



# St. Charles Parish

## Meeting Agenda

### Parish Council

*Council Chairman Beth A. Billings  
Councilmembers Holly Fonseca, La Sandra Darensbourg Gordon,  
Mary K. Clulee, Dick Gibbs, Nicky Dufrene, Marilyn B. Bellock,  
Bob Fisher, Julia Fisher-Cormier*

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

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Monday, July 31, 2023

6:00 PM

Council Chambers, Courthouse

Final

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#### CALL TO ORDER

#### PRAYER / PLEDGE

*Pastor Troy D. Smith, Sr.  
True Vine Baptist Church, Hahnville*

#### APPROVAL OF MINUTES

*Regular Meeting – July 10, 2023*

#### SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1    2023-0180        In Recognition: Sheriff Gregory C. Champagne, National Sheriff's Association President  
*Sponsors:*        Ms. Fonseca, Ms. Billings and Mr. Jewell
- 2    2023-0181        In Recognition: Valero St. Charles Refinery, 20 Year Anniversary  
*Sponsors:*        Mr. Fisher
- 3    2023-0182        In Recognition: Diamond Green Diesel, LLC, 10 Year Anniversary  
*Sponsors:*        Mr. Fisher
- 4    2023-0183        In Recognition: First National Bank USA  
*Sponsors:*        Mr. Jewell
- 5    2023-0184        Proclamation: "Vehicular Heatstroke Awareness Month"  
*Sponsors:*        Ms. Clulee

#### REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

- 2023-0186        The Arc of St. Charles

2023-0185 Department of Community Services

2023-0187 Parish President Remarks/Report

Sponsors: Mr. Jewell

**ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC HEARING**

**Monday, August 14, 2023, 6:00 pm, Council Chambers, Courthouse, Hahnville**

6 2023-0194 An ordinance to amend the Code of Ordinances to revise Chapter 15, Motor Vehicles and Traffic, Section 15-9. Speed Limits (a) to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to raise the speed limit on **Riverwood Drive in Riverwood Estates, St. Rose, to twenty (20) miles per hour.**

Sponsors: Ms. Bellock

7 2023-0195 An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the zoning classification from C-3 to R-1A(M) on Lot 5, Block C, Boots Subdivision as shown on the survey by E. M. Collier dated August 12, 1968, 429 Good Children Street, Boutte, as requested by Melanie Johnson.

Sponsors: Mr. Jewell and Department of Planning & Zoning

Legislative History

6/7/23	Department of Planning & Zoning	Received/Assigned PH
7/6/23	Department of Planning & Zoning	Recommended Approval to the Planning Commission
7/6/23	Planning Commission	Recommended Approval to the Parish Council

19 2023-0196 An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the zoning classification from C-3 to M-1 on two triangular lots designated a portion of Lots 7, 8, & 9 of the John Lambert Tract, or Lots 55, 56, 57, and 58, Almedia Townsites Section "A" as shown on the survey by Cody A. DiMarco, PLS dated December 16, 2020, 275 I-310 Service Road, St. Rose, as requested by Conrad Frey for Southern Trucking & Transportation, LLC.

Sponsors: Mr. Jewell and Department of Planning & Zoning

Legislative History

6/6/23	Department of Planning & Zoning	Received/Assigned PH
7/6/23	Department of Planning & Zoning	Recommended Approval to the Planning Commission
7/6/23	Planning Commission	Recommended Approval to the Parish Council

**ORDINANCE SCHEDULED FOR PUBLIC HEARING AND ADOPTION AT THIS PUBLIC MEETING (INTRODUCED AT PREVIOUS MEETING)**

**32**     2023-0171     An ordinance adopting, setting forth, levying and imposing taxes on all property subject to taxation in the Parish of St. Charles, State of Louisiana, as required by Section 23 of Article VII of the Constitution of Louisiana and Revised Statute 47.1705(B) for General Parochial Purposes; constructing, acquiring, maintaining, operating, extending and/or improving levees, facilities and structures associated with outer flood protection systems within the Parish; constructing, maintaining, and operating the Parish Road Maintenance program, Parish Recreation program, Parish Fire Protection, Mosquito Control Program, E-911 Telephone System, Health Unit and Council on Aging program; Council on Aging Program (2); Road Lighting District No. 1; Library Service District No. 1; the ARC of St. Charles; paying any costs associated with acquiring, constructing, improving, maintaining and operating wastewater facilities and systems in the Parish.

**Sponsors:**             Mr. Jewell and Department of Finance

**Legislative History**

7/10/23	Parish President	Introduced
7/10/23	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

**ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)**

**39**     2023-0177     An ordinance approving and authorizing the execution of a Contract with Kort’s Construction Services, Inc., for the West Bank Bridge Park Improvements, Phase I, (Project No. RECWBI22) in the lump sum amount of \$1,984,500.00.

**Sponsors:**             Mr. Jewell and Department of Parks and Recreation

**Legislative History**

7/10/23	Parish President	Introduced
7/10/23	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

**55**     2023-0178     An ordinance approving and authorizing the execution of a Contract with All Star Electric, Inc., for the West Bank Bridge Park Improvements, Phase 1 Lighting, (Project No. RECWBI22) in the lump sum amount of \$1,189,422.00.

**Sponsors:**             Mr. Jewell and Department of Parks and Recreation

**Legislative History**

7/10/23	Parish President	Introduced
7/10/23	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

**67**    2023-0179        An ordinance approving and authorizing the execution of a Cooperative Endeavor Agreement between St. Charles Parish and the Lafourche Basin Levee District relative to a levee lift for the Sunset Drainage District within the West Bank Hurricane Protection Levee System (Project A) and access roadway and surcharge area for a future boat ramp located on property known as Des Allemands Boat Launch (Project B).

**Sponsors:**        Mr. Jewell and Department of Legal Services

**Legislative History**

7/10/23	Parish President	Introduced
7/10/23	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

**PERSONS TO ADDRESS THE COUNCIL**

**79**    2023-0201        Mr. Donald Peyton, Fire Chief: Proposed Millage Roll Back

**81**    2023-0202        Mr. Dwayne LaGrange: Waterworks

**RESOLUTIONS**

**82**    2023-0197        A resolution in support of the Planning and Zoning Commission’s approval of 2023-3-SPU for an accessory dwelling unit in an R-1A zoning district at 100 Cadow Street, Paradis, with a waiver from the minimum building elevation, as requested by Robert and Heidi Lasserre.

**Sponsors:**        Mr. Jewell and Department of Planning & Zoning

**Legislative History**

5/16/23	Department of Planning & Zoning	Received/Assigned PH
7/6/23	Department of Planning & Zoning	Recommended Approval to the Planning Commission
7/6/23	Planning Commission	Recommended Approval to the Parish Council

**103**    2023-0198        A resolution endorsing a waiver from Appendix C, Subdivision Regulations of 1981, Section III. Geometric Standards, C. Lots, 1. Size, a. Corner Lot, as requested by Boyd Kinler, Patti Gassen, Brent Kinler, Trudy Brooks, and Kerry Parlette.

**Sponsors:**        Mr. Jewell and Department of Planning & Zoning

**Legislative History**

6/12/23	Department of Planning & Zoning	Received/Assigned PH
7/6/23	Department of Planning & Zoning	Recommended Approval to the Planning Commission

7/6/23 Planning Commission Recommended Approval to the Parish Council

- 115** 2023-0199 A resolution authorizing the St. Charles Parish Council to approve the Industrial Tax Exemption application for St. Charles Clean Fuels, LLC, Project ID: 20230093-ITE for participation in the Industrial Tax Exemption Program for a potential project in St. Rose, Louisiana.

**Sponsors:**

Mr. Jewell and Department of Economic Development and Tourism

- 116** 2023-0200 A resolution authorizing the St. Charles Parish Council to approve the Industrial Tax Exemption application for St. Charles Clean Fuels, LLC, Project ID: 20230132-ITE for participation in the Industrial Tax Exemption Program for a potential project in St. Rose, Louisiana.

**Sponsors:**

Mr. Jewell and Department of Economic Development and Tourism

## APPOINTMENTS

- 117** 2023-0188 A resolution appointing a member to the St. Charles Parish Communications District representing the St. Charles Parish Sheriff's Office.

*Council will confirm nomination of Ms. Amanda Pertuis to the St. Charles Parish Communications District representing the St. Charles Parish Sheriff's Office. Four (4) year term to begin August 19, 2023 and expire August 19, 2027.*

**Legislative History**

12/7/20 Parish Council Enacted Legislation  
Major Donald Smith appointed to the St. Charles Parish Communications District as the Sheriff's Office Representative on December 7, 2020, per Resolution No. 6527  
Term: December 7, 2020 - August 19, 2023

5/18/23 Council Secretary Correspondence Sent  
to Sheriff Greg Champagne requesting that he submit in writing the name of the person he would like to appoint or reappoint to the St. Charles Parish Communications District due to the term of Major Donald Smith expiring on August 19, 2023.

6/30/23 Council Secretary Correspondence Received  
from Sheriff Champagne advising that Ms. Amanda Pertuis, PIO, will be representing the Sheriff's Office on the St. Charles Parish Communications District to fill the expired term of Major Donald Smith.

- 119** 2023-0189 A resolution appointing a member to the St. Charles Parish Communications District representing the St. Charles Parish Firemen's Association.

*Council will confirm nomination of Mr. Oliver Dufrene to the St. Charles Parish Communications District representing the St. Charles Parish Firemen's Association. Four (4) year term to begin August 19, 2023 and expire August 19, 2027.*

**Legislative History**

- 8/5/19 Parish Council Enacted Legislation  
Mr. Oliver Dufrene appointed to the St. Charles Parish Communications District on August 5, 2019, per Resolution No. 6428  
Term: August 19, 2019 - August 19, 2023
- 5/18/23 Council Secretary Correspondence Sent  
to St. Charles Firemen's Association President Armond Bourque asking to submit in writing the name of the person he would like to appoint or reappoint to the St. Charles Parish Communications District due to the term of Mr. Oliver Dufrene expiring on August 19, 2023.
- 7/14/23 Council Secretary Correspondence Received  
from Secretary/Treasurer Dawn Landry advising that Mr. Oliver Dufrene will again be representing the St. Charles Firemen's Association on the St. Charles Parish Communications District for a four year term.

121 2023-0190

Accept resignation of Mr. Kenny Wenning Jr. - St. Charles Parish Communications District representing the St. Charles Parish Council.

*Accept resignation of Mr. Kenny Wenning Jr. - St. Charles Parish Communications District representing the St. Charles Parish Council.*

**Legislative History**

- 7/5/22 Parish Council Enacted Legislation  
Mr. Kenny Wenning Jr. appointed to the St. Charles Parish Communications District on July 5, 2022, per Resolution No. 6650  
Term: August 19, 2022 - August 19, 2026
- 7/17/23 Board Member Resigned  
On July 12, 2023, correspondence received from Mr. Kenny Wenning Jr., dated July 12, 2023, notifying the Parish Council of his resignation. Resignation effective July 17, 2023.

122 2023-0191

A resolution appointing a member to the St. Charles Parish Communications District representing the St. Charles Parish Council.

*Council Chairman will accept nominations to the St. Charles Parish Communications District representing the St. Charles Parish Council to fill the vacancy caused by the resignation of the term of Mr. Kenny Wenning Jr. Unexpired term to begin immediately and expire August 19, 2026.*

**Legislative History**

- 7/5/22 Parish Council Enacted Legislation  
Mr. Kenny Wenning Jr. appointed to the St. Charles Parish Communications District on July 5, 2022, per Resolution No. 6650  
Term: August 19, 2022 - August 19, 2026

2023-0192

A resolution appointing a member to the Industrial Development Board.

*On Monday, August 14, 2023, the Council Chairman will accept nominations to the Industrial Development Board to fill the vacancy created by the expiration of the term of Mr. Timothy J. Vial. Six (6) year term to begin October 1, 2023 and expire October 1, 2029.*

**Legislative History**

- 10/2/17 Parish Council Enacted Legislation  
Mr. Timothy J. Vial appointed to the Industrial Development Board on October 2, 2017, per Resolution No. 6311  
Term: October 1, 2017 - October 1, 2023

2023-0193      A resolution appointing a member to the Industrial Development Board.

*On Monday, August 14, 2023, the Council Chairman will accept nominations to the Industrial Development Board to fill the vacancy created by the expiration of the term of Mr. Billy Raymond. Six (6) year term to begin October 1, 2023 and expire October 1, 2029.*

Legislative History

10/2/17	Parish Council	Enacted Legislation
	Mr. Billy Raymond appointed to the Industrial Development Board on October 2, 2017, per Resolution No. 6312	
	Term: October 2, 2017 - October 1, 2023	

## MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

### MEETINGS

*LAFOURCHE BASIN LEVEE DISTRICT: Wednesday, 8/2/23, 6PM, Lafourche Basin Levee District Office, 21380 Highway 20, Vacherie*

*PLANNING & ZONING COMMISSION: Thursday, 8/3/23, 6PM, Council Chambers*

*CIVIL SERVICE BOARD: Tuesday, 8/8/23, 6:30PM, Council Chambers*

*COMMUNITY ACTION ADVISORY BOARD: Wednesday, 8/9/23, 5PM, Council Chambers*

*COMMUNICATIONS DISTRICT (911): Monday, 8/14/23, 5PM, 911 Center, 222 Joe Louis Lane, Hahnville*

*ST. CHARLES PARISH COUNCIL: Monday, 8/14/23, 6PM, Council Chambers*

### 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

July 31, 2023

## IN RECOGNITION

WHEREAS, Sheriff Gregory C. Champagne is currently serving his seventh term as sheriff of St. Charles Parish; he is the longest-tenured sheriff in the parish's history, with twenty-seven years of service; and,

WHEREAS, Sheriff Champagne was born and raised in St. Charles Parish; he graduated from Hahnville High School and received a bachelor's degree in government from Nicholls State University in 1979 and a juris doctorate from the Louisiana State University Paul M. Hebert Law Center in 1982; and,

WHEREAS, following law school, Sheriff Champagne served as an assistant district attorney in St. Charles Parish; during his fourteen-year tenure, he earned a reputation as a tough but fair prosecutor with a 94% conviction rate; he tried numerous felony jury trials including eight homicide trials, all of which resulted in convictions; and,

WHEREAS, Sheriff Champagne was first elected sheriff of St. Charles Parish in 1995; he was re-elected without opposition in 1999, with 81% of the votes in 2003, and with 83% of the votes in 2007; he ran without opposition in three-consecutive elections from 2011 and 2019; and,

WHEREAS, Sheriff Champagne graduated from the Federal Bureau of Investigation Academy in Quantico, Virginia, on two occasions; first, he completed the FBI's Law Institute for Prosecutors, and more recently, he graduated from the FBI's Law Enforcement Executive Development Program; and,

WHEREAS, Sheriff Champagne was installed for a second term as president of the National Sheriff's Association (NSA) in June; he previously served as president of the NSA in 2016-2017; for the past twenty years, he has chaired the NSA Legal Affairs Committee, which analyzes proposed congressional legislation and files amicus briefs with the U.S. Supreme Court on landmark criminal justice issues affecting sheriffs nationwide; and,

WHEREAS, Sheriff Champagne was named Louisiana Sheriff of the Year by the Louisiana Crime Victim's Coalition in 2003; he was the first sheriff of St. Charles Parish to serve as President of the Louisiana Sheriff's Association in 2007-2008; he regularly testifies before the Louisiana Legislature on important criminal justice issues on behalf of the Louisiana Sheriff's Association and serves on the Louisiana State Law Institute's Criminal Justice Committee, analyzing criminal justice issues for the legislature; and,

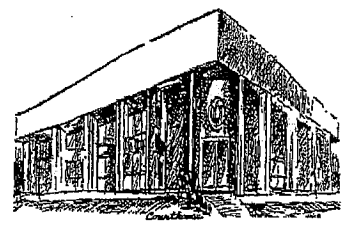
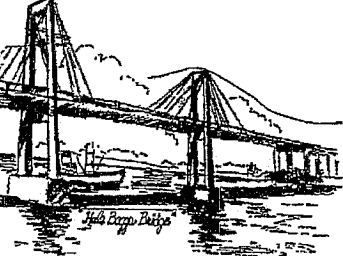
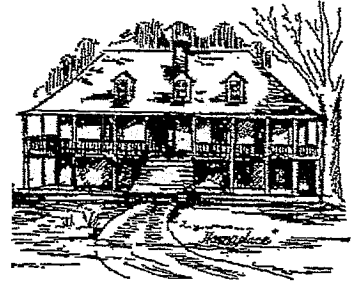
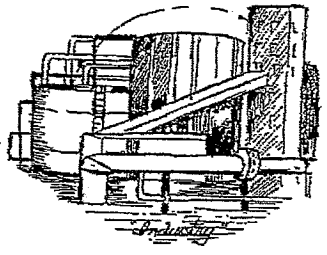
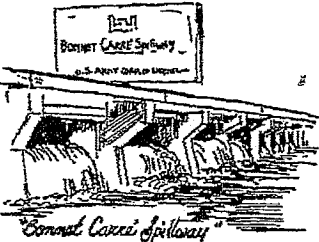
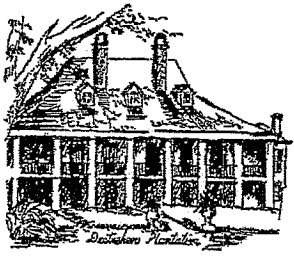
WHEREAS, outside of his professional life, Greg has shared over forty-one years of marriage with his wife, Alice Landry Champagne; his daughter, Rochelle C. Fahrig, is an assistant district attorney, and his son, Greg Champagne, Jr., is a deputy tax assessor; he also has five grandsons; and,

WHEREAS, Sheriff Champagne is a genuine servant of the community as a long time member and past-president of the Rotary Club of St. Charles Parish, a member of Holy Family Catholic Church, and Knights of Columbus Council 2409; he is most deserving of the highest recognition for his dedication to law enforcement and the protection of St. Charles Parish and the State of Louisiana.

NOW THEREFORE, BE IT RESOLVED, WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, do hereby commend Sheriff Champagne on his second term as President of the National Sheriff's Association and extend sincerest wishes that he continue to prosper in all of his endeavors.

### SHERIFF GREGORY C. CHAMPAGNE SECOND TERM AS PRESIDENT NATIONAL SHERIFF'S ASSOCIATION

"PARISH OF EXCELLENCE"  
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.



*Matthew Jewell*

MATTHEW JEWELL  
PARISH PRESIDENT

*Beth Billings*

BETH A. BILLINGS  
COUNCILWOMAN AT LARGE, DIV. A

*Holly Fonseca*

HOLLY FONSECA  
COUNCILWOMAN AT LARGE, DIV. B

*La Sandra Darenbourg Gordon*

LA SANDRA DARENSBOURG GORDON  
COUNCILWOMAN, DISTRICT I

*Mary K. Clulee*

MARY K. CLULEE  
COUNCILWOMAN, DISTRICT II

*Dick Gibbs*

DICK GIBBS  
COUNCILMAN, DISTRICT III

*Nicky Dufrene*

NICKY DUFRÉNE  
COUNCILMAN, DISTRICT IV

*Marilyn B. Bellock*

MARILYN B. BELLOCK  
COUNCILWOMAN, DISTRICT V

*Bob Fisher*

BOB FISHER  
COUNCILMAN, DISTRICT VI

*Julia Fisher-Cormier*

JULIA FISHER-CORMIER  
COUNCILWOMAN, DISTRICT VII



# The Parish of St. Charles

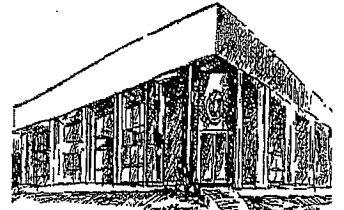
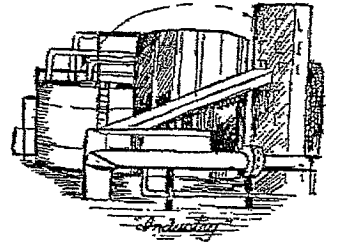
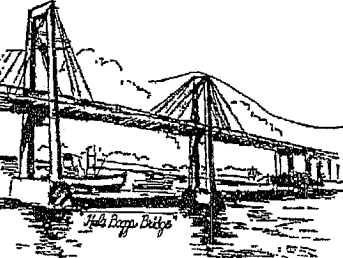
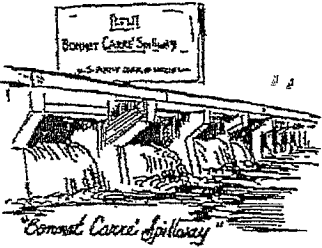
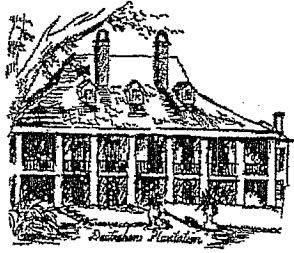
2023-0181

July 31, 2023

## IN RECOGNITION

**WHEREAS,** in 2003, Valero Energy Corporation purchased its St. Charles Refinery from Orion Refining Corporation located in Norco, expanding their Gulf Coast reach, and created one of the most dramatic industrial turnarounds in the company's history; and,  
**WHEREAS,** Valero Energy Corporation is a joint venture member in Diamond Green Diesel Holdings LLC, which through its subsidiary, owns a renewable diesel plant with a production capacity of 700 million gallons per year; and,  
**WHEREAS,** significant investments and improvements were added over the years, and with the expansion that has taken place through the addition of the Diamond Green Diesel facility, makes the Valero St. Charles Refinery site one of its largest and most complex facilities; and,  
**WHEREAS,** Valero St. Charles Refinery is a 350,000 barrels per day, high complexity refinery with the second largest renewable diesel plant in the world. In 2021, production began at the new alkylation unit at the refinery. The unit produces 17,000 barrels per day; and,  
**WHEREAS,** Valero St. Charles Refinery was recognized with OSHA's Voluntary Protection Program (VPP) Star Site designation since 2017; in 2021, they received the AFPM Elite Gold Award for performance in the top five percentile of industry safety; and also received the Valero Chairman's Safety Award, an honor that the refinery has earned five times in its history; and,  
**WHEREAS,** Valero St. Charles Refinery has 628 employees. More than 31,000+ volunteer hours have been logged since 2017. The Pontchartrain Conservancy, A Safe Space, Court Appointed Special Advocates (CASA), and Second Harvest Food Bank are just a few non-profits that volunteers dedicate their time and efforts to in the community; and,  
**WHEREAS,** Valero St. Charles Refinery is an active member of the River Regional Chamber of Commerce and the Louisiana Mid-Continent Oil and Gas Association. They partner with the following community organizations: United Way, Junior Achievement, A Safe Space St. Charles, and the ARC of St. Charles. They have donated more than \$8 million to children's charities in the Southeast Louisiana region since 2003.

**NOW THEREFORE, BE IT RESOLVED, WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY CONGRATULATE**



### VALERO ST. CHARLES REFINERY ON THEIR 20 YEAR ANNIVERSARY

"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.

*Matthew Jewell*

MATTHEW JEWELL  
PARISH PRESIDENT

*Beth A. Billings*

BETH A. BILLINGS  
COUNCILWOMAN AT LARGE, DIV. A

*Holly Fonseca*

HOLLY FONSECA  
COUNCILWOMAN AT LARGE, DIV. B

*La Sandra Darensbourg Gordon*

LA SANDRA DARENSBOURG GORDON  
COUNCILWOMAN, DISTRICT I

*Mary K. Clulee*

MARY K. CLULEE  
COUNCILWOMAN, DISTRICT II

*Dick Gibbs*

DICK GIBBS  
COUNCILMAN, DISTRICT III

*Nicky DuFrene*

NICKY DUFRENE  
COUNCILMAN, DISTRICT IV

*Marilyn B. Bellock*

MARILYN B. BELLOCK  
COUNCILWOMAN, DISTRICT V

*Bob Fisher*

BOB FISHER  
COUNCILMAN, DISTRICT VI

*Julia Fisher-Cormier*

JULIA FISHER-CORMIER  
COUNCILWOMAN, DISTRICT VII

# The Parish of St. Charles

2023-0182

July 31, 2023

## IN RECOGNITION

WHEREAS, Diamond Green Diesel, LLC, is a joint venture between subsidiaries of Valero Energy Corporation and Darling Ingredients, Inc.; and,

WHEREAS, the renewable diesel is produced from sustainable low-carbon feedstock, such as used cooking oil, inedible animal fats derived from processing meat fats, and fuel-grade corn oil with an integrated supply chain. Darling Ingredients, Inc. has extensive experience in pretreating the feedstocks for further processing and Valero has extensive experience in converting the pretreated feedstock to renewable diesel and marketing transportation fuels to the marketplace; and,

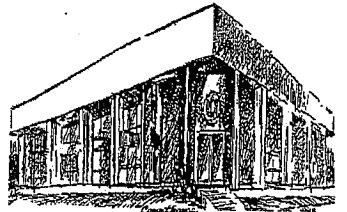
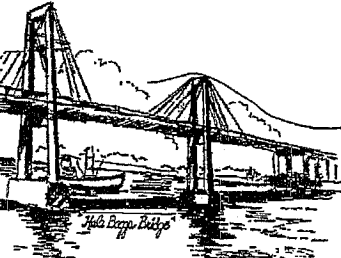
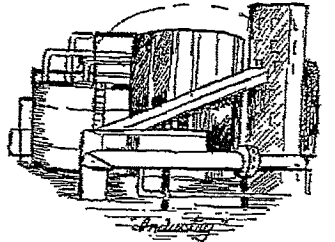
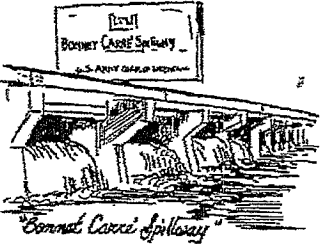
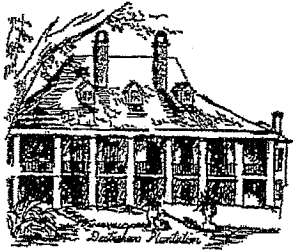
WHEREAS, this combination is unique in the renewable diesel industry and enables Diamond Green Diesel, LLC to efficiently produce and market superior low-carbon fuels, and reduce greenhouse gas emissions by up to 80% compared with traditional diesel fuel; and,

WHEREAS, Diamond Green Diesel, LLC is the largest renewable producer in North America and the second largest in the world with 2.3 billion pounds of rendered and recycled material converted each year and 1.2 billion gallons of renewable diesel produced each year.

NOW THEREFORE, BE IT RESOLVED, WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY CONGRATULATE

### DIAMOND GREEN DIESEL, LLC ON THEIR 10 YEAR ANNIVERSARY

"PARISH OF PLINY"  
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.



Matthew Jewell  
MATTHEW JEWELL  
PARISH PRESIDENT

Dick Gibbs  
DICK GIBBS  
COUNCILMAN, DISTRICT III

Beth Billings  
BETH A. BILLINGS  
COUNCILWOMAN AT LARGE, DIV. A

Nicky Dufréne  
NICKY DUFRÉNE  
COUNCILMAN, DISTRICT IV

Holly Fonseca  
HOLLY FONSEÇA  
COUNCILWOMAN AT LARGE, DIV. B

Marilyn B. Bellock  
MARILYN B. BELLOCK  
COUNCILWOMAN, DISTRICT V

La Sandra Darenshourg Gordon  
LA SANDRA DARENSBOURG GORDON  
COUNCILWOMAN, DISTRICT I

Bob Fisher  
BOB FISHER  
COUNCILMAN, DISTRICT VI

Mary K. Culee  
MARY K. CULEE  
COUNCILWOMAN, DISTRICT II

Julia Fisher-Cormier  
JULIA FISHER-CORMIER  
COUNCILWOMAN, DISTRICT VII

# The Parish of St. Charles

July 31, 2023

## IN RECOGNITION

WHEREAS, First National Bank USA has offices in Boutte, and LaPlace, Louisiana; and,

WHEREAS, First National Bank USA's main office has been located and domiciled in Boutte, Louisiana since 1975, which is the only St. Charles Parish domiciled bank; and,

WHEREAS, First National Bank USA offers a diverse array of products, including multiple types of loan and deposit products; and,

WHEREAS, First National Bank USA's goal is to maintain excellence and partner with the local community to help satisfy its financial needs; and,

WHEREAS, according to the 1st Quarter 2023, Bank Performance Report's ranking of 110 banks in Louisiana, First National Bank USA was recognized as the No. 1 ranked bank in Louisiana for their "overall performance"; and,

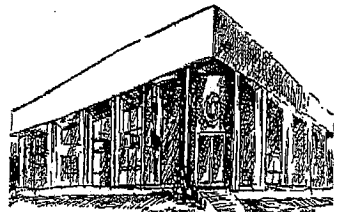
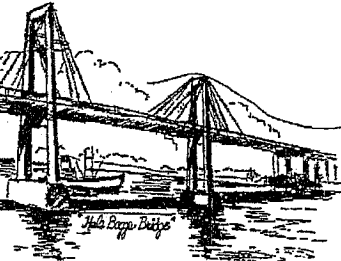
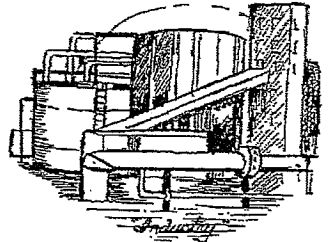
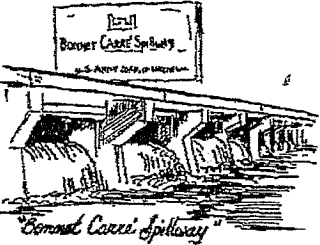
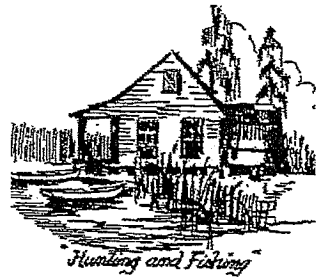
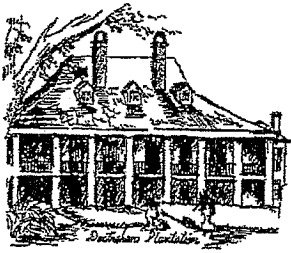
WHEREAS, Bank Performance Report's used information from public data in reports sent to the FDIC, assembled by S&P Global, and comprised of eight categories of bank performance categories and fifty sub-categories to determine their rankings; and,

WHEREAS, First National Bank USA was also ranked as a Five Star Bank, "Superior", by BauerFinancial, a bank rating company, which is BauerFinancial's highest rating.

NOW THEREFORE, BE IT RESOLVED, WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, do hereby recognize

### FIRST NATIONAL BANK USA RATED #1 BANK IN LOUISIANA 2023

"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.



