

Semi-Monthly Zoning Meeting
Tuesday, April 27, 2010

CPC Deadline: June 11, 2010
CC Deadline: July 20, 2010
Council District: B
Council Member: Head

STAFF REPORT

To: City Planning Commission

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Zoning Docket: 30/10

Date: April 28, 2010

I. GENERAL INFORMATION

Applicant: City of New Orleans, Criminal Sheriff of Parish of Orleans, and Law Enforcement District of the Parish of Orleans.

Request: This is a request for a Conditional Use to permit a prison and related uses in an HI Heavy Industrial District, and the rescission of Conditional Use Ordinances 10,428 M.C.S., 14,505 M.C.S., 14,648 M.C.S., 14,762 M.C.S., 17,274 M.C.S., and 20,101 M.C.S.

Location: The petitioned property is located on Square 600, all lots (excluding lots 28 through 31), Square 615, all lots, Square 624, all lots, Square 624-A, all lots, Square 666, all lots, and Square 675, all lots, in the First Municipal District, generally bounded by Interstate Highway 10, South Broad Street, Perdido Street, and South Jefferson Davis Parkway. There are MULTIPLE MUNICIPAL ADDRESSES. (ZBM C-13/PD 4).

Description: The petitioned property consists of several lots in the triangular space bordered by South Jefferson Davis Parkway, the I-10/Pontchartrain Expressway corridor, Perdido and South Broad Streets. The site totals 15.9 acres per the project consultants. The applicant wishes to rescind conditional uses approved in 1985 and 1991, which allowed for the establishment and expansion of the prison, along with their subsequent administrative amendments. This current conditional use application is designed to cover with a single conditional use permit the entire complex within these boundaries.

Per the application, the Orleans Parish Sheriff's Office is undertaking the recovery and rebuilding of facilities damaged in the 2005 flooding in the wake of Hurricane Katrina. The first phase of the recovery, a kitchen warehouse and campus central plant facility on the square between South Salcedo and South Gayoso Streets, is moving forward with the determination by the Zoning Administrator that, because it is rebuilding on its original location, Conditional Use approval was not needed.

This building will have three main floors, and three mezzanine levels dedicated to machinery and maintenance access. Overall, the building will have a gross area of 163,885 square feet.

The second phase, on the block between South Dupre and South White Streets, is to replace the Templeman III & IV inmate housing facility, which suffered extensive flood damage from Hurricane Katrina and has been demolished. The building integrates many critical prison functions into one building – in addition to blocks of cells, it will have an intake processing facility, administrative offices, a public lobby and visitation center. The proposed building is eight (8) stories high, an estimated 100'8" tall, and will total 453,940 gross square feet.

The third phase, which is tentative, is on the block between South Gayoso and South Dupre Streets. This is the site of the former Templeman I & II buildings, which have been demolished. The intent is to rebuild a second inmate housing facility on that site, with an estimated gross area of approximately 311,000 square feet.

While construction for the new permanent facility is underway, the applicant also intends to place several additional modular units of temporary detention housing on the site, to reduce prisoner over-crowding. Four modular 50' x 200' one-story rectangular buildings are proposed for the skinny tip of the triangular site, in the area between South Lopez Street and South Jefferson Davis Parkway.

The petitioned site currently has inmate housing in tents on the lot bordered by 2700 Perdido Street. Plans tentatively call for parking on this lot once permanent inmate housing is complete and the tents are dismantled. Additional prisoner housing currently on the site is located in the Templeman V building and the South White Street women's facility.

Unlike the blocks on which Phases I and II will be located, a portion of the block on which Phase III is located is owned by the City rather than the Sheriff's office. Also, a portion of the block bordered by 2700 Perdido Street is privately owned, though it is staff's understanding that the Sheriff's office leases this portion from the owner. The privately owned lots are not part of the petition.

The Sheriff has provided City Planning with detailed statistics regarding inmate capacity at their facilities pre-Katrina, post-Katrina and projected capacity estimates for the new facilities under review. Prior to the Storm, the Orleans Parish Criminal Sheriff's Office (OPCSO) could house more than 7,000 inmates. Capacity with the new facility is expected to be approximately 5,800.

Currently, all vehicular access to the site in question is via Perdido Street. Perdido Street itself, however, has been cordoned off by security fencing at Jane Alley, as a security measure because the temporary intake center (in the kitchen warehouse next

to the House of Detention) does not have a secure sallyport. Representatives for the project have stated the intention to eventually reopen Perdido Street.

