



# Staff Report

## Right of Way Dedication

Case #: ROW-2019-07-00009

### Attachments:

Staff Report, Photos, As Built Plans, Draft Maintenance Bond/Letter of Credit, Design Engineer Letter, Final review letters (water/sewer/streets/drainage), Zoning Map, Aerial Map

Planning Commission Public Hearing: Thursday, August 1, 2019

City Council Introduction: Tuesday, July 14, 2020

City Council Final: Tuesday, July 28, 2020

### City Council Request (Ordinance):

Introduction of an ordinance to accept completion of work on the Commerce Street improvements and cul-de-sac, to release performance bond/letter of credit in the amount of \$287,935.00, and acceptance of 2-year maintenance bond in the amount of \$28,793.50 in accordance with as built plans by Wm. J. Bodin Jr. dated 6/17/2020 (Case#ROW-2019-07-00009)

### Site Information:

**Location (Address):** 400 Windrush Dr

**Council District:** City Council District 3

**Existing Zoning:** CH&RM-3

**Future Land Use:** Commercial

**Existing Land Use:** Commercial and Multi family

### Site Description:

Commerce Street (city owned approx. 300' & east portion is private) fronts on S. Morrison Blvd. Several commercial businesses are located on this street with no turn around access.

### Adjacent Land Use and Zoning:

<u>Direction:</u>	<u>Land Use/Zoning:</u>
North	Commercial/CH
South	Commercial/CH
West	S. Morrison Blvd
East	Apartments/RM-3

### Additional Information:

7/17/1984: City Council accepted the dedication of Commerce St by Ord#1077 (50'x300') being the west portion of the street.  
11/17/1987: City abandon the east portion of Commerce St by Ord#2033 (50'x478'), keeping the first 300' of Commerce St as public. Ownership of the east portion of right of way goes to center of said right of way, and is owned by all adjacent property owners, which have signed a dedication statement.  
Private portion (east) of the street is to be improved, adding cul-de-sac, and drainage improvements, then dedicated to the City. DOTD reviewed and traffic study not required.  
Cul-de-sac will allow traffic to turn around on Commerce St

### Ordinance to Read:

WHEREAS, on Feb. 27, 2020 the Hammond City Council passed Ordinance#20-5607 to accept final construction plans for the east portion of Commerce Street improvements, accept dedication of the east portion of Commerce Street and Cul-de-Sac, and accept a 1-year performance bond/letter of credit in the amount of \$287,935 in accordance with plans by Wm. J. Bodin Jr.

BE IT ORDAINED by the Hammond City Council that the City:

- 1) accepts the completion of work on the Commerce Street improvements & cul-de-sac, and
- 2) releases a performance bond/letter of credit in the amount of \$287,935, and
- 2) accepts a 2-year maintenance bond in the amount of \$28,793.50 in accordance with as built plans by Wm. J. Bodin Jr. dated 6/17/2020 (Case#ROW-2019-07-00009)

AS-BUILT PLANS FOR:  
**COMMERCE ST. IMPROVEMENTS**

LARRY, DUANE AND GLENDA TYCER  
COMMERCE STREET  
HAMMOND, LOUISIANA 70403

PREPARED FOR:  
LARRY, DUANE AND GLENDA TYCER  
TICKFAW, LOUISIANA 70466

JUNE 17TH, 2020

PREPARED BY:  
**BODIN & WEBB, INC.**  
CONSULTING ENGINEERS  
AND LAND SURVEYORS  
FILE NO. 18310  
PROJECT NO. 1906



VICINITY MAP  
SCALE: 1"=400'