*Matthew Jewell*  
MATTHEW JEWELL  
PARISH PRESIDENT

*Dick Gibbs*  
DICK GIBBS  
COUNCILMAN, DISTRICT III

*Beth A. Billings*  
BETH A. BILLINGS  
COUNCILWOMAN AT LARGE, DIV. A

*Nicky Dufrene*  
NICKY DUFRENE  
COUNCILMAN, DISTRICT IV

*Holly Fonseca*  
HOLLY FONSECA  
COUNCILWOMAN AT LARGE, DIV. B

*Marilyn B. Bellock*  
MARILYN B. BELLOCK  
COUNCILWOMAN, DISTRICT V

*La Sandra Darenbourg Gordon*  
LA SANDRA DARENSBOURG GORDON  
COUNCILWOMAN, DISTRICT I

*Bob Fisher*  
BOB FISHER  
COUNCILMAN, DISTRICT VI

*Mary K. Culee*  
MARY K. CULEE  
COUNCILWOMAN, DISTRICT II

*Julia Fisher-Cormier*  
JULIA FISHER-CORMIER  
COUNCILWOMAN, DISTRICT VII

2023-0184**PROCLAMATION**

**WHEREAS,** according to the National Safety Council and the National Highway Traffic Safety Administration, the number of child hot car deaths for 2022 was 33, so far 2023 have 11 hot car deaths reported. In 2022 alone approximately 57 animals endured heat related deaths and another 488 were rescued in 2022; and,

**WHEREAS,** it is hard to overstate the toll this takes on families, but together we can help put an end to this tragedy by taking some important steps; and,

**WHEREAS,** "Don't Leave Me Behind" is a vehicular heatstroke prevention partnership between United Way of St. Charles Success by 6, St. Charles Women's Club, St. Charles Parish Sheriff's Office, St. Charles Parish Public Schools, St. Charles Humane Society, St. Charles Fireman's Association, St. Charles Parish Library, St. Charles Community Health Center, German Coast Farmer's Market, Four Stars Childcare Facility, and St. Charles Parish Government. Information is available through contact with any of these agencies; and,

**WHEREAS,** the following strategies can save lives: keep car doors locked when parked to prevent a child from climbing in and becoming trapped, never leave a child or pet in a vehicle when running errands, make it a habit to check the front and back seat of your vehicle before locking the door and walking away, place your purse or briefcase in the back seat to remind you to look before you lock, invest in a car-child-safety mirror, and write on a brightly colored sticky note to put on the dash board of your car to remind you of your child or pet in the vehicle; and,

**WHEREAS,** St. Charles Parish is committed to working closely with community advocates to help prevent kids and pets from being left in cars unattended. The goal is to bring awareness to the entire community about vehicular heatstroke to prevent tragedies when travelling with kids and pets, no matter how short or long the trip. Young and old find themselves a caregiver and babysitter to littles ones, special needs, pet, and the shut in, so we ask that you don't leave them behind; and,

**WHEREAS,** St. Charles Parish encourages all parents, family members, and caregivers, to work together with the agencies promoting the "Don't Leave Me Behind" prevention and awareness program, and to relay the information obtained to friends and coworkers through social media.

**NOW THEREFORE, BE IT RESOLVED, WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM AUGUST 2023 AS**

**"VEHICULAR HEATSTROKE AWARENESS MONTH"**

**IN ST. CHARLES PARISH AND URGE ALL CITIZENS TO HELP PREVENT THE TRAGIC LOSS OF LIFE, OF KIDS AND PETS BEING LEFT IN UNATTENDED CARS.**

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**MATTHEW JEWELL**  
PARISH PRESIDENT

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**DICK GIBBS**  
COUNCILMAN, DISTRICT III

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**BETH A. BILLINGS**  
COUNCILWOMAN AT LARGE, DIV. A

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**NICKY DUFRENE**  
COUNCILMAN, DISTRICT IV

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**HOLLY FONSECA**  
COUNCILWOMAN AT LARGE, DIV. B

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**MARILYN B. BELLOCK**  
COUNCILWOMAN, DISTRICT V

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**LA SANDRA DARENSBOURG GORDON**  
COUNCILWOMAN, DISTRICT I

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**BOB FISHER**  
COUNCILMAN, DISTRICT VI

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**MARY K. CLULEE**  
COUNCILWOMAN, DISTRICT II

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**JULIA FISHER-CORMIER**  
COUNCILWOMAN, DISTRICT VII

2023-0194

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) to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to raise the speed limit on **Riverwood Drive in Riverwood Estates, St. Rose, to twenty (20) 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,** Ordinance No. 02-9-7, adopted September 9, 2002, by the St. Charles Parish Council amended the Code of Ordinances, by revising Chapter 15, Section 15-9, lowering the speed limit on Riverwood Drive, Riverwood Estates, St. Rose to Fifteen (15) Miles Per Hour; and,

**WHEREAS,** the Parish Council desires to raise the speed limit on Riverwood Drive in Riverwood Estates, St. Rose from fifteen (15) miles per hour to twenty (20) 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) 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:**

(42) Riverwood Drive in Riverwood Estates, St. Rose, speed limit shall be ~~fifteen-(15)~~ twenty (20) 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 \_\_\_\_\_, 2023, to become effective five (5) days after publication in the Official Journal.

Speed Limit - raise limit on Riverwood, St. Rose.docx

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

**2023-0195**

**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 C-3 to R-1A(M) on Lot 5, Block C, Boots Subdivision as shown on the survey by E. M. Collier dated August 12, 1968, 429 Good Children Street, Boutte, as requested by Melanie Johnson.

**WHEREAS,** Melanie Johnson requests a rezoning from C-3 to R-1A(M) on Lot 5, Block C, Boots Subdivision as shown on the survey by E. M. Collier dated August 12, 1968, 429 Good Children Street, Boutte; 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 on July 6, 2023.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** The Zoning Ordinance of 1981, is amended to change the zoning classification from C-3 to R-1A(M) on Lot 5, Block C, Boots Subdivision as shown on the survey by E. M. Collier dated August 12, 1968, 429 Good Children Street, Boutte.

**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 C-3 to R-1A(M) on Lot 5, Block C, Boots Subdivision as shown on the survey by E. M. Collier dated August 12, 1968, 429 Good Children Street, Boutte.

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

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023, 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**

2023-9-R requested by Melanie Johnson for a change of zoning from C-3 to R-1A(M) on Lot 5, Block C, Boots Subdivision, 429 Good Children Street, Boutte. Council District 1.

**Planning Department Recommendation:**

Approval.

**Planning Commission Recommendation:**

Approval.

**2023-9-R requested by Melanie Johnson for a change of zoning from C-3 to R-1A(M) on Lot 5, Block C, Boots Subdivision, 429 Good Children Street, Boutte. Council District 1.**

**Mr. Welker** – yes, this rezoning as mentioned before, meets two of the three criteria to get a recommendation of approval from the department and we find this request meets the second and third rezoning criteria and we do recommend approval. We find it meets the second guideline because this C-3 zoning district dates back to at least 1981 and it seemed to meant to encompass a commercial area that was meant for, exist at the end of Paul Mallard Road before crossing the tracks and ends at Hwy. 90 for whatever reason part of that C-3 district extends onto this property which is one of the properties that is at the very end of Good Children St. it's a residential lot it's been used for residential purposes previously, there was a mobile home there previously and we actually because of certain restrictions on non-conforming uses we actually cannot permit a mobile home there again under the current zoning so we the current zoning is not appropriate based on what this lot is and where it's located it's too small to be developed for any kind of commercial purposes and it's at the end of a residential street which in turn require a special permit approval for any commercial development that would ever go there to go through a residential street to access it since there is no other outlet to any other street so the current zoning is clearly not appropriate for pro zoning R-1A(M) would create a uniform R-1A(M) zoning district for all lots on Good Children St. So we also found it meets criteria three for much of the same reasons, it's in a residential neighborhood and it's a mix of site built houses and mobile manufactured homes that's what this zoning district would be able to permit there and it would be compliant with what's in the area, so it meets the third guideline and we recommend approval based on meeting the second and third.

The public hearing was open and close after no one spoke for or against.

Commissioner Price made a motion, second by Commissioner Ross.

YEAS: Keen, Frangella, Ross, Price, deBruler, Jr. Petit

NAYS: None

ABSENT: Frangella, Krajcer

**Approved**

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**Department of Planning & Zoning  
Staff Report – Map Amendment  
Case No. 2023-9-R**

**APPLICATION INFORMATION**

- **Submittal Date:** 6/7/23
- **Applicant / Property Owner**  
Melanie Johnson  
412 Kennedy Street  
Ama, LA 70031  
504-621-3688; brit2323@ymail.com
- **Request**  
Change of zoning from *C-3, Highway Commercial District – Wholesale and Retail Sales* to *R-1A(M), Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes*

**SITE INFORMATION**

- **Location**  
429 Good Children Street, Boutte; Lot 5, Block C, Boots Subdivision
- **Size:** approximately 4,828 sq. ft. (0.11 acres)
- **Current Use**  
The site is undeveloped but cleared. A manufactured home was previously located here but it has been removed due to damage sustained from Hurricane Ida.
- **Surrounding Zoning**  
R-1A(M) zoning is located to the Good Children and Ponderosa Street sides; C-3 zoning is located to the Tinney Street and Paul Maillard Road sides.
- **Surrounding Uses**  
The subject site is located within a developed residential neighborhood consisting of single family dwellings, both site-built and manufactured. This includes the properties immediately adjacent to the side and rear, and directly across Good Children Street.
- **Zoning History**  
The C-3 zoning district was established in 1981.
- **Future Land Use Recommendation**  
*Neighborhood Mixed Use: This category applies in areas appropriate for mixed walkable developments where the predominant use is residential, with a variety of housing types at varying densities, as well as compatible, local-serving commercial, retail, office and service uses.*
- **Flood Zone & Minimum Building Elevation**  
X zone / AE +5. A developer will have to provide a grade certificate in order to determine the minimum building elevation on this property. 1 ft. above the centerline of the street OR 5 ft. above mean sea level [NAVD 88 datum]
- **Traffic Access**  
The site has 70 ft. of frontage on Good Children Street.
- **Utilities**  
Parish GIS shows public water and sewer facilities available along Good Children Street.

## APPLICABLE REGULATIONS

### Appendix A. Section VI. – Zoning District Criteria and Regulations

[II.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium density.

*Policy statement:* This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities, and which meet the architectural and aesthetic standards of a permanent residence. Additionally, mobile homes which meet the special provisions below are allowed.

1. Use Regulations:
  - a. A building or land shall be used only for the following purposes:
    - (1) Site-built, single-family detached dwellings.
    - (2) Manufactured homes.
    - (3) Mobile homes.
    - (4) Accessory uses.
    - (5) Private recreational uses.
    - (6) Farming on lots of three (3) acres or more and at least one hundred fifty (150) feet frontage.
  - b. Special exception uses and structures include the following:
    - (1) Additional residences for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
    - (2) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
    - (3) Showing and 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.
    - (4) Accessory uses to golf courses and country clubs limited to the following:
      - Art studios
      - Churches and Religious Institutions
      - Commercial recreation facilities
      - Commercial schools
      - Personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
      - Professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
      - Restaurants and cafeterias
  - 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), country clubs, and accessory commercial uses on such properties.
    - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all property lines a distance of at least one (1) foot for each foot of building height.
    - (5) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
    - (6) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
    - (7) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish Council.
2. Spatial Requirements.
  - a. Minimum lot size: Five thousand (5,000) square feet per family; minimum width-fifty (50) feet.
  - b. Minimum yard sizes:
    - (1) Front—Fifteen (15) feet.
    - (2) Side—Five (5) feet.
    - (3) Rear—Five (5) feet.
    - (4) For lots with less than one hundred (100) feet depth, front setback shall be fifteen (15) percent of lot depth 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) The accessory building shall not exceed two-story construction.
    - (2) Minimum setback of accessory buildings shall be three (3) feet.
    - (3) Nonresidential accessory buildings shall not be permitted.
  - d. 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 yard.
3. Special Provisions:
  - a. Additional dwellings on unsubdivided property:
    - (1) Additional dwellings on unsubdivided property referred to in 1.b(1) above will be permitted at the rate of one (1) dwelling unit for each seven thousand (7,000) square feet of lot area.

- (2) The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.
  - (3) Under no circumstances will the total number of dwellings per unsubdivided lot permitted under these provisions exceed four (4).
  - (4) Permits issued under this provision will be issued for a two-year period. At the expiration of this time, an investigation will be conducted by the Planning and Zoning Department to determine if this Code is complied with. Non-compliance will result in the revocation of the permit.
- b. All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication *Manufactured Home Installation in Flood Hazard Areas*.
  - c. *Reserved*.
  - d. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.

#### Appendix A. Section XV. - Amendment procedure

D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two 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 zone 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, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
  - 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, also
2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

### REZONING GUIDELINE & CRITERIA EVALUATION

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 designation of *Neighborhood Mixed Use* provides primarily for residential uses with a variety of housing types/densities that could in turn better support local business, ideally within walking distance. While the R-1A(M) district does offer an alternative to the standard R-1A zoning in terms of building type and density, the Neighborhood Mixed Use designation is meant to foster a town center like development with the site-built construction of townhomes, duplexes, and other varieties residential dwellings that could be an asset to adjacent local serving commercial uses. The R-1A(M) district does not include the type of development that the Neighborhood Mixed Use designation is intended to support. **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 and the proposed zoning does.*

The Parish's zoning map indicates the site has been zoned C-3 since at least 1981. The C-3 district in question is meant to encompass a commercial area at the end of the Paul Maillard Road corridor before it crosses the railroad tracks and terminates at

Highway 90. With the exception of the subject site, this C-3 district covers properties with frontage either on Paul Maillard Road or Tinney Street (those properties with Tinney Street frontage also have frontage on Paul Maillard Road).

It is unclear why this C-3 district was extended to encompass a single lot on Good Children Street, but the current land-use pattern no longer allows for reasonable use of the property under this commercial zoning. First, the site is not large enough for commercial development, which must consider features such as parking, landscaping, and residential buffers. Second, any commercial development would require approval as a Special Permit Use as per Appendix A., Section VIII. – Site Design Requirements which states *all access to any commercial zoned property through any residential zoning district shall require approval of a special permit use by the planning and zoning commission and the parish council.* By changing the zoning here to R-1A(M) the entirety of Good Children would be under uniform zoning and the property could be returned to residential use. **The request meets the second guideline.**

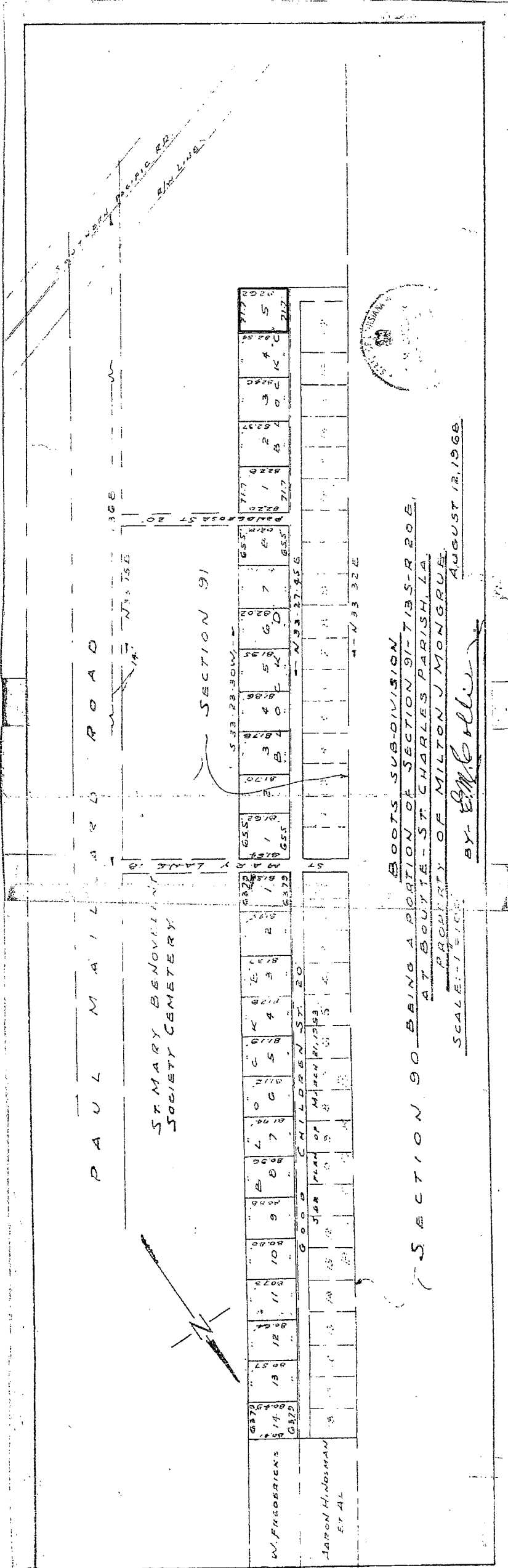
3. *Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.*

The main purpose of the R-1A(M) district is to permit manufactured homes alongside site-built houses on smaller lots. This is compatible with the existing neighborhood character which consists of a mix of site-built houses and manufactured homes on smaller lots. A manufactured home was previously permitted on this site and serviced by existing public facilities, so they should not be overburdened by what can be permitted with this zoning change. **The request meets the third guideline.**

<b>DEPARTMENT RECOMMENDATION</b>
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**Approval, based on meeting the second and third rezoning criteria.**

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



PAUL MAIL ROAD

ST. MARY BENEVOLENT SOCIETY CEMETERY

SECTION 91

SECTION 90 BEING A PORTION OF SECTION 91-T13-S-R 20 E,  
AT BOUYTIE - ST. CHARLES PARISH, LA.  
PROPERTY OF MILTON J. MONGRUE

BOOTS SUB-DIVISION

BY: *E.M.C. Allen* AUGUST 12, 1966

SCALE: 1" = 100'



W. FIEGEBRICKS 14 0872	13 0872	12 0872	11 0872	10 0872	9 0872	8 0872	7 0872	6 0872	5 0872	4 0872	3 0872	2 0872	1 0872	0872
JARON HINGSMAN ET AL														



2023-9-R  
Rezoning: C-3 R-1A(M)





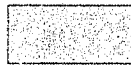
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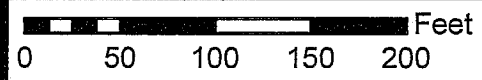
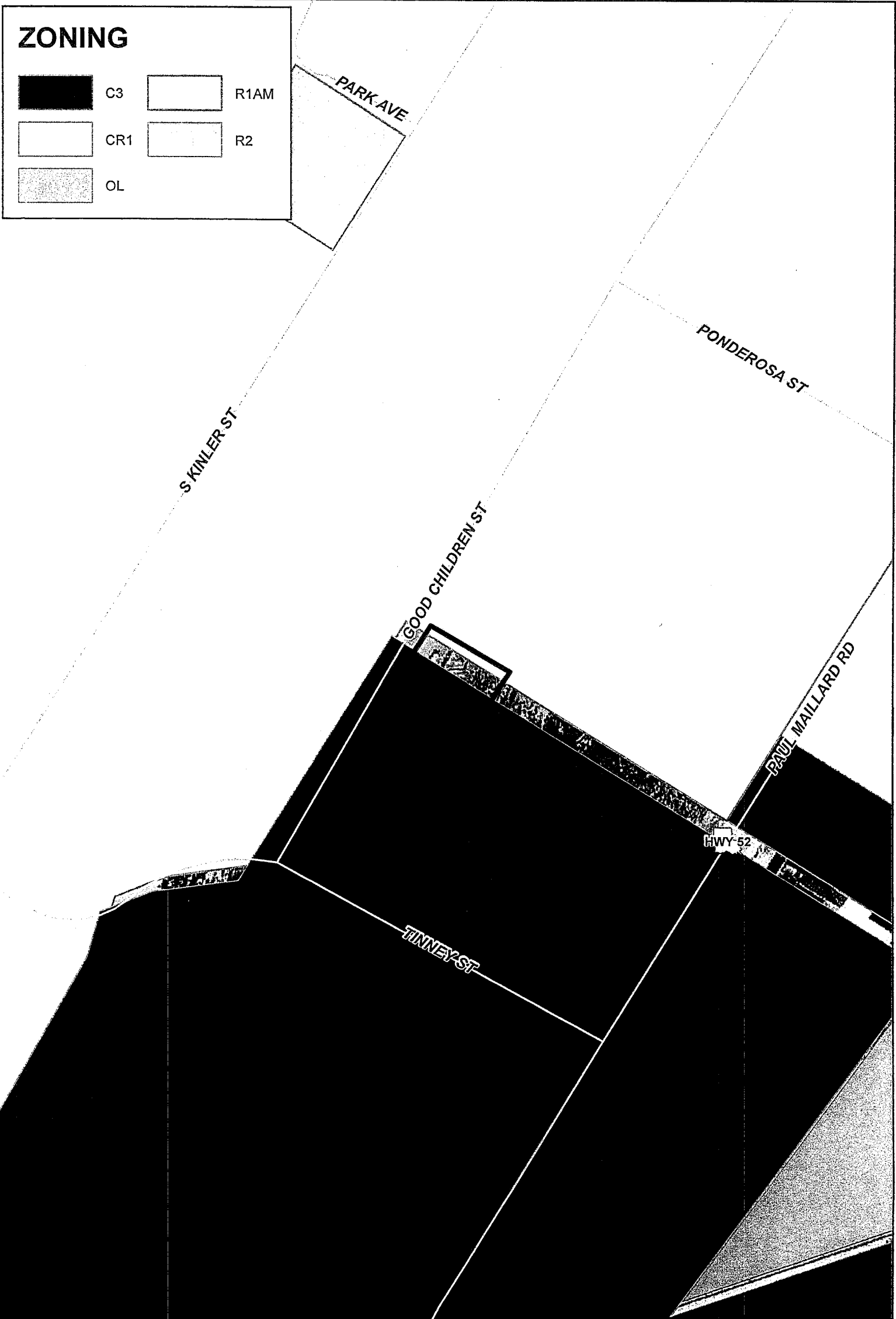


2023-9-R  
Rezoning: C-3 R-1A(M)



**ZONING**




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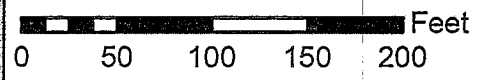
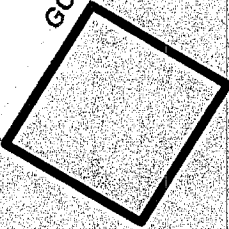
2023-9-R  
Rezoning: C-3 R-1A(M)



**Future Land Use**

-  Commercial
-  Low-Moderate Residential
-  Neighborhood Mixed Use

PARK AVE  
S KINLER ST  
GOOD CHILDREN ST  
PONDEROSA ST  
PAUL MAILLARD RD  
TINNEY ST  
HWY 52







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 #:	2023-9-R
Receipt #:	10704136
Application Date:	
Zoning District:	
FLUM Designation:	
Date Posted:	

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

Fee: \$40 - \$200

Applicant: Melanie Johnson  
 Home address: 429 Goodchildren St. Boutte LA 70039  
 Mailing address (if different): 412 Kennedy St. Arna LA 70031  
 Phone #s: 5046213688 Email: brit2323@gmail.com  
 Property owner: Melanie Johnson  
 Municipal address of property: 429 Goodchildren St. Boutte LA 70039  
 Lot, block, subdivision: \_\_\_\_\_  
 Change of zoning district from: C-3 to: R1AM  
 Future Land Use designation of the property: Mobile home  
 (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: For a mobile home. I had a trailer here before Hurricane Ida after Ida I have been trying to place another trailer only to find out it's been rezoned.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood?  
My property will be used the same way the other properties are used as residence. To the right is a mobile home.

Is there something about the property or the surrounding neighborhood that make the rezoning necessary?  
This property has been the same for over 30 years along with the surrounding area.

How does your proposed use of the property comply with the Future Land Use designation for the property?  
The ~~the~~ land is only big enough for mobile use only.

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 property can only be used to place a mobile home for residency.

**2023-0196**

**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 C-3 to M-1 on two triangular lots designated a portion of Lots 7, 8, & 9 of the John Lambert Tract, or Lots 55, 56, 57, and 58, Almedia Townsites Section "A" as shown on the survey by Cody A. DiMarco, PLS dated December 16, 2020, 275 I-310 Service Road, St. Rose, as requested by Conrad Frey for Southern Trucking & Transportation, LLC.

**WHEREAS,** Conrad Frey for Southern Trucking & Transportation, LLC requests a rezoning from C-3 to M-1 on two triangular lots designated a portion of Lots 7, 8, & 9 of the John Lambert Tract, or Lots 55, 56, 57, and 58, Almedia Townsites Section "A" as shown on the survey by Cody A. DiMarco, PLS dated December 16, 2020, 275 I-310 Service Road, St. Rose; 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 on July 6, 2023.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** The Zoning Ordinance of 1981, is amended to change the zoning classification from C-3 to M-1 on two triangular lots designated a portion of Lots 7, 8, & 9 of the John Lambert Tract, or Lots 55, 56, 57, and 58, Almedia Townsites Section "A" as shown on the survey by Cody A. DiMarco, PLS dated December 16, 2020, 275 I-310 Service Road, St. Rose, as requested by Conrad Frey for Southern Trucking & Transportation, 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 C-3 to M-1 on two triangular lots designated a portion of Lots 7, 8, & 9 of the John Lambert Tract, or Lots 55, 56, 57, and 58, Almedia Townsites Section "A" as shown on the survey by Cody A. DiMarco, PLS dated December 16, 2020, 275 I-310 Service Road, St. Rose, as requested by Conrad Frey for Southern Trucking & Transportation, LLC.

**SECTION III.** The Department of Planning and Zoning is authorized to make the corresponding amendment to the Future Land Use Map, adopted by the Planning Commission as part of the 10-year update to the St. Charles 2030 Comprehensive Plan under Resolution 2022-1-RES and with support from the St. Charles Parish Council under Resolution No. 6688, from Commercial to Industrial.

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

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023, 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**

2023-8-R requested by Conrad Frey for Southern Trucking & Transportation, LLC for a change of zoning from C-3 to M-1 on two triangular lots consisting of approximately 1.5 and 2 acres and designated a portion of Lots 7, 8, & 9 of the John Lambert Tract, 275 I-310 Service Road, St. Rose. Council District 5.

**Planning Department Recommendation:**

Approval.

**Planning Commission Recommendation:**

Approval.

**2023-8-R requested by Conrad Frey for Southern Trucking & Transportation, LLC for a change of zoning from C-3 to M-1 on two triangular lots consisting of approximately 1.5 and 2 acres and designated a portion of Lots 7, 8, & 9 of the John Lambert Tract, 275 I-310 Service Road, St. Rose. Council District 5.**

Mr. Welker- yea rezoning must meet two of the three zoning criteria in order to get a recommendation or approval from the department. The department found this request meets the second and third rezoning criteria and we recommend approval. To go over that the second criteria ask if the land use pattern or character has changed that the extent that the existing zoning no longer allows reasonable use of the applicant's property and the proposed zoning does, this sites located at the end of I-310 Service Road in St. Rose while it's visible from the highway it doesn't have direct highway frontage that would better benefit uses that are typically permitted in a commercial zoning district, you would have to make the turn at Almedia, another turn at the service road it's about a half mile to the site visible, but tucked away. So, because of that the pattern in the area has actually changed to go from the commercial zoning C-3 to M-1 light industrial there were three rezonings done in 2019 alone from C-3 to M-1 all for properties that are at this on the service road and the uses in that area also kinda reflect that, it's a lot of heavy industrial contractor office storage yards and what not. Actually, one of the property's was approved for a special permit last month the sp plus maintenance facility they basically coming back just to get the properties under a zoning that doesn't hold them to the requirements of C-3 and the special permit, so it meets criteria two there M-1 zoning is more reasonable compared to C-3 basically on where it's at similarly under criteria three. The potential use is permitted by the proposed zoning will not be incompatible with existing neighborhood character, the neighborhood character has trended to a more industrial M-1 type use with the items noted in the previous guideline and the uses that are permitted in the proposed M-1 zoning district would comply or be conforming to what is down there right now. So, the department also finds it meets the third criteria and as stated earlier recommends approval based on meeting the second and third criteria.

The public hearing was open and close after no one spoke for or against.

Commissioner Price made a motion, second by Commissioner Ross.

YEAS: Keen, Frangella, Ross, Price, deBruler, Jr. Petit

NAYS: None

ABSENT: Frangella, Krajcer

**Approved**

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**Department of Planning & Zoning  
Staff Report – Map Amendment  
Case No. 2023-8-R**

**APPLICATION INFORMATION**

- **Submittal Date:** 6/6/23
- **Applicant / Property Owner**  
Conrad Frey  
Southern Trucking & Transportation, LLC  
141 I-310 Service Road  
St. Rose, LA 70087  
(504)-452-1337; cfrey@threecs.biz
- **Request**  
Change of zoning from *C-3, Highway Commercial District – Wholesale and Retail Sales* to *M-1, Light Manufacturing and Industry*

**SITE INFORMATION**

- **Location**  
275 I-310 Service Road, St. Rose; two (2) triangular lots designated a portion of Lots 7, 8, & 9 of the John Lambert Tract.
- **Size:** 152,460 sq. ft. (3.5 acres)
- **Current Use**  
Both lots are undeveloped but cleared. The lot addressed as 275 I-310 Service Road recently received Special Permit Use approval for a business utilizing automobile fleet services in C-3 zoning (2023-2-SPU). That development is currently in the building permit process.
- **Surrounding Zoning**  
C-3 zoning abuts to each side of the site. M-1 zoning is also located in the immediate vicinity, across Beltway Road and south of the railroad.
- **Surrounding Uses**  
The site is located at the end of the I-310 Service Road where C-3/M-1 uses are located. Specifically, an office and warehouse facility for a general contractor specializing in large construction projects is located to the Almedia Road side. A large office, warehouse, and storage yard for a business providing portable office trailers is located across the Kansas City Southern Railroad.
- **Zoning History**  
The C-3 district was established in 1981.
- **Future Land Use Recommendation**  
*Commercial: This category includes single-use commercial, retail, office and service uses. Commercial areas should seek to strengthen existing retail and service uses, encourage the introduction of new uses, and introduce complementary adjoining uses such as public facilities and moderate-density residential, to reinforce the retail base and support the continued health of these uses. Commercial uses must be consistent with the surrounding area and compatible with adjacent uses.*

*Recommended Zoning Districts: CR-1 (residential/commercial transitional), C-1 (commercial office) zoning, C-2 (general commercial retail), C-3 (highway commercial), MS (medical service), B-1 (batture, non-industrial)*

▪ **Flood Zone & Minimum Building Elevation**

AE +5 / DFIRM X Zone; a developer will have to provide a grade certificate to determine the minimum building elevation on this property: either 5 ft. above mean sea level (NAVD 88 Datum), OR 1 ft. above the centerline of the nearest street.