Why is City Planning Commission action required?

Prisons and related uses are conditional uses in the HI Heavy Industrial District.¹ The City Planning Commission is required to make a recommendation on all conditional use proposals prior to City Council action, in accordance with **Article 16, Section 16.6.4.1. Planning Commission Recommendation** of the Comprehensive Zoning Ordinance.

II. ANALYSIS

A. What is the zoning of the surrounding areas? What is the existing land use and how are the surrounding areas used?

The petitioned site is roughly triangular in shape and is the current site of the Orleans Parish Prison. It is bounded primarily by the Interstate 10/ railroad corridor, Perdido Street and Broad Street, with the small tip of the triangle ending at the South Jefferson Davis Parkway. The site is currently in use as part of the Orleans Parish prison compound.

The petitioned site is currently zoned HI Heavy Industrial, and has been covered by Conditional Use provisions approved in 1984 and 1991, respectively, as described below. Zoning adjacent to the site includes a mix of RD-3, LI Light Industrial, RO, RM-4 and C-1A. This district is occupied by a mixture of industrial uses, including warehouses, factories, and vehicle storage lots, as well as several new multifamily housing developments. The several blocks across Perdido Street from the site include a mix of residential (occupied and unoccupied), a trucking business, several bail bond offices, a small park, a secured parking lot for telecommunications trucks, and a new multifamily development, along with several buildings that are part of the criminal justice complex.

B. What is the zoning and land use history of the site?

Zoning History:

Zoning: 1929 – J Industrial District
1953 – L Light Industrial District
1970 – HI Heavy Industrial

Land Use: 1929 – Industries and Warehouses
1949 – Mix of Heavy Industry and Light Industry

¹ **Article 5, Section 5.4.5. Conditional Uses** (Item No. 2) of the Comprehensive Zoning Ordinance.
ZD 30/10

1999 (existing)–Industrial/Vacant Industrial and Institutional/Public and Semi-Public

C. Have there been any recent zoning changes or conditional uses in the area? Is so, do these changes indicate any particular pattern or trend?

One portion of this request is to rescind existing conditional uses on the site, as a precursor for establishing a new conditional use covering the entire petitioned site. There are currently two existing conditional uses on the site, each of which has also been administratively amended.

ZD 83/84 was a request to permit a prison and related uses in an HI-Heavy Industrial District for Square 624, bounded by Perdido and South Dupre Streets, the I-10 right-of-way and South Gayoso Street, Square 639, bounded by Perdido and South Gayoso Streets, I-10 right-of-way and South Salcedo Streets, I-10 right-of-way and South Lopez Street, located in the First Municipal District. The request was based on a 1984 study regarding the expansion of the Orleans Parish Jail (Prison) System, and recommended an expansion to legally accommodate overcrowding. It was recommended for approval by the City Planning Commission and subsequently approved by the City Council.

ZD 83/84 was administratively amended twice: through M.C.S. 14,505 and M.C.S. 14,648. The former permitted construction of Phase II of the previously approved Master Plan, including a second dormitory structure at the rear of a previously approved dorm structure. The latter permitted relocation and reduction of required landscaping between the fence and the railroad right-of-way that is adjacent to the prison site.

ZD 68/91 was a request to provide for the expansion of the prison complex for Squares 600, 615, 624, 639, 650A, 666, 675 and portions of South White, South Dupre, South Gayoso, and South Salcedo, South Lopez, and South Rendon Streets between Perdido and Poydras Streets. It was recommended for approval by the City Planning Commission and subsequently received modified approval from the City Council.

ZD 68/91 was administratively amended twice: through M.C.S. 17,274 and M.C.S. 20101. The former moved the location of the Central Services Facility and expanded prison parking. The latter relocated parking and one building by flip-flopping their locations.

In addition to the onsite conditional uses, there have been several zoning actions within several blocks of the petitioned site in recent years:

ZD 104/08 was a request for a zoning change from RD-3 Two-Family Residential District to a C-2 General Commercial District Zoning to modify the boundaries of an existing zoning district. The municipal addresses are 514 and 518 South Salcedo Street and 515 South Gayoso Street. It was recommended for approval by the City Planning Commission and was

subsequently approved by the City Council. *This site is located approximately three blocks from the subject site.*

ZD 55/08 was a request for a Map Change from an RD-3 Two Family Residential District to RM-2 Multiple Family Residential District to permit multiple-family residential use of an existing structure. The municipal addresses are 714-724 South Gayoso Street. The City Planning Commission consideration of the request resulted in a vote with no legal majority. The request was subsequently approved by the City Council. *This site is located approximately one block from the subject site.*

