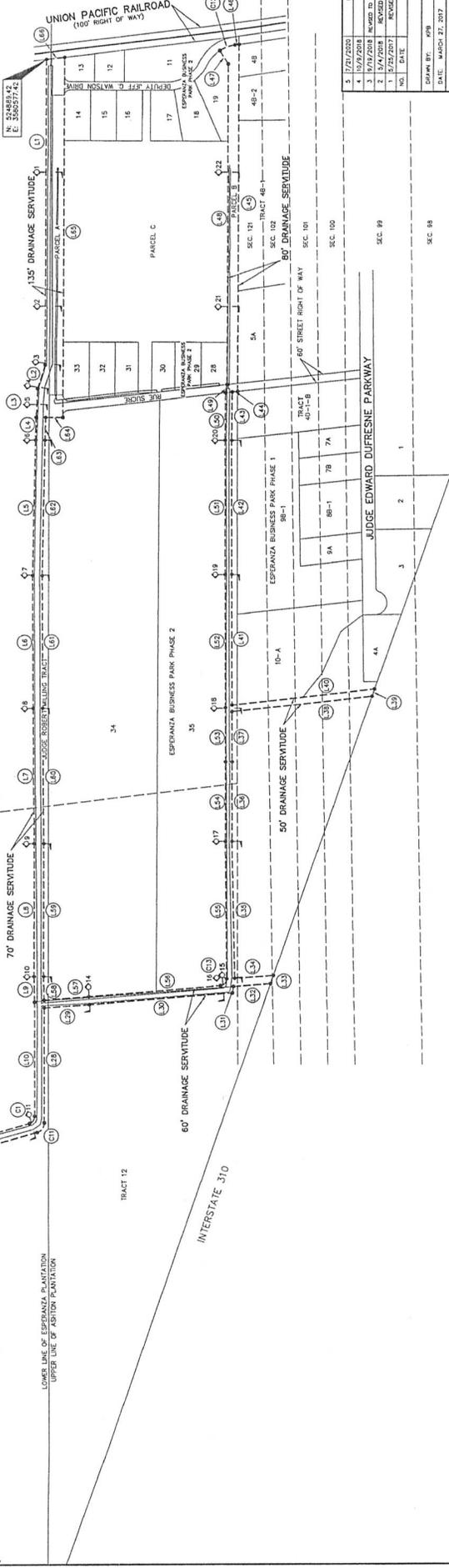
100' DRAINAGE SERVIDUTE

80' DRAINAGE SERVIDUTE

70' DRAINAGE SERVIDUTE

60' DRAINAGE SERVIDUTE

50' DRAINAGE SERVIDUTE



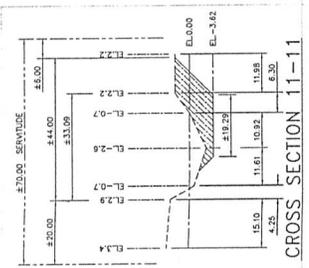
CURVE	LENGTH	RADIUS	CHORD
C1	71.72	80.00	137.347376 66.34
C2	71.72	80.00	137.347376 66.34
C3	71.72	80.00	137.347376 66.34
C4	154.48	170.00	274.694752 132.68
C5	154.48	170.00	274.694752 132.68
C6	154.48	170.00	274.694752 132.68
C7	154.48	170.00	274.694752 132.68
C8	154.48	170.00	274.694752 132.68
C9	154.48	170.00	274.694752 132.68
C10	154.48	170.00	274.694752 132.68
C11	154.48	170.00	274.694752 132.68
C12	154.48	170.00	274.694752 132.68
C13	154.48	170.00	274.694752 132.68

LEGEND:
 * CALCULATED POINT
 # RIGHT OF WAY BOUNDARY
 SCALE IN FEET
 1" = 400'

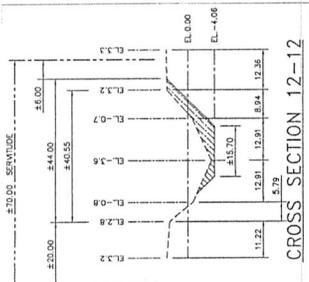
NO.	DATE	DESCRIPTION	BY
1	5/27/2017	ISSUED FOR PERMITS	KFB
2	5/27/2017	REVISED TO SHOW LOT 34 & LOT 35	KFB
3	5/27/2017	REVISED TO SHOW LOT 34 & LOT 35	KFB

