



## Department of Planning & Zoning Staff Report – Special Permit Use Case No. 2025-4-SPU

### APPLICATION INFORMATION

- **Applicant / Property Owner**

Khawaja Omer  
63 Emile Ave  
Kenner, LA 70065

Mike Nabut  
Nabut Brothers, LLC  
P.O. Box 1045  
Hahnville, LA 70057

- **Request**

Expansion of automobile sales on a designated highway in C-2 zoning

### SITE INFORMATION

- **Location:** Lot 1-A, Autin Subdivision; 16830 Hwy 90, Des Allemands

- **Size of Site:** 19,981.79 sq. ft. (0.46 acres)

- **Current Zoning and Land Use**

C-2, General Commercial District; A used car sales lot is permitted within the area shown as Lot 1 of what is now Lot 1-A (2024-5-SPU). This request would permit its expansion into those areas shown as Lots B and C.

- **Surrounding Zoning and Land Use**

R-1A(M) is adjacent to each side and to the rear; R-1A is located across Highway 90. Surrounding land uses consist of single family dwellings.

- **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.*

*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).*

The portion of Lot 1A previously approved for a car sales lot and developed with an office and parking area is designated *Commercial*. The expansion area is designated *Low-to-Moderate Residential*.

- **Flood Zone & Minimum Building Elevation**

1992 Flood Insurance Rate Map: X Zone  
2013 Digital Flood Insurance Rate Map: AE +5

- **Traffic Access**

This site is a corner lot with frontage on Highway 90, a major arterial road, and Autin Lane, a local residential street. Existing driveways provide access from each road.

Highway 90 is designed to accommodate higher traffic volumes and heavier vehicle use, making it a more appropriate access point for commercial activity. Autin Lane, by contrast, is a narrower local street serving primarily residential traffic. Continued use of the existing driveway on Autin Lane should remain limited to internal circulation to avoid unnecessary traffic concerns.

▪ **Utilities**

Per Parish GIS, drainage, gravity sewer, and water facilities are available along Highway 90.

The expanded parking/vehicle inventory area is subject to a Drainage Impact Analysis for review by the Department of Public Works to ensure proper procedure is taken to detain any additional storm water runoff as part of this development. This would occur during the standard permitting process. Representatives from Public Works, Waterworks, and Wastewater have no objection to this Special Permit Use request.

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

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

1. Use Regulations:

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

- (1) All uses allowed in C-1 District.
- (2) Retail sales (except auto and mobile home sales), usage, and storage
- (3) Hotels, motels and apartment hotels
- (4) [Repealed by Ord. No. 92-9-14, 9-8-92.]
- (5) Restaurants (including drive-in restaurants) and cafeterias. Specific land use requirements for restaurants serving alcoholic beverages are contained in subsection III.59. of these regulations, with further details contained within Chapter 3 of the St. Charles Parish Code of Ordinances.
- (6) Animal hospitals where all animals are kept inside the building
- (7) Service station
- (8) Commercial recreation facilities
- (9) Commercial greenhouses and nurseries
- (10) Commercial schools
- (11) Shops not to exceed two thousand five hundred (2,500) square feet of floor area for the repair and servicing of the following:  
bicycles  
radios  
televisions  
stereos and recorders  
household appliances  
locksmith  
typewriters  
other similar uses
- (12) Shops not to exceed two thousand five hundred (2,500) square feet of floor area may also include the following uses:  
dressmakers  
millinery  
tailors  
baking goods sales  
laundry and dry cleaners  
theatres (but not the drive-in type)
- (13) Laboratories
- (14) Customary accessory uses incidental to the above uses when located on the same lot
- (15) Funeral homes (provided that a petition of no objection signed by a majority of property owners within a three hundred foot radius of the site and one hundred (100) percent of the property owners on the same street within the same block be filed with the Planning Zoning Department
- (16) Cemeteries and mausoleums, provided however that such uses shall be located on sites of at least twenty (20) acres, all graves shall be set back at least fifty (50) feet from all property lines, shall have a minimum street frontage of one hundred (100) feet and a fence or screen planting six (6) feet high shall be provided along all property lines adjoining all districts.
- (17) Other uses of similar intensity.
- (18) Mini-storage facilities (limited to one-story construction in C-2 district).
- (19) Historic home site bed and breakfast.

b. Special exception uses and structures include the following:

- (1) Dwelling units contained within the office building
- (2) Reserved
- (3) Reserved
- (4) Churches
- (5) Movie theaters
- (6) Temporary on-site construction buildings for a period of one (1) year upon approval of the Planning Director.

c. Special permit uses and structures include the following:

- (1) R-1A and R-1B uses upon review and approval by the Planning Commission.