ZD123/07 was a request for a Map Change to amend Ordinance No. 22,467 (ZD 40/06) to permit an increase in residential units. The site includes the entirety of Square 586 in the First Municipal District. The municipal address is 2600 Gravier Street. It was recommended for approval by the City Planning Commission and was subsequently approved by the City Council. *This is located two blocks from the subject site.*

ZD 22/07 was a request for a conditional use to permit a non-accessory parking lot in a C-1A General Commercial District. It was recommended for approval by the City Planning Commission subject to seventeen (17) provisos, and was subsequently approved by the City Council. *This site is located at 2601 through 2619 Gravier Street and 529 through 535 South Dorgenois Street, approximately two blocks from the petitioned site.*

ZD 7/07 was a request for an amendment to Calendar Ordinance No. 26,345 (Zoning Docket 55/06 – see below), a conditional use for a Residential Planned Community District overlay (RPC) to permit a mixed use commercial and residential development, to include two additional lots in an RD-3 Two Family Residential District and a C-2 General Commercial District. It was recommended for approval by the City Planning Commission subject to eight (8) waivers and fourteen (14) provisos, and was subsequently approved by the City Council. *This site is located at 3000 Tulane Avenue, 3021 Gravier Street, and 637 through 639 South Gayoso Street, approximately five blocks from the petitioned site.*

ZD 55/06 was a request for a conditional use for a Residential Planned Community District (RPC) overlay to permit a mixed-use commercial and residential development in new structures in an RD-3 Two Family Residential District and a C-2 General Commercial District. It was recommended for approval by the City Planning Commission subject to seven (7) waivers and fifteen (15) provisos, and was subsequently approved by the City Council. *This site is located at 3000 and 3100 Tulane Avenue, approximately five blocks from the petitioned site.*

ZD 40/06 was a request for a map change from an HI Heavy Industrial District to an RM-4 Multiple Family Residential District and the establishment of an MUPC Mixed-Use Planned Community District overlay to permit mixed-use residential and commercial development in an existing structure. It was recommended for approval by the City Planning Commission subject to four (4) waivers and ten (10) provisos, and was subsequently approved by the City

Council. *This site is located at 2600 Gravier Street, approximately three blocks from the petitioned site.*

ZD 69/04 was a request for a map change from an RD-3 Two-Family Residential District to an RO General Office District to permit general office use. It was recommended for approval by the City Planning Commission, and was subsequently approved by the City Council. *This site is located at 2915 Perdido Street, approximately one block from the petitioned site.*

These actions indicate an increased demand for multiple-family and mixed-use development in the nearby Tulane Avenue corridor, likely due both to the reduction in commercial and residential space in that neighborhood as a result of flooding following Hurricane Katrina; the close proximity of the area to the Central Business District and the medical district; and major transportation links to other parts of the city.

D. What are the comments from the Design Review Staff?

Overview

The applicant, Orleans Parish Criminal Sheriff's Office (OPCSO), requires a conditional use permit to build new inmate housing and support facilities on a long triangular 15.9 acre area bounded by Perdido Street, South Jefferson Davis Parkway, South Broad, and the Pontchartrain Parkway/UPT/Amtrak railroad right of way.

Site

The petitioned property is comprised of the following property in the First Municipal District: Square 600, all lots (excluding lots 28, 29, 30 and 31, which are privately held), Square 615, all lots, Square 624, all lots, Square 624-A, all lots, Square 666, all lots, and Square 675, all lots. Title to all of the above described property is listed under the Law Enforcement District of New Orleans or the Criminal Sheriff of New Orleans, with the exception of Square 624 (between South Dupre and South Gayoso Streets), which is owned by the City of New Orleans, and Jane Alley (between South Broad and South White Streets), which is a Sewerage and Water Board servitude. (ZBM C-13/PD 4).

City Planning finds that it is appropriate to request the applicant to re-subdivide the petitioned property, which is a standard procedure when requesting zoning alteration or conditional use permits.

- The applicant shall re-subdivide the petitioned lots into one lot of record.

It is important to note that the boundary survey submitted by the applicant indicates that a thirty-five foot wide portion of Poydras Street bound by the petitioned site and Parcel 14 (no Square assigned, but part of the leased Amtrak right of way), is currently enclosed by the

Sheriff, and is occupied by the concrete perimeter wall as part of the Correctional Complex. Plans submitted by the applicant indicate sustained future use of this public right of way by the applicant. As such, the applicant shall be required to secure a long-term lease of servitude for the existing improvements, as noted in a proviso in the “Temporary Housing” section.