RIVERLANDS SURVEYING COMPANY
 REGISTERED PROFESSIONAL SURVEYOR
 REG. NO. 4568
 805 HEMLOCK STREET
 LA PRAIRIE, LA 70068
 504-885-8888
 504-885-8889

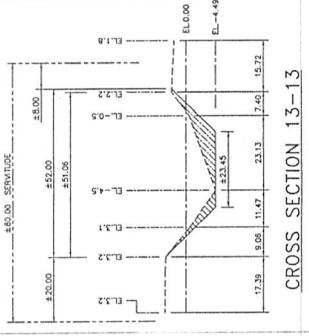
SURVEYOR'S NOTES:
 1. A CERTAIN PART OF THIS PLAN REPRESENTS AN ACTUAL ROUTE SURVEY MADE BY ME.
 2. THE REMAINDER OF THIS PLAN REPRESENTS A THEORETICAL SURVEY MADE BY ME.
 3. THE THEORETICAL SURVEY IS BASED UPON THE ASSUMPTION THAT THE BOUNDARY SURVEY FOR A CLASS 0
 ROUTE SURVEY SPECIFICALLY CHAPTER 506 - ROUTE SURVEY.
 SURVEY REFERENCE: AS PLAT DATED OCTOBER 8, 2011.



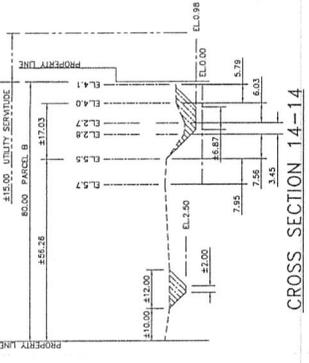
CROSS SECTION 11-11



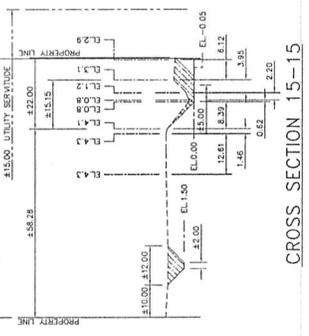
CROSS SECTION 12-12



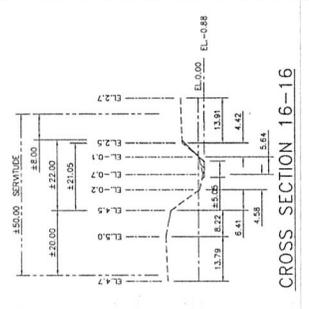
CROSS SECTION 13-13



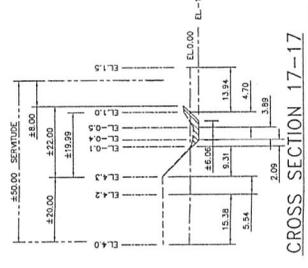
CROSS SECTION 14-14



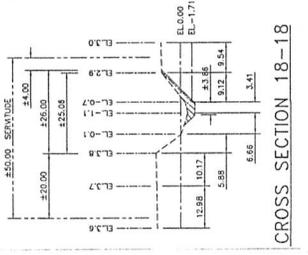
CROSS SECTION 15-15



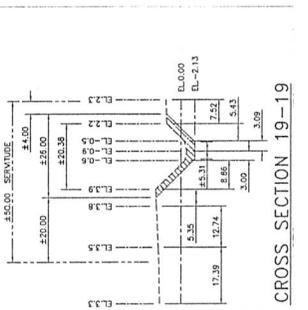
CROSS SECTION 16-16



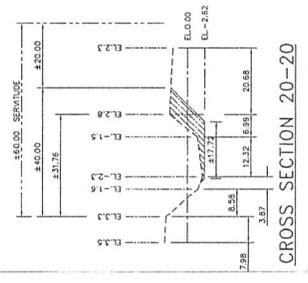
CROSS SECTION 17-17



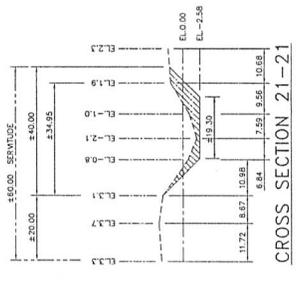
CROSS SECTION 18-18



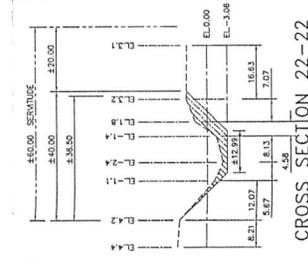
CROSS SECTION 19-19



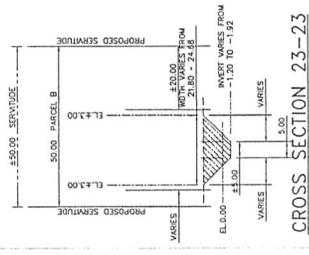
CROSS SECTION 20-20



CROSS SECTION 21-21



CROSS SECTION 22-22



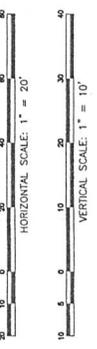
CROSS SECTION 23-23

- LEGEND:
- EXISTING GRADE
 - PROPOSED GRADE
 - REQUIRED EXCAVATION

Call before you dig.
 1-800-485-5111
 Note: Prior to construction, the contractor will verify all utilities. If a conflict exist, notify the project engineer/architect.

NOTE:
 ALL NEW CROSS SECTIONS SHALL HAVE A MINIMUM SIDE SLOPE OF 1 VERTICAL TO 2.5 HORIZONTAL

ESPERANZA BUSINESS
 PARK PHASE II
 ST. CHARLES PARISH, LOUISIANA
 DITCH CROSS SECTIONS
 DANNY J. HERBERT, P.E.
 CIVIL AND ENVIRONMENTAL CONSULTING ENGINEERS
 P.O. BOX 1528 LULING, LOUISIANA 70070
 PHONE:(985) 785-2350 FAX:(985) 785-2388
 DATE: 10/24/17 PROJECT: AC-SHOWN SHEET 5 OF 5
 DRAWN BY: L.S.B. CHECKED BY: APPROVED BY: D.J.H.





Civil & Environmental Consulting Engineers

Danny J. Hebert, P.E., L.L.C.

14433 River Road

Hahnville, LA 70057

www.hebertengineering.com

phone: (985) 785-2380

August 3, 2020

Mr. Michael Albert, AICP, Director
 St. Charles Parish Dept. of Planning & Zoning
 14996 River Road
 Hahnville, LA 70057
 Sent via email: malbert@stcharlesgov.net

Re: Revised Preliminary Plat Review for Esperanza Business Park Phase 2 – Waiver Requests

Dear Mr. Albert:

We would like request waivers for the following items:

1. **Block Length:** Due to market demand, the developer for the project decided to construct Rue Bon Temps in a future phase of Esperanza Business Park. Therefore, Rue Sucre and Deputy Jeff G. Watson Dr. will have longer block lengths than the ones approved in the original block length waiver. The street length for Rue Sucre will increase from approximately 1,530 feet to 2,290 feet. Likewise, Deputy Watson Dr. will increase from approximately 1,750 feet to 2,147 feet. We kindly request you consider accepting the street layout as proposed.

I hope these explanations are to your satisfaction. Please feel free to contact me with any questions.

All the Best,

Danny J. Hebert, P.E.

DJH/ mjj

cc:

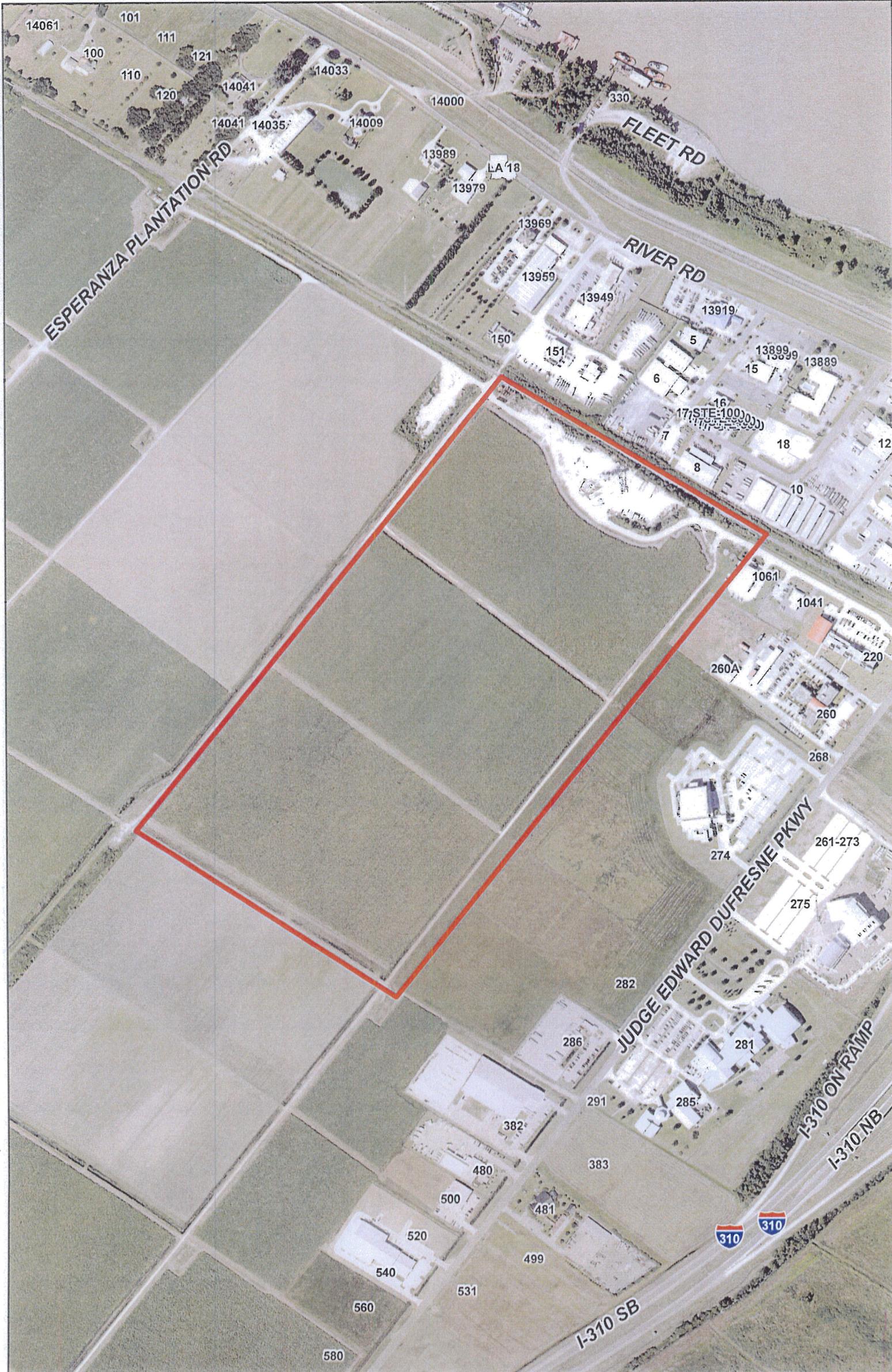
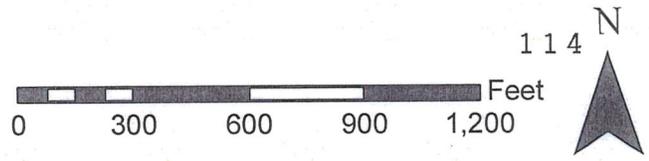
Debra Dufrene Vial
 File

Address: 14433 River Road • Hahnville, Louisiana • 70057
 Tel: (985) 785-2380 • Email: dhebert@hebertengineering.com