INDEX OF SHEETS

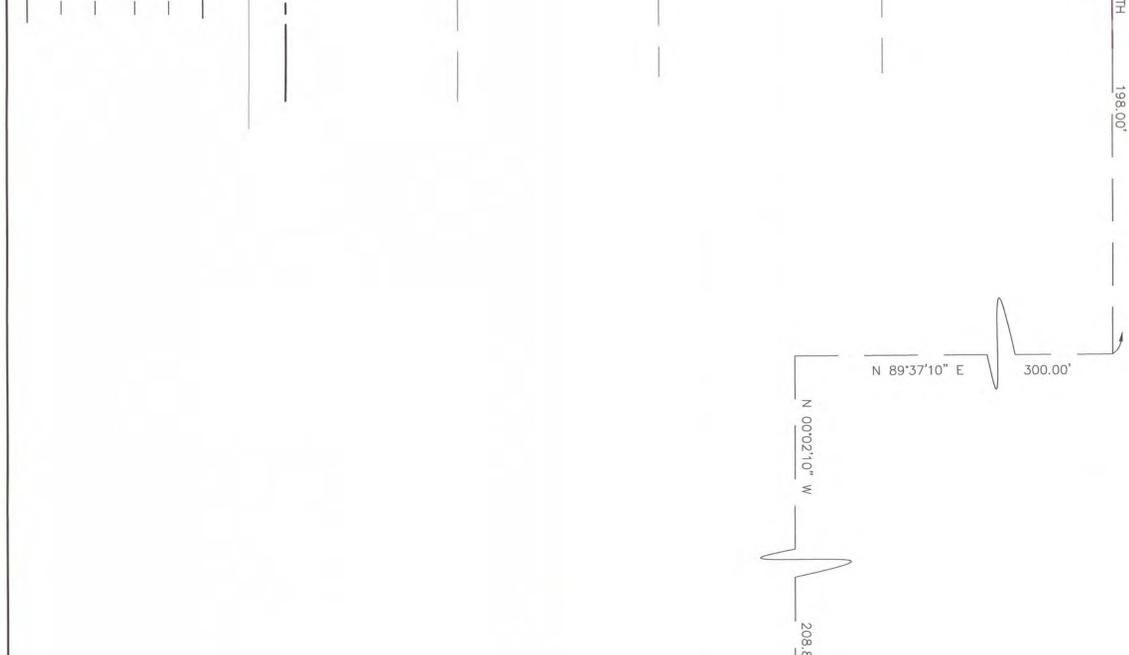
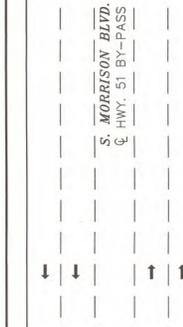
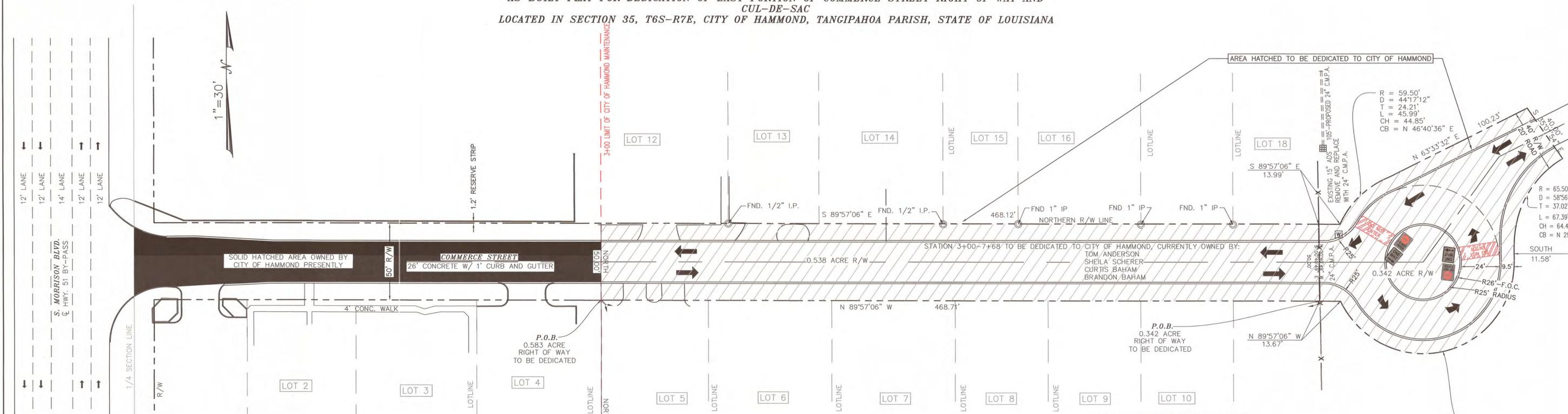
1	TITLE SHEET
2	FINAL PLAT
3	STREET AND DRAINAGE PLAN
4	SEWER PLAN

MANDATORY:  
CONTRACTOR MUST CALL ONE CALL (811) BEFORE DIGGING!