▪ **Traffic Access**

The lot addressed 275 I-310 Service Road has 486 ft. of roadway frontage, but the site plan approved as part of 2023-2-SPU showed a dedicated driveway through the adjacent LaDOTD property before connecting to the service road.

The other un-addressed lot in this request does not have frontage on the service road and would rely on a similar arrangement through the LaDOTD property for driveway access. The necessary permits would have to be approved by LaDOTD as part of the review and permitting of a new commercial/industrial development on this site.

▪ **Utilities**

The Parish GIS system shows public water facilities are available along both I-310 Service Road and Beltway Road. Public sewer is not available.

<b>APPLICABLE REGULATIONS</b>
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**Appendix A. Section VI. – Zoning District Criteria and Regulations**

[I.] *M-1 Light manufacturing and industry district:*

1. Use Regulations: A building or land may be used for the following purposes if in accordance with the special provisions outlined below.
  - a. A building or land shall be used only for the following purposes:
    - (1) Those uses identified as items 2 through 27 as listed in the C-3 District.
    - (2) Office parks which shall include groups or clusters of administrative, professional, and other business offices as well as individual banks and restaurants.
    - (3) Agriculture and other general farming uses.
    - (4) Warehousing and storage of nonhazardous material.
    - (5) Assembly plants.
    - (6) Bottled gas sales and/or service.
    - (7) Food processing plants.
    - (8) Cellophane products manufacturing.
    - (9) Cold storage or refrigerating plants.
    - (10) Electrical parts manufacturing and assembly.
    - (11) Fiber products manufacturing (previously prepared fiber).
    - (12) Garment manufacturing.
    - (13) Glass products manufacturing.
    - (14) Ironwork (no foundry, drop hammer, and no punch presses over twenty (20) tons capacity).
    - (15) [Repealed by Ord. No. 92-1-1, § I, 1-21-92.]
    - (16) Leather products manufacturing (previously prepared leather).
    - (17) Commercial vehicle and heavy equipment sales and service.
    - (18) Millwork.
    - (19) Paint mixing and treatment (not employing a boiling process).
    - (20) Paper products manufacturing (previously prepared material).
    - (21) Plastic products manufacturing (previously prepared material).
    - (22) Sheet metal products manufacturing (light).
    - (23) Sign manufacture.
    - (24) Open storage of building material, lumber, machinery and pipe, provided the material is enclosed within a solid fence at least six feet high within required building lines when the storage area is adjacent to or across the street from an A, R, or C District.
    - (25) Railroad freight terminals, switching and classification yards, repair shops, roundhouse, power houses and fueling, sanding and watering stations.
    - (26) Television and radio broadcasting transmitters.
    - (27) Textile products manufacturing.
    - (28) Toy manufacturing.
    - (29) Well drilling services.
    - (30) Wood products manufacturing (assembling work and finishing).
    - (31) Automobile Fleet Services: Examples include rental car facilities, overnight truck parking, dispatch locations, and any use related to the temporary or periodical parking of operative motor vehicles.
  - b. Special exception uses and structures (variation):
    - (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
  - c. Special permit uses and structures include the following:

- (1) Office buildings for gambling operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
  - (2) Operations which store or utilize hazardous materials identified through guidelines contained in subsection VI.D.1.4.b. of these regulations upon review and approval of the Planning Commission and supporting resolution of the Council.
  - (3) Cellular installations and PCS (personal communication service) installations.
  - (4) Truck terminals (with video poker gaming facilities) upon review and approval of the Planning Commission, and supporting resolution of the Council (Ord. No. 98-4-17, § IV, 4-20-98).  
Truck terminals with video poker gaming facilities shall conform to the regulations set forth by the state of Louisiana and to the following regulations:
    - (1) Frontage shall be on a median-divided, major arterial with a minimum of 4-roadway lanes, and having federal or state designation.
    - (2) Minimum lot size of site shall be ten (10) acres.
    - (3) Truck terminals with video poker gaming facilities shall also have all of the following amenities:
      - a) a separate truckers' lounge
      - b) a full-service laundry facility located in a convenient area for truckers' use
      - c) private showers for men and women and not located in an area open to general public restroom facilities
      - d) a travel store with items commonly referred to as truckers' supplies (items commonly used only by commercial motor vehicles)
      - e) truck scales
      - f) separate truckers' telephones
      - g) permanent storage facilities for fuel
    - (4) These regulations shall not be applied to any truck stops with video poker gaming facilities which have received a Certificate of Zoning Compliance previous to the date of this ordinance, notwithstanding any other provisions of this ordinance.
  - (5) *Towing yard.* Towing yards, upon review and approval by the Planning Commission and supporting resolution of the Council, shall conform to the following regulations:
    - (1) Site plan approval. All tow yard operators must secure approval of a site plan. The site plan shall include:
      - a) The storage layout and the maximum number of vehicles proposed to be stored. All storage parking spaces shall open directly to an access drive. Vehicles shall not be stored on top of each other. All vehicles shall be stored on an aggregate parking surface;
      - b) A seven-foot solid, opaque fence will enclose such yards and shall be maintained in a constant state of good repair. Entrances will be constructed of the same material as the fence. All entrances shall remain closed when not in use;
      - c) A ten (10) foot buffer zone when abutting a C-3 or lesser intensive use or zoning district. The buffer shall be planted with acceptable trees and shrubs;
      - d) All buildings and structures to be located on the site and the required off-street parking layout.
    - (2) Towing yard operators shall maintain records of each vehicle and its storage period. These records shall be available upon request of the planning department.
    - (3) Towing yards shall also adhere to state and local licensing requirements.
    - (4) Any change of permitted plan will result in a cease and desist order being placed on the towing yard.
    - (6) 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.
    - (7) Barrooms, night clubs, lounges and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
    - (8) Automotive racing tracks and strips upon receiving a recommendation of the Planning and Zoning Commission and an ordinance granting approval by the Parish Council.
    - (9) Disposal and/or deposition of directional boring slurry upon receiving a recommendation by the planning and zoning commission and an ordinance granting approval by the parish council. The requirement for a special permit shall not apply to directional boring associated with oil and gas production, nor shall it apply to the incidental or accidental deposition at the site of the boring.
2. Spatial Requirements:
    - a. Minimum lot size: Ten thousand (10,000) square feet.  
Minimum width: One hundred (100) feet.
    - b. Minimum yard sizes:
      - (1) Front - twenty-five (25) feet
      - (2) Side - fifteen (15) feet
      - (3) Rear - twenty-five (25) feet.
      - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
  3. Transportation System: Arterial, rail, water.
  4. Special Provisions:
    - a. No manufacturing operations within the M-1 zoning district shall emit odors, gas or fumes beyond the lot line or produce a glare beyond the lot line. All facilities shall be dust-proofed including walkways, driveways and parking areas. All operations must be conducted within a building or within an area enclosed on all sides by a solid fence or wall no less than six (6) feet in height.

- b. Where any industrial or commercial use in an M-1 zoning district abuts any residential district or use, a six-foot high solid wood or vinyl fence or masonry wall shall border the same and there shall be a buffer strip fifteen (15) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater buffer strip.
- c. The use(s) shall not receive, process, or create hazardous materials which are listed on the latest National Toxicology Programs Annual Report on Carcinogens, SARA Title III section 302 (EHS), and/or SARA Title III Section 313 (toxicity) without a special permit as identified in section VI.D.[I].1.c of this ordinance. Whenever a proposed development or expansion involves chemical processing or storage on a site in an M-1 zoning district and the uses do not require a special permit as identified in section VI.D.[I].1.c of this ordinance, certification shall be furnished by a chemical engineer, registered in the State of Louisiana and approved by the Parish of St. Charles, that materials associated with the enterprise do not appear on cited hazardous material lists. Those chemicals or materials which are permitted under this regulation either by special permit or certification of compliance, shall be stored in accordance with the National Fire Protection Association Flammable and Combustible Liquids Code (NFPA 30 1990), or amended version. With regard to placement of allowable materials on site, the minimum distance in feet from property line which is or can be built upon, including the opposite side of a public roadway, shall be two times the minimum distances required by NFPA 30. In the event the distances required by this paragraph exceed the minimum distances required by NFPA 30, then the requirements of this paragraph shall govern.

#### Appendix A. Section XV. - Amendment procedure

D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two 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 zone 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, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
  - 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, also
2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

#### REZONING GUIDELINE & CRITERIA EVALUATION

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 subject site is within an area designated *Commercial*, which provides for single-use commercial, retail, office and service uses permitted in the Parish's commercial zoning districts (CR-1, C-1, C-2, and C-3). Proximity to public facilities and moderate-density residential is important to reinforce the retail base and support the continued health of commercial businesses. M-1 zoning and those uses permitted under it do not conform to this land development pattern. **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 and the proposed zoning does.*

The primary zoning on the I-310 Service Road has been C-3, Highway Commercial, which permits commercial uses that benefit frontage on highways with higher traffic volumes. The subject site and other adjacent properties are visible from the highway



but lack true highway frontage. In this specific instance there is nearly a half-mile distance to travel between the subject site and Airline Drive. As a result the land use pattern is characterized by uses more appropriate in the M-1 zoning district, such as contractor's offices, open storage, and heavy vehicle and equipment storage and maintenance. This is emphasized further with the approval of zoning changes from C-3 to M-1 on properties with access limited to the I-310 Service Road (2019-5-R, 2019-11-R, 2019-12-R). Without easily accessible highway frontage M-1 zoning allows for more reasonable use of the property compared to the current C-3 district. **The request meets 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.*

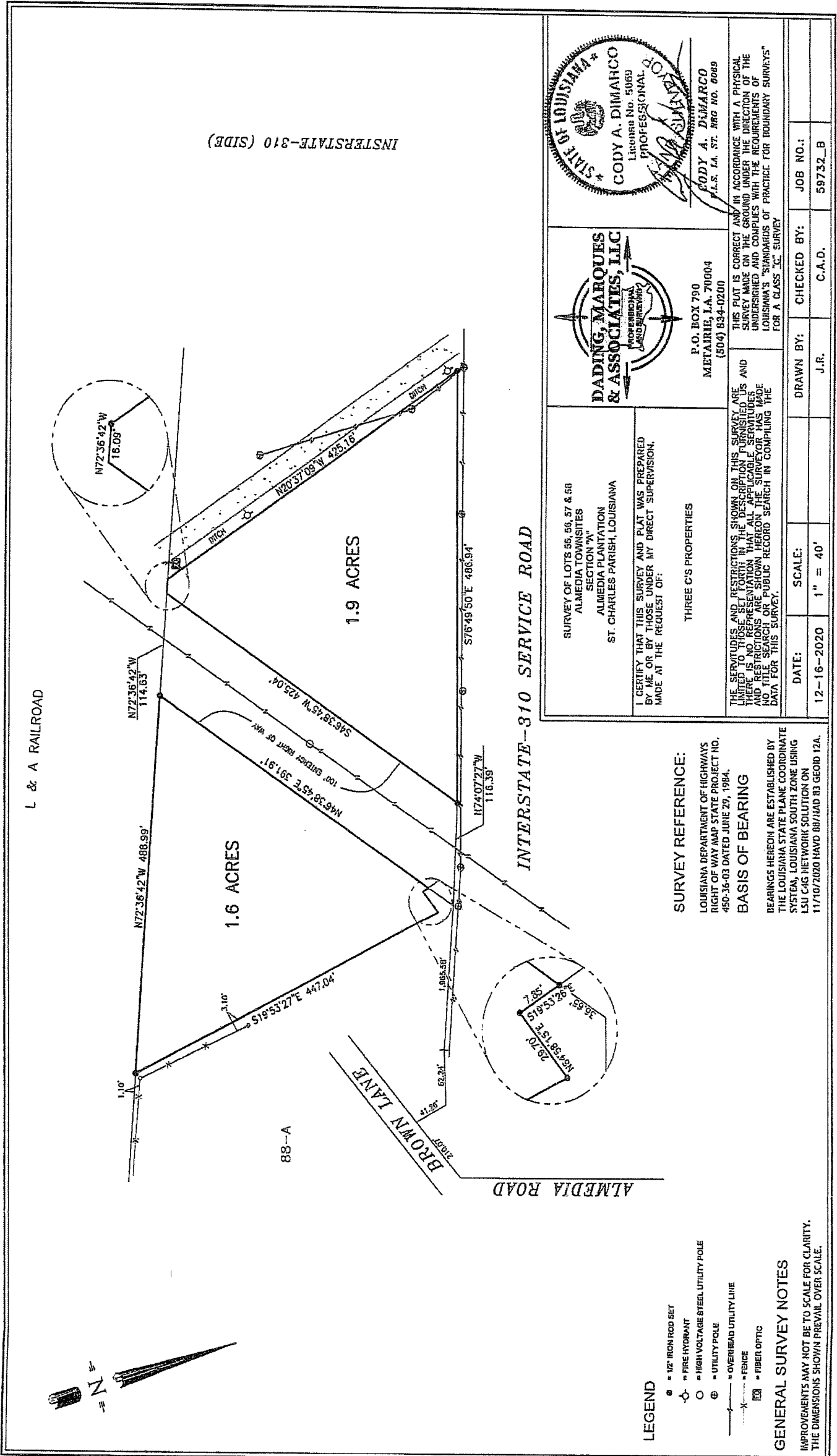
Uses permitted in the M-1 district include warehousing, various fabrication and manufacturing operations, open storage, and heavy equipment sales and service. Similar uses have become more prominent on properties on or near the I-310 Service Road, so the uses permitted in the proposed M-1 district should not be incompatible in the immediately surrounding area. Commercial uses typically handle a higher volume of either employees or public traffic, so those uses permitted in M-1 should not place any more of a burden on public facilities and infrastructure compared to what may be permitted under the current C-3 zoning. **The request meets the third guideline.**

<b>DEPARTMENT RECOMMENDATION</b>
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**Approval, based on meeting the second and third rezoning criteria.**

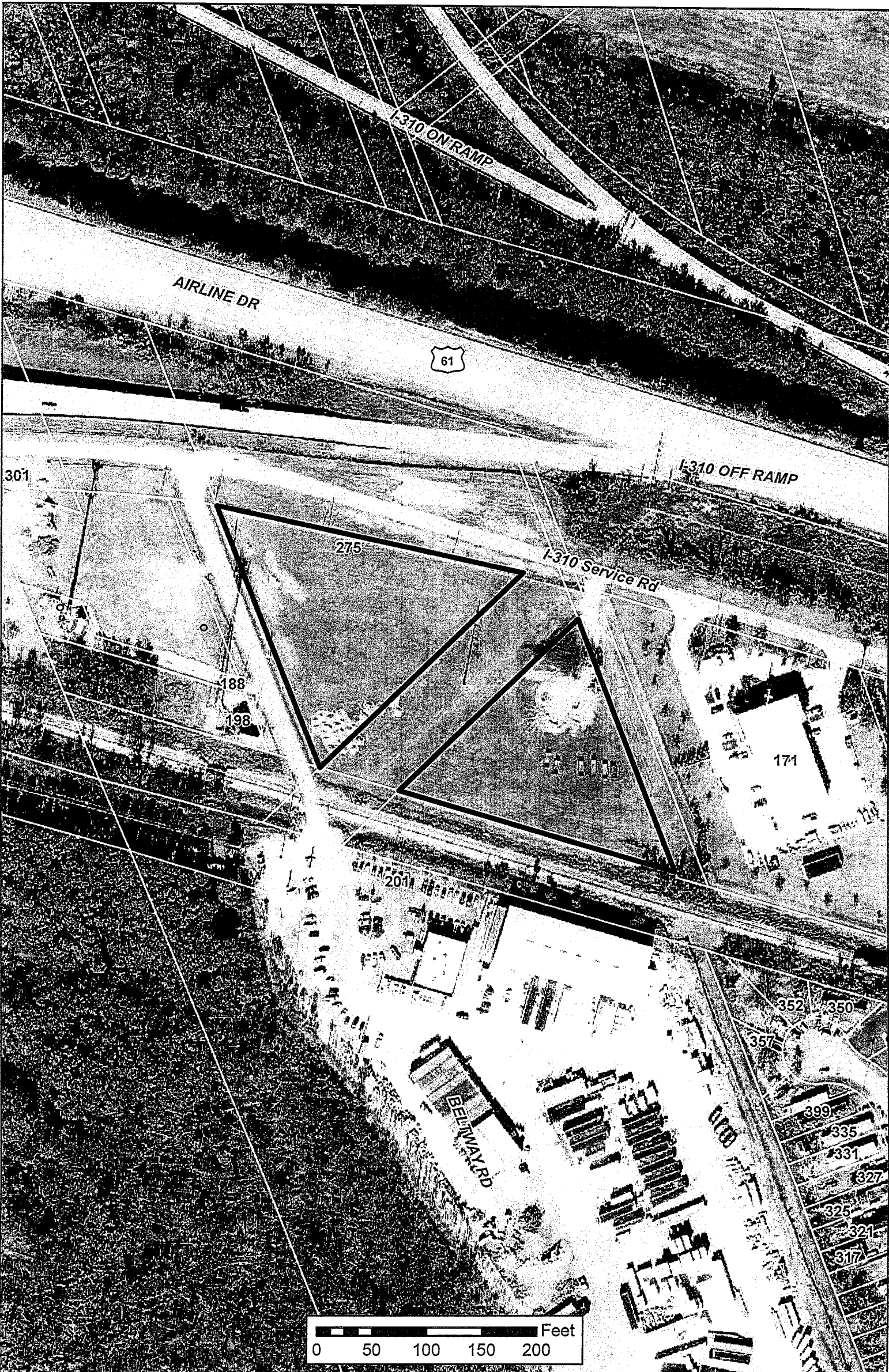
**This request will be forwarded with the Planning Commission's recommendation to the Parish Council for a second public hearing and final determination.**

**The subject area exceeds 3 acres, prompting a corresponding change to the Future Land Use Map from Commercial to Industrial.**



2023-8-R  
Rezoning: C-3 to M-1

NT  
28



2023-8-R  
Rezoning: C-3 to M-1

NT  
29



**ZONING**



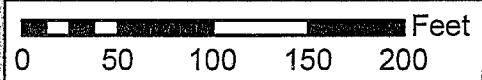
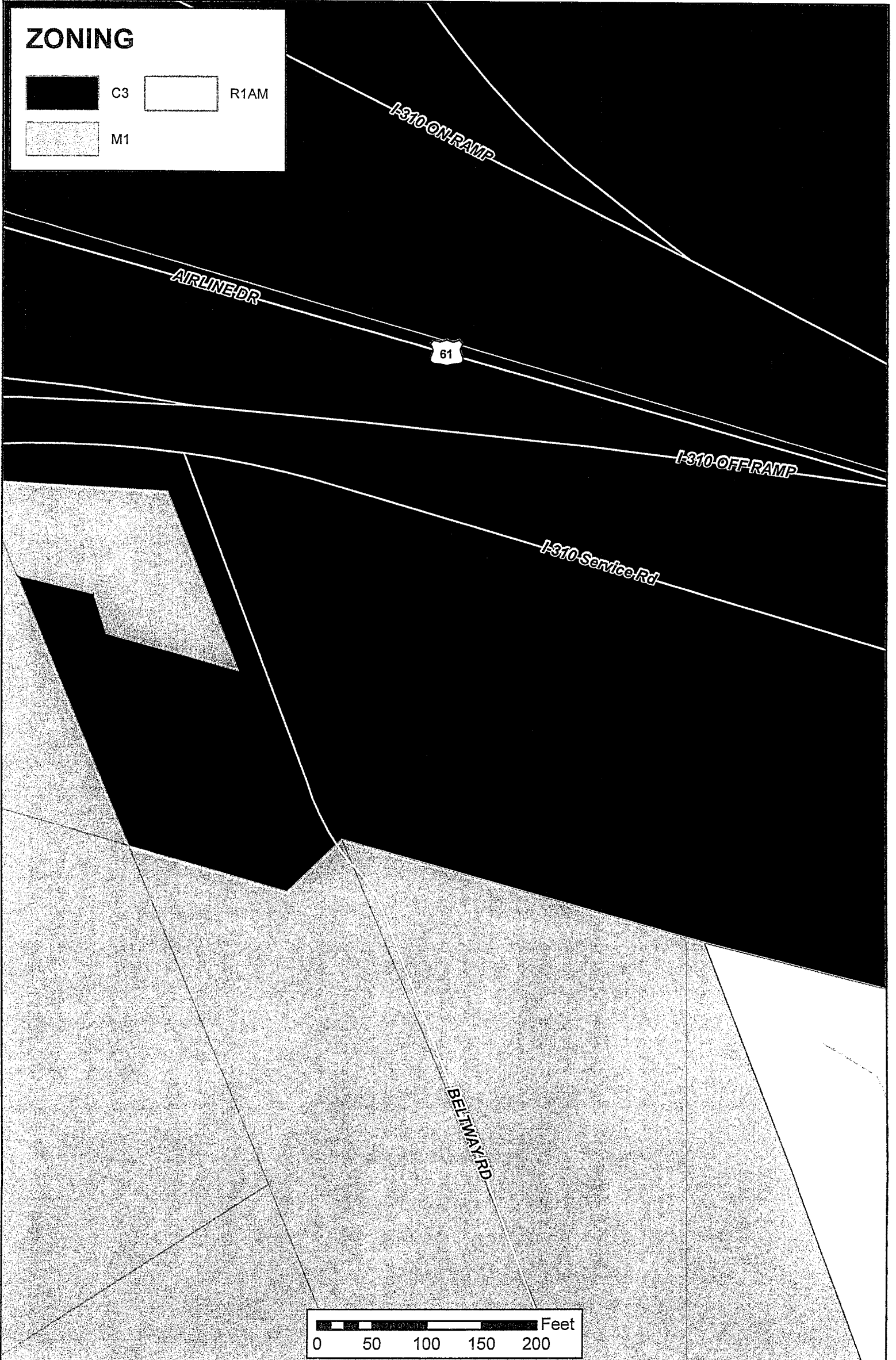
C3



R1AM



M1







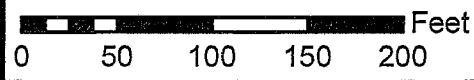
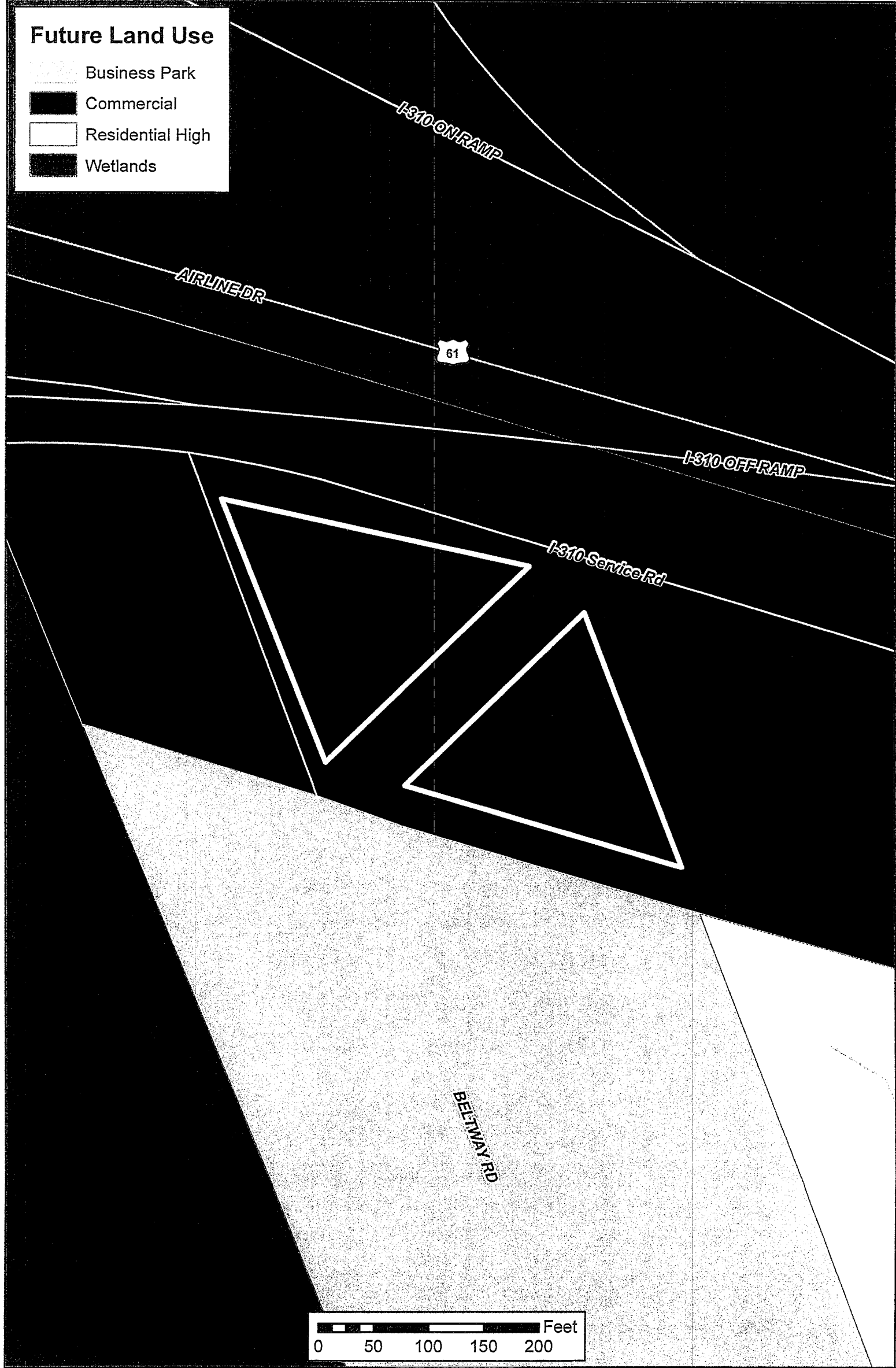
2023-8-R  
Rezoning: C-3 to M-1

NT  
30



**Future Land Use**

-  Business Park
-  Commercial
-  Residential High
-  Wetlands





**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 #:	<u>2023-8-R</u>
Receipt #:	<u>10298290</u>
Application Date:	_____
Zoning District:	_____
FLUM Designation:	_____
Date Posted:	_____

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

Fee: \$40 - \$200

Applicant: Conrad Frey / Souther Trucking & Transportation

Home address: 4717 Hessmer Ave. Metairie, LA 70002

Mailing address (if different): 141 I-310 Service Rd. St. Rose, LA 70087

Phone #s: (504) 452-1337 Email: cfrey@threecs.biz

Property owner: Conrad Frey / Souther Trucking & Transportation

Municipal address of property: 275 I-310 Service Rd. St. Rose, LA 70087

Lot, block, subdivision: \_\_\_\_\_

Change of zoning district from: C-3 to: M-1

Future Land Use designation of the property: Commercial

(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: \_\_\_\_\_

Bus Service Maintenance Facility and Parking Spaces

Company Owned Warehouse and Parking Spaces

Trucking Business & other business related to Trucking Dispatch, Repair, Storage etc.

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

2 adjacent properties are currently Zoned M-1

Property to the SOUTH (Zoned M-1) - Trailer Storage Facility

Property to the WEST (Zoned M-1) - Vacant Property

Property to the EAST - Construction Company

To the NORTH - Airline Highway

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

Property Development Plans are heavier than C-3.

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

Our proposed use is Commercial.

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 Property is identical to all surrounding property.

Permit/Case #: \_\_\_\_\_

2023-0171

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

**ORDINANCE NO.** \_\_\_\_\_

An ordinance adopting, setting forth, levying and imposing taxes on all property subject to taxation in the Parish of St. Charles, State of Louisiana, as required by Section 23 of Article VII of the Constitution of Louisiana and Revised Statute 47.1705(B) for General Parochial Purposes; constructing, acquiring, maintaining, operating, extending and/or improving levees, facilities and structures associated with outer flood protection systems within the Parish; constructing, maintaining, and operating the Parish Road Maintenance program, Parish Recreation program, Parish Fire Protection, Mosquito Control Program, E-911 Telephone System, Health Unit and Council on Aging program; Council on Aging Program (2); Road Lighting District No. 1; Library Service District No. 1; the ARC of St. Charles; paying any costs associated with acquiring, constructing, improving, maintaining and operating wastewater facilities and systems in the Parish.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That acting under the authority of Section 23 of Article VII of the Constitution of the State of Louisiana and Section 47.1705(B) of the Louisiana Revised Statutes of 1950, as amended.