PZS-2017-31

Requested by: Esperanza Land, LLC

Major Subdivision: Construction

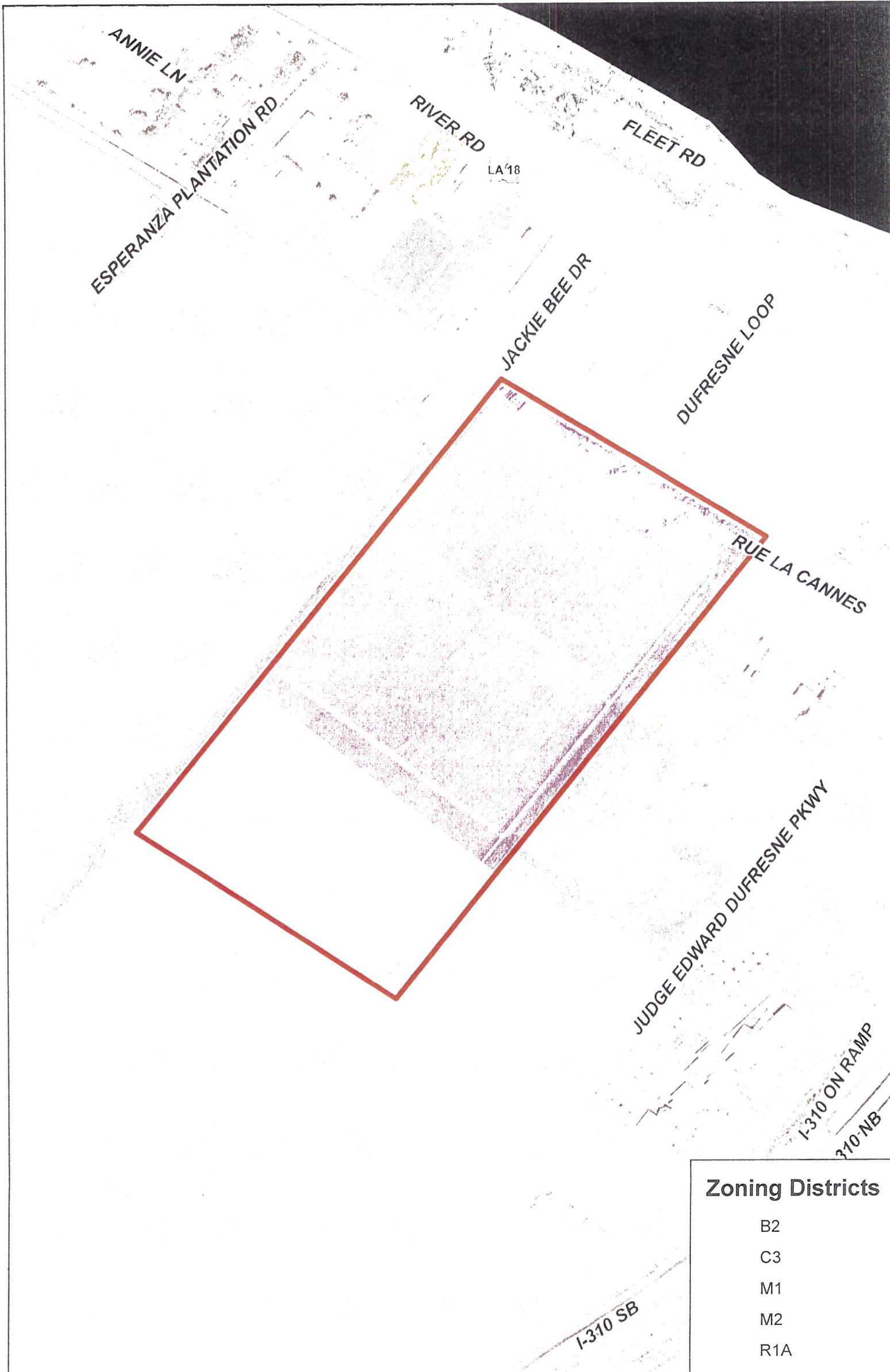
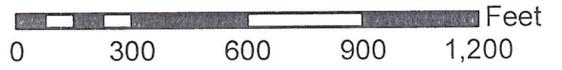


