



Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-1-REV

APPLICATION INFORMATION

- **Submittal Date:** 2/6/2024
- **Applicant**
Bunge North America Inc.
Bunge Chevron AG Renewables
1391 Timberlake Manor Parkway
Chesterfield, MO 63017
- **Representation**
Andy St. Romain
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- **Request**
Revocation of Jonathan Street, Modoc Street, and portions of Pelican Street, Amie Street, and Jean Street, Destrehan.

This request revises the footprint of the previous application approved by the Planning Commission on November 2, 2023 (2023-1-REV) and tabled by the Parish Council on December 4, 2023. The changes are as follows:

 - The revocation of Pelican Street originally terminated at Amie Street. Now shown extending past Amie Street and terminating approximately 175 ft. from River Road.
 - The revocations of Amie and Jean Streets originally extended to the Lorraine Street right-of-way. Now terminates approximately 150 ft. from the Lorraine Street right-of-way.

SITE INFORMATION

- **Location**
The subject rights-of-way are located in Destrehan, specifically within Destrehan Park Subdivision as bounded by unimproved Noel Street (CN Railroad) to the north, River Road to the south, the Bunge grain elevator facility to the east, and Lorraine Street to the west.
- **Dimensions**
 - Jonathan Street (formerly Destrehan Street): 50 ft. right-of-way measuring approximately 2,100 ft. between River Road and unimproved Noel Street.
 - Modoc Street: 50 ft. right-of-way measuring approximately 2,200 ft. between River Road and unimproved Noel Street.
 - Pelican Street (formerly St. Charles Street): 50 ft. right of way measuring approximately 2,000 ft. between River Road and unimproved Noel Street.
 - Amie Street: 50 ft. right-of-way measuring approximately 850 ft. between Jonathan and Lorraine Street.
 - Jean Street: 50 ft. right-of-way measuring approximately 850 ft. between Jonathan and Lorraine Street.
- **Development History**
The subject rights-of-way are depicted on maps of Destrehan Heights dating to the 1950s. Destrehan Heights was developed for residential purposes.

The Bunge grain elevator was developed adjacent to Destrehan Heights in the 1960s. Bunge North America Inc. / Bunge Chevron AG Renewables have acquired the lots and blocks bounded by the subject rights-of-way and removed any residential structures, leaving the area consisting primarily of vacant land.

- **Right-of-Way Condition**

The condition of improvements within the subject rights-of-way are poor. Deterioration of the roadway surfaces is the most apparent and most significant on Modoc Street. Remaining pavement is often narrow and does not allow for two-way traffic, especially where open-swale drainage ditches are present.

- **Surrounding Uses**

Development within and around the subject area consists of vacant land once used for residential purposes and the Bunge grain elevator/support facilities. Remaining residential homes are focused along Lorraine and Amelia Streets.

- **Future Land Use Recommendation**

Heavy Industrial: This land use category includes large heavy manufacturing, such as oil refineries, petrochemical plants and other uses with similar impacts such as noise, dust, odors or fumes and related safety and health factors. Buffering is recommended to help screen and transition between surrounding residential and mixed-use areas and industrial areas.

Industrial Buffer: Private or public land separating heavy industry from residential uses. This land should be used for parks, trails, and institutional and public uses. Neighborhood retail, services, and offices are also permitted in appropriate locations when compatible with adjacent uses.

- **Traffic Access**

The revocation would result in the following regarding traffic access:

- Access to the railroad crossing near the northern terminus of Jonathan Street would be eliminated.
 - This crossing provides access to a sewer treatment plant. Public access would be restored with improvements to undeveloped Noel Street. Until then an agreement must be in place allowing Parish vehicles through the Bunge site to access the treatment plant as noted in memos from the Directors of Public Works and Wastewater.
- The remaining 175 ft. of Pelican Street extending off River Road would terminate in a dead-end.
- Access to Lorraine Street from the east would be eliminated. Access would be maintained from River Road or the remaining portions of Amie and Jean Streets connecting to Amelia Street.

- **Utilities**

The Parish GIS map depicts the following:

- Sewer facilities are located within the Jonathan, Modoc, Pelican, and Jean Street rights-of-way.
- Water facilities are located within the Jonathan, Modoc, and Pelican Street rights-of-way.
- Drainage facilities consisting primarily of open swale ditches are located within each right-of-way.