**A.** As Governing authority of St. Charles Parish, Library Service District No. 1, and Road Lighting District No.1 of St. Charles Parish, acting under the authority of special elections held in said Parish, there is hereby levied, assessed and imposed special taxes on all of the taxable property within the Parish and the respective Districts for the year 2023 for the respective purposes contained in the propositions voted upon at said elections, and said taxes shall be levied, assessed and imposed at the following millage rates:

	2023 Millages Levied
General Parochial	3.11
Levees	3.81
ARC	0.63
Road Lighting District No. 1	0.86
Library Service District No. 1	4.08
Road Maintenance Program	5.61
Recreation Program	2.90
Mosquito Control Program	0.91
Council on Aging Program	0.89
Council on Aging Program (2)	0.74
Fire Protection	1.50
E-911 Telephone System	0.95
Wastewater Facilities	2.16
Health Unit	0.58

**SECTION II.** That the proper administrative officers of the Parish of St. Charles, State of Louisiana, be and they are hereby empowered, authorized and directed to spread said taxes, as herein above set forth, upon the assessment roll of said Parish for the year 2023, and to make the collection of the respective taxes imposed for and on behalf of said Parish and said Districts, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

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

And the ordinance was declared adopted this \_\_\_\_ day of \_\_\_\_\_, 2023 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: \_\_\_\_\_



**MILLAGE RATE COMPARISON SCHEDULE**

AREA/TAXING DISTRICT/Tax Roll	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2022/ 2023
<i>PARISHWIDE:</i>												
General Fund	3.17	3.17	3.17	3.17	3.17	3.17	3.17	3.11	3.11	3.11	3.11	-
Levees			4.00	4.07	4.07	4.07	4.07	3.99	3.99	3.99	3.81	(0.18)
ARC			0.70	0.70	0.67	0.67	0.67	0.66	0.66	0.66	0.63	(0.03)
Road Lighting	1.43	1.43	1.03	1.03	1.01	1.01	1.01	0.99	1.01	1.01	0.86	(0.15)
Library M & O	4.45	4.45	4.45	4.45	4.35	4.35	4.53	4.44	4.53	4.53	4.08	(0.45)
Road Maintenance	5.94	5.94	5.94	6.04	5.90	5.90	5.90	5.90	5.90	5.90	5.61	(0.29)
Recreation	2.97	2.97	2.97	3.02	2.96	2.96	2.96	2.90	2.90	2.90	2.90	-
Mosquito Control	1.10	1.10	1.10	1.10	1.08	1.08	1.08	1.06	1.06	1.06	0.91	(0.15)
Council on Aging	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.94	0.94	0.94	0.89	(0.05)
Council on Aging							0.80	0.78	0.78	0.78	0.74	(0.04)
Fire Protection	1.53	1.53	1.53	1.53	1.45	1.45	1.45	1.58	1.58	1.58	1.50	(0.08)
E-911 Emergency System	0.99	0.99	0.99	0.99	0.97	0.97	0.97	0.95	1.00	1.00	0.95	(0.05)
Health Unit	0.64	0.64	0.64	0.64	0.61	0.61	0.61	0.61	0.61	0.61	0.58	(0.03)
Wastewater Facility				1.09	1.09	1.64	2.20	2.16	2.16	2.16	2.16	-
<b>TOTAL PARISHWIDE</b>	<b>25.78</b>	<b>25.38</b>	<b>29.68</b>	<b>29.90</b>	<b>29.40</b>	<b>29.40</b>	<b>30.38</b>	<b>30.07</b>	<b>30.23</b>	<b>30.23</b>	<b>28.73</b>	<b>(1.50)</b>
<i>Increase/(Decrease over Prior Year)</i>	<i>(0.23)</i>	<i>(0.40)</i>	<i>4.30</i>	<i>0.22</i>	<i>(0.50)</i>	<i>0.00</i>	<i>0.98</i>	<i>(0.31)</i>	<i>0.16</i>	<i>0.00</i>	<i>(1.50)</i>	



2024 Budget				
AD VALOREM REVENUE	Gross		\$2,160,000	
AND EXPENSE	Deductions		1.00%	2.76%
Fund	Millage		Revenue Estimate (Gross)	Retirement Expense
General Fund	3.11		6,650,424	185,574
Levees	3.81		8,147,304	227,343
ARC	0.63		1,340,777	37,413
Road Lighting	0.86		1,837,955	51,286
Library M & O	4.08		8,732,156	243,662
Road Maintenance	5.61		11,996,424	334,749
Recreation	2.90		6,190,668	172,745
Mosquito Control	0.91		1,939,529	54,121
Council on Aging	0.89		1,909,591	53,285
Council on Aging	0.74		1,584,554	44,215
Fire Protection	1.50		3,209,738	89,565
E-911 Emergency System	0.95		2,031,480	56,687
Wastwater Facility	2.16		4,623,221	129,007
Health Unit	0.58		1,239,203	34,579

**ST. CHARLES PARISH**  
**Ad Valorem Millage Rates Gross Revenue Comparison**  
**2023 Assessment**

AREA/TAXING DISTRICT	2023 Adjusted Mills (To be collected in 2024)	Estimated 2024 Gross Revenue	2022 Mills (Collected in 2023)	2023 Gross Revenue (As Provided by SCP Assessor)	Estimated Change in Revenue
<b>PARISHWIDE:</b>					
General Fund	3.11	6,717,600	3.11	5,695,327	1,022,273
Levees	3.81	8,229,600	3.99	7,306,865	922,735
Road Lighting	0.86	1,856,520	1.01	1,843,667	12,853
Library M & O	4.08	8,820,360	4.53	8,295,765	524,595
Road Maintenance	5.61	12,117,600	5.90	10,804,641	1,312,959
Recreation	2.90	6,253,200	2.90	5,310,753	942,447
Mosquito Control	0.91	1,959,120	1.06	1,941,171	17,950
Council on Aging	0.89	1,928,880	0.94	1,721,418	207,462
Council on Aging Elderly (2)	0.74	1,600,560	0.78	1,428,405	172,155
Fire Protection	1.50	3,242,160	1.58	2,893,446	348,714
E-911 Emergency System	0.95	2,052,000	1.00	1,831,294	220,706
Health Unit	0.58	1,251,720	0.61	1,117,088	134,632
ARC	0.63	1,354,320	0.66	1,208,654	145,666
WASTEWATER FACILITY	2.16	4,669,920	2.16	3,955,600	714,320
<b>TOTAL PARISHWIDE</b>	<b>28.73</b>	<b>62,053,560</b>	<b>30.23</b>	<b>55,354,093</b>	<b>6,699,467</b>
Decrease in total mills	1.50				

## 2023 TAX ROLL - ESTIMATE

	Parish Wide	Parish Wide w/o Adjustments
2023 Tax Roll (provided by SCP Assessor)	2,160,000,000	2,160,000,000
<b>Estimated 2023 Tax Roll (Gross)</b>	<b>2,160,000,000</b>	<b>2,160,000,000</b>
<b>Gross per Mill</b>	<b>\$2,160,000</b>	<b>\$2,160,000</b>

2024 Revenue Estimate = Estimated 2023 Tax Roll (Gross) X Millage Rate X .99.

2024 Retirement Estimate = Estimated 2023 Tax Roll (Gross) X Millage Rate X .027625

### Retirement System Breakdown

- 0.0025 Assessors Retirement Fund
  - 0.0025 Clerk of Court Retirement Fund
  - 0.002 DA Retirement Fund
  - 0.0025 Municipal Employees Retirement Fund
  - 0.0025 Parochial Employees Retirement Fund
  - 0.000625 Registrar of Voters Retirement
  - 0.005 Sheriffs Pension
  - 0.01 Teachers Retirement Fund
- 
- 2.7625%

2023-0177

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT  
(DEPARTMENT OF PARKS AND RECREATION)**

**ORDINANCE NO.** \_\_\_\_\_

An ordinance approving and authorizing the execution of a Contract with Kort’s Construction Services, Inc., for the West Bank Bridge Park Improvements, Phase I, (Project No. RECWB122) in the lump sum amount of \$1,984,500.00.

**WHEREAS,** Ordinance No. 22-5-12 adopted on May 16, 2022, by the St. Charles Parish Council, approved and authorized the execution of a Professional Services Agreement with Danny J. Hebert, P.E., L.L.C., d.b.a. Civil & Environmental Consulting Engineers to perform engineering services for the Department of Recreation West Bank Bridge Park Improvements; and,

**WHEREAS,** sealed bids were received by St. Charles Parish on May 9, 2023, for West Bank Bridge Park Improvements, Phase I, (Project No. RECWB122); and,

**WHEREAS,** Civil & Environmental Consulting Engineers, Danny J. Hebert, P.E., LLC, has reviewed the bids and recommends that the contract be awarded to Kort’s Construction Services, Inc.; and,

**WHEREAS,** St. Charles Parish plans to improve the overall experience for our residents when they visit and utilize the West Bank Bridge Park; and,

**WHEREAS,** this project will be done in a phased approach, addressing drainage throughout the park; and,

**WHEREAS,** updating park amenities such as fencing, back stops, dugouts, sunshades, bleacher covers, pavilion upgrades; and,

**WHEREAS,** fields one and two will be upgraded to turf infields with bermuda grass outfields; and,

**WHEREAS,** it is the desire of the Parish Council to approve and authorize this contract.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the bid of Kort’s Construction Services, Inc., for the construction of West Bank Bridge Park Improvements, Phase I, (Project No. RECWB122) is hereby approved and accepted in the lump sum amount of \$1,984,500.00.

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

**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 \_\_\_\_\_, 2023, 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 \_\_\_\_\_, 20 \_\_\_\_\_, by \_\_\_\_\_, hereinafter called the "Contractor", whose business address is Kort's Construction Services, Inc., 2182 Manton Drive, Covington, LA 70433, 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 in connection with the following: **WEST BANK BRIDGE PARK IMPROVEMENTS, PHASE I**, Project No. - **RECWBI22**.
- 1.02 The abovementioned work shall be completed in strict accordance with Contract Documents prepared by: **Civil & Environmental Consulting Engineers, Danny J. Hebert, P.E., LLC.**
- 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 **January 4, 2023**, Addenda number(s) 1, 2, and 3, 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.
- 1.04 The Work is generally described as follows: **Construction of new synthetic turf fields at the West Bank Bridge Park in Luling, LA 70070.**

## ARTICLE 2

### ENGINEER

- 2.01 The Project has been designed by Civil & Environmental Consulting Engineers, Danny J. Hebert, P.E., LLC 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 180 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 **One Thousand** dollars (**\$1,000.00**) 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) (\$1,984,500) One Million Nine Hundred Eighty Four Thousand and Five Hundred Dollars 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 3 inclusive)
- h) Contract documents bearing the general title "West Bank Bridge Park Improvements, Phase I" dated January 4, 2023.
- i) Drawings, consisting of a cover sheet dated) January 4, 2023 and the sheets listed on Drawing 01; each sheet bearing the following general title: West Bank Bridge Park Improvements, Phase I.
- 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: Wayne Pontiff

Title: \_\_\_\_\_

Title: Vice President

ATTEST:

ATTEST:

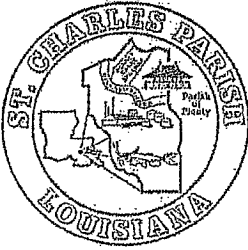
By: \_\_\_\_\_

By: Chris Luce

Title: \_\_\_\_\_

Title: Notary

END OF SECTION



# St. Charles Parish Parks and Recreation

MATTHEW JEWELL  
PARISH PRESIDENT

DUANE FOREI  
DIRECTOR

## NOTICE OF INTENT TO AWARD

May 31, 2023

TO: Wayne Pontiff, Vice President  
Kort's Construction Services, Inc.  
2182 Mandon Drive, Covington, LA 70433  
License Number: 49356

PROJECT NAME: West Bank Bridge Park Improvements, Phase I

PROJECT NO: RECWB122

To Whom It May Concern:

You are hereby notified that your bid dated May 9, 2023, for the above Project has been considered. You are the apparent Lowest Responsible Bidder and may be awarded the Contract once all the required documents have been received, reviewed, successfully voted by the St. Charles Parish Council, and executed by the St Charles Parish President.

The Contract Price of this award is One Million Eight Hundred Seventy Four Thousand Five Hundred Dollars (\$ 1,874,500.00 ).

**Deliver all documents to:**

Marco Juarez, P.E., M.S.  
Civil & Environmental Consulting Engineers, dba  
Danny J. Hebert, P.E., LLC  
14433 River Road, Hahnville, LA 70070

**Deliver the following documents by Monday, June 5, 2023**

1. Six (6) original Employment Status Verification Affidavit (Section-SCP-E-00475) See La. R.S. 38:2212(B)(3)(a);
2. Six (6) original Non Collusion and Non Solicitation Affidavit (Section-SCP-E-00480) See La. R.S. 38:2224;
3. Six (6) original Attestation Clause (Section-SCP-E-00470) See La. R.S. 38:2227;
4. Six (6) original Request to Sublet (Section-SCP-E-00816).

**Deliver the following documents by Thursday, June 15, 2023**

1. Six (6) originals of the Contract between Owner and Contractor (Section-SCP-E-00500) signed and completed. **Do not date the forms**; this will be accomplished upon execution of the Contract by the Owner. Contract price must agree with amount on Louisiana Uniform Public Work Bid Form (Section-SCP-E-00300).
2. Six (6) original Payment Bond Forms (Section-SCP-E-00610) completed, signed, dated, and sealed. **Do not put date in blank on page 00610-1 & page 00610-2**; this document will be dated upon execution of the Contract by the Owner.
3. Six (6) original Performance Bond Forms (Section-SCP-E-00611) completed, signed, dated, and sealed. **Do not put date in blank on page 00611-1 & page 00611-2**; this document will be dated upon execution of the Contract by the Owner.
4. Six (6) original Certificates of Insurance. Computer generated signature acceptable. The Certificate must name St Charles Parish as an additional insured on all general liability policies and the standard cancellation clause must read as follows:
 

“Should any of the above described policies be canceled or changed by restricted amendment before the expiration date thereof, the issuing Company will give thirty (30) days written notice by registered mail, return receipt requested, to the below named certificate holder.”
5. Six (6) original Authorization Letters from the bonding Company(s), that are issuing the Performance and Payment Bonds to St. Charles Parish, authorizing the Parish to

date the Bonds and Power of Attorney to coincide with the time of execution of the contract by St. Charles Parish. The Bonding Company is to fill in the location where the bond was signed.

6. Six (6) original Authorization Letters from the Contractor authorizing St. Charles Parish to date the contracts on behalf of the Parish at the time of execution of the contracts by St. Charles Parish.

~~Permits – Contractor is responsible for applying and receiving all required permits before construction mobilization. Refer to specifications Section-SCP-E-01800 and Section-SCP-E-01810 for other details and requirements.~~

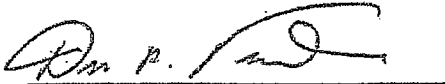
**Construction Schedule – Contractor shall submit a construction schedule within 14 days of the date of this notice to the Engineer and Owner. Schedule items will include, as a minimum, the following:**

- Time frame will be in days with a starting point at Notice to Proceed
- Review and approval time of submittals
- Order and delivery time of critical path items
- Mobilization and construction set up time
- Construction time
- Anticipated Substantial Completion date
- Anticipated Final Change Order submittal date
- Anticipated project closure date

Failure to comply with these conditions within the time specified will entitle Owner to consider the bid abandoned, to annul this Notice of Intent to Award and to declare the Bid Security forfeited.

Within sixty (60) days after compliance with the above conditions, the Owner will return to the Contractor one fully signed counterpart of the Contract Documents.

If you have any questions, or if we can be of any further assistance, please do not hesitate to contact this office at 985-783-5102, Monday through Thursday 7:30am to 4:30pm.



Duane P. Foret  
Director Parks and Recreation

cc: *Matthew Jewell*, St. Charles Parish President  
*Darrin Duhe*, St. Charles Parish Chief Operating Officer  
*Marco Juarez, P.E., M.S.*, Engineering Company Engineer  
*Danny J. Hebert, P.E.*, Engineering Company Engineer  
*Michelle Impastato* – Parish Council Secretary  
*Project File*

JOINT MINUTES OF  
SPECIAL MEETING OF  
THE VOTING SHAREHOLDER AND BOARD OF DIRECTORS OF  
KORT'S CONSTRUCTION SERVICES, INC.  
HELD ON  
January 2, 2023

The Special Joint Meeting of the Voting Shareholder and Board of Directors of Kort's Construction Services, Inc. (the "Corporation"), was duly called and held at 2182 Manton Drive, Covington, Louisiana 70433 on the 2nd day of January 2023, at 9:00 a.m., pursuant to written waiver of notice, set forth below, executed by the sole Director and Voting Shareholder, namely Kort M. Wittich was present and acting throughout, and as evidenced by his signature below, waived formal notice.

The meeting was called to order by Kort M. Wittich, President and sole Director of the Board of Directors. Wayne Pontiff was present as Vice President and as Secretary of the meeting and William Warshauer was also present at the meeting.

The Voting Shareholder approved and ratified the minutes of previous meetings and reviewed the acts and actions of the Corporation, as well as the overall Corporation operations for 2022. The Voting Shareholder then discussed the outlook for the future Corporation business.

The Voting Shareholder re-elected Kort M. Wittich to serve as sole Director of the Corporation for the ensuing year or until his successor is elected and qualified.

The Voting Shareholder re-elected Wayne Pontiff as Vice President and Secretary of the Corporation.

In furtherance of this resolution, Kort Wittich, the Director, is duly authorized to submit proposals and execute agreements on behalf of Kort's Construction Services, Inc. The Director is further authorized to provide such additional information and execute such other documents as may be required by the local, state or federal government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto.

The sole Director of the Corporation expressed a desire to also name Wayne Pontiff, Vice President, and Secretary, in addition to his current duties, is authorized to execute all documents and agreements on behalf of the Corporation and to bid on projects to be performed by the Corporation and is further authorized to provide such additional information and execute such other documents as may be required by the local, state or federal government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto.

After motions duly made, the following resolutions of the Board of Directors were unanimously adopted by the Board of Directors:

**RESOLVED**, that Kort M. Wittich **BE AND IS HEREBY CONFIRMED** to continue his service to the Corporation as President of the Corporation.

**RESOLVED**, that Wayne Pontiff **BE AND IS HEREBY CONFIRMED** to continue his service to the Corporation as Vice President and Secretary of the Corporation; and



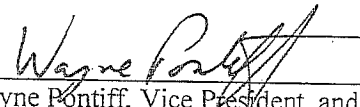
RESOLVED, that the above President, Vice President, and Secretary of the Corporation shall serve as Officers of the Corporation at the pleasure of the Board of Directors and shall have all of the rights, privileges and authority appertaining thereunto during the term of their office; and

ATTESTATION AND RTIFICATION OF MINUTES AND WAIVER OF NOTICE:

  
Kort M. Wittich  
President and Sole Director  
Kort's Construction Services, Inc.  
Dated: January 2, 2023

There being no additional business, said joint meeting of the Shareholder and the Board of Directors was adjourned.

Dated: January 2, 2023

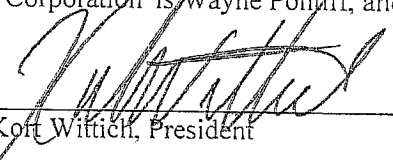
  
Wayne Pontiff, Vice President, and Secretary  
Kort's Construction Services, Inc.

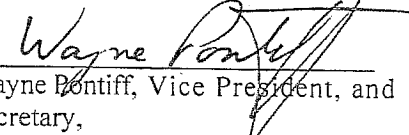
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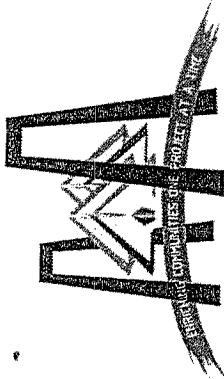
CERTIFICATE

I, the undersigned Secretary of Kort's Construction Services, Inc., a corporation organized under the laws of the State of Louisiana, hereby certify that the above is a true, full, complete and correct copy of elections and resolutions unanimously adopted, on motions duly made at a joint meeting of the Voting Shareholder and Board of Directors of the corporation held on January 2, 2023, pursuant to due notice or waiver of notice, at which meeting the sole Voting Shareholder and sole member of the Board of Directors was present and acting throughout in person, and that the election and resolutions are duly entered upon the minute book of the corporation, are now in full force and effect, and have not been amended, changed, modified, rescinded, or repealed in any way.

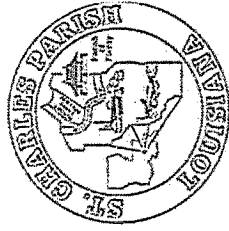
I further certify that: (a) Kort M. Wittich is the sole member of the Board of Directors of the Corporation and (b) the President of the Corporation is Kort M. Wittich, (c) the Secretary of the Corporation is Wayne Pontiff, and that Wayne Pontiff is the Vice President.

  
Kort Wittich, President  
Kort's Construction Services, Inc

  
Wayne Pontiff, Vice President, and Secretary,  
Kort's Construction Services, Inc



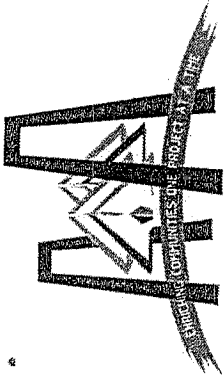
Civil & Environmental Consulting Engineers  
 Danny J. Hebert, P.E., LLC  
 1433 River Road  
 Johnsonville, LA 70037  
 www.hebertengineering.com  
 phone: (985) 7852380



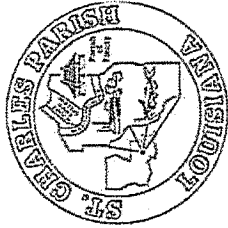
PROJECT TITLE: West Bank Bridge Park Improvements, Phase I  
 PROJECT No.: RECWB122  
 DATE & TIME: Tuesday, May 9, 2023, at 2:00 p.m.  
 ENGINEER'S BASE BID ESTIMATE: \$ 2,047,830.00

*M. Hebert*

BIDDER	ADDRESS incl EMAIL	LICENSE NUMBER	Required at Time of Bid Opening					BASE BID	ALTERNATE NO. 1	ALTERNATE NO. 2	ALTERNATE NO. 3	TOTAL (BASE BID + ALL ALTERNATES)	NOTES
			LICENSE No. on ENVELOPE	ACKNOWLEDGE ALL ADDENDA	BID FORM 00300	BID BOND 00410	CORPORATE RES. 00485						
ACT Global Americas Inc.	4201 West Parmer Lane, Ste B175 Austin, TX 78727 Email: rreid@actglobal.com	65569											
Athletic Turf Solutions, LLC	1711 Highway 90 W Jennings, LA 70546 Email: daniel@ats-la.com	65097											
Battco Construction & Maintenance	21 29th Street, Kenner, LA 70062 Email: smorvani@battcoconstruction.com	32179	✓	✓	✓	✓	✓	27,200	4,300	78,700			
Cuzan Services, LLC	P.O. Box 481 Belle Chasse, LA 70037 Email: cuzanservices@gmail.com	45475	✓	✓	✓	✓	✓	32,000	46,000	130,000			
Cycle Construction Company, LLC	6 East Third St. Kenner, LA 70062 Email: estimating@cycleconstruction.com	36961											
Fieldturf USA, Inc.	7445 Cote de Liesse, Suite 200 Montreal, H4T 1 Email: bryan.cox@fieldturf.com	45097											
Garden Environments, Inc., d.b.a. Wolf Group Construction	11438 River Road St. Rose, LA 70001 Email: wolfgroupconstruction@gmail.com	59207	✓	✓	✓	✓	✓	50,000	55,000	250,000			
GeoSurfaces, Inc.	7080 St. Gabriel Ave., Suite A St. Gabriel, LA 70776 Email: Ben@geosurfaces.com	67614	✓	✓	✓	✓	✓	69,000	78,400	158,800			
Guy Hopkins Construction Co., Inc.	13855 W. Amber Ave. Baton Rouge, LA 70809 Email: estimating@guyhopkins.com	18310											
Hellas Construction, Inc.	12710 Research Boulevard, Suite 240 Austin, TX 78759 Email: theath@hellasconstruction.com	42197											
LA Contracting Enterprises LLC	1645 Saint Patrick Street Thibodaux, LA 70301 Email: bidding@la-cont.com	34263	✓	✓	✓	✓	✓	43,000	51,000	130,000			



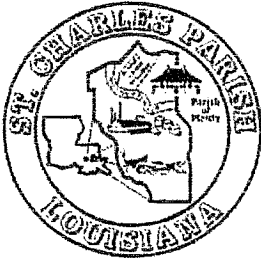
Civil & Environmental Consulting Engineers  
 Danny J. Hebert, P.E., LLC  
 14453 River Road  
 Fahnville, LA 70037  
 www.hebertengineering.com  
 phone: (985) 785-2380



PROJECT TITLE: West Bank Bridge Park Improvements, Phase I  
 PROJECT No.: RECWB122  
 DATE & TIME: Tuesday, May 9, 2023, at 2:00 p.m.  
 ENGINEER'S BASE BID ESTIMATE: \$ 2,047,830.00

*[Handwritten signature]*

BIDDER	ADDRESS incl EMAIL	LICENSE NUMBER	Required at Time of Bid Opening					BASE BID	ALTERNATE NO. 1	ALTERNATE NO. 2	ALTERNATE NO. 3	TOTAL (BASE BID + ALL ALTERNATES)	NOTES
			LICENSE No. on ENVELOPE	ACKNOWLEDGE ALL ADDENDA	BID FORM 00300	BID BOND 00410	CORPORATE RES. 00485						
Precision Construction & Contracting, LLC	P.O. Box 320 Lone Jack, MO 64070 Email: M.Barnes@PCC.Build	62206											
Sprinturf, LLC	146 Fairchild St., Suite 150 Daniel Island, SC 29492 Email: cweish@sprinturf.com	58528											
T3 Global Projects LLC	3118 Ballis Dr., B17 Baton Rouge, LA 70808 Email: roberto@t3globalprojects.com	56016											
Kovt's Construction	2182 Manton Dr. Covington, LA 70433	49356	✓	✓	✓	✓	1,874,500	45,000	50,000	110,000			



# St. Charles Parish Parks and Recreation

**MATTHEW JEWELL**  
PARISH PRESIDENT

**DUANE FORET**  
DIRECTOR

July 6, 2023

TO: Wayne Pontiff, Jr., Vice President  
Kort's Construction Services, Inc.  
2182 Manton Drive, Covington, Louisiana 70433  
License Number: 49356

RE: RECWB122 West Bank Bridge Park Improvements, Phase I  
Bid Extension Request Letter

Mr. Pontiff,

The Supplemental Instructions to Bidders, St. Charles Parish Specification Section SCP-E-00100, state the following regarding Bid Security, "The Bid Security of any Bidder whom Owner believes to have a reasonable chance of receiving the award may be retained by Owner until the forty-sixth (46<sup>th</sup>) day after the bid opening." The section also states, "The Owner and the Lowest Responsible Bidder may mutually agree in writing to extend the deadline for award by one or more extensions of thirty (30) calendar days."

The bid opening for the abovementioned project was held on Tuesday, May 9, 2023, and therefore the forty-sixth (46<sup>th</sup>) day after the bid opening was Saturday, June 24, 2023. The construction contract will be introduced to the St. Charles Parish Council (Council) on Monday, July 10, 2023, and will be brought in front of the Council for acceptance on Monday, July 31, 2023. Based on these dates, St. Charles Parish is requesting an extension of the deadline for award by sixty (60) calendar days. This extension would bring the deadline to Wednesday, August 23, 2023. This request is subject to Kort's Construction Services, Inc. honoring their bid of One Million Nine Hundred Eighty Four Thousand and Five Hundred Dollars (\$1,984,500).

If Kort's Construction Services, Inc. agrees to extend the deadline for award, please sign this letter below and return to my office at 274 Judge Edward Dufresne Parkway, Luling, LA 70070. An electronic version can be emailed to [dforet@stcharlesgov.net](mailto:dforet@stcharlesgov.net).

If you have any questions, or if we can be of any further assistance, please do not hesitate to contact this office at 985-783-5090, Monday through Friday 7:30am to 4:30pm.

Sincerely,



Duane P. Foret  
Director Parks and Recreation



Wayne Pontiff, Jr.  
Vice President, Kort's Construction Services, Inc.

cc:

*Darrin Duhe*, St. Charles Parish Chief Operating Officer  
*Marco Juarez, P.E., M.S.*, Engineering Company Engineer  
*Danny J. Hebert, P.E.*, Engineering Company Engineer

2023-0178

INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT  
(DEPARTMENT OF PARKS AND RECREATION)

ORDINANCE NO. \_\_\_\_\_

An ordinance approving and authorizing the execution of a Contract with All Star Electric, Inc., for the West Bank Bridge Park Improvements, Phase 1 Lighting, (Project No. RECWB122) in the lump sum amount of \$1,189,422.00.

WHEREAS, Ordinance No. 22-5-12 adopted on May 16, 2022, by the St. Charles Parish Council, approved and authorized the execution of a Professional Services Agreement with Danny J. Hebert, P.E., L.L.C., d.b.a. Civil & Environmental Consulting Engineers to perform engineering services for the Department of Recreation West Bank Bridge Park Improvements; and,

WHEREAS, sealed bids were received by St. Charles Parish on June 6, 2023, for West Bank Bridge Park Improvements, Phase 1 Lighting, (Project No. RECWB122); and,

WHEREAS, Civil & Environmental Consulting Engineers, Danny J. Hebert, P.E., LLC, has reviewed the bids and recommends that the contract be awarded to All Star Electric, Inc.; and,

WHEREAS, St. Charles Parish plans to improve the overall experience for our residents when they visit and utilize the West Bank Bridge Park; and,

WHEREAS, this project will include lighting updates to fields one and two as well as the tennis courts and pickle ball courts that will be added in a separate phase; and,

WHEREAS, this project will include all new metal poles and L.E.D. lights that will be more durable during high wind weather events as well as being energy efficient and provide high quality lighting on the playing surfaces; and,

WHEREAS, new scoreboards will be installed to match the more modern look and feel of the turf infields as well as the all new fencing and team dug outs; and,

WHEREAS, it is the desire of the Parish Council to approve and authorize this contract.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the bid of All Star Electric, Inc., for the construction of West Bank Bridge Park Improvements, Phase 1 Lighting, (Project No. RECWB122) is hereby approved and accepted in the lump sum amount of \$1,189,422.00.

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

**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 \_\_\_\_\_, 2023, 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 \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, hereinafter called the "Contractor", whose business address is All Star Electric, Inc., 1208 Bert St., LaPlace, LA 70068, 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 in connection with the following: **WEST BANK BRIDGE PARK IMPROVEMENTS, PHASE I LIGHTING, PROJECT NO. – RECWB122.**
- 1.02 The abovementioned work shall be completed in strict accordance with Contract Documents prepared by: Civil & Environmental Consulting Engineers, Danny J. Hebert, P.E., LLC.
- 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 17, 2023, Addenda number(s) 1, 2, and 3, 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.
- 1.04 The Work is generally described as follows: Installation of new light poles and fixtures for baseball fields 1 and 2 and the tennis courts at the West Bank Bridge Park in Luling, LA 70070.

ARTICLE 2

ENGINEER

- 2.01 The Project has been designed by Civil & Environmental Consulting Engineers, Danny J. Hebert, P.E., LLC 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 180 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 **One Thousand** dollars (**\$1,000.00**) 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) (\$1,189,422.00) One Million One Hundred Eighty Nine Thousand Four Hundred Twenty Two Dollars 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 3 inclusive)
- h) Contract documents bearing the general title "West Bank Bridge Park Improvements, Phase I Lighting" dated March 17, 2023.
- i) Drawings, consisting of a cover sheet dated) March 17, 2023 and the sheets listed on Drawing 01; each sheet bearing the following general title: West Bank Bridge Park Improvements, Phase I Lighting.
- 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: U. P. TODD BASSETT

ATTEST:

ATTEST:

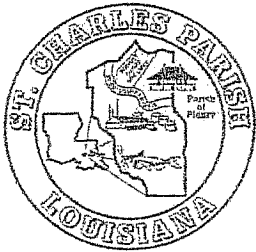
By: \_\_\_\_\_

By:  \_\_\_\_\_

Title: \_\_\_\_\_

Title: OPERATIONS MANAGER

END OF SECTION



# St. Charles Parish Parks and Recreation

MATTHEW JEWELL  
PARISH PRESIDENT

DUANE FORET  
DIRECTOR

## NOTICE OF INTENT TO AWARD

June 13, 2023

TO: Todd Desselles, Vice President  
All Star Electric, Inc.  
1208 Bert St., Laplace, LA 70068  
License Number: 38186

PROJECT NAME: West Bank Bridge Park Improvements, Phase I Lighting

PROJECT NO: RECWB122

To Whom It May Concern:

You are hereby notified that your bid dated June 6, 2023, for the above Project has been considered. You are the apparent Lowest Responsible Bidder and may be awarded the Contract once all the required documents have been received, reviewed, successfully voted by the St. Charles Parish Council, and executed by the St Charles Parish President.

The Contract Price of this award is One Million One Hundred Eighty Nine Thousand Four Hundred Twenty Two Dollars (\$ 1,189,422.00 ).