*William J. Bodin, Jr.* 6/17/20  
WILLIAM J. BODIN, JR. C.E., P.L.S.  
LA. REG. NO. 8193 & 4253 DATE

AS-BUILT PLAT FOR DEDICATION OF EAST PORTION OF COMMERCE STREET RIGHT OF WAY AND CUL-DE-SAC LOCATED IN SECTION 35, T6S-R7E, CITY OF HAMMOND, TANGIPAHOA PARISH, STATE OF LOUISIANA



NAME OF SUBDIVISION OR DEVELOPMENT	DEDICATION OF EAST PORTION OF COMMERCE STREET RIGHT OF WAY & CUL-DE-SAC
NAME OF PROPERTY OWNERS AND ADDRESSES	LARRY L. TYCER - 49171 G.F. TYCER LANE - TICKFAW, LOUISIANA 70466 DWAIN C. TYCER - 49171 G.F. TYCER LANE - TICKFAW, LOUISIANA 70466 GLENDA T. WHITAKER - 49171 G.F. TYCER LANE - TICKFAW, LOUISIANA 70466 TOM ANDERSON - 706 E. CHARLES ST. - HAMMOND, LOUISIANA 70401 SHEILA MICKEY A. SCHERER - 809 W. DAKOTA ST. - HAMMOND, LOUISIANA 70401 CURTIS BAHAM - 18580 AMEN CORNER - BATON ROUGE, LOUISIANA 70810 BRANDON BAHAM - C/O CURTIS BAHAM - 18580 AMEN CORNER - BATON ROUGE, LOUISIANA 70810
NAME OF DEVELOPERS	LARRY AND DWAIN TYCER AND GLENDA T. WHITAKER - THE TYCER HEIRS.
ADDRESS OF DEVELOPERS	41971 G.F. TYCER LANE - TICKFAW, LOUISIANA 70466

**DESCRIPTION OF 0.538 ACRE R/W**  
 A 0.538 ACRE RIGHT OF WAY, LOCATED IN SECTION 35, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE 1/4 CORNER ON THE WEST SIDE OF SECTION 35, T6S-R7E, THENCE PROCEED 208.84' N 00°21'57" W, 300.00' N 89°37'10" E AND 198.00' NORTH, TO THE POINT OF BEGINNING; THENCE NORTH A DISTANCE OF 50.00 FEET; THENCE S 89°57'06" E A DISTANCE OF 468.12 FEET; THENCE S 00°40'49" E A DISTANCE OF 50.00 FEET; THENCE N 89°57'06" W A DISTANCE OF 468.71 FEET; BACK TO THE POINT OF BEGINNING CONTAINING 0.538 ACRES, ALL LOCATED IN SECTION 35, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA. THIS DESCRIPTION IS BASED ON THE BOUNDARY SURVEY AND PLAT MADE BY WILLIAM J. BODIN, JR. PROFESSIONAL LAND SURVEY, DATED MARCH 27, 2018.

**DESCRIPTION OF 0.342 ACRE R/W**  
 A 0.342 ACRE RIGHT OF WAY, LOCATED IN SECTION 35, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE 1/4 CORNER ON THE WEST SIDE OF SECTION 35, T6S-R7E, THENCE PROCEED 208.84' N 00°21'57" W, 300.00' N 89°37'10" E, 198.00' NORTH AND 468.71' N 89°37'10" E TO THE POINT OF BEGINNING; THENCE N 00°40'49" W A DISTANCE OF 50.00 FEET; THENCE S 89°57'06" E A DISTANCE OF 13.99 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 59.50', A LENGTH OF 44.85', A CHORD DISTANCE OF 44.85', AND A CHORD BEARING OF N 46°40'36" E; THENCE N 63°33'32" E A DISTANCE OF 100.23 FEET; THENCE S 35°01'54" E A DISTANCE OF 40.00 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 65.50', A LENGTH OF 67.39', A CHORD DISTANCE OF 64.45' AND A CHORD BEARING OF S 29°28'24" E; THENCE SOUTH A DISTANCE OF 11.58 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 59.50', A LENGTH OF 160.46', A CHORD DISTANCE OF 116.16' AND A CHORD BEARING OF S 77°34'55" W; THENCE N 89°57'06" W A DISTANCE OF 13.67 FEET; BACK TO THE POINT OF BEGINNING CONTAINING 0.342 ACRES, ALL LOCATED IN SECTION 35, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA. THIS DESCRIPTION IS BASED ON THE BOUNDARY SURVEY AND PLAT MADE BY WILLIAM J. BODIN, JR. PROFESSIONAL LAND SURVEY, DATED MARCH 27, 2018.