- (2) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
  - (3) Office buildings for gaming operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
  - (4) **Automobile sales and minor automotive repair. Automobile sales and service on designated federal and state highways; body repair activities being strictly prohibited in the C-2 zoning district.**
  - (5) Heating and air conditioning service.
  - (6) Sheet metal shops
  - (7) Plumbing shops.
  - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
  - (9) Bingo halls, video bingo parlors, and off-track betting establishments upon review of the planning commission and ordinance of the St. Charles Parish Council.
2. Spatial Requirements:
    - a. Minimum lot size: Six thousand (6,000) square feet, minimum width - sixty (60) feet.
    - b. Minimum yard sizes:
      - (1) Front - twenty (20) feet
      - (2) Side - five (5) feet
      - (3) Rear - ten (10) feet.
      - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
  3. Transportation Requirements: Arterial
  4. Special Provisions:
    - a. Where any commercial use in a C-2 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.

**Appendix A. Section IV.**

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

<b>SPU CRITERIA COMPLIANCE</b>
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The proposal meets the criteria as follows:

1. *Compliance with the current St. Charles Parish Comprehensive Plan.*

The footprint of the initial car sales lot as approved under 2024-5-SPU is designated *Commercial* on the Comprehensive Plan's Future Land Use Map. The applicant is proposing to expand the business into the adjacent undeveloped area of Lot 1-A which is designated *Low-to-Moderate Density Residential*.

This residential designation primarily anticipates residential development; however, it does allow for limited neighborhood-serving commercial uses, such as small-scale retail, services, or offices, when located in appropriate areas like transportation corridors or intersections. Given its frontage along Highway 90, a major transportation corridor, and the adjacent site's C-2 zoning, the proposed expansion may be considered consistent with the limited commercial allowances under this land use 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.*

This request would expand on a commercial site zoned C-2 since 1981 and developed for commercial purposes for some time. While the presence of residential uses on each side could raise questions regarding compatibility, this expansion extends commercial development further along Highway 90 instead of deeper into the surrounding residential district. With Highway 90 being a major traffic corridor, some level of commercial development is expected and appropriate. Additionally, the expansion improves the ability to meet design requirements addressing parking, vehicular circulation, and landscaping, which should mitigate impact on surrounding residential sites. **Complies**

3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.*

The submitted site plan proposes a new parking lot for vehicle inventory measuring approximately 35'x80' and includes ten (10) parking stalls, each measuring 8.5'x19'. Access is provided through the existing parking lot, with a drive aisle measuring 16 feet wide. A 10 foot wide landscaped buffer area is shown but currently does not extend the full length of the required buffer zone. A 12'x50'x15' loading and unloading area is also shown on the site plan located within the ingress/egress access driveway on Highway 90 right-of-way.

The Department of Planning & Zoning has also created an alternate site plan. This plan includes:

- Parking stalls measured at 8.5'x15' on Autin Street side and 8.5'x34' on Murphy Lane side
- 4 to 6 inch wide and 8 inch high curbs along the exterior of the new parking lot to prevent vehicles from being parked in grass
- Drive aisle measured at 24 feet wide
- A full 10-foot landscape buffer along Murphy Lane, wrapping around to Highway 90
- A total of 33 inventory parking spaces
- Additional four parking stalls for customers and employees
- A loading and unloading area measuring at 15'x70'x25' located within the ingress/egress access driveway off Highway 90

In accordance with Appendix A, Section VIII(B)(4), parking spaces must open directly onto a drive aisle that connects to a public street, allowing ingress/egress without moving other vehicles. The applicant's submitted site plan demonstrates non-stacked parking, while the alternate site plan from the Department of Planning and Zoning shows 13 rows of stacked parking spaces accommodating 26 vehicles (2 vehicles per row). Allowing stacked parking will deter inventory from accumulating within drive aisles to ensure proper vehicle circulation. Parking within the 24-foot-wide drive aisle is prohibited at all times. The Department recommends considering a 9' width for parking stalls along the Autin Street side to allow customers more access to view inventory vehicles. This deviation will reduce the total number of parking stalls to 10 on that side of the existing parking lot.