**Deliver all documents to:**

Engineer  
Civil & Environmental Consulting Engineers  
Danny J. Hebert, P.E., LLC  
14433 River Road, Hahnville, LA 70057

**Deliver the following documents by Tuesday, June 20, 2023**

1. Six (6) original Employment Status Verification Affidavit (Section-SCP-E-00475)  
See La. R.S. 38:2212(B)(3)(a);
2. Six (6) original Non Collusion and Non Solicitation Affidavit (Section-SCP-E-00480)  
See La. R.S. 38:2224;
3. Six (6) original Attestation Clause (Section-SCP-E-00470) See La. R.S. 38:2227;
4. Six (6) original Request to Sublet (Section-SCP-E-00816).

**Deliver the following documents by Thursday, June 29, 2023**

1. Six (6) originals of the Contract between Owner and Contractor (Section-SCP-E-00500) signed and completed. **Do not date the forms**; this will be accomplished upon execution of the Contract by the Owner. Contract price must agree with amount on Louisiana Uniform Public Work Bid Form (Section-SCP-E-00300).
2. Six (6) original Payment Bond Forms (Section-SCP-E-00610) completed, signed, dated, and sealed. **Do not put date in blank on page 00610-1 & page 00610-2**; this document will be dated upon execution of the Contract by the Owner.
3. Six (6) original Performance Bond Forms (Section-SCP-E-00611) completed, signed, dated, and sealed. **Do not put date in blank on page 00611-1 & page 00611-2**; this document will be dated upon execution of the Contract by the Owner.
4. Six (6) original Certificates of Insurance. Computer generated signature acceptable. The Certificate must name St Charles Parish as an additional insured on all general liability policies and the standard cancellation clause must read as follows:

“Should any of the above described policies be canceled or changed by restricted amendment before the expiration date thereof, the issuing Company will give thirty (30) days written notice by registered mail, return receipt requested, to the below named certificate holder.”

5. Six (6) original Authorization Letters from the bonding Company(s), that are issuing the Performance and Payment Bonds to St. Charles Parish, authorizing the Parish to date the Bonds and Power of Attorney to coincide with the time of execution of the

contract by St. Charles Parish. The Bonding Company is to fill in the location where the bond was signed.

6. Six (6) original Authorization Letters from the Contractor authorizing St. Charles Parish to date the contracts on behalf of the Parish at the time of execution of the contracts by St. Charles Parish.

**Permits – Contractor is responsible for applying and receiving all required permits before construction mobilization. Refer to specifications Section-SCP-E-01800 and Section-SCP-E-01810 for other details and requirements.**

**Construction Schedule – Contractor shall submit a construction schedule within 14 days of the date of this notice to the Engineer and Owner. Schedule items will include, as a minimum, the following:**

- **Time frame will be in days with a starting point at Notice to Proceed**
- **Review and approval time of submittals**
- **Order and delivery time of critical path items**
- **Mobilization and construction set up time**
- **Construction time**
- **Anticipated Substantial Completion date**
- **Anticipated Final Change Order submittal date**
- **Anticipated project closure date**

Failure to comply with these conditions within the time specified will entitle Owner to consider the bid abandoned, to annul this Notice of Intent to Award and to declare the Bid Security forfeited.

Within sixty (60) days after compliance with the above conditions, the Owner will return to the Contractor one fully signed counterpart of the Contract Documents.

If you have any questions, or if we can be of any further assistance, please do not hesitate to contact this office at 985-783-5102, Monday through Thursday 7:30am to 4:30pm.



Duane P. Foret  
Director Parks and Recreation

cc: *Matthew Jewell*, St. Charles Parish President  
*Darrin Duhe*, St. Charles Parish Chief Operating Officer  
*Marco Juarez, P.E., M.S.*, Engineering Company Engineer  
*Danny J. Hebert, P.E.*, Engineering Company Engineer  
*Michelle Impastato* – Parish Council Secretary  
*Project File*

SECTION 00485

## AUTHORITY TO EXECUTE CONTRACT

## CORPORATE RESOLUTION

A meeting of the Board of Directors of ALL STAR Electric INC a corporation organized under the laws of the State of Louisiana and domiciled in ST. JOHN BAPTIST Parish was held this 9th day of June, 2023 and was attended by a quorum of the members of the Board of Directors.

The following resolution was offered, duly seconded and after discussion was unanimously adopted by said quorum:

BE IT RESOLVED, that Todd Desselles is hereby authorized to submit proposals and execute agreements on behalf of this corporation with the Parish of St Charles.

BE IT FURTHER RESOLVED, that said authorization and appointment shall remain in full force and effect, unless revoked by resolution of this Board of Directors and that said revocation will not take effect until St. Charles Parish, has been furnished a copy of said resolution, duly certified.

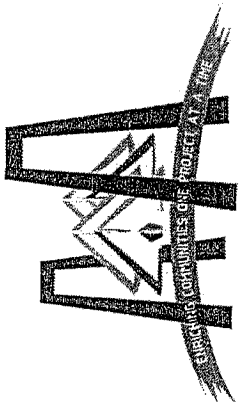
I, Connie Boudreau, hereby certify that I am the Secretary of ALL STAR Electric INC a corporation created under the laws of the State of Louisiana domiciled in ST. JOHN BAPTIST Parish; that the foregoing is a true and exact copy of a resolution adopted by a quorum of the Board of Directors of said corporation at a meeting legally called and held on the 9th day of June, 2023, as said resolution appears of record in the Official Minutes of the Board of Directors in my possession.

This 12 day of June, 2023.

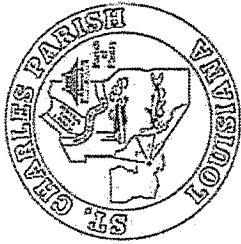
Connie Boudreau  
SECRETARY

END OF SECTION





Civil & Environmental Consulting Engineers  
 Danny J. Hebert, P.E., L.L.C.  
 1433 River Road  
 Johnsonville, LA 70037  
 www.hebertengineering.com  
 phone: (985) 7852380



PROJECT TITLE: West Bank Bridge Park Improvements, Phase I Lighting  
 PROJECT No.: RECWB122

DATE & TIME: Tuesday, June 6, 2023, at 2:00 p.m.

ENGINEER'S BASE BID ESTIMATE: \$ 1,257,100.00

BIDDER	ADDRESS incl EMAIL	LICENSE NUMBER	Required at Time of Bid Opening					BASE BID	NOTES
			LICENSE NO. on ENVELOPE	ACKNOWLEDGE ALL ADDENDA	BID FORM 00300	BID BOND 00410	CORPORATE RES. 00485		
All Star Electric, Inc.	1208 Bert St. LaPlace, LA 70068 Email: bfos@allstar-electric.com	38186	✓	✓	✓	✓	✓	1,189,422.00	
Bayou Electrical Service	1843 Peters Road Harvey, LA 70058 Email: markm@bayouelectrical.net	39094							
Cuzan Services, LLC	P.O. Box 481 Belle Chasse, LA 70037 Email: cuzanservices@gmail.com	45475	✓	✓	✓	✓	✓	1,626,000.00	
H. Rocker Electric Company, Inc.	47219 Conrad E. Anderson Hammond, LA 70401 Email: jared@hrockerelectric.com	10787							
ISG, a JB Group of LA Company	3002 Ruby St. Gonzales, LA Email: dbreeland@isg.work Email: ronniebreeland@gmail.com	63444	✓	✓	✓	✓	✓	1,343,427.00	
Preferred Electric, Inc.	4712 E. Old Spanish Trail Jeanerette, LA 70544 Email: jeff@preferredelectric.net Email: jblouin@preferredelectric.net	25666							
Ready Power, L.L.C.	4809 Clito Street New Orleans, LA 70125 Email: jooney@readypowerusa.com	51843							
Walter J. Barnes Electric Co., Inc.	400 Dakin Street Jefferson, LA 70181 Email: estimating@wjbe.com	448	✓	✓	✓	✓	✓	1,290,000.00	

**2023-0179**

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

**ORDINANCE NO.** \_\_\_\_\_

An ordinance approving and authorizing the execution of a Cooperative Endeavor Agreement between St. Charles Parish and the Lafourche Basin Levee District relative to a levee lift for the Sunset Drainage District within the West Bank Hurricane Protection Levee System (Project A) and access roadway and surcharge area for a future boat ramp located on property known as Des Allemands Boat Launch (Project B).

**WHEREAS,** the Parish and this District are commissioned with hurricane protection, comprehensive flood control and drainage for the residents and commercial entities of St. Charles Parish, State of Louisiana; and,

**WHEREAS,** LBLD, in conjunction with the United States Army Corps of Engineers (USACE), entered into a Cooperative Endeavor Agreement with St. Charles Parish on April 2, 2014, within which LBLD agreed to operate, repair, rehabilitate and maintain the existing levees and future levees on the west bank of the Mississippi River in the Parish of St. Charles more commonly known as the West Bank Hurricane Protection Levee System, including Magnolia Ridge, Willowridge, West Bank & Vicinity, Western Tie – In, Davis Pond Levee, Ellington and the Sunset Levee; and,

**WHEREAS,** LBLD desires to perform a levee lift for the Sunset Levee located within the West Bank Hurricane Protection Levee System in St. Charles Parish, known as THE Upper Barataria Risk Reduction Segment 2 – Sunset Levee CPRA Project No. BA-0220 (hereinafter also referred to as “Project A”); and,

**WHEREAS,** Project A is an integrated coastal protection project eligible for funding under Section 105 of the Gulf of Mexico Energy Security Act (GOMESA,) Act of 2006 (Title I of Division C of Public Law 109-432; 43 U.S.C. 1331 *et seq.*: 120 Stat. 3000), 30 C.F.R. Parts 219 and 1219, Louisiana Constitution Article VII, Sections 9(8), 10.1 and 10.2, and La. R.S. 49:214.5.4(E); and,

**WHEREAS,** Project A is consistent with the State of Louisiana’s 2017 Coastal Master Plan and Fiscal Year 2023 Annual Plan, and is identified as eligible for allocation of proposed GOMESA funding, contingent upon funding being made available to the State of Louisiana for the Project; and,

**WHEREAS,** as a requirement for completion of the Project, LBLD needs to construct an access roadway to the Sunset Levee across certain immovable property owned and operated by St. Charles Parish; and,

**WHEREAS,** the Parish is the owner of certain immovable property located in Des Allemands, Louisiana, Parish of St. Charles per an Act of Donation from Chevron U.S.A. Inc., more fully known as the Des Allemands Boat Launch; and,

**WHEREAS,** Parish desires to construct an access roadway and surcharge area for a future boat ramp located on Bayou Des Allemands in St. Charles Parish, known as Des Allemands Boat Launch (hereinafter referred to as “Project B”); and,

**WHEREAS,** Project B is a project eligible for funding from St. Charles Parish, including funding from CPRA funds and HB1 funds; and,

**WHEREAS,** this Cooperative Endeavor Agreement (hereinafter also referred to as the “Agreement”) will be mutually beneficial to the parties in the furtherance of their respective statutory purposes, duties, and authorities, and each party expects to receive benefits for itself and the public at least equal to the costs and responsibilities undertaken pursuant to this Agreement; and,

**WHEREAS,** the purpose of this Agreement is to define the respective rights, duties, responsibilities, obligations, and liabilities between LBLD and the Parish assumed under this Agreement with respect to Project A and Project B.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the Cooperative Endeavor Agreement between St. Charles Parish and the Lafourche Basin Levee District relative to a levee lift for the Sunset Drainage District within the West Bank Hurricane Protection Levee System (Project A) and access roadway and surcharge area for a future boat ramp located on property known as Des Allemands Boat Launch (Project B) is hereby approved and accepted.

**SECTION II.** That the Parish President is hereby authorized to execute said Cooperative Endeavor Agreement 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 \_\_\_\_\_, 2023, 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: \_\_\_\_\_

**COOPERATIVE ENDEAVOR AGREEMENT  
BETWEEN LAFOURCHE BASIN LEVEE DISTRICT AND ST. CHARLES PARISH**

**THIS COOPERATIVE ENDEAVOR AGREEMENT** is entered into by and between:

**LAFORCHE BASIN LEVEE DISTRICT**, (hereinafter also identified as “LBLD”) a political subdivision created by the Louisiana Legislature, represented herein by **DONALD RAY HENRY**, its Executive Director, whose mailing address is 21380 Louisiana Highway 20, Vacherie, Louisiana 70090, duly authorized by a Resolution of the Board of Commissioners adopted on the \_\_\_\_ day of \_\_\_\_\_, 2023, a copy of which is attached hereto and made a part hereof; and

**ST. CHARLES PARISH**, (hereinafter also identified as “Parish”) a political subdivision of the State of Louisiana, herein represented by **MATTHEW L. JEWELL**, its Parish President, whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057, duly authorized pursuant to Ordinance No. \_\_\_\_\_, adopted by the St. Charles Parish Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, a copy of which is attached hereto and made a part hereof;

**who hereby agree as follows:**

**WHEREAS**, Article VII, Section 14(c) of the Louisiana Constitution of 1974 provides in pertinent part that ... *“For a public purpose, the state and its political subdivisions or political corporations may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation, or individual...”*; and

**WHEREAS**, LBLD is authorized under La. R.S. 38:281, et seq., La. R.S. 38:301, and Article VI, Part III of the Louisiana Constitution to provide for the construction and maintenance of levees, levee drainage, flood protection, and hurricane flood protection within the territorial jurisdiction of the LBLD, and for all purposes incidental thereto, including on its own behalf or for the areas or the levee districts under its authority; and

**WHEREAS**, under La. R.S. 38:281 et seq., R.S. 38:301, and La. Const. Article VI, Part III, the construction, maintenance, care and inspection of levees, and all other things incidental thereto, within the jurisdiction of the numerous levee districts and levee authorities established by Louisiana law shall devolve on the levee districts and levee authorities and the boards of commissioners of the respective levee districts and levee authorities; and

**WHEREAS**, LBLD is a legislatively created local political subdivision district of the State of Louisiana with the statutory authority to contract, including cooperative endeavor agreements, for the construction, operation, maintenance, repair, care, rehabilitation, or replacement of any flood control project; and

**WHEREAS**, the Parish, acting through the Parish Council for St. Charles Parish, has constitutional and statutory authority under its Home Rule Charter to enter into cooperative endeavor agreements with other political subdivisions or political corporations; and

**WHEREAS**, LBLD and St. Charles Parish are commissioned with hurricane protection, comprehensive flood control, and drainage for the residents and commercial entities of St. Charles Parish, State of Louisiana; and

**WHEREAS**, LBLD, in conjunction with the United States Army Corps of Engineers (USACE), entered into a Cooperative Endeavor Agreement with St. Charles Parish on April 2, 2014, within which LBLD agreed to operate, repair, rehabilitate and maintain the existing levees and future levees on the west bank of the Mississippi River in the Parish of St. Charles more commonly known as the West Bank Hurricane Protection Levee System, including Magnolia Ridge, Willowridge, West Bank & Vicinity, Western Tie – In, Davis Pond Levee, Ellington and the Sunset Levee; and

**WHEREAS**, LBLD desires to perform a levee lift for the Sunset Levee located within the West Bank Hurricane Protection Levee System in St. Charles Parish, known as THE Upper Barataria Risk Reduction Segment 2 – Sunset Levee CPRA Project No. BA-0220 (hereinafter also referred to as “Project A”); and

**WHEREAS**, Project A is an integrated coastal protection project eligible for funding under Section 105 of the Gulf of Mexico Energy Security Act (GOMESA,) Act of 2006 (Title I of Division C of Public Law 109-432; 43 U.S.C. 1331 *et seq.*: 120 Stat. 3000), 30 C.F.R. Parts 219 and 1219, Louisiana Constitution Article VII, Sections 9(8), 10.1 and 10.2, and La. R.S. 49:214.5.4(E); and

**WHEREAS**, Project A is consistent with the State of Louisiana’s 2017 Coastal Master Plan and Fiscal Year 2023 Annual Plan, and is identified as eligible for allocation of proposed GOMESA funding, contingent upon funding being made available to the State of Louisiana for the Project; and

**WHEREAS**, as a requirement for completion of the Project, LBLD needs to construct an access roadway to the Sunset Levee across certain immovable property owned and operated by St. Charle Parish; and

**WHEREAS**, the Parish is the owner of certain immovable property located in Des Allemands, Louisiana, Parish of St. Charles per an Act of Donation from Chevron U.S.A. Inc., as more fully recorded in the conveyance records of the Parish of St. Charles in COB 905, Folio 402 under entry number 458551, and per an Act of Donation from Chevron U.S.A. Inc., as more fully

recorded in the conveyance records of the Parish of St. Charles in COB 927, Folio 584 under entry number 472681; and

**WHEREAS**, Parish desires to construct an access roadway and surcharge area for a future boat ramp located on Bayou Des Allemands in St. Charles Parish, known as Des Allemands Boat Launch (hereinafter referred to as “Project B”); and

**WHEREAS**, Project B is a project eligible for funding from St. Charles Parish, including funding from CPRA funds and HB1 funds; and

**WHEREAS**, this Cooperative Endeavor Agreement (hereinafter also referred to as the “Agreement”) will be mutually beneficial to the parties in the furtherance of their respective statutory purposes, duties, and authorities, and each party expects to receive benefits for itself and the public at least equal to the costs and responsibilities undertaken pursuant to this Agreement; and

**WHEREAS**, the purpose of this Agreement is to define the respective rights, duties, responsibilities, obligations, and liabilities between LBLD and the Parish assumed under this Agreement with respect to Project A and Project B; and

**WHEREAS**, LBLD and the Parish have the complete legal authority and capacity to enter into the terms of this Agreement;

**NOW, THEREFORE**, in consideration of the premises and mutually dependent covenants contained herein, **IT IS AGREED AS FOLLOWS:**

1. The term Project as used herein shall mean:
  - a. Project A: To increase the height of the Sunset Levee (levee lift) located within the West Bank Hurricane Protection Levee System;
  - b. Project B: to construct an access roadway and surcharge area across certain immovable property owned and operated by St. Charles Parish as reflected on the Attachment A, which is necessary for LBLD to construct Project A; and
  - c. Any measures determined to be necessary to complete Project A for the West Bank Hurricane Protection Levee System.
2. The term “Agreement” or “Cooperative Endeavor Agreement” (CEA) as used herein means this Agreement or any exhibits or attachments referenced and specifically incorporated by reference herein entered into by LBLD and the Parish in furtherance of this Project.
3. LBLD agrees to manage the joint bidding and construction of the Project that will construct Project A and Project B.
4. The obligations of LBLD under this Agreement shall include:

- a. Acquire any and all local, state, and federal permits required for the construction of Project A;
- b. Prepare, along with St. Charles Parish, a construction bid package combining Project A and Project B. This package will need to be submitted and approved by CPRA prior to advertisement for bidding. The bid package will also be presented to the Parish for review and comment relative to those items pertinent to Project B;
- c. Coordination with CPRA on project updates and reimbursement requests related to Project A;
- d. With St. Charles Parish being involved in the review and acceptance process, LBLD will advertise the Project, receive bids, and award the Project to the lowest responsible bidder on the project which will be performed. The lowest bid for the project shall be defined as the sum of the cost of Project A plus the cost of Project B;
- e. Notify the Parish of the intended award of the contract, the expected cost for Project B, and the expected date for commencement of the construction work;
- f. Administer the construction contract with the selected contractor, including construction administration, construction monitoring, and construction inspection;
- g. At the beginning of construction, provide an estimate to the Parish of the anticipated construction administration, monitoring, inspection, and testing fees that will be prorated toward Project B during the course of construction;
- h. Approve monthly pay requests by the contractor, and submit an invoice to the Parish for their portion of the construction work as related to Project B, inclusive of the construction fees shown above in item (g);
- i. Notify the Parish of any construction issues relative to Project B;
- j. Notify the Parish prior to completion of the construction work for Project B and facilitate a final inspection of the work with the Parish;
- k. Perform project close-out and final invoicing to the Parish upon completion of the work; and
- l. Timely provide St. Charles Parish with all inspection reports, change orders, change directives or other proposed modifications to Project B;

5. The obligations of the Parish under this Agreement shall include:

- a. Provide to LBLD final construction plans, geotechnical reports, and specifications for Project B certified by a Professional Engineer properly licensed in the State of Louisiana;
- b. Provide to LBLD and maintain through the duration of the project all documents relative to all local, state, and federal permits required and obtained for Project B;
- c. Provide to LBLD an engineer's construction cost estimate for Project B;
- d. Provide written approval to LBLD of the expected cost for Project B and that sufficient funds to cover the estimated construction cost for Project B have been properly budgeted by the Parish and that the funds will be available prior

- to the first public advertisement date. It is the intent of this item to satisfy La. R.S. 38:2212 requirement of properly budgeting funds prior to issuance of public advertisement for the Project;
- e. Coordination with CPRA on project updates and reimbursement requests related to Project B;
  - f. Work closely with LBLD relative to any construction issues as noticed by LBLD per items 4. g, h, and i above;
  - g. Immediately approve, process and make payment to LBLD for monthly construction cost invoices within thirty (30) calendar days of receipt of the invoice from LBLD; and
  - h. At the completion of construction, provide written confirmation that all construction work relative to this agreement have been satisfactorily completed, pay all outstanding invoices and retainage to LBLD, and written confirmation that all requirements of this agreement have been satisfied.
6. LBLD and the Parish further agree the Parish will pay for all costs incurred for the construction of Project B, and LBLD will pay for all costs incurred for the construction of Project A.
  7. As a condition precedent to its undertaking and/or commencement of any of the aforementioned work, LBLD shall provide the Parish a written request for approval and authorization of said work. The Parish shall not unreasonably withhold said approval and authorization of said work and agrees to provide a response within thirty (30) days from the date of the written request. If the Parish does not approve or authorize said work, the Parish will not participate either financially or otherwise in the cost of said work. If LBLD fails to request said approval or authorization from the Parish, the Parish shall not be liable financially or otherwise for any of the costs of said work.
  8. LBLD agrees to invoice the Parish on a monthly basis and provide proper supporting documentation with said invoice for the work contemplated by this Project and actually performed during the preceding month.
  9. LBLD acknowledges that any improvements made to the property referenced herein for the construction of the access roadway will become the property of St. Charles Parish in full 100% ownership.
  10. LBLD shall defend, hold harmless and indemnify the Parish for injury to persons or property arising out of the existence, maintenance, operation or repair of the levees and structures for which they have assumed responsibility as set out hereinabove.
  11. LBLD shall secure and maintain for the duration of this Agreement at their expense such insurance that will protect them and the Parish from claims for bodily injury, death or property damage which may arise from performance of services under this Agreement. The required minimum insurance coverage and limits are as follows:



- a. Worker’s Compensation insurance: Workers Compensation insurance shall be in compliance with the Workers Compensation law of the State of Louisiana with Employers Liability included equal to the maximum statutory limits per accident/per disease/per employee.
- b. Commercial General Liability Insurance: Commercial General Liability insurance shall have a minimum limit per occurrence of TWO MILLION AND NO/100THS (\$2,000,000.00) DOLLARS and a minimum general aggregate of TWO MILLION AND NO/100THS (\$2,000,000.00) DOLLARS.
- c. Automobile Liability: Automobile Liability insurance shall have a minimum combined single limit per occurrence of ONE MILLION AND NO/100THS (\$1,000,000.00) DOLLARS.

All required insurance shall be provided by a company or companies lawfully authorized to do business in the State of Louisiana. Insurance shall be placed with insurers with a A.M. Best’s rating of A-:VI or higher. This rating requirement may be waived for workers compensation coverage only.

It is agreed and understood that both LBLD shall provide Certificates of Insurance reflecting proof of required minimum insurance coverage and limits and naming of St. Charles Parish as an additional insured within ten (10) days of the execution of this Agreement. LBLD shall include all subcontractors as insureds under its policies or shall be responsible for verifying and maintaining the Certificates of Insurance provided by each subcontractor. Coverages shall not be cancelled, suspended, or voided by either party without thirty (30) days prior written notice to either party.

- 12. Any notices required under this Agreement shall be directed to the party entitled to said notice at its address set forth below, unless this Agreement is otherwise amended in writing:

If to the LBLD,

Donald Ray Henry  
Lafourche Basin Levee District  
21380 Louisiana Highway 20  
Vacherie, Louisiana 70090

With a copy to:

C. Spencer Long II  
Assistant District Attorney  
P.O. Box 312  
Donaldsonville, Louisiana 70346

If to the Parish,

Matthew L. Jewell  
St. Charles Parish President  
P. O. Box 302  
Hahnville, LA 70057

With copies to:

Director of Legal Services  
P. O. Box 302  
Hahnville, LA 70057, and

Director of Public Works  
P. O. Box 302  
Hahnville, LA 70057

13. Should either party to this Agreement have to file suit in order to enforce the provisions hereof, venue and jurisdiction is hereby established in the 29<sup>th</sup> Judicial District Court in and for the Parish of St. Charles, State of Louisiana.
14. This Agreement shall not be assigned or subcontracted in whole or in part without the written consent of both parties.
15. Termination for Cause – Either party may terminate this Agreement for cause based upon the failure of the other party to comply with the terms and/or conditions of this Agreement, provided that the party shall give the other party written notice specifying said failure(s). If within thirty (30) days after receipt of such notice, the party shall not have either corrected such failure(s) or, in the case which cannot be corrected within thirty (30) days, begun in good faith to correct said failure(s) and thereafter proceeded diligently to complete such correction, then the party may, at its option, place the other party in default of this Agreement terminating this Agreement on the date specified in such notice.
16. In acting pursuant to the right and obligations set forth throughout this Cooperative Endeavor Agreement, the parties shall comply with all applicable federal, state, and local laws, ordinances and regulations including but not limited to Louisiana Public Bid Law (La.R.S. 38:2211, et seq.).
17. To the extent permitted by law governing each party, the parties agree to maintain the confidentiality of any exchanged information when requested to do so by the other party, subject to the Louisiana Public Records Act. Should a request be made for information by the public and the information has been requested to be held confidential by the other party, the party upon whom the request has been made shall notify the other party at the first opportunity in order that the party that provided the information can determine if the information falls within an exception under the Louisiana Public Records Act.
18. This Agreement is the complete agreement between LBLD and the Parish as it pertains to the subject matter of this Agreement and to this Project and shall not be amended or modified except by written amendment signed by all parties. Should one or more provisions of this Agreement be held to be invalid, the remaining provisions shall survive and be interpreted as if the invalid provision were not present.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the dates shown below.

LAFORCE BASIN LEVEE DISTRICT

ST. CHARLES PARISH

BY: \_\_\_\_\_  
DONALD RAY HENRY  
EXECUTIVE DIRECTOR

BY: \_\_\_\_\_  
MATTHEW L. JEWELL  
PARISH PRESIDENT

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

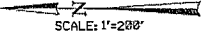
WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

PARISH ST. CHARLES SHEET NO. 1 OF 2

Attachment A

SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, BEARING AND DISTANCES.



I, HEREBY, CERTIFY THAT THIS PLAT REPRESENTS THE SURVEY PERFORMED BY ME AND/OR MY EMPLOYEES IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AS OF THE DATE AS SPECIFIED BY THE STANDARDS SURVEYS AS ADOPTED BY THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL SURVEYS FOR CLASSIFICATION D SURVEYS.



02/22/21  
ANDREW D. SHREAD  
PROFESSIONAL LAND SURVEYOR #5007

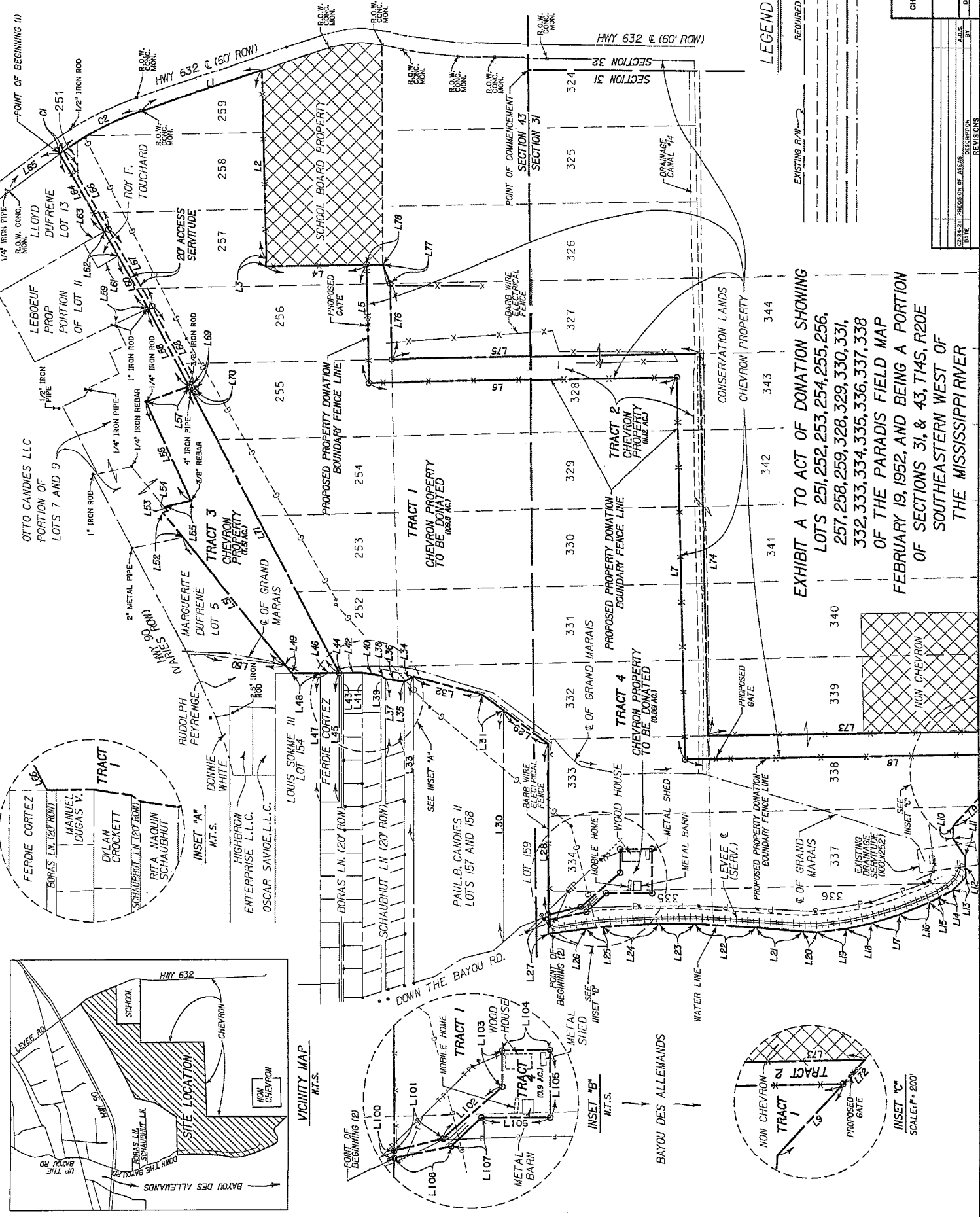
LEGEND

- REQUIRED ROW
- RIGHT OF WAY LINE
- LOT LINE
- APPARENT PROPERTY LINE
- SERVITUDE LINE
- SECTION LINE
- GRAND MARAIS
- SET 1/2" (0.002) IRON PIPE
- FOUND PROPERTY CORNER

**EXHIBIT A TO ACT OF DONATION**  
CHEVRON U.S.A. INC. LAND DONATION TO ST. CHARLES PARISH  
DES ALLEMANDS, LOUISIANA

BRIGGS & KURTZWEILL, ASSOC.  
ENGINEERS SURVEYORS & PLANNERS  
BATON ROUGE, LOUISIANA

DATE: 02/22/21  
DESIGNED: A.D.S.  
DRAWN: A.D.S.  
CHECKED: A.D.S.  
APPROVED: A.D.S.