- LEGEND:**
- = 1" IRON PIPE SET
  - ⊕ = FOUND CORNER
  - ⊕ = PHONE PED
  - ⊕ = POWER POLE
  - ⊕ = ANCHOR
  - ⊕ = WATER METER
  - ⊕ = SEWER CLEAN OUT
  - ⊕ = FIRE HYDRANT
  - ⊕ = LIGHT POLE
  - ⊕ = PINE TREE
  - ⊕ = FIBER OPTICS

PUBLIC UTILITIES ARE TO BE EXTENDED AT OWNER'S/DEVELOPER'S COST.

**DESIGN ENGINEERS CERTIFICATION AND SEAL**  
 I hereby certify this legal description is true and correct and the plat is in accordance with the provisions of the Louisiana Revised Statutes governing same.

Signature	Date
PLANNING COMMISSION REVIEW PRELIMINARY & FINAL DEVELOPMENT WITH PROCEDURE "A" (WITH BOND) - PROCEDURE "B" (WITHOUT BOND)	AMOUNT \$
PROOF OF BOND: AGENT	DATE
FINAL APPROVAL (OFFICIAL SUBMITTAL DATE)	DATE
SIGNATURE OF APPROVAL OF FINAL PLANS BY COMMISSION CHAIRMAN	DATE
COMMISSION CHAIRMAN SIGNATURE	DATE
PROOF OF PERFORMANCE BOND	DATE SUBMITTED AND APPROVED

**ACCEPTANCE OF PLANNING COMMISSION APPROVAL OF FINAL PLANS (NOT DEDICATION OF IMPROVEMENTS)**

OWNER/DEVELOPER	DATE
DESIGN ENGINEER	DATE
REVIEW ENGINEER	DATE
CITY PLANNER	DATE
BOND ACCEPTANCE	DATE
CITY ATTORNEY	DATE
CITY COUNCIL PRESIDENT	DATE

NOT ACCEPTANCE OF DEDICATIONS

**OFFER OF DEDICATION BY OWNER/DEVELOPER**  
 I hereby offer for dedication to the City of Hammond use of roads, easements, parks and required utilities as shown on this subdivision plat, and construction plans, specifications and restrictions as approved on (date) by the Hammond Planning Commission and Designated as DEDICATION OF EAST PORTION OF COMMERCE STREET RIGHT OF WAY & CUL-DE-SAC.

Owner/developer	DATE
	DATE

**ACCEPTANCE BY THE CITY OF OFFER TO DEDICATE**  
 The City of Hammond hereby accepts the dedication of roads, easements, parks and required utilities in (name of subdivision) subdivision. This acceptance is subject to final acceptance of construction by the City and posting of the required one year maintenance bond, if any, by the owner/developer.

ACCEPTANCE (signature where applicable)