Planning and Zoning requested comments regarding the proposed revocation from the Departments of Public Works (DPW), Wastewater, and Waterworks.

- The Director of DPW replied as per their memo dated October 23, 2023.
- The Director of Wastewater replied per their memo dated October 26, 2023.
- Waterworks replied as per their emails from October 26 and 30, 2023.

No additional comment was received as part of this request, and the extended revocation of Pelican Street is in response to a comment in DPWs initial memo.

APPLICABLE REGULATIONS

St. Charles Parish Code of Ordinances

Sec. 2-4. Procedure to dedicate, or revoke dedication of street, canal, etc.

- (a) A formal act of dedication shall be filed by any person requesting the parish council to accept for maintenance streets and drainage using the following format:
- (1) The act shall state the name of the person dedicating the street or drainage.
 - (2) The act shall contain a description of the property in which the street or drainage is located.
 - (3) The act shall state the name of the street, the width and length to be accepted.
 - (4) All drainage ditches shall be properly marked with widths shown. The dedication shall spell out the width and length of each ditch.
 - (5) Two (2) updated maps shall be submitted to accompany each act of dedication. These maps shall give a description of the area including section, tract and range lines; name of subdivision, if applicable; date; civil engineer or surveyor; title; north point of compass and scale of map.
- (b) Prior to a request for the parish to assume for maintenance any street or drainage, it shall be necessary for the parish engineers to certify that the street or drainage meets parish specifications.
- (c) **Acts of revocation on streets, drainage ditches or canals shall contain the same information as requested for acts of dedication and shall be accompanied by the submission of a subdivision plan which shall be executed through the local subdivision process, formally incorporating revoked properties into adjacent parcels.**

Louisiana Revised Statutes 48:701

§701. Revocation of dedication; reversion of property

The parish governing authorities and municipal corporations of the state, except the parish of Orleans, may revoke and set aside the dedication of all roads, streets, and alleyways laid out and dedicated to public use within the respective limits, when the roads, streets, and alleyways have been abandoned or are no longer needed for public purposes.

Upon such revocation, all of the soil covered by and embraced in the roads, streets, or alleyways up to the center line thereof, shall revert to the then present owner or owners of the land contiguous thereto.

Nothing in this Section shall be construed as repealing any of the provisions of special statutes or charters of incorporated municipalities granting the right to close or alter roads or streets.

ANALYSIS

This request is for the revocation of the following rights-of-way located in Destrehan:

- Jonathan Street, in its entirety from River Road to un-improved Noel Street
- Modoc Street, in its entirety from River Road to un-improved Noel Street
- Pelican Street, approximately 175 ft. off River Road to un-improved Noel Street
- Amie Street, from Jonathan Street to approximately 150 ft. off Lorraine Street
- Jean Street, from Jonathan Street to approximately 150 ft. off Lorraine Street

As detailed previously in this report, this request amends the footprint of the revocation approved by the Planning Commission on November 2, 2023 (2023-1-REV), specifically for Pelican, Amie, and Jean Streets. The initial request has remained tabled by the Parish Council as of their December 4, 2023 meeting.

After receiving a recommendation from the Planning Commission the request will be prepared for forwarding to the Parish Council. The documents forwarded to the Parish Council will include the finalized Act of Revocation as reviewed and accepted by Parish Legal Services, and a finalized resubdivision plan depicting how the revoked right-of-way will be consolidated and combined into adjacent property as per *LA RS 48:701*.

If the Parish Council adopts the ordinance approving the revocation the subsequent resubdivision would be handled through the most appropriate process.

As part of a revocation Planning and Zoning requests comments from the Departments of Public Works, Wastewater, and Waterworks, specifically regarding the continuing public need for the subject rights-of-way and other infrastructure. Replies were provided as detailed under the Utilities section of this report and attached as part of the agenda. No additional comment was received as part of this request, and the extended revocation of Pelican Street is in response to a comment in DPWs initial memo.

DEPARTMENT RECOMMENDATION

This request will be forwarded with the Planning Commission's recommendation to the Parish Council for a second public hearing and final determination.