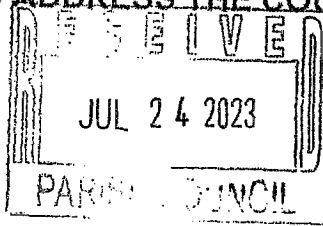


**EXHIBIT A TO ACT OF DONATION SHOWING**  
LOTS 251, 252, 253, 254, 255, 256,  
257, 258, 259, 328, 329, 330, 331,  
332, 333, 334, 335, 336, 337, 338  
OF THE PARADIS FIELD MAP  
FEBRUARY 19, 1952, AND BEING A PORTION  
OF SECTIONS 31, & 43, T14S, R20E  
SOUTHEASTERN WEST OF  
THE MISSISSIPPI RIVER



PETITION TO ADDRESS THE COUNCIL

St. Charles Parish Council Chairman  
P. O. Box 302  
Hahnville, LA 70057  
(985) 783-5000  
[scpcouncil@stcharlesgov.net](mailto:scpcouncil@stcharlesgov.net)



Today's Date: July 23, 2023

Dear Chairman:

Please place my name to address the Council on:

COUNCIL MEETING DATE: July 31, 2023

SPECIFIC TOPIC: Proposed Milage Roll Back

(\*See specific guidellnes on the reverse side and refer to Parish Charter Article VII Sec. I / It makes no provision for Initiating debate, discussion, or question and answer sessions with Councilmembers or Administration Officials.)

DOCUMENTS, IF ANY: YES / NO  
DOCUMENTS MUST BE ATTACHED AT THE TIME OF SUBMISSION

NAME: Donald Peyton Fire Chief

COMPANY / ORGANIZATION: East Side St. Charles Parish Volunteer Fire Department

(Note: If you are speaking on behalf of a Company/Organization, see additional requirement in Council Guidelines/Page 2)

MAILING ADDRESS: PO Box 668 Destrehan, LA 70047

PHONE: 504 919 2147 EMAIL ADDRESS: dpeyton@escvfd.org

SIGNATURE: *Donald Peyton*

Dear Constituent:

Thank you for your active participation. The Council has a considerable amount of business to conduct in a limited amount of time, therefore, please note the following items that are expected of you:

- > The Home Rule Charter provides for citizens to address the Council. All requests and pertinent information must be received in writing by the Council Secretary at least one (1) week prior to the scheduled meeting; request may be hand-delivered, mailed or emailed (scpcouncil@stcharlesgov.net), to be received by 4:00 pm. It makes no provision for Initiating debate, discusstion, or question and answer sessions with Councilmembers or Administration Officials. Your right is also guaranteed to examine public documents as you prepare your presentation.
- > Please be brief and limit your comments to the specific subject matter on which you have requested to address the Council. Please reference the Council guidelines for time limit specifications.
- > Supporting documents/handouts if applicable must be provided at the time your form is submitted.
- > Slanderous remarks and comments will not be tolerated. If slanderous remarks or comments are made, your opportunity to address the Council will end, regardless of the remaining time left to address the Council.
- > Repetitious comments and subject matter will be strictly limited.

A confirmation letter will follow when your name is placed on the agenda.

Sincerely,

*Beth A. Billings*  
BETH A. BILLINGS  
COUNCIL CHAIRMAN

(OVER)



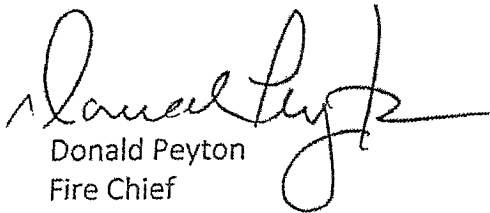
# EAST ST. CHARLES PARISH VOLUNTEER FIRE DEPARTMENT

P.O. BOX 668  
DESTREHAN, LA 70047

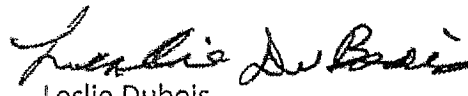


On Wednesday, July 12, 2023, the Board of Directors of the East Side St. Charles Parish Volunteer Fire Department met for its regularly scheduled, monthly meeting. During said meeting, I, Fire Chief Donald Peyton, discussed the milage roll back proposal and advised the Board of Directors I would be addressing the council on behalf of the East Side St. Charles Parish Volunteer Fire Department at the July 31, 2023, council meeting.

Additionally, the membership of the East Side St. Charles Parish Volunteer Fire Department met on Monday, July 17, 2023, for its regularly scheduled, monthly meeting. At this meeting, the membership was notified of the milage roll back proposal and upcoming council meeting. Through the reading of the July Board of Director's meeting minutes and discussion, the membership was made aware that I would be representing the East Side St. Charles Parish Volunteer Fire Department at the upcoming council meeting.



Donald Peyton  
Fire Chief




Leslie Dubois  
Board Member



Andrew Peyton  
President



Nicholas DeGeorge  
Board Member



Jared Pigeon  
Vice President



Tate Posey  
Board Member

Pedro Estevez  
Treasurer

Ed Griffin  
Board Member

Ben Jones  
Secretary

PETITION TO ADDRESS THE COUNCIL

St. Charles Parish Council Chairman  
P. O. Box 302  
Hahnville, LA 70057  
(985) 783-5000  
[scpcouncil@stcharlesgov.net](mailto:scpcouncil@stcharlesgov.net)

Today's Date: July 24, 2023

Dear Chairman:

Please place my name to address the Council on:

COUNCIL MEETING DATE: July 31, 2023

SPECIFIC TOPIC: Waterworks



(\*See specific guidelines on the reverse side and refer to Parish Charter Article VII Sec. I / It makes no provision for initiating debate, discussion, or question and answer sessions with Councilmembers or Administration Officials.)

DOCUMENTS, IF ANY: YES / NO  
DOCUMENTS MUST BE ATTACHED AT THE TIME OF SUBMISSION

NAME: DWAYNE LAGRANGE

COMPANY / ORGANIZATION: N/A

(Note: If you are speaking on behalf of a Company/Organization, see additional requirement in Council Guidelines/Page 2)

MAILING ADDRESS: 128 Fashion Blvd - Hahnville LA 70057

PHONE: (504) 390-1054 EMAIL ADDRESS: dlagrange67@gmail.com

SIGNATURE: Dwayne L. Grange

Dear Constituent:

Thank you for your active participation. The Council has a considerable amount of business to conduct in a limited amount of time, therefore, please note the following items that are expected of you:

- > The Home Rule Charter provides for citizens to address the Council. **All requests and pertinent information must be received in writing by the Council Secretary at least one (1) week prior to the scheduled meeting; request may be hand-delivered, mailed or emailed (scpcouncil@stcharlesgov.net), to be received by 4:00 pm. It makes no provision for initiating debate, discussion, or question and answer sessions with Councilmembers or Administration Officials. Your right is also guaranteed to examine public documents as you prepare your presentation.**
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A confirmation letter will follow when your name is placed on the agenda.

Sincerely,

BETH A. BILLINGS  
COUNCIL CHAIRMAN

(OVER)



2023-0197

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

**RESOLUTION NO.** \_\_\_\_\_

A resolution in support of the Planning and Zoning Commission's approval of 2023-3-SPU for an accessory dwelling unit in an R-1A zoning district at 100 Cadow Street, Paradis, with a waiver from the minimum building elevation, as requested by Robert and Heidi Lasserre.

**WHEREAS,** the St. Charles Parish Zoning Ordinance of 1981 requires a resolution of support from the Parish Council in order to permit an accessory dwelling unit (ADU); and,

**WHEREAS,** Section IV.B.4 of the Zoning Ordinance of 1981 also requires a resolution of support from the Parish Council for any special permit use needing a waiver from any zoning regulations; and,

**WHEREAS,** Robert and Heidi Lasserre requested a special permit for an ADU at 100 Cadow Street, Paradis; and,

**WHEREAS,** Robert and Heidi Lasserre also requested a waiver from the minimum elevation of 5 ft. down to 2.3 ft. (above mean sea level in the NAVD 88 datum) for the ADU; and,

**WHEREAS,** the Planning and Zoning Commission approved the special permit for the ADU with the requested waiver from the minimum building elevation at its regular meeting on July 6, 2023.

**NOW, THEREFORE, BE IT RESOLVED THAT THE ST. CHARLES PARISH COUNCIL** hereby provides this resolution in support of the Planning and Zoning Commission's approval of a Special Permit Use for an accessory dwelling unit in an R-1A zoning district and with support of a waiver from the minimum building elevation from 5 ft. to 2.3 ft. above mean sea level in the NAVD 88 Datum at 100 Cadow Street, Paradis, as requested by Robert and Heidi Lasserre.

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

And the resolution was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023, 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**

2023-3-SPU requested by Robert and Heidi Lasserre for an accessory dwelling unit at 102 Cadow Street, Paradis. Council District 4.

**Planning Department Recommendation:**

Approval.

**Planning Commission Action:**

Approval.

**2023-3-SPU requested by Robert and Heidi Lasserre for an accessory dwelling unit at 102 Cadow Street, Paradis. Council District 4.**

**Mr. Badgerow** - read the land use report and the department cannot recommend a reduced elevation for a new construction. If the Planning Commission approves this request, with or without the waiver, it will be forwarded to the Parish Council for consideration of a resolution in support of the approval with or without the reduced elevation.

**Applicant** – Sergio Medina 102 Cadow St. Paradis, son in law to the applicants, stated his case.

The public hearing was open and close after no one spoke for or against.

Commissioner Keen made a motion to grant the waiver as well as the special permit use, second by Commissioner Price.

YEAS: Keen, Frangella, Ross, Price, deBruler, Jr. Petit

NAYS: None

ABSENT: Frangella, Krajcer

**Approved**

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**Department of Planning & Zoning  
Staff Report – Special Permit Use  
Case No. 2023-3-SPU**

**APPLICATION INFORMATION**

- **Applicant / Property Owner** **Application Date: 5/16/23**  
Robert and Heidi Lasserre  
102 Cadow Street  
Paradis, LA 70080  
985.210.9275; lasserrerobert@yahoo.com
- **Request**  
Accessory Dwelling Unit (ADU) with a waiver to reduce the minimum building elevation from +5 ft. NAVD 88 to +2.3 ft. NAVD 88, which is 1 ft. above the centerline of the street.

**SITE INFORMATION**

- **Location**  
100 & 102 Cadow Street, Paradis; Lot 12A-1, Block 7, Paradis Farm Lots
- **Size of Site**  
19,666.50 sq. ft. (0.451 acres), 150 ft. wide
- **Current Land Use**  
Lot 12A-1 is zoned R-1A and developed with a single-family house.
- **Surrounding Zoning and Land Use**  
R-1A zoning is located on the Cadow St., Wisner St., and Barber Rd. sides. C-3 and zoning abuts to the Highway 90 side.

The site is located in a developed single-family neighborhood that is adjacent to a primarily commercial corridor along Highway 90. Specifically, single family dwellings are located to the Cadow St., Wisner St., and Barber Rd. sides. The property adjacent to the Highway 90 side has been developed for commercial purposes and a permit has been submitted for a new commercial building on this site.

- **Future Land Use Recommendation**  
*Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections (over six dwellings per acre).*

*Commercial: This category includes single-use commercial, retail, office and service uses. Commercial areas should seek to strengthen existing retail and service uses, encourage the introduction of new uses, and introduce complementary adjoining uses such as public facilities and moderate-density residential, to reinforce the retail base and support the continued health of these uses. Commercial uses must be consistent with the surrounding area and compatible with adjacent uses.*

- **Flood Zone & Minimum Building Elevation**  
This request includes a waiver from the minimum building elevation from +5 ft. NAVD 88 to +1 ft. above the centerline of the street, or +2.3 ft. NAVD 88.

X-zone/DFIRM AE+5; the property owner has provided a grade certificate that shows the minimum building elevation for the ADU is 5 ft. NAVD 88.

▪ **Traffic Access**

Lot 12A-1 has 150 ft. of frontage on Cadow Street. Access is provided via two concrete driveways.

▪ **Utilities**

Standard utilities are available on Cadow Street.

<b>APPLICABLE REGULATIONS</b>
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**Appendix A. Section VI. – Zoning District Criteria and Regulations**

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

*Policy statement:* This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities and which meet the architectural standards of a permanent residence. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

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.
    - (3) Accessory uses to golf courses and country clubs limited to the following:
      - art studios
      - churches and religious institutions
      - commercial recreation facilities
      - commercial schools
      - personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
      - professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
      - restaurants and cafeterias
  - 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), country clubs, and accessory commercial uses on such properties.
    - (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.**
    - (9) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish 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.

#### Appendix A. Section IV. – General Provisions

A. *Evaluation Criteria* – those uses requiring approval for either a *Special Exception* or a *Special Permit Use* shall be evaluated by the criteria below. These criteria are to be considered illustrative and not restrictive. Other criteria may be considered though not specifically listed below if said criteria affect the general health, safety, and welfare of the public.

1. Compliance with the current St. Charles Parish Comprehensive Plan.
2. Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.
3. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
4. Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.
5. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
6. A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:
  - a. Required yards and open space
  - b. Ingress and egress to property
  - c. Parking and loading areas
  - d. Location of garbage facilities
  - e. Landscaping, buffering, and screening
  - f. Signage
  - g. Height and bulk of structures
  - h. Location and direction of site lighting

#### Appendix A. Section VII. – Supplemental Use and Performance Regulations

1. The following uses are subject to the regulations set forth herein:

##### *Accessory buildings.*

- a. Residential accessory buildings are allowed only in the side and rear yards.
- b. An accessory building may be connected to the principal building via an unenclosed breezeway not exceeding eight (8) feet in width.
- c. Accessory buildings must be three (3) feet from the principal building, measured from any existing overhangs (not including breezeways).
- d. The following shall not be permitted as accessory buildings in residential zones: storage containers, cargo containers, ship to shore containers or any form of a modified delivery type container which is normally mounted or transferred on a vehicle or is designed for or capable of being mounted on a chassis for movement.

##### *Accessory dwelling units.*

- a. *Purpose.* To offer a wider range of housing options within residential zoning districts.
- b. *Design and development standards for all accessory dwelling units (ADU).*
  - i. There shall be no more than one (1) ADU permitted per lot.
  - ii. No ADU will be permitted without a primary building.
  - iii. An ADU may consist of part or all of a detached accessory structure or it may consist of a portion of the primary structure.
  - iv. There shall not be more than one (1) bedroom in an ADU.
  - v. An ADU shall use the electrical service of the primary structure.
  - vi. The owner of the property on which the ADU is to be created shall occupy the primary dwelling unit.
  - vii. Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district.
  - viii. Setbacks for ADUs developed as detached structures shall meet the setbacks for accessory structures for the underlying zoning district.
  - ix. The floor area of the ADU is limited to fifty (50) percent of the floor area of the primary dwelling unit, not to exceed one thousand two hundred (1,200) square feet.
  - x. ADUs require one (1) off-street parking space in addition to the parking requirements of the underlying zoning district.

#### Appendix A. Section XIII. – The Board of Adjustments is established and its powers and duties are prescribed.

B. *Powers.* The Board shall have the following powers:

4. In any permitting case where a special permit use or a special exception use approval by the St. Charles Parish Council, Planning and Zoning Commission, and/or Planning Director is required, the Zoning Board of Adjustment shall have no authority to grant variances.

#### Appendix A. Section XX. Flood Damage Prevention

D. Administration

2. Approval Process. The approval or denial of any application for a Certificate of Zoning Compliance shall be based on all of the provisions of this Ordinance and the following relevant factors:
  - a. The danger to life and property due to flooding or erosion damage;
  - b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - c. The danger that materials may be swept onto other lands to the injury of others;
  - d. The compatibility of the proposed use with existing and anticipated development;
  - e. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - f. The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems;
  - g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
  - h. The necessity to the facility of a waterfront location, where applicable;
  - i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - j. The relationship of the proposed use to the comprehensive plan of the area.

## Appendix A. Section XX. Flood Damage Prevention

### D. Administration

#### 5 Variance Procedures

##### a. Appeal Board:

1. The Zoning Board of Adjustments, as established by St. Charles Parish, shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
2. Omitted
3. Omitted
4. In formulating decisions on such applications, the Zoning Board of Adjustments shall consider all technical evaluations, all relevant factors, and all standards contained in this Ordinance, including the list of parameters cited in section D.2. Upon consideration of the stated criteria, the Zoning Board of Adjustments may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.
5. The Director of Planning and Zoning shall maintain the records of all appeal actions, including technical information, and shall report variances to the Federal Emergency Management Agency upon request.

##### b. Conditions for Variances.

1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre (21,780 sq. ft.) or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section D.2. (see reference below) of this Ordinance have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variances increases.
2. Variances may be issued for reconstruction, rehabilitation, or restoration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Ordinance.
3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
5. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
6. Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
7. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in section D.5. are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

## Appendix A. Section XX. Flood Damage Prevention

### C. General Provisions:

2. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for the Parish of St. Charles," stamped preliminary June 27, 1991, with accompanying Flood Insurance Rate Maps is hereby adopted by reference and declared to be a part of this section. The Flood Insurance Study is on file at the St. Charles Parish Courthouse, River Road, Hahnville, Louisiana. In addition, for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rates Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St. Charles," stamped Revised Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive.

## Appendix A. Section XX. Flood Damage Prevention

### B. Definitions

12. Elevated Building—A nonbasement building (i) built, in the case of a building in Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1—30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, "elevated buildings" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1—30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program.

## SPU CRITERIA COMPLIANCE

The proposal meets the criteria as follows:

1. *Compliance with the current St. Charles Parish Comprehensive Plan.* The site is designated *Low-to-Moderate Residential* on the Parish's Future Land Use Map.

Accessory Dwelling Units are included among the residential uses expected under this designation. **Complies**

2. *Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.* The ADU is proposed as a detached accessory structure, with plan elevations showing it designed to have the appearance of a small site-built home when viewed from the street. It will share a new 15 ft. wide driveway with the existing primary dwelling and providing access to Cadow Street. The proposed ADU would be compatible with the surrounding neighborhood in terms of building design, hours of operation, and vehicle circulation. **Complies**
3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* The site plan shows the ADU developed with its own single car garage. The plans also show an addition of an attached garage to the existing primary structure. Each garage will be accessed via a new 15 ft. wide driveway running between the two structures. The garage and driveway space provided enough parking for the two (2) required parking spaces for a single-family house plus the one (1) space required for an ADU. **Complies**
4. *Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.* Lot 12A-1 consists of 19,666 sq. ft. and is 150 ft. wide. Existing improvements are sited in a way that would allow for the resubdivision of Lot 12A-1 into two (2) legal lots of record and the permitting of an additional site-built house. The impacts of an ADU would be equal to the single family house that could be permitted under R-1A zoning if such a resubdivision were to occur (it should also be noted that the ADU is essentially replacing a manufactured home previously located on former Lot 9). **Complies**
5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.* The proposed ADU is a detached accessory building. The Louisiana State Uniform Construction Code requires separation of buildings, fire-rated walls, and other measures to protect the ADU and surrounding buildings from fire hazards. The provisions of the Noise Ordinance should protect the residents of the ADU and surrounding properties from noise impacts. Glare is not expected from single-family residential development. If the project uses fill, plans must show storm water drainage that complies with Ordinance 21-8-18, the Adjacent Lot Runoff Protection ordinance.

The applicants request a waiver from the minimum building elevation required by the Flood Damage Prevention Ordinance (FDPO, Section XX of the Zoning Ordinance), in order to build the ADU at 2.3 ft. above mean sea level in NAVD 88 Datum (this is equal to 1 ft. above the centerline of Cadow Street and 1.5 ft. above the existing ground elevation). The 1992 Flood Insurance Rate Maps for St. Charles Parish show the property in an X zone. The X zone is NOT a special flood hazard area (SFHA). The FDPO requires new buildings to be elevated 1 ft. above the centerline of the nearest street in this zone. However, the FDPO also requires new buildings to be elevated at least as high as the base flood elevation on the 2013 "preliminary digital flood insurance rate maps" (Preliminary DFIRMs) if it is higher.

The Preliminary DFIRM shows the location in an AE+5 zone. The AE+5 zone is a SFHA with an anticipated flood reaching 5 ft. above mean sea level (4.2 ft. above the grade of the lot). The proposed elevation does not meet the requirement. In order to obtain a building permit at this elevation, the applicant would have to have a waiver approved by both the Planning Commission and Parish Council. If the waiver is granted, the ADU and the people and property within it might not be protected from flood damage. The Parish appealed the Preliminary DFIRMS in 2013 (outcome pending). **The proposal would provide protection from a majority of the hazards.**



6. A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:
- a. *Required yards and open space.*
    - An accessory building may occupy no more than twenty-five (25) percent of the required rear yard. **Complies**
    - Minimum setback of accessory buildings including overhangs, shall be three (3) feet. **Complies**
  - b. *Ingress and egress to property.* Lot 12A-1 has 150 ft. of frontage on Cadow Street. Access will be provided via a new concrete driveway shared by both the primary and accessory structures. **Complies**
  - c. *Parking and loading areas.* The site can accommodate the required two (2) parking spaces for a single family house plus the one (1) space required for an ADU. **Complies**
  - d. *Location of garbage facilities.* The ADU would utilize standard municipal garbage collection, which does not require a dedicated facility. **N/A**
  - e. *Landscaping, buffering, and screening.* No landscaping, buffering, or screening is required or proposed. **N/A**
  - f. *Signage.* Signage is not proposed as part of this request. **N/A**
  - g. *Height and bulk of structures.* The floor plan for the proposed ADU shows it will consist of approximately 882 sq. ft. of living area, meeting the allowable square footage for the site of 1,200 sq. ft. **Complies**
  - h. *Location and direction of site lighting.* No site lighting is proposed as part of this request. **N/A**

*Accessory dwelling units.*

- i. There shall be no more than one (1) ADU permitted per lot. **Complies**
- ii. No ADU will be permitted without a primary building. **Complies**
- iii. An ADU may consist of part or all of a detached accessory structure or it may consist of a portion of the primary structure. **The ADU is shown as part of its own detached accessory structure.**
- iv. There shall not be more than one (1) bedroom in an ADU. The floor plan shows the ADU consisting of the one (1) bedroom. No other rooms are suited for use exclusively as an additional bedroom. **Complies**
- v. An ADU shall use the electrical service of the primary structure. **Confirmed at permitting.**
- vi. The owner of the property on which the ADU is to be created shall occupy the primary dwelling unit. Assessor's records indicate the applicants/owners currently take homestead at the property. As per the application the applicants/owners intend to sell the property to their daughter, who will reside in the primary dwelling while they move into the ADU. **Complies**
- vii. Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district. **N/A**
- viii. Setbacks for ADUs developed as detached structures shall meet the setbacks for accessory structures for the underlying zoning district. This is a detached ADU which can be located as close as 3 ft. to the side and rear property lines in the R-1A zoning district. The site plan shows the structure meeting the required setbacks from the side and rear property lines. **Complies**
- ix. The floor area of the ADU is limited to fifty (50) percent of the floor area of the primary dwelling unit, not to exceed one thousand two hundred (1,200) square feet. The primary residence consists of 2,214 sq. ft. of living space as per the plans on file under Permit 13251-98, limiting the ADU to the 1,107 sq. ft. The ADU is shown as part of a 1,242 sq. ft. accessory structure, 360 sq. ft. of which is shown as a garage space which is not directly accessible through the ADU and could be used

as additional storage for the primary dwelling. The actual living space of the ADU itself consists of 882 sq. ft. **Complies**

- x. ADUs require one (1) off-street parking space in addition to the parking requirements of the underlying zoning district. The site can accommodate more than the required two (2) parking spaces for a single family house, plus one (1) space for the ADU. **Complies**

**ANALYSIS**

This request for an Accessory Dwelling Unit (ADU) meets most of the applicable review criteria for a Special Permit Use and all requirements for ADUs that are reviewable at this time (using the electrical service of the primary structure is confirmed at permitting).

This application includes a request to reduce the minimum building elevation of the ADU from +5 ft. NAVD 88 to +1 ft. above the centerline of the street, or +2.3 ft. This requirement can only be waived if both the Planning Commission and the Parish Council approve the reduced elevation.

**DEPARTMENT RECOMMENDATION**

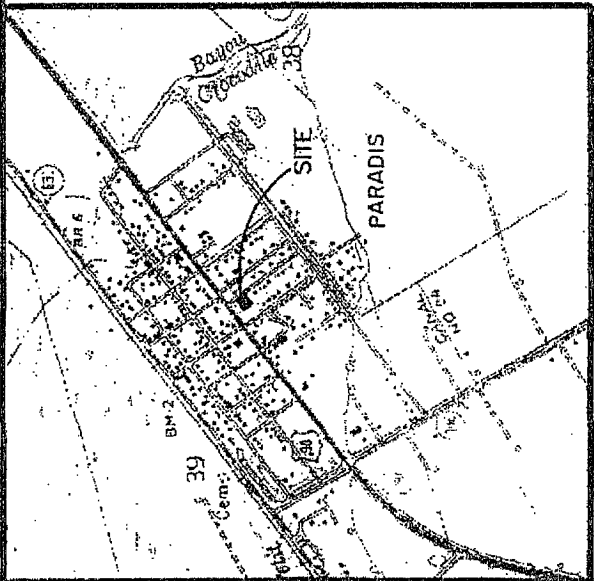
**The Department cannot recommend a reduced elevation for new construction.**

**If the Planning Commission approves this request, with or without the waiver, it will be forwarded to the Parish Council for consideration of a resolution in support of the approval with or without the reduced elevation.**

# 2023-3-SPU Accessory Dwelling Unit (ADU)



97-00-66



VICINITY MAP  
SCALE: 1" = 2000'

Approved/Disapproval  
*[Signature]*

Director of Planning & Zoning  
7/1/98

Date

Approved/Disapproved  
*[Signature]*

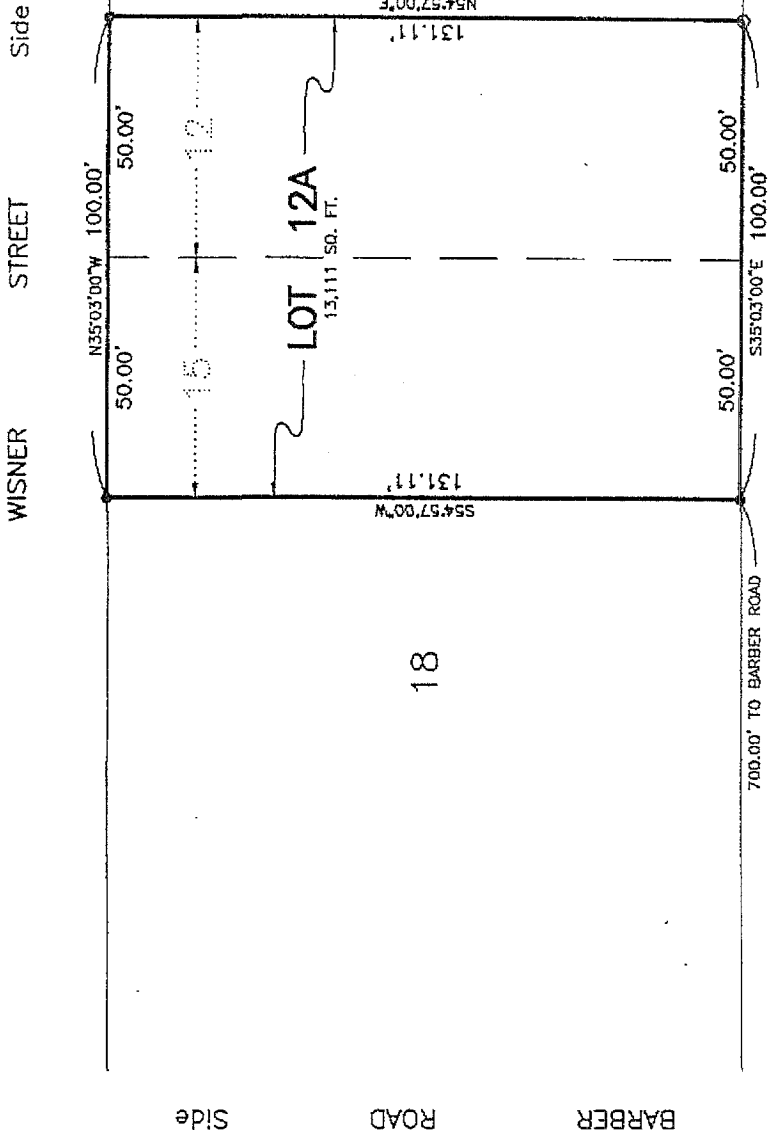
Parish President

7/2/98  
Date

REFERENCE:  
PLAN BY E. M. COLLIER, DATED  
MAY 27, 1960

The subdivision plat shows no servitudes and no information regarding servitudes was furnished by the owner or his agent. No further research regarding servitudes was performed for this survey.

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone X.



CADOW STREET

STREET

WISNER STREET

Side

Side

ROAD

BARBER

700.00' TO BARBER ROAD

50.00' 50.00' 50.00'

50.00'

50.00'

S54°57'00\"/>

N54°57'00\"/>

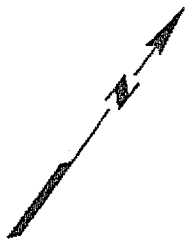
LOT 12A  
13,111 SQ. FT.