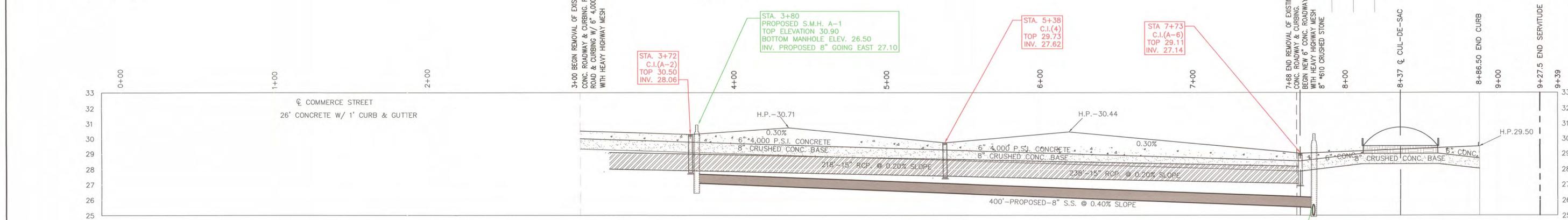
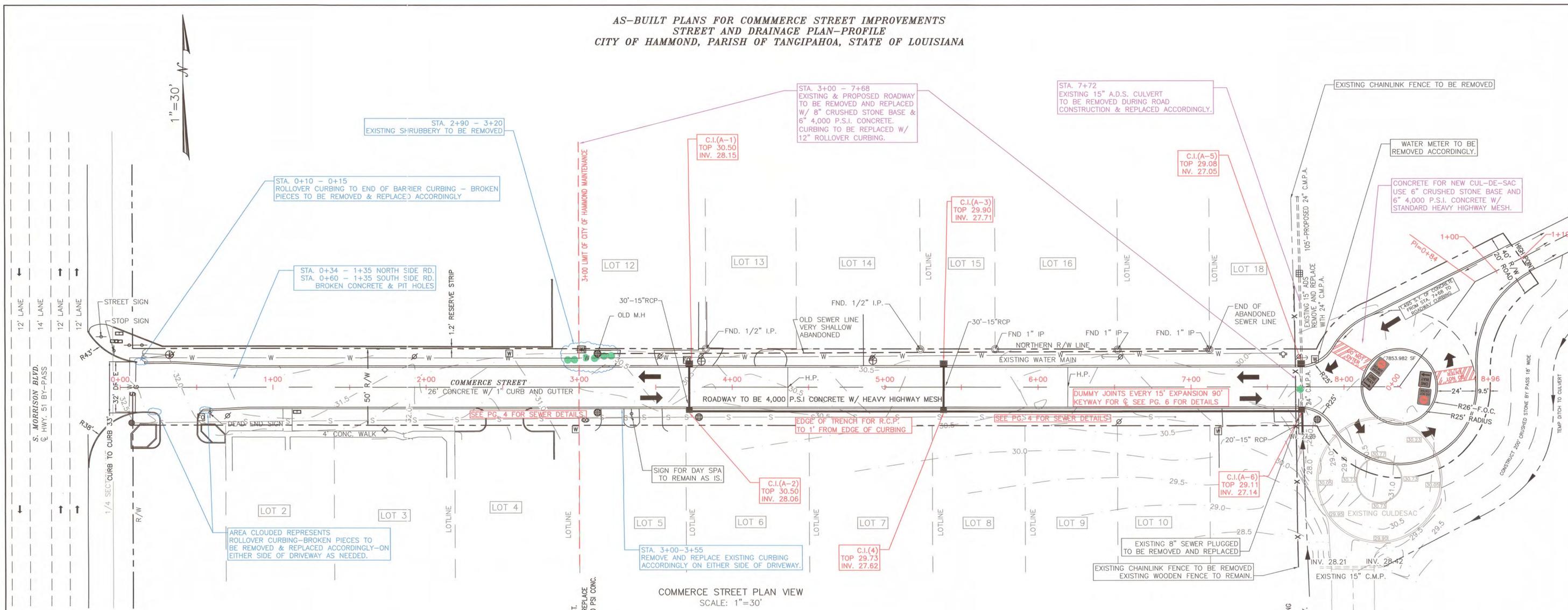
STREETS & LIGHTING	DATE
WATER	DATE
SEWER	DATE
DRAINAGE	DATE
CITY PLANNER	DATE
CITY ATTORNEY	DATE
CITY COUNCIL PRESIDENT	DATE
RECORDING	DATE
RECORDED BY	DATE

**MANDATORY:**  
 CONTRACTOR MUST CALL ONE CALL (811) BEFORE DIGGING!

DESIGNED: W.J.B.		DATE: 03-27-19		PROJECT NO. 1906	
DRAWN: R.K.L.		SCALE: 1"=30'			SHEET NO. 2 OF 4
CHECKED: W.J.B.					
APPROVED: W.J.B.					



**AS-BUILT PLANS FOR COMMERCE STREET IMPROVEMENTS  
STREET AND DRAINAGE PLAN-PROFILE  
CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA**



- LEGEND:**
- = 1" IRON PIPE SET
  - ⊙ = FOUND CORNER
  - ⊕ = PHONE PED
  - ⊖ = POWER POLE
  - ⊙ = ANCHOR
  - ⊖ = WATER METER
  - ⊙ = SEWER CLEAN OUT
  - ⊕ = FIRE HYDRANT
  - ⊙ = LIGHT POLE
  - ⊙ = PINE TREE
  - ⊙ = FIBER OPTICS
  - ⊙ = SIGN
  - = WATER FLOW ARROW
- GENERAL NOTES:**
- 1.) INITIAL 300' OF COMMERCE STREET OWNED AND MAINTAINED BY THE CITY OF HAMMOND'S MAINTENANCE DEPARTMENT.
  - 2.) ALL DRAINAGE PIPE AND SEWER PIPE TO BE BACKFILLED AND COMPACTED WITH SAND.
  - 3.) EDGE OF TRENCH FOR 15" R.C.P. TO BE 1' FROM BACK OF CURBING.
  - 4.) CONTRACTOR TO SWEEP ROAD CLEAN BEFORE CONSTRUCTION - NO BASE PAY.
  - 5.) CONCRETE ROADWAY TO HAVE DUMMY JOINTS EVERY 15' AND EXPANSION JOINTS EVERY 90'