PZS-2017-31

Requested by: Esperanza Land, LLC

Major Subdivision: Construction

115 N



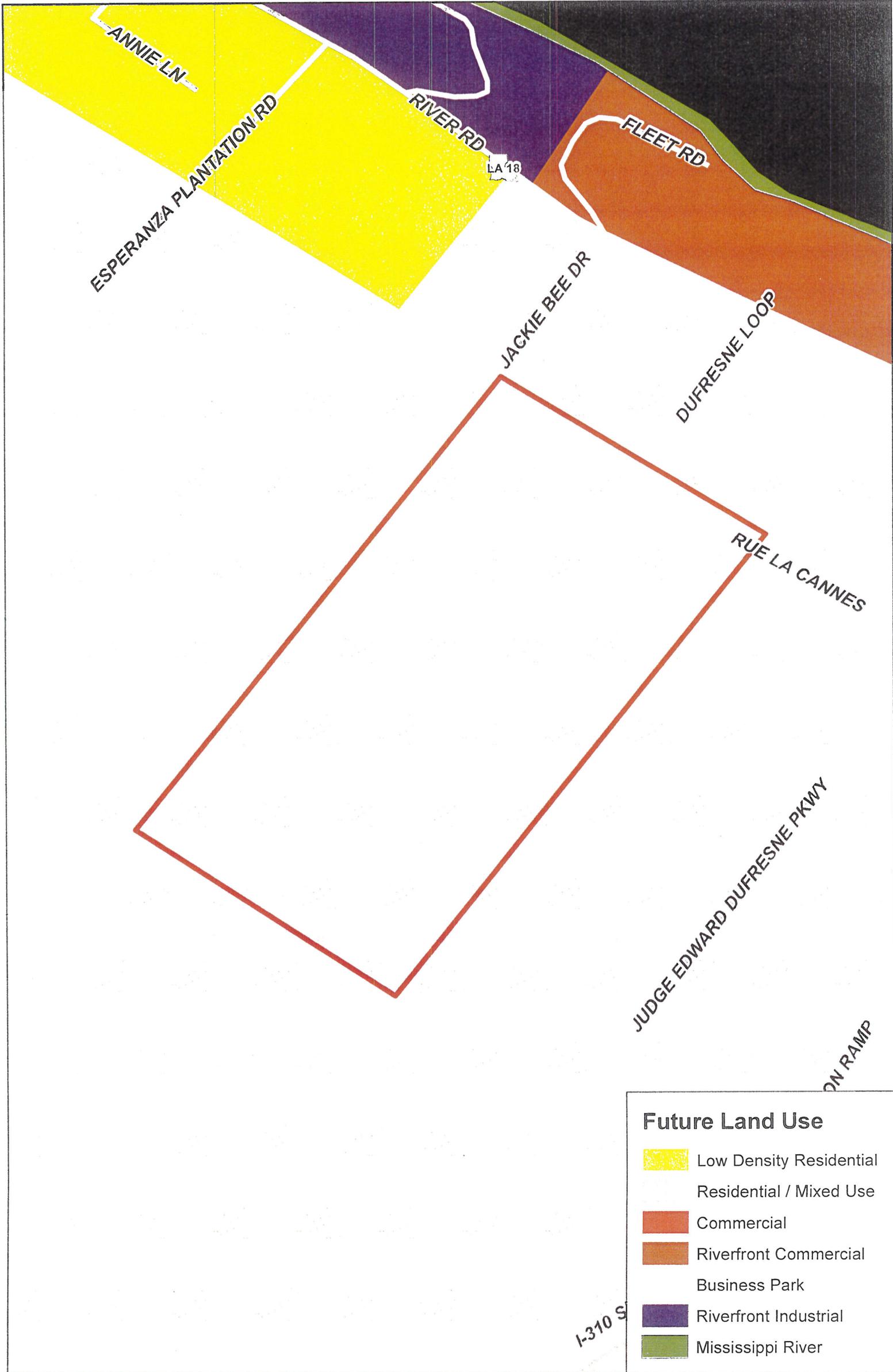
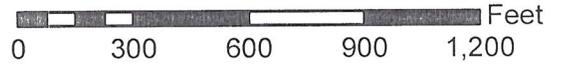
Zoning Districts	
B2	
C3	
M1	
M2	
R1A	

PZS-2017-31

Requested by: Esperanza Land, LLC

Major Subdivision: Construction

116 N



Future Land Use

-  Low Density Residential
-  Residential / Mixed Use
-  Commercial
-  Riverfront Commercial
-  Business Park
-  Riverfront Industrial
-  Mississippi River