15 12

18

9

LA U. S. HIGHWAY NO. 90 Side



Recorded in The Clerk of Court's office  
St. Charles Parish on the 7 day of  
July 1998, in Book 540  
Folio 110, Entry # 222446

Signature \_\_\_\_\_ Title \_\_\_\_\_

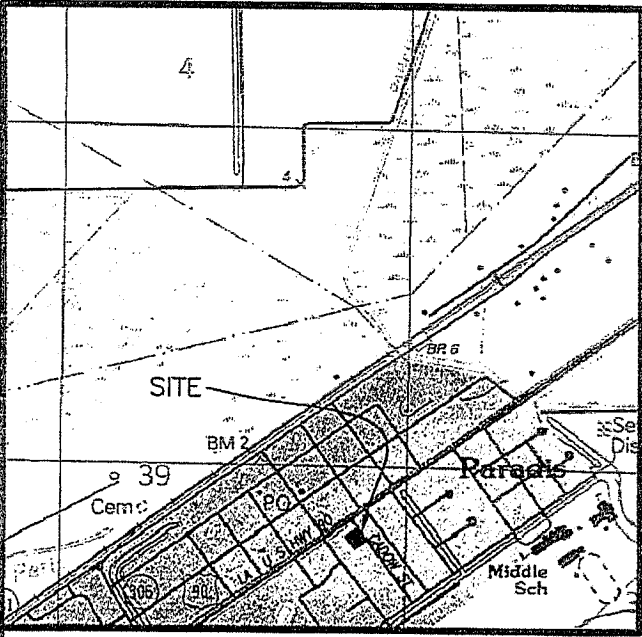
I certify that this plat represents an actual ground survey performed under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.

*[Signature]*

LUCIEN C. GASSEN, PLS  
Registration No. 353  
LULING, LOUISIANA 70070

RESUBDIVISION OF LOTS 12 & 15  
SUBDIVISION OF FARM LOTS 6 & 7  
INTO LOT 12A  
IN SECTION 39, T14S - R20E  
PARADIS, ST. CHARLES PARISH, LOUISIANA  
SCALE: 1" = 40'  
MARCH 30, 1998

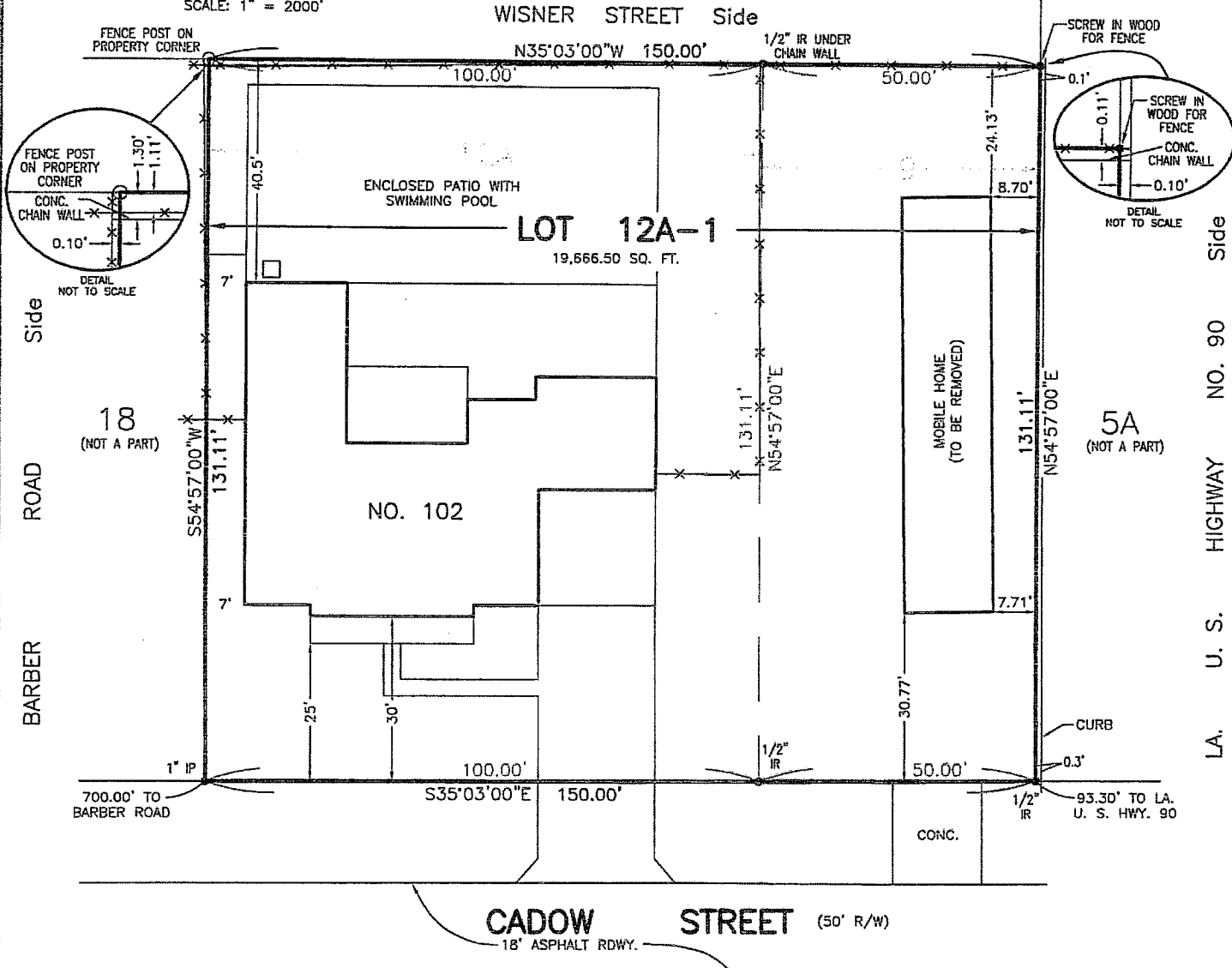
CERTIFIED TO ROBERT J. LASSERRE AND HEIDI E. LASSERRE



VICINITY MAP  
SCALE: 1" = 2000'

APPROVALS:  
 [Signature] 5/23/2023  
 St. Charles Parish Director of Planning & Zoning Date  
 Matt Jewell 5-25-23  
 St. Charles Parish President Date

RECORDED IN THE CLERK OF COURT'S OFFICE,  
 ST. CHARLES PARISH, LOUISIANA  
 ON THE 26<sup>th</sup> DAY OF MAY 20 23  
 INSTRUMENT NUMBER 475257



NOTE:  
 ALL NECESSARY SEWER, WATER AND/OR OTHER UTILITY EXTENSIONS, RELOCATIONS OR MODIFICATIONS SHALL BE MADE BY AND SOLELY AT THE LOT OWNER'S EXPENSE.

REFERENCE PLANS:  
 1. SUBDIVISION OF FARM LOTS 6 & 7 AT PARADIS BY E. M. COLLIER, DATED MAY 27, 1960  
 2. SURVEY OF LOT 12A SUBDIVISION OF FARM LOTS 6 & 7, PARADIS BY LUCIEN C. GASSEN, PLS, DATED MARCH 23, 1999, REVISED MARCH 31, 1999 & SEPT. 13, 1999  
 3. SURVEY OF LOT 9 SUBDIVISION OF FARM LOTS 6 & 7, PARADIS BY LUCIEN C. GASSEN, PLS, DATED APRIL 22, 1998

**RESUBDIVISION OF LOTS 9 & 12A  
 SUBDIVISION OF FARM LOTS 6 & 7  
 INTO LOT 12A-1  
 IN SECTION 39, T14S - R20E  
 ST. CHARLES PARISH, LOUISIANA  
 SCALE: 1" = 30' MAY 9, 2023**

CERTIFIED TO ROBERT J. LASSERRE  
 AND HEIDI E. LASSERRE

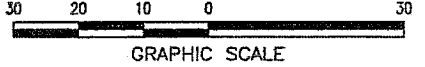
LEGEND  
 ● = FOUND  
 IP = IRON PIPE  
 IR = IRON ROD  
 -X- FENCE  
 BEARINGS ARE BASED ON REFERENCE PLAN

I certify that this plot represents an actual ground survey performed by myself or under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.

The reference plans shows no servitudes and no information regarding servitudes was furnished by the owner or his agent. No further research regarding servitudes was performed for this survey.

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone X.

[Signature]  
 LOUIS J. GASSEN JR., PLS  
 Registration No. 4945  
 (985) 785-0745  
 1026 Gassen Street  
 Luling, Louisiana 70070



**GASSEN SURVEYING, LLC**

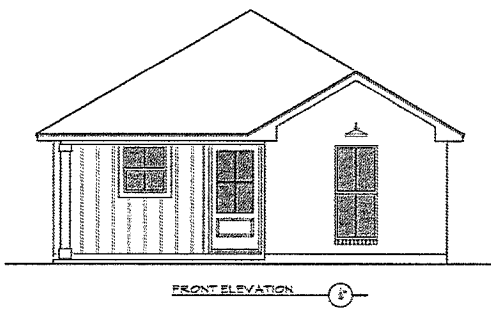
From: Robert Lasserre  
To: Brett Baderow  
Subject: Re: Sergio and Brianna Medina - Plans  
Date: Thursday, June 8, 2023 10:38:39 AM  
Attachments: [image1.png](#)  
[image2.png](#)

Brett see if this will work!

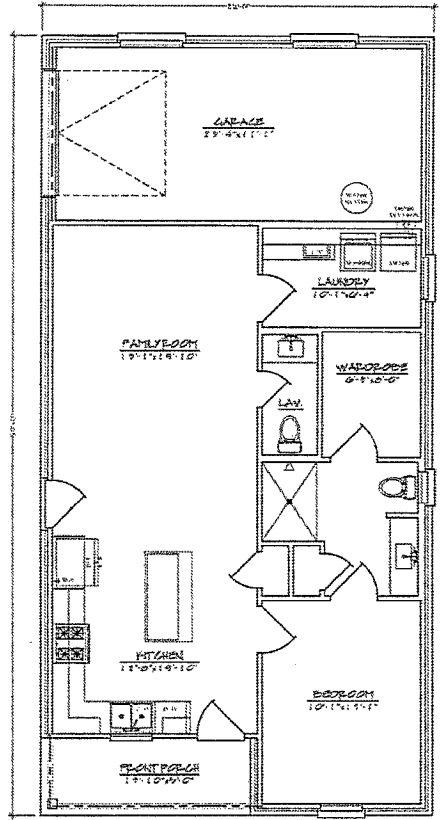
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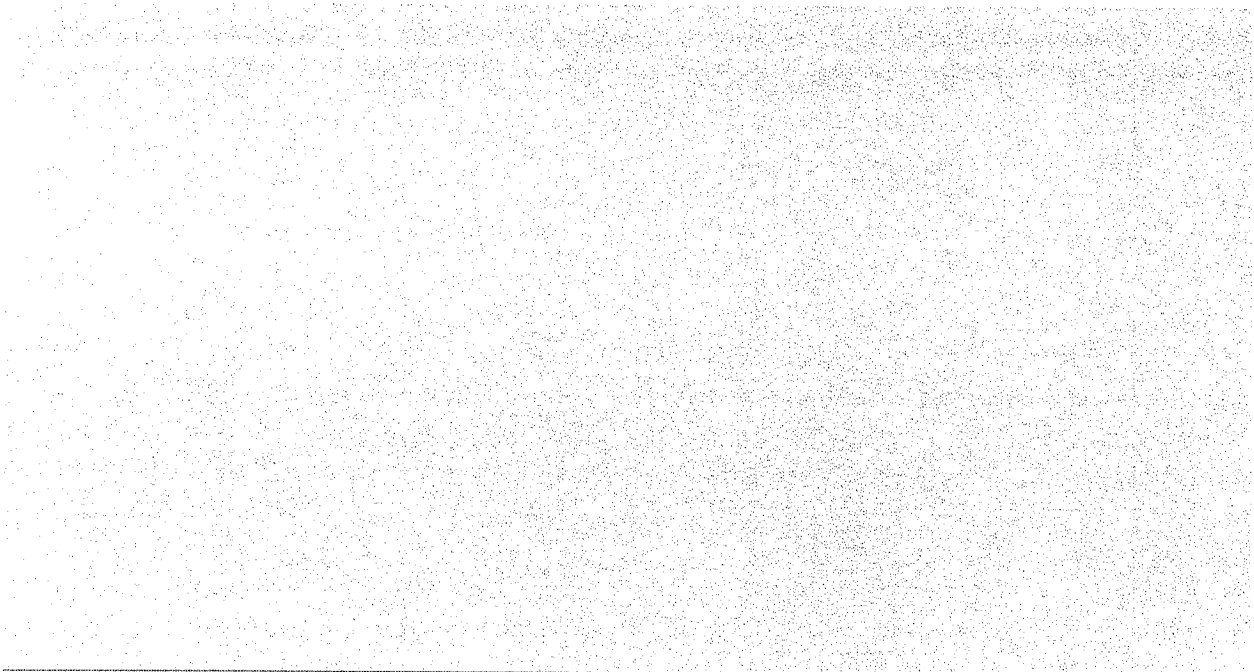
P2A2.0 DET BLDG ELEVA...  Done



FRONT ELEVATION 1



FLOOR PLAN  
TOTAL AREA OF FLOOR PLAN 1245  
TOTAL AREA OF GARAGE 1245



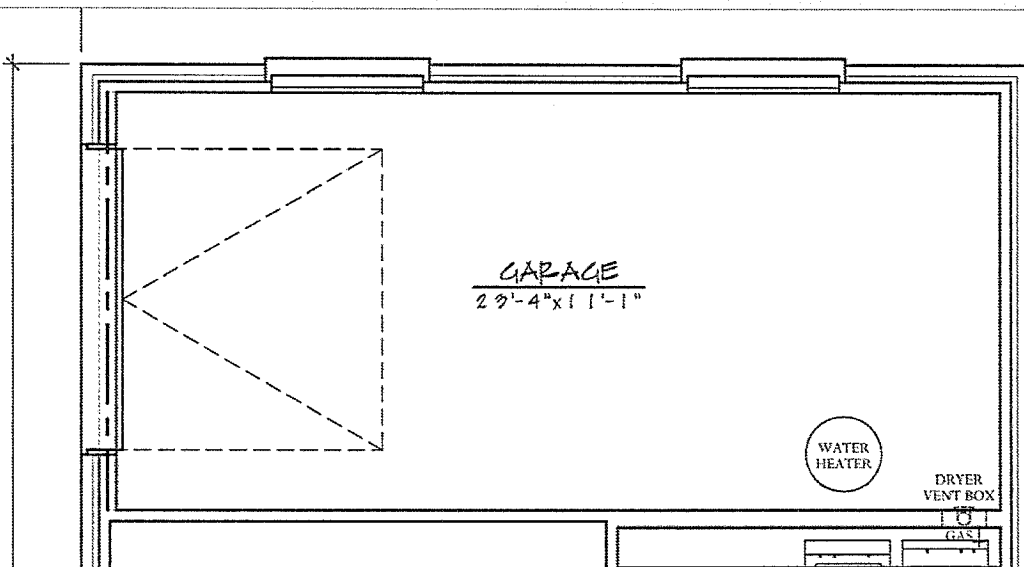
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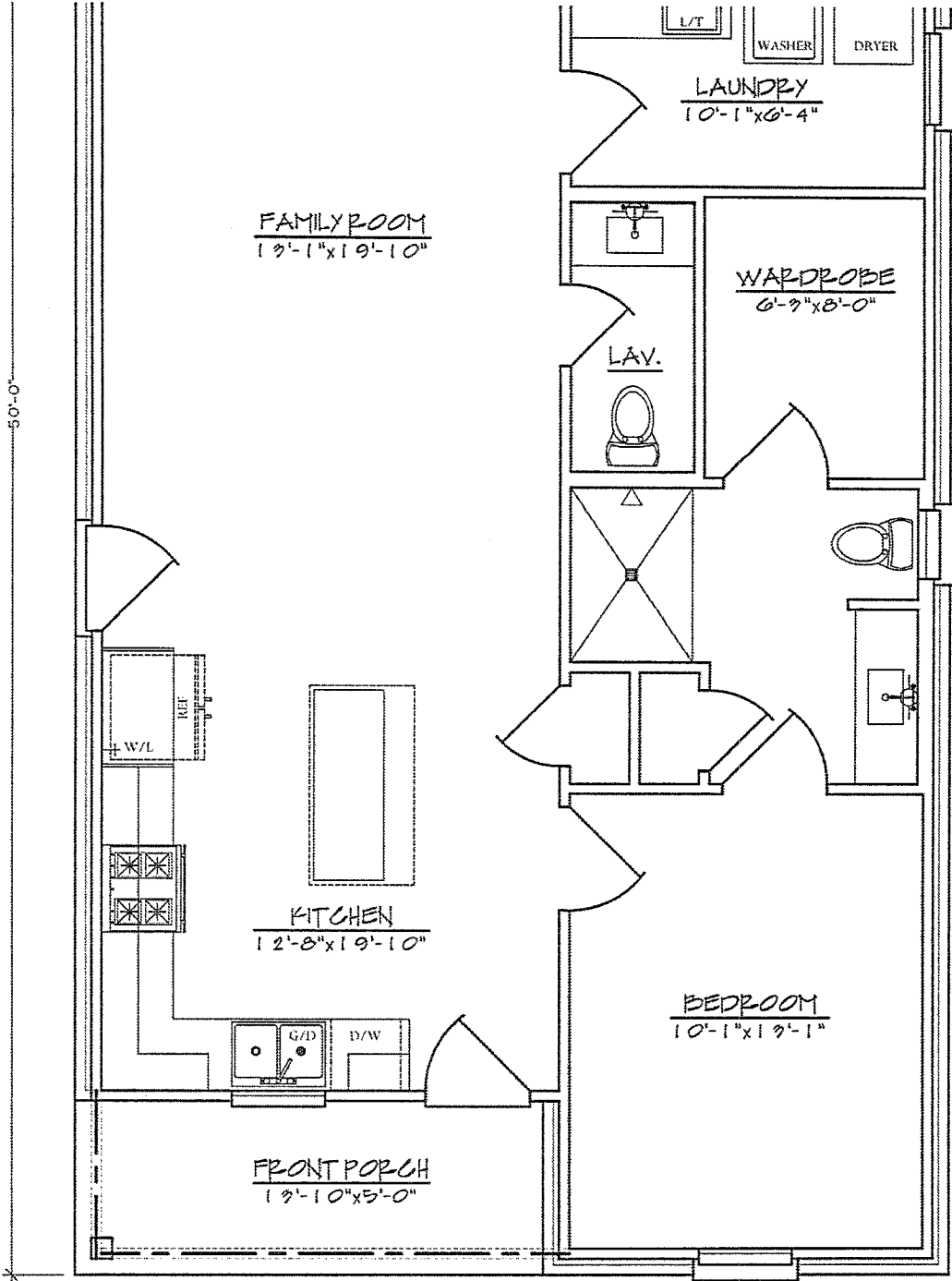
5G

P2A2.0 DET BLDG ELEVA...



Done





**FLOOR PLAN**

NOTE: 8'-0" WALL HEIGHT  
(Except as noted)



TOTAL LIVING AREA S-F	882
TOTAL UNDER BEAM S-F	1242



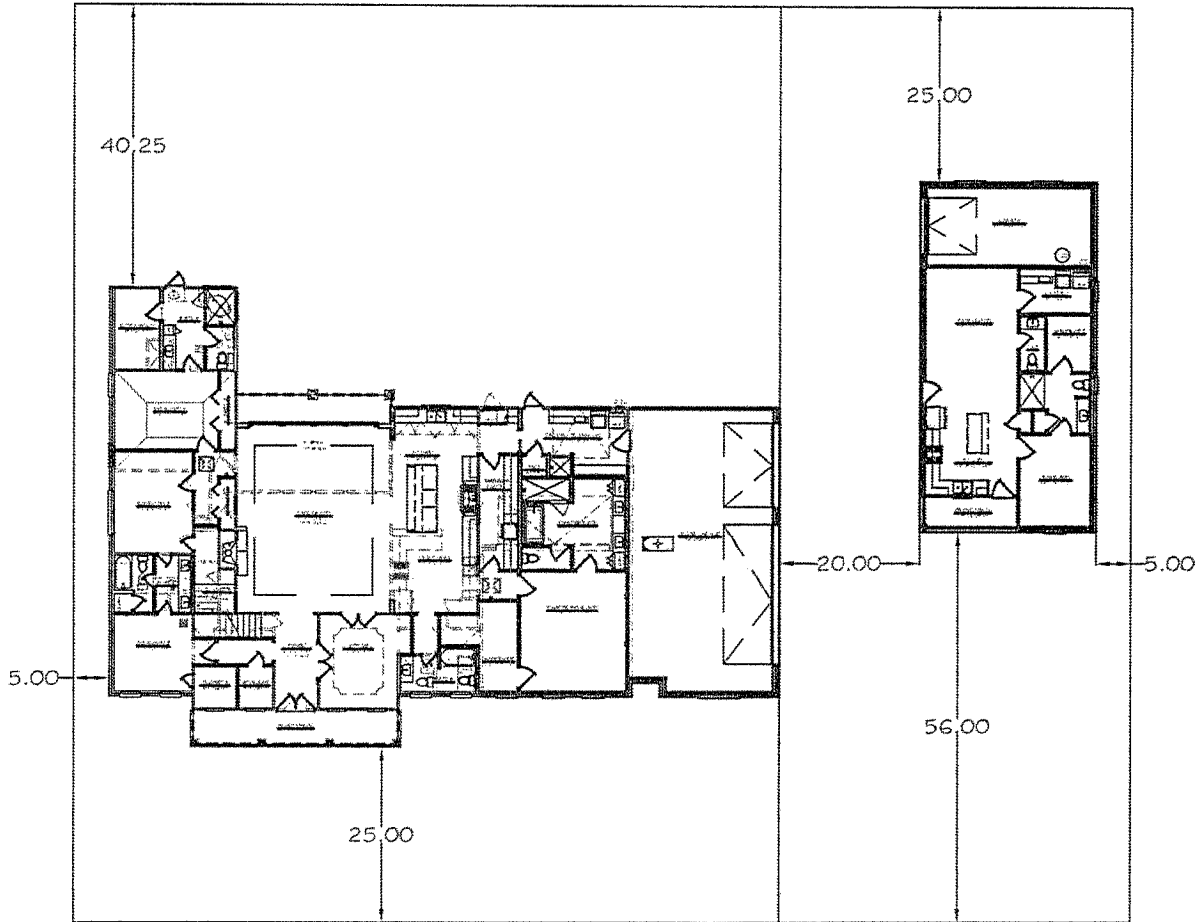


10:31



# P2A0.0 SITE PLAN

Done





Thanks  
Robbie

Sent from my iPhone

On Jun 8, 2023, at 8:45 AM, Brett Badgerow <[bbadgerow@stcharlesgov.net](mailto:bbadgerow@stcharlesgov.net)> wrote:

Mr. Lasserre,

Is there also an updated floor plan? I'm noticing that the size of the proposed ADU changed.

Brett Badgerow  
Planner I  
St. Charles Parish  
P (985) 783-5060  
P.O. Box 302  
14996 River Rd.  
Hahnville, LA 70057  
[www.stcharlesparish.gov](http://www.stcharlesparish.gov)

Note: Please be aware that receipt of and/or response to this email may be considered a public record.

-----Original Message-----

From: Robert Lasserre <[lasserreroberth@yahoo.com](mailto:lasserreroberth@yahoo.com)>  
Sent: Thursday, June 8, 2023 8:27 AM  
To: Brett Badgerow <[bbadgerow@stcharlesgov.net](mailto:bbadgerow@stcharlesgov.net)>  
Subject: Fwd: Sergio and Brianna Medina - Plans

Mr. Badgerow,  
Please see below the plot plan of the house and ADU. Please call with any concerns.  
Thanks  
Robbie  
>>

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.






This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast, a leader in email security and cyber resilience. Mimecast integrates email defenses with brand protection, security awareness training, web security, compliance and other essential capabilities. Mimecast helps protect large and small organizations from malicious activity, human error and technology failure; and to lead the movement toward building a more resilient world. To find out more, visit our website.

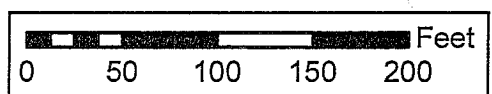
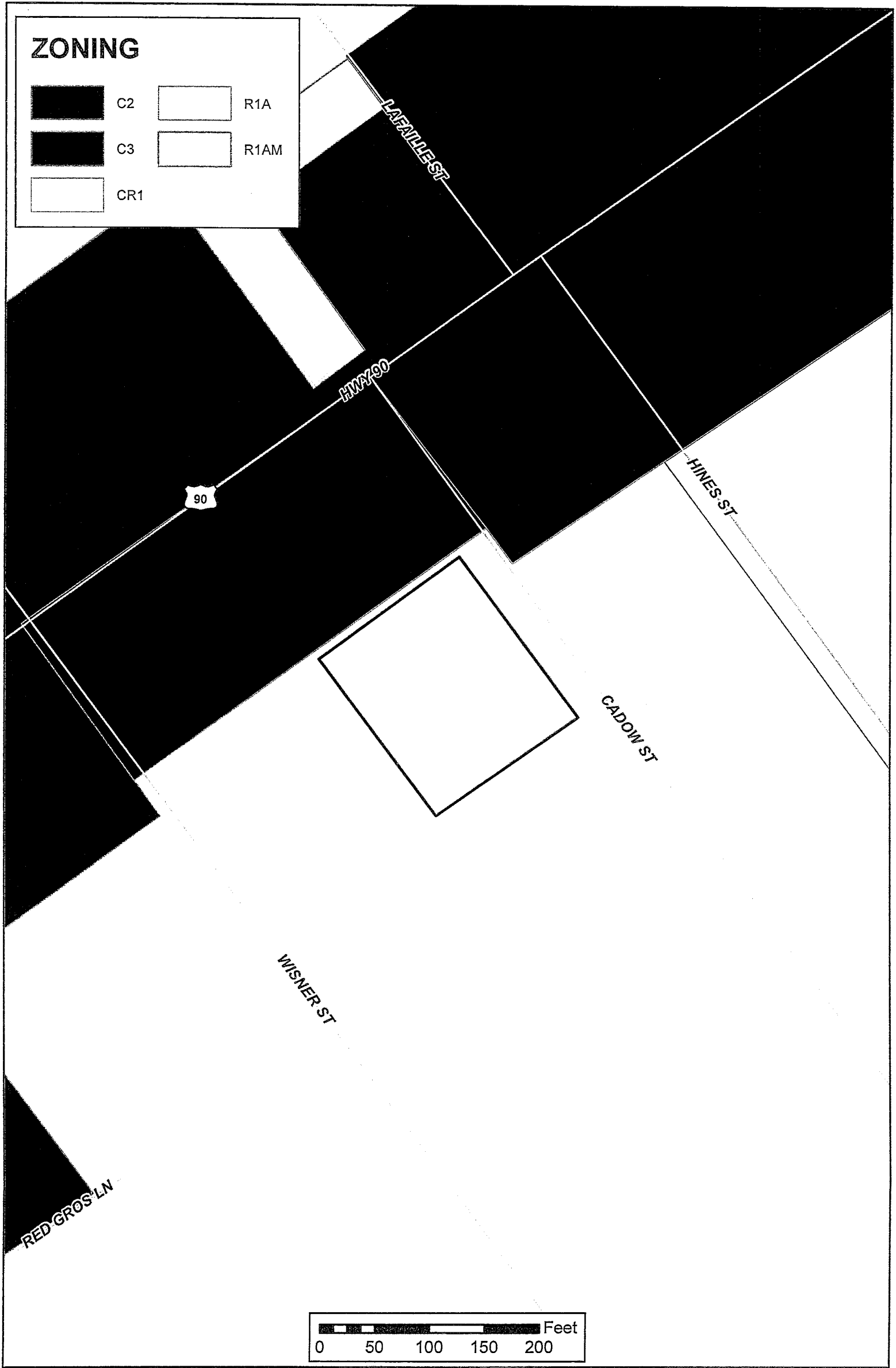
# 2023-3-SPU Accessory Dwelling Unit (ADU)

NT  
100



### ZONING

	C2		R1A
	C3		R1AM
	CR1		






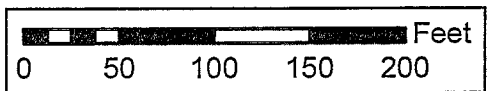
# 2023-3-SPU Accessory Dwelling Unit (ADU)

N  
101



## Future Land Use

-  Commercial
-  Low-Moderate Residential
-  Neighborhood Mixed Use



**GASSEN SURVEYING, LLC**

1026 GASSEN ST  
Luling, LA 70070

**GRADE CERTIFICATE**

April 18, 2023

Lot Number: 9 Square:

Subdivision: Of Farm Lots 6 & 7

Municipal No.: 100 Cadow Street

Firm Zone: X Base Flood Elevation: N/A NGVD  
 DFIRM ZONE: AE DFIRM Advisory Base Flood Elevation: 5.00 NAVD

Existing Street Elevation: ..... 2.26 NGVD  
 ..... 1.30 NAVD

Existing Ground Elevation: ..... 1.8 NGVD  
 ..... 0.8 NAVD

Reference Elevation Mark Only: ..... 3.26 NGVD  
 ..... 2.30 NAVD

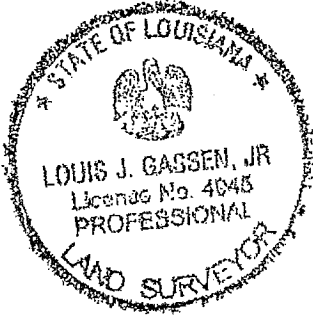
\*(PROPOSED LOWEST FLOOR ELEVATION TO BE FILLED OUT BY BUILDER)

\*PROPOSED LOWEST FLOOR ELEVATION: \_\_\_\_\_

DESCRIPTION: 60d NAIL IN POWER POLE IN FRONT OF LOT

The undersigned will not be responsible for the transfer of elevations from the construction bench mark by the contractor or others.

\*The floor of an attached enclosed garage may be considered as the lowest floor for Flood Insurance rating. Please consult your insurance agent.



*[Handwritten Signature]*

---

Louis J. Gassen, Jr. PLS  
 Registration No. 4945

(985) 785-0745  
(985) 785-8603 (Fax)

2023-0198

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

**RESOLUTION NO.** \_\_\_\_\_

A resolution endorsing a waiver from Appendix C, Subdivision Regulations of 1981, Section III. Geometric Standards, C. Lots, 1. Size, a. Corner Lot, as requested by Boyd Kinler, Patti Gassen, Brent Kinler, Trudy Brooks, and Kerry Parlette.

**WHEREAS,** the St. Charles Parish Subdivision Ordinance of 1981 requires that the Parish Council endorse waivers from Subdivision Regulations; and,

**WHEREAS,** the Subdivision Regulations require corner lots to have extra width to permit setback lines on the side adjacent to a side street as specified by the St. Charles Parish Zoning Ordinance; and,

**WHEREAS,** the applicant has requested a waiver from the corner lot requirement for Lot 50A as shown on a survey by Louis J. Gassen Jr., PLS dated April 5, 2023, revised July 12, 2023; and,

**WHEREAS,** granting the waiver will allow Lot 50A to measure 71 feet wide along St. Maria Street instead of the 80 feet required in the R-1A zoning district; and,

**WHEREAS,** the Planning and Zoning Commission approved the resubdivision with the waiver at its meeting on July 6, 2023.