#	DATE	REVISION	BY	#	DATE	REVISION	BY
(1)	10-17-19	(1) CHANGE ALL NEW CMP PIPE TO RCP PIPE (2) CHANGE CRUSHED STONE TO CRUSHED CONCRETE BASE	W.J.B	(3)	6-16-20	(3) MOVED CATCH BASINS TO WHERE THEY ACTUALLY ARE INSTALLED	W.J.B
(2)	3-10-20	(2) MOVED CATCH BASIN OUT OF DRIVEWAY ON EACH SIDE OF STREET 45'	W.J.B	(4)	6-16-20	(3) FIXED STREET PROFILE TO MATCH AS BUILT IN FIELD	W.J.B

**BODIN AND WEBB, INC.**  
CONSULTING ENGINEERS  
1024 S. CYPRESS  
HAMMOND, LOUISIANA 70403  
PH# (985) 345-3947 FAX# (985) 345-0213

**DUANE, LARRY & GLENDA TYCER**  
OWNER  
ADDRESS  
CITY STATE  
OWNER

DESIGNED: W.J.B. DATE: 03-27-19  
DRAWN: R.K.L.  
CHECKED: W.J.B. SCALE: 1"=30'  
APPROVED: W.J.B.

**STREET AND DRAINAGE PLAN-PROFILE**  
CITY OF HAMMOND, LOUISIANA

PROJECT NO. 1906  
SHEET NO. 3 OF 4

STATE OF LOUISIANA  
Professional Engineer  
Wm. J. Bodin, Jr.  
WILLIAM J. BODIN, JR. C.E., P.L.S.  
A. REG. NO. 8193 & 4253  
DATE: 3/23/20



**Bodin and Webb, Inc.**  
Consulting Engineers and Land Surveyors



William J. Bodin, Jr.  
Reg. Civil Engineer  
Reg. Land Surveyor

Max Bodin  
Reg. Civil Engineer  
Reg. Land Surveyor

June 23, 2020

Tracie Schillace  
City of Hammond  
Planning Coordinator

RE: Commerce St.  
Reconstruction

Dear Tracie,

The Commerce Street reconstruction is complete. The work has been performed in general conformance to the plans and specifications as approved by your department.

As built plans, testing lab report and pictures taken during construction have already been submitted to your office. All test results of base compaction and concrete strengths are very good. No sign of failures anywhere. May we receive a notice of acceptance from the City.

If you have any questions please contact my office.

Very truly yours,

Wm. J. Bodin, Jr.

WJB/anp  
cc: Larry Tycer



**City of Hammond**  
**Street Department**  
**Robert Morgan, Superintendent**

**Pete Panepinto, Mayor**

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**P.O. Box 2788 Hammond, LA 70404-2788 \* PH (985) 277-5955 \* FAX (985) 277-5958**

June 23, 2020

Tracie Schillace  
City of Hammond  
Planning & Zoning  
219 E. Robert St.  
Hammond, LA 70401

RE: Commerce St. (Road & Drainage)

Dear Ms. Schillace:

I am writing to inform you that I do not see any issues with the drainage nor with the road on Commerce St. Both the road and drainage Inspections passed.

Sincerely,

**Robert Morgan**

Robert Morgan  
Street Superintendent  
City of Hammond



City of Hammond  
Water & Sewer Department  
Guy Palermo, Superintendent

Pete Panepinto  
Mayor

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P.O. Box 2788 Hammond, LA 70704-2788 • PH (985) 277-5962 • FAX (985) 277-5959

June 24, 2020

Tracie Schillace, CFM  
Planning Coordinator  
City of Hammond  
219 E. Robert St.  
Hammond, LA 70401

RE: Commerce Street

I am writing to inform you that the Sewer Line was Good and No Problems were found. The Sewer passed all Inspections and All Clean Outs were installed properly with markers behind them.

If you need any further information, do not hesitate to call me at 985-969-7169.