The applicant is currently loading and unloading vehicles on the side of Highway 90, the Department recommends allowing a loading/unloading area within the access driveway even though it would not comply with site design requirements [Appendix A, Section VIII(H)(5)], as it would offer a safer alternative. Both stacked parking and the recommended loading/unloading area cannot be approved without a waiver.

Staff also recommend striping the new parking area to clearly delineate parking spaces and drive aisles, ensuring compliance with site design requirements. **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.*

The C-2 zoning district permits a range of uses by right, including restaurants, offices, retail stores, and gas stations. All of which typically generate more traffic and have longer hours of operation than a used car lot. Expansion of the existing used car lot is unlikely to produce impacts exceeding those expected from permitted uses in this district. **Complies**

5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.*

The proposed new parking lot will have to complete a Drainage Impact Analysis for review by the Department of Public Works as part of the standard permitting process. This ensures proper

procedure is taken to detain any additional storm water runoff as part of this development.  
**Complies**

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.* No improvements are proposed affecting the existing building footprint. The current building does not meet C-2 zoning setback guidelines for the side yard and Autin Lane front side yard. **Complies**
  - b. *Ingress and egress to property.* Access to the proposed parking area is provided through the existing parking lot. The site currently has established access through the 19 foot wide driveway that connects to Highway 90. **Complies**
  - c. *Parking and loading areas.* The applicant proposes to expand the existing car lot by adding a new vehicle inventory parking area on the newly incorporated portion of Lot 1-A. Staff recommends incorporating the provided site plan as it improves compliance. **Complies**
  - d. *Location of garbage facilities.* **N/A**
  - e. *Landscaping, buffering, and screening.* At least 10% of the subject site must be landscaped, including a 10-foot planted buffer along the Murphy Lane side and 5-foot planted strip along Highway 90. These features are shown on the site plan produced by the Department. **Complies**
  - f. *Signage.* Signage is not proposed as part of this request. Any future signage would be reviewed as part of a separate sign permit application. **N/A**
  - g. *Height and bulk of structures.* No new buildings proposed in this request. **N/A**
  - h. *Location and direction of site lighting.* No changes to existing site lighting proposed. **N/A**

## **ANALYSIS**

The applicant requests a Special Permit Use to expand an existing automobile sales lot onto an adjacent commercially zoned property at 16830 Highway 90, Des Allemands. The proposed expansion meets the majority of the applicable review criteria as detailed in the previous section.

Incorporating the recommended site improvements, as demonstrated in the alternative site plan by Planning and Zoning, ensures greater compliance with circulation and buffering requirements and mitigates any potential impacts on nearby residential uses.

Inclusion of stacked parking for inventory vehicles does not comply with the site plan review and design requirements outlined in Appendix A. Section VIII(G)(4), Parking lot standards, which states:

***Each parking space shall open directly upon an aisle or driveway which is connected to a street or alley by a paved driveway which afford ingress and egress for a vehicle without requiring another vehicle to be moved.***

Additionally, the proposed loading/unloading area, while improving safety and reducing traffic disruption along Highway 90, does not comply with site plan review and design requirements, specifically Appendix A. Section VIII.H.5., *Off-Street Loading Facilities* which states:

***Off-street loading dimensions. A loading space shall have minimum dimensions of twelve (12) feet in width, fifty (50) feet in length and shall not be located within driveways or other circulation areas. A clearance height of not less than fifteen (15) feet is required.***

The applicants have submitted a waiver request from both requirements.

The Department supports the waivers, as both proposed deviations provide functional alternatives that enhance safety and efficiency for the site. More specifically, stacked parking, when limited to designated inventory areas and kept clear of drive aisles, maximizes site utility without obstructing vehicle circulation. The loading/unloading area within the access driveway is a safer alternative to current practices occurring along Highway 90 shoulder and can be effectively managed with appropriate conditions.

The Department recommends several conditions to approval, as detailed in the following section, to ensure compliance with development standards and to minimize impacts on the surrounding area.

<b>DEPARTMENT RECOMMENDATION</b>
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**Approval, with the following stipulations:**

- **Adoption of the alternate site plan provided by St. Charles Parish Department of Planning & Zoning.**
- **Stacked parking shall be limited to designated inventory parking areas only and must not interfere with required drive aisle access at all times.**
- **Loading/Unloading Area shall remain unobstructed except during active loading/unloading operations and that no loading/unloading occurs on Highway 90 right-of-way.**
- **The new parking area should be striped to clearly mark parking, vehicular circulation areas, and inventory storage in conformance with Appendix A., Section VIII. – Site Design Requirements.**

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