**NOW, THEREFORE, BE IT RESOLVED THAT THE ST. CHARLES PARISH COUNCIL,** hereby provides this supporting authorization to endorse a waiver from the corner lot requirement to allow Lot 50A as shown on a survey by Louis J. Gassen Jr., PLS dated April 5, 2023, revised July 12, 2023, as requested by Boyd Kinler, Patti Gassen, Brent Kinler, Trudy Brooks, and Kerry Parlette.

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

And the resolution was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023, 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**

2023-8-MIN requested by Boyd Kinler, Patti Gassen, Brent Kinler, Trudy Brooks, and Kerry Parlette for a resubdivision of two lots into two with a waiver, adjacent to 204 Wanda Street, Luling. Zoning District R-1A. Council District 7.

**Planning Department Recommendation:**

Approval.

**Planning Commission Action:**

Approval.

2023-8-MIN requested by Boyd Kinler, Patti Gassen, Brent Kinler, Trudy Brooks, and Kerry Parlette for a resubdivision of two lots into two with a waiver, adjacent to 204 Wanda Street, Luling. Zoning District R-1A. Council District 7.

Mr. Welker - read the land use report and the department recommends approval contingent upon submittal of a revised resubdivision survey showing a private sewer servitude through Lot 50 A in favor of establishing a sewer connection to Wanda St. for Lot 48A.

Applicant – Boyd Kinler 23 Grand Canyon Dr. New Orleans, LA stated his case.

The public hearing was open and close after no one spoke for or against.

Commissioner deBruler made a motion, second by Commissioner Ross.

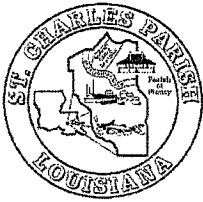
YEAS: Keen, Frangella, Ross, Price, deBruler, Jr. Petit

NAYS: None

ABSENT: Frangella, Krajcer

**Approved**





**Department of Planning & Zoning  
Staff Report – Minor Resubdivision  
Case No. 2023-8-MIN**

**APPLICATION INFORMATION**

- **Submittal Date:** 6/12/23
- **Applicant / Property Owner**

Boyd Kinler	Patti Gassen
23 Grand Canyon Drive	3621 Rue Andree
New Orleans, LA 70131	New Orleans, LA 70131
504-579-4847	504-495-6725
kinlerb@gmail.com	p.gassen@yahoo.com
- **Request**  
Resubdivision of Lots 48 and 50, Block C, Mimosa Park Subdivision into Lots 48A and 50A, with a waiver from the Subdivision Regulations, Section III.C.1.a. Corner Lot.

**SITE INFORMATION**

- **Location:** SW corner of Wanda Street and St. Maria Street
- **Size of Proposed Lots**
  - Lot 48A: 6,000 sq. ft.; 60 ft. wide
  - Lot 50A: 7,100 sq. ft.; 71 ft. wide
- **Zoning:** R-1A, Single Family Residential
- **Current Use**  
Lots 48 and 50 are undeveloped but cleared
- **Surrounding Zoning:** R-1A, Single Family Residential
- **Surrounding Uses**  
Lots 48 and 50 are located in a developed single family residential neighborhood. Site-built houses are located across both St. Maria and Wanda Streets, and adjacent to the W. Heather Drive and Mimosa Avenue sides.
- **Plan 2030 Recommendation**  
*Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections (over six dwellings per acre).*
- **Flood Zone & Minimum Building Elevation**  
X-zone/DFIRM AE+5; the developer of any improvements will have to provide a grade certificate in order to determine the minimum building elevation on this property. 1 ft. above the centerline of the street OR 5 ft. above mean sea level [NAVD 88 Datum], whichever is higher.
- **Traffic Access**  
Access to Lot 48A will be exclusively via St. Maria Street.

Lot 50A is a corner lot where access can be provided either via St. Maria Street or Wanda Street. Access from Wands Street will require a culvert due to open swale drainage.

▪ **Utilities**

Parish water, sewer, and drainage facilities are available on Wanda Street.

Parish water and drainage are available on St. Maria Street but wastewater facilities are not, leaving proposed Lot 48A without a direct connection to Parish sewer.

To provide a sewer connection for Lot 48A the property owner/developer will be responsible for running a private line through adjacent Lot 50A and out to the sewer line on Wanda Street, and a private sewer servitude must be established through Lot 50A in favor of Lot 48A as part of this subdivision.

▪ **Subdivision & Development History**

Lots 48 and 50, Block C, were platted as part of Mimosa Park Subdivision as per the map by E.M. Collier dated September 1952.

<b>APPLICABLE REGULATIONS</b>
-------------------------------

**Appendix A. Section VI. – Zoning District Criteria and Regulations**

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

*Policy statement:* This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities and which meet the architectural standards of a permanent residence. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

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.
    - (3) Accessory uses to golf courses and country clubs limited to the following:
      - art studios
      - churches and religious institutions
      - commercial recreation facilities
      - commercial schools
      - personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
      - professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
      - restaurants and cafeterias
  - 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), country clubs, and accessory commercial uses on such properties.
    - (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.
    - (9) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish 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.

#### Appendix C. Section II. Subdivision Procedure

##### C. Minor Resubdivisions.

1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. The plan of resubdivision shall comply with requirements outlined in section II.C.3 of this section, and with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations. The Planning and Zoning Commission may approve or deny the application. The basis for denial shall be stated at the meeting and on the record of the Planning and Zoning Commission.
3. Subdivisions and resubdivisions which meet the guidelines contained in Section II.C. of these regulations shall be presented to the Department of Planning and Zoning in the form of a plan which conforms to the laws of the State of Louisiana governing surveying, platting, and subdivision of land. The proposed subdivision shall contain the following information:
  - a. Location of the property.
  - b. Name(s) and address(es) of the owners.
  - c. Name and address of the Land Surveyor preparing the plan as well as the date the survey was prepared. The survey shall be dated within one (1) year of the subdivision application date.
  - d. Existing property lines and lot numbers, including names and width of adjoining streets.
  - e. Proposed property lines and revised numbers of proposed lots.
  - f. Location and dimensions of existing buildings.
  - g. Layout and dimensions of all existing, proposed, and required servitudes and rights-of-way, including but not limited to servitudes for sidewalks, utilities, access, drainage ditches, and canals.
  - h. Existing lakes and ponds.
  - i. North arrow and scale.
  - j. The following note shall be added to all resubdivision maps: All necessary sewer, water and/or other utility extensions, relocations or modifications shall be made solely at the lot owner's expense.
  - k. Stormwater Pollution Prevention Plan. For Minor Subdivisions that involve more than one (1) acre, the MS4 Administrator may require the submittal of a Stormwater Pollution Prevention Plan and/or Post Construction Stormwater Permit, including all required documentation, in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control.
  - l. The following note shall be added to resubdivision maps that result in a net increase of lots: No lot created by this act of subdivision shall be divided in such a way that another net increase in the number of lots occurs for a period of two years.

#### Appendix C. Section III. Geometric Standards B. Lots

1. Size. The width, depth, area, and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.
  - a. Corner Lot. Corner lots shall have extra width to permit setback lines on the side of the lots adjacent to a side street. The extra width shall be sufficient to allow the lot to meet the minimum zoning requirements of the St. Charles Parish Zoning Ordinance excluding the side street setback distance.

#### Appendix C. Section V. Administrative

##### B. Variations and Exceptions

1. The regulations contained herein may be varied or modified where 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. The Planning Commission, with a supporting resolution of the Council, may grant such a waiver or modification of these regulations only when such requests meet the conditions of this subsection and are not detrimental to the public interest.

## FINDINGS

This minor resubdivision proposes re-orienting the dividing lot line between Lots 48 and 50 perpendicular to St. Maria Street resulting in new lots 48A and 50A.

Each lot meets the 6,000 sq. ft. area required in the R-1A district, and Lot 48A meets the 60 ft. width for an interior lot.

But Geometric Standards are not met on Lot 50A, specifically item III.C.1.a. Corner Lot, which states:

- *Corner lots shall have extra width to permit setback lines on the side of the lots adjacent to a side street. The extra width shall be sufficient to allow the lot to meet the minimum zoning requirements of the St. Charles Parish Zoning Ordinance excluding the side street setback distance.*

Lot 50A measures 71 ft. wide along St. Maria Street, 9 ft. short of the required 80 ft. for a corner lot in the R-1A district.

The applicant has requested a waiver from the Corner Lot requirement as part of this resubdivision.

The department does not object to the waiver.

Lots 48 and 50 were originally platted in 1952 as two 50 ft. wide lots, making them nonconforming to current interior and corner lot width requirements in the R-1A district. The resubdivision will improve upon this situation in the following ways:

- Lot 48A will be fully conforming to all zoning district requirements.
- Lot 50A will be 11 ft. wider than the standard 60 ft. lot width and 21 ft. wider than existing corner lot.
- Lot 50A will exceed the area of the existing lots by 550 sq. ft.

This lot layout also mirrors Lots 42A and 44A, Block C, directly across St. Maria Street from the subject site, which were created through resubdivision in 1994 (PZS-94-06).

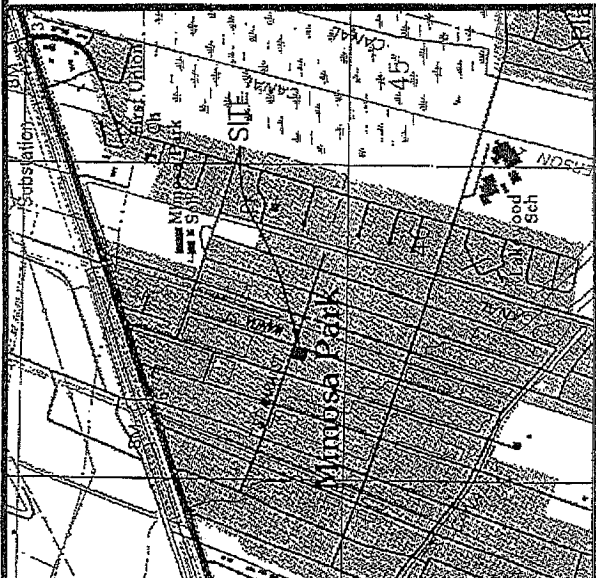
Additionally, this resubdivision will result in a lot without direct access to Parish sewer facilities, specifically Lot 48A. As part of this resubdivision, a private sewer servitude must be established through Lot 50A in favor of Lot 48A in order to run a private sewer line to the connection on Wanda Street. Any necessary improvements, including a new tap, must be done at the property owner's expense.

At the time of this writing the Department is working with the applicant and surveyor on a revised resubdivision survey showing the required sewer servitude.

<b>DEPARTMENT RECOMMENDATION</b>
----------------------------------

**Approval, contingent upon submittal of a revised resubdivision survey showing a private sewer servitude through lot 50A in favor of establishing a sewer connection to Wanda Street for Lot 48A.**

**If the Planning Commission approves this request it will be forwarded to the Parish Council for consideration of a supporting resolution.**



VICINITY MAP  
SCALE: 1" = 2000'

APPROVALS:

*[Signature]*  
St. Charles Parish Planning and Zoning  
Commission Chairman  
Date 7/17/23

St. Charles Parish Council Chairman \_\_\_\_\_ Date \_\_\_\_\_

St. Charles Parish President \_\_\_\_\_ Date \_\_\_\_\_

REFERENCE PLAN:  
MIMOSA PARK SUBDIVISION BY E. M. COLLIER,  
DATED SEPT., 1952

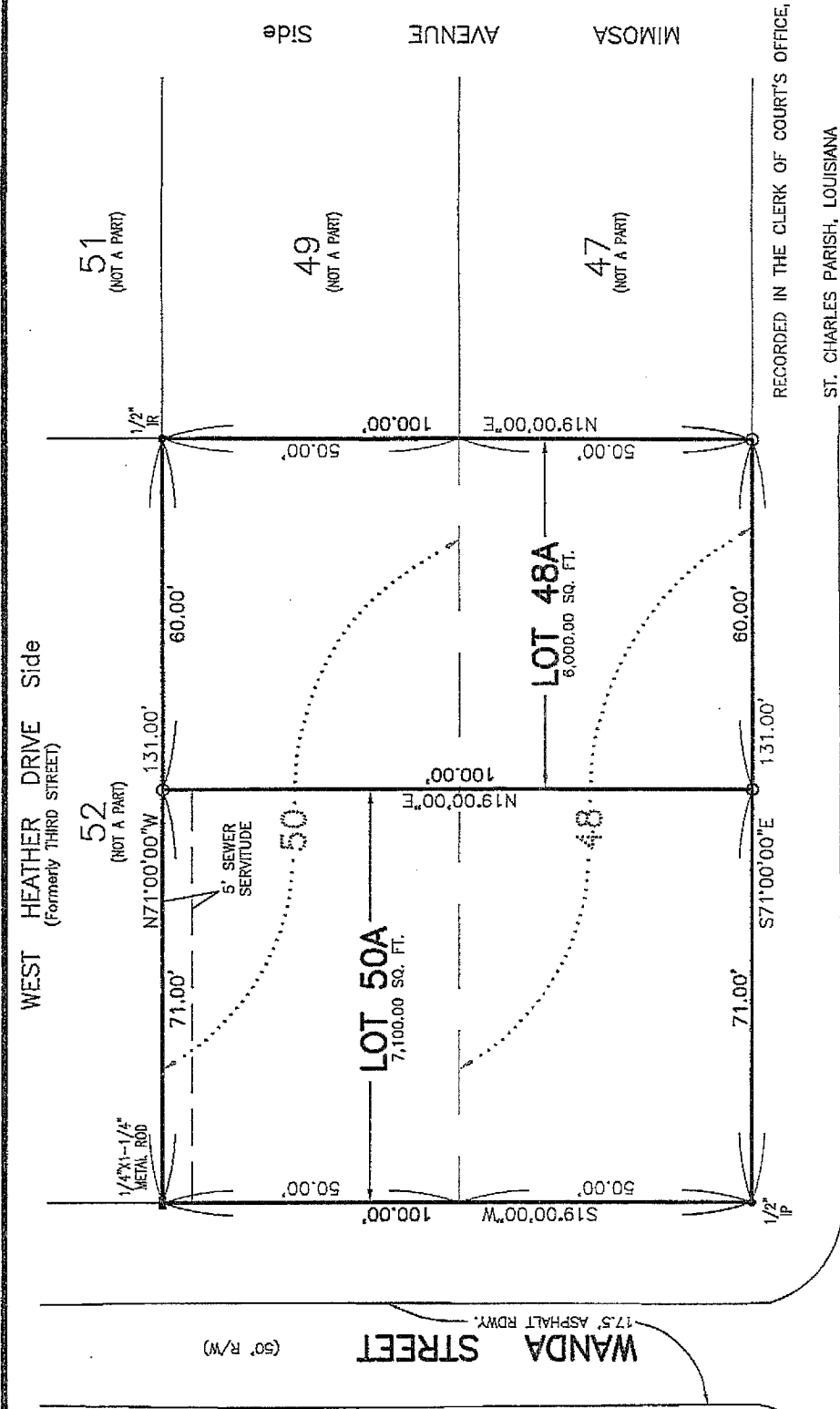
The reference plan shows no servitudes and no information regarding servitudes was furnished by the owner or his agent. No further research regarding servitudes was performed for this survey.

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone X.



NOTE:  
ALL NECESSARY SEWER, WATER AND/OR OTHER UTILITY EXTENSIONS, RELOCATIONS OR MODIFICATIONS SHALL BE MADE BY AND SOLELY AT THE LOT OWNER'S EXPENSE.

- LEGEND
- & ◻ = FOUND
  - = 1/2" IRON ROD SET
  - IP = IRON PIPE
  - IR = IRON ROD
- BEARINGS ARE BASED ON REFERENCE PLAN



**ST. MARIA STREET**  
(Formerly SECOND STREET)  
17.5' ASPHALT RDWY. (50' R/W)

RECORDED IN THE CLERK OF COURT'S OFFICE,  
ST. CHARLES PARISH, LOUISIANA  
ON THE \_\_\_\_ DAY OF \_\_\_\_ 20\_\_\_\_  
INSTRUMENT NUMBER \_\_\_\_\_

**RESUBDIVISION OF LOTS 48 & 50, BLOCK "C"**  
**MIMOSA PARK SUBDIVISION**  
**INTO LOTS 48A & 50A**  
**IN SECTION 47, T13S - R21E**  
**ST. CHARLES PARISH, LOUISIANA**  
SCALE: 1" = 30'  
APRIL 5, 2023  
REVISED JULY 12, 2023 TO SHOW SEWER SERVITUDE

CERTIFIED TO BOYD KINLER

**GASSEN SURVEYING, LLC**

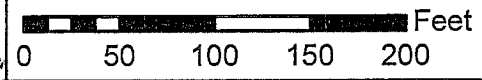
I certify that this plat represents an actual ground survey performed by myself or under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.

*[Signature]*  
**LOUIS J. GASSEN JR., PLS**  
Registration No. 4945  
(985) 785-0745  
1026 Gassen Street  
Luling, Louisiana 70070

2023-8-MIN

Minor Resubdivision: 2 lots into 2 w/ waiver

N  
111





**ZONING**



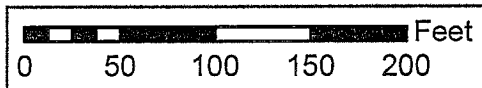
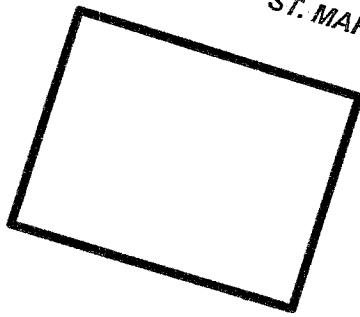
R1A

MIMOSA AVE

ST. MARIA ST

WANDA ST

ST. ANTHONY ST





**Future Land Use**

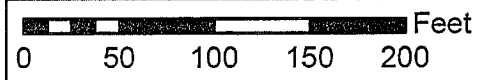
 Low-Moderate Residential

MIMOSA AVE

ST. MARIA ST

WANDA ST

ST. ANTHONY ST





Name: Boyd Kinler, Brent Kinler, Patti K. Gassen, Kerry K. Parlette, Trudy K. Brooks

Address: Lots 48 & 50 Wanda Street, Luling, La. 70070

Case Number: 2023-8-MIN

Members of the St. Charles Parish Planning Commission:

This minor resubdivision request does not meet all requirements of the St. Charles Parish Subdivision Regulations of 1981, specifically:

- **Section III.B.1.a. Corner Lot.** Corner lots shall have extra width to permit setback lines on the side of the lots adjacent to a side street. The extra width shall be sufficient to allow the lot to meet the minimum zoning requirements of the St. Charles Parish Zoning Ordinance excluding the side street setback distance.

The literal enforcement of these provisions of the ordinance is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question, which includes:

Lot's 48 & 50 do not meet the current minimum width requirements for R-1A Zoned property. The re-subdivision will provide one 60' wide 6,000 square foot lot and one 71' wide 7,100 square foot lot. The lots mirror the re-subdivision of Lots's 42 & 44, which are directly across St. Maria Street. Lot 50A, the corner lot, has extra width to permit setback lines on the side of the lot adjacent to the side street.

---



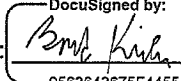
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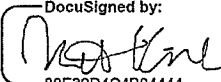
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Please consider this waiver request with my application.

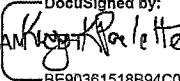
Thank you.

Applicant Signature:  DocuSigned by: Boyd Kinler 9563643675F4455... Boyd Kinler 6/26/2023 | 5:01 PM EDT

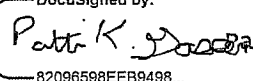
Date: \_\_\_\_\_

 DocuSigned by: Brent Kinler 80E39D4C4B04444... Brent Kinler

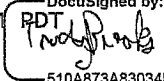
6/27/2023 | 12:43

 DocuSigned by: Kerry K. Parlette BE90361518B94C0... Kerry K. Parlette

6/26/2023 | 1:01

 DocuSigned by: Patti K. Gassen 82096598EEB9498... Patti K. Gassen

6/26/2023 | 1:00 PM PDT

 DocuSigned by: Trudy K. Brooks 510A873A83034DD... Trudy K. Brooks

6/26/2023 | 3:5

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT  
(DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM)**

**RESOLUTION NO.** \_\_\_\_\_

A resolution authorizing the St. Charles Parish Council to approve the Industrial Tax Exemption application for St. Charles Clean Fuels, LLC, Project ID: 20230093-ITE for participation in the Industrial Tax Exemption Program for a potential project in St. Rose, Louisiana.

**WHEREAS,** Article 7, Section 21(F) of the Louisiana Constitution provides for the Board of Commerce and Industry ("BCI"), with the approval of the Governor, to approve contracts for the exemption of ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the Governor, deems in the best interest of the state; and,

**WHEREAS,** St. Charles Clean Fuels, LLC applied to participate in the Industrial Tax Exemption Program ("ITEP") and seeks local approval and the Governor's approval for contracts granting exemptions for potential projects at the company's proposed location in St. Rose; and,

**WHEREAS,** Governor Edwards, through Executive Orders JBE 16-26 and 16-73, has set forth the conditions for his approval of ITEP contracts, and affirmed that those conditions are in the best interest of the State of Louisiana; and,

**WHEREAS,** the Executive Orders provide that ITEP contracts should be premised upon job and payroll creation and retention at new or expanded manufacturing plants or establishments; and,

**WHEREAS,** rules promulgated by the Louisiana Department of Economic Development ("LED") and adopted by BCI mandates parameters for ITEP approval and requires local review and potential action or consent by the relevant Parish Council, School Board and Sheriff; and,

**WHEREAS,** St. Charles Clean Fuels, LLC is requesting "pre-approval" or support of its ITEP application to BCI which is scheduled for consideration at its next meeting on August 23, 2023; and,

**WHEREAS,** the proposed project described herein is part of a larger project that, upon completion, is expected to satisfy new job and payroll creation requirements by creating over 200 jobs while generating an estimated \$130 Million in additional Ad Valorem taxes and approximately \$125 Million in additional Sales/Use Taxes to local taxing authorities during the ITEP period; and,

**WHEREAS,** in addition to satisfying the minimum program requirements, St. Charles Clean Fuels, LLC commits to executing supplemental local performance obligations which will increase employment and procurement opportunities for local residents and businesses, as well as promises to continue productive partnerships with our educational institutions.

**NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL** upon consideration of the foregoing and the public discussion held this day, support the application for Industrial Tax Exemption by St. Charles Clean Fuels, LLC, Project ID: 20230093-ITE.

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be forwarded to St. Charles Clean Fuels, LLC, Louisiana Board of Commerce and Industry, LED, and Governor Edwards.

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

And the resolution was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023, 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: \_\_\_\_\_

INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT  
(DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM)

RESOLUTION NO. \_\_\_\_\_

A resolution authorizing the St. Charles Parish Council to approve the Industrial Tax Exemption application for St. Charles Clean Fuels, LLC, Project ID: 20230132-ITE for participation in the Industrial Tax Exemption Program for a potential project in St. Rose, Louisiana.

WHEREAS, Article 7, Section 21(F) of the Louisiana Constitution provides for the Board of Commerce and Industry ("BCI"), with the approval of the Governor, to approve contracts for the exemption of ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the Governor, deems in the best interest of the state; and,

WHEREAS, St. Charles Clean Fuels, LLC applied to participate in the Industrial Tax Exemption Program ("ITEP") and seeks local approval and the Governor's approval for contracts granting exemptions for potential projects at the company's proposed location in St. Rose; and,

WHEREAS, Governor Edwards, through Executive Orders JBE 16-26 and 16-73, has set forth the conditions for his approval of ITEP contracts, and affirmed that those conditions are in the best interest of the State of Louisiana; and,

WHEREAS, the Executive Orders provide that ITEP contracts should be premised upon job and payroll creation and retention at new or expanded manufacturing plants or establishments; and,

WHEREAS, rules promulgated by the Louisiana Department of Economic Development ("LED") and adopted by BCI mandates parameters for ITEP approval and requires local review and potential action or consent by the relevant Parish Council, School Board and Sheriff; and,

WHEREAS, St. Charles Clean Fuels, LLC is requesting "pre-approval" or support of its ITEP application to BCI which is scheduled for consideration at its next meeting on August 23, 2023; and,

WHEREAS, the proposed project described herein is part of a larger project that, upon completion, is expected to satisfy new job and payroll creation requirements by creating over 200 jobs while generating an estimated \$130 Million in additional Ad Valorem taxes and approximately \$125 Million in additional Sales/Use Taxes to local taxing authorities during the ITEP period; and,

WHEREAS, in addition to satisfying the minimum program requirements, St. Charles Clean Fuels, LLC commits to executing supplemental local performance obligations which will increase employment and procurement opportunities for local residents and businesses, as well as promises to continue productive partnerships with our educational institutions.

**NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL** upon consideration of the foregoing and the public discussion held this day, support the application for Industrial Tax Exemption by St. Charles Clean Fuels, LLC, Project ID: 20230132-ITE.

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be forwarded to St. Charles Clean Fuels, LLC, Louisiana Board of Commerce and Industry, LED, and Governor Edwards.

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

And the resolution was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023, 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: \_\_\_\_\_

2023-0188

**RESOLUTION NO. \_\_\_\_\_**

A resolution appointing a member to the St. Charles Parish Communications District representing the St. Charles Parish Sheriff's Office.

**WHEREAS**, there exists a vacancy on the **ST. CHARLES PARISH COMMUNICATIONS DISTRICT** due to the expiration of the term of Major Donald Smith on August 19, 2023; and,

**WHEREAS**, it is the desire of the Parish Council to fill this vacancy.

**NOW, THEREFORE, BE IT RESOLVED**, that \_\_\_\_\_

is hereby appointed to the **ST. CHARLES PARISH COMMUNICATIONS DISTRICT** representing the St. Charles Parish Sheriff's Office.

**BE IT FURTHER RESOLVED** that said appointment shall be effective **AUGUST 19, 2023** and shall expire **AUGUST 19, 2027**.

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

And the resolution was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023, to become effective five (5) days after publication in the Official Journal.

APPOINT 911.(Sheriff's Office.1).doc

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_



RECEIVED

118

JUN 30 2023

PARISH COUNCIL

GREG CHAMPAGNE  
ST. CHARLES PARISH SHERIFF

260 Judge Edward Dufresne Parkway  
Luling, LA 70070

Telephone (985) 783-1280  
Facsimile (985) 783-1008

June 30, 2023

Attn.: Ms. Michelle Impastato  
Council Secretary  
St. Charles Parish Council  
P.O. Box 302  
Hahnville, LA 70057

Re: St. Charles Parish Communications District Board of Commissioners

Dear Ms. Impastato:

I have received your letter regarding Major Donald Smith's term expiring on August 19, 2023 as one of my representatives.

I have decided to appoint Mrs. Amanda Pertuis, Public Information Officer, to serve as my representative on the Board of Commissioners once Major Smith's term expires.

Please let me know if you need any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Greg Champagne".

Greg Champagne  
Sheriff - St. Charles Parish

CC: Chief Rodney Madere, Jr.  
Major Donald Smith  
Mrs. Amanda Pertuis, PIO

SC1-2023-2536

[www.stcharlessheriff.org](http://www.stcharlessheriff.org)

2023-0189

**RESOLUTION NO. \_\_\_\_\_**

A resolution appointing a member to the St. Charles Parish Communications District representing the St. Charles Parish Firemen's Association.

**WHEREAS**, there exists a vacancy on the **ST. CHARLES PARISH COMMUNICATIONS DISTRICT** due to the expiration of the term of Mr. Oliver Dufrene on August 19, 2023; and,

**WHEREAS**, it is the desire of the Parish Council to fill this vacancy.

**NOW, THEREFORE, BE IT RESOLVED**, that \_\_\_\_\_

is hereby appointed to the **ST. CHARLES PARISH COMMUNICATIONS DISTRICT** representing the St. Charles Parish Firemen's Association.

**BE IT FURTHER RESOLVED** that said appointment shall be effective **AUGUST 19, 2023** and shall expire **AUGUST 19, 2027**.

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

And the resolution was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023, to become effective five (5) days after publication in the Official Journal.

APPOINT 911. (Firemen's Association.1).doc

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_



**ST. CHARLES PARISH FIREMEN'S ASSOCIATION**

**P.O. BOX 733  
HAHNVILLE, LA 70057**



120

---

Ms. Michelle Impastato

Council Secretary

P.O. Box 302

Hahnville, LA 70057

**RECEIVED**

**JUL 14 2023**

**PARISH COUNCIL**

RE: Fire Representative for the 911 Board

Dear Ms. Impastato,

At the July 13, 2023, General Meeting of the St. Charles Parish Firemen's Association, Mr. Oliver Dufrene was elected to serve another 4-year term as the fire service representative on the 911 board.

Please submit his name to council for approval.

If you need any further information, please let me know

Sincerely,

**Dawn Gaubert Landry**  
Secretary/Treasurer SCPFA  
504-782-9815 (Cell)  
dlandry@hvfd.net

---

**Subject:** FW: Resignation letter

**From:** Kenny Wenning Jr <[kennywenning@att.net](mailto:kennywenning@att.net)>

**Sent:** Wednesday, July 12, 2023 10:46 AM

**To:** Sandra Miguez <[smiguez@stcharlesgov.net](mailto:smiguez@stcharlesgov.net)>

**Cc:** Bob Fisher <[bob.fisher@valero.com](mailto:bob.fisher@valero.com)>

**Subject:** Re: Resignation letter

This email is to notify all that I will be resigning from the 911 board affective July 17th, 2023.

If you have any questions please let me know.

Fire Chief Kenny Wenning Jr.

Norco Area Vol. Fire Dept.

Cell - (504)234-2806

Office - (985)764-9621

Fax - (985)764-9619



2023-0191

**RESOLUTION NO. \_\_\_\_\_**

A resolution appointing a member to the St. Charles Parish Communications District representing the St. Charles Parish Council.

**WHEREAS**, there exists a vacancy on the **ST. CHARLES PARISH COMMUNICATIONS DISTRICT** due to the resignation of Mr. Kenny Wenning, Jr. on July 17, 2023; and,

**WHEREAS**, it is the desire of the Parish Council to fill this vacancy.

**NOW, THEREFORE, BE IT RESOLVED**, that \_\_\_\_\_

is hereby appointed to fill the unexpired term on the **ST. CHARLES PARISH COMMUNICATIONS DISTRICT** representing the St. Charles Parish Council.

**BE IT FURTHER RESOLVED** that said appointment shall be effective **IMMEDIATELY** and shall expire **AUGUST 19, 2026**.

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

And the resolution was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023, to become effective five (5) days after publication in the Official Journal.

APPOINT 911 (unexpired)

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_