Sincerely,  


Guy Palermo,  
Superintendent



Tracie Schillace &lt;schillace\_tc@hammond.org&gt;

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**RE: Follow up**

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**Chuck Spangler** <chuck@spanglerengineering.com>

Thu, Jul 2, 2020 at 4:47 PM

To: Tracie Schillace &lt;schillace\_tc@hammond.org&gt;, Webb Anderson &lt;webb@spanglerengineering.com&gt;, Cyril Gaiennie &lt;gaiennie\_cc@hammond.org&gt;, Robert Morgan &lt;morgan\_rm@hammond.org&gt;, Guy Palermo &lt;palermo\_gl@hammond.org&gt;

**Commerce Street;** Dameron drainage; Cypress Crossing **are okay as revised/completed.**

I'll let you know about Courtney Christian

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**From:** Tracie Schillace <schillace\_tc@hammond.org>**Sent:** Thursday, July 2, 2020 3:52 PM**To:** Chuck Spangler <chuck@spanglerengineering.com>; Webb Anderson <webb@spanglerengineering.com>; Cyril Gaiennie <gaiennie\_cc@hammond.org>; Robert Morgan <morgan\_rm@hammond.org>; Guy Palermo <palermo\_gl@hammond.org>**Subject:** Follow up

Chuck,

Wanted to follow up on the following project reviews:

- 1) Commerce Street
- 2) Dameron revised drainage plan
- 3) Cypress Crossing revised drainage
- 4) Courtney Christian School (just received today, not expecting a review this soon)

If you need anything from me please let me know.

Thanks,

Tracie Schillace, CFM

Planning Coordinator

[City of Hammond](#)

[219 E. Robert St.](#)

[Hammond, LA 70401](#)

[985-277-5652](#)

MAINTENANCE BOND  
TO SECURE CONDITION OF IMPROVEMENTS

That Tycer Heirs Separate Property, LLC, a limited liability company organized under the laws of the State of Louisiana and represented herein by its own members/managers, Dwain C. Tycer, Larry Lee Tycer and Glenda Tycer Whitaker (hereinafter called Principal) and The First, a National Banking Association represented herein by Ronnie Fugarino, Executive Vice-President of the Louisiana Region with a mailing address of 1300 West Morris Avenue, Hammond, Louisiana 70403, as Surety (hereinafter called Surety), are held and firmly bound unto the City of Hammond, Louisiana as obligee (hereinafter called City), for the use and benefit of the City in the amount of Twenty-Eight Thousand Seven Hundred Ninety Three and 50/100 Dollars (\$28,793.50) which is evidenced by an Irrevocable Stand By Letter of Credit issued on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 with an expiration date of July 24, 2022 for the account of Tycer Heirs Separate Property, LLC in favor of the City of Hammond, as Beneficiary which Letter of Credit in favor of the City of Hammond, Louisiana is available by the City at site drawn on The First, ANBA for the Guaranty of the condition of the work hereinafter described for a period of two (2) years after acceptance of the dedication of the work by the City against all defects of the work which may become apparent during said period. The Principal and Surety hereby bind themselves, their heirs, executors, administrators, successors and assigns, jointly and *in solido* for the amount of the Bond herein set forth.

**WHEREAS**, THE Principal has constructed or has caused to be constructed certain improvements in accordance with its contract with Venable Construction Company, Inc., a Louisiana Corporation domiciled in Church Point, Louisiana dated the \_\_\_\_\_ day of \_\_\_\_\_, 2020 under plans and specifications prepared by William J. Bodin, Jr., CE dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, (the "Work") and Principal has requested that the City accept the dedication of the Work; and

**WHEREAS**, Hammond United Development Code, Section 3.2.2 requires Principal to furnish a bond to guarantee the condition of the Work for a period of two (2) years after acceptance of the dedication of the Work by the City against all defects in the Work which may become apparent during said period.

**NOW, THEREFORE**, THE CONDITION OF THIS OBLIGATION IS SUCH that, if the Principal shall indemnify the City for all loss that the City may sustain by reason of any defective workmanship in the Work which becomes apparent during the period of two (2) years from the \_\_\_\_\_ day of \_\_\_\_\_, 2020, then this obligation shall be null and void; otherwise it shall be and remain in full force and effect.

Signed and dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020 in the presence of the undersigned competent witnesses.

**WTINESSES:**

\_\_\_\_\_  
Print Name \_\_\_\_\_

Tycer Heirs Separate Property, LLC

\_\_\_\_\_  
Print Name \_\_\_\_\_

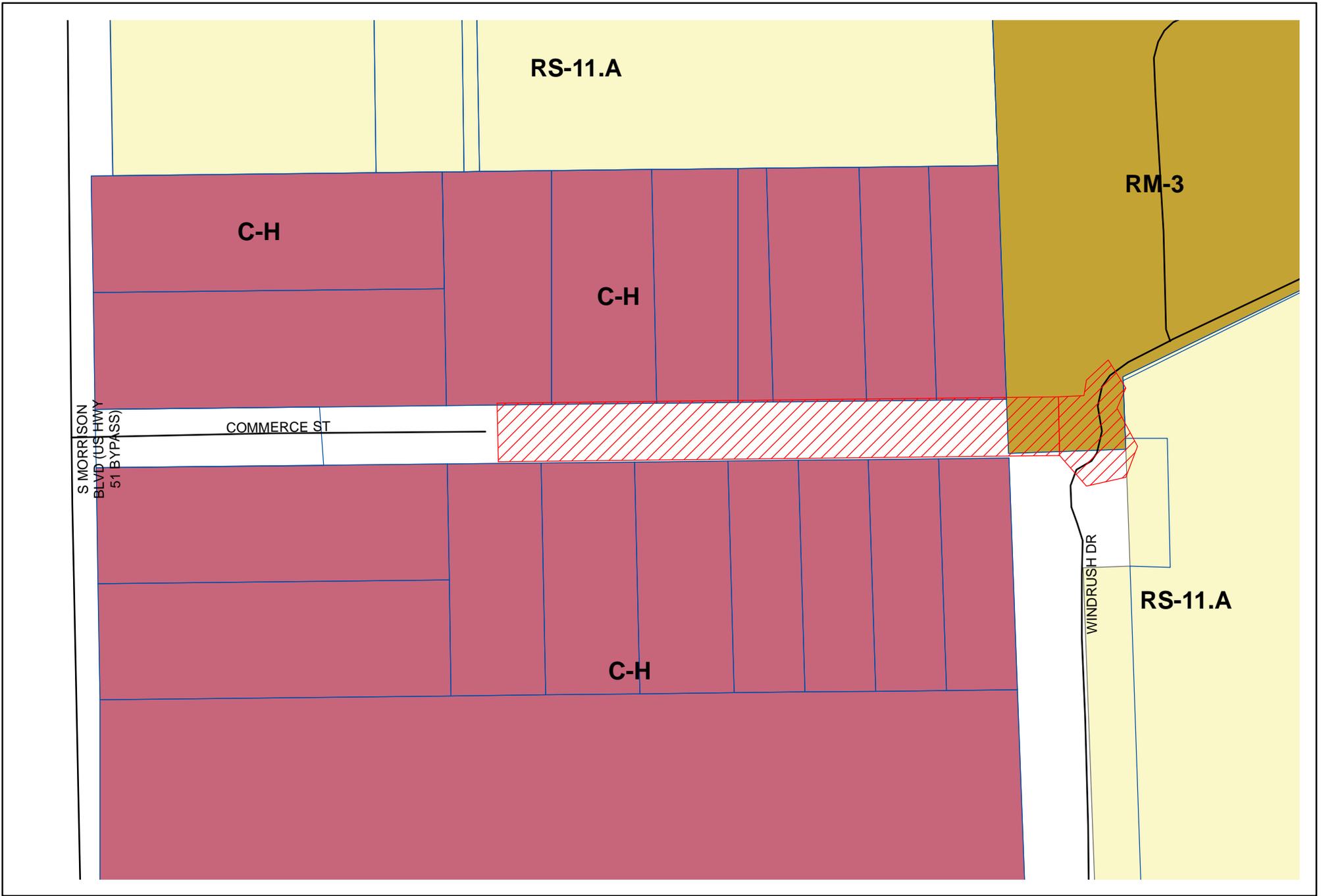
\_\_\_\_\_  
By: Dwain C. Tycer, Member/Manager

\_\_\_\_\_  
By: Glenda T. Whitaker, Member/Manager

\_\_\_\_\_  
By: Larry Lee Tycer, Member/Manager

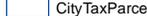
The First, ANBA

\_\_\_\_\_  
Ronnie Fugarino,  
Executive Vice-President of Louisiana Region



ROW-2019-07-00009  
 Commerce Street Improvements, New Cul-de-sac, and Dedication of Right of Way

**Legend**

-  Case Parcel
-  City Tax Parcels



ROW-2019-07-00009  
Commerce Street Improvements, New Cul-de-sac, and Dedication of Right of Way

**Legend**

-  Case Parcel
-  CityTaxParcels