Architecture and Buildings

The applicant proposes to construct a set of new permanent prison housing and support buildings in three phases. The first phase will be to build a new Kitchen, Warehouse and Power Plant facility on the square between South Gayoso and South Salcedo Streets. This sizeable building will have three main floors (1st story loading docks, warehouse and refuse collection, 2nd story food storage, kitchen & food prep, 3rd story power generation equipment), and three mezzanine levels dedicated to machinery and maintenance access. The building steps back in tiers from the street, but ultimately the main roof height will be 90 feet with a parapet wall of 96 feet. The freight elevator towers extend up beyond this plane to 121 feet, because the elevators will be used to shuttle parts and service to the enormous cooling fans on the roof. Overall, the building will have a gross area of 163,885 square feet.

It is important to note that this facility has already received a building permit from Department of Safety & Permits because it is a replacement for a pre-existing use under the site’s previous conditional use permit, so reviewing this building’s function is outside the scope of this conditional use permit process. However, the site plans submitted by the applicant show that the loading dock pad at the behind the Kitchen/Warehouse extend beyond the petitioned site into the Poydras Street right of way, therefore:

- The applicant shall submit revised site plans demonstrating that no permanent structure encroaches upon the Poydras Street right of way.

The second phase is to replace the Templeman III & IV inmate housing facility, which suffered extensive flood damage from Hurricane Katrina. FEMA will be providing funding for the building. Importantly, the building integrates many other critical prison functions into one building – in addition to blocks of cells, it will have an intake processing facility, administrative offices, a public lobby and visitation center. The proposed building is 8 stories high, an estimated 100’8” tall, and will total 453,940 gross square feet. It will be located on the square between South White and South Dupre Streets, opposite the existing kitchen and temporary intake center, and buffered by surface level parking in the space currently occupied by the tent city detention facility.

Since the main approach to the Templeman III & IV building will be from South Broad Street, the initial view greeting visitors will be a tower recessed behind a sea of parking, which is antithetical to the best practices of urban design. City Planning is opposed to the creation of surface level parking in front of major public buildings, but understands that this design is a consequence of site limitations and phased construction. To mitigate this design problem:

- The surface parking lot shall be enclosed with perimeter fencing – such as a low masonry chain wall with half metal picket fence above – in order to create a street edge along Perdido Street and the curvilinear South Broad Street/Poydras Service Drive.

The most public face of the building is the Visitor’s Center facing South Broad Street, which is a rather broad entrance on a raised pediment. Above the public plaza the inmate housing tower will rise up in a cruciform design, shaped around a circulation core. Unlike existing prison facilities that the Sheriff operates, this new building will be American Correctional Association (ACA) compliant, and the CPC staff supports the efforts of the OPCSO to create improved modern housing for prisoners.

While the housing tower is setback from the street, the new Intake Processing Center (IPC) and administrative offices drop right down to the lot line on Perdido Street. The sallyport consists of a concealed drive-through and drop-off depot for transmitting new prisoners into the prison for processing and admission. There will be two controlled checkpoints inside the sallyport walls that will enable officers to securely lockdown weapons and move arrested individuals into the building. The grilled window openings of the IPC at the Perdido Street elevation offer a very hard and imposing edge on an elevation that faces green space and residential areas. CPC staff recommends that:

- The applicant shall alter the sallyport window openings at street-level on Perdido Street so that they are larger and more transparent, as long as security is not compromised.

The third phase, for which plans are tentative, is to rebuild a second inmate housing facility tower known as Templeman I & II replacement, located on the square between South Dupre Street and South Gayoso Street. The building is nearly identical to the Templeman III & IV housing tower – with a height of 100’8”, a cruciform floor plan, and exterior surfaces skinned the same. Unlike Templeman III & IV however, this building will solely be used for inmate housing, – so its bed capacity will be greater, although its bulk will be smaller, with a gross area of 311,013 square feet.

At the time of this application, no architect’s plans have been submitted for Templeman I & II. City Planning Commission can only accept this building as part of the conditional use permit when funding and plans are ready, therefore an amendment to this conditional use will be required when the applicant is prepared to proceed with construction of this phase.

- The applicant shall be required to amend this Conditional Use permit for the petitioned site when plans for the construction of the proposed Templeman I & II facility are ready, by submitting floor and site plans to City Planning for review, as a precondition for building permit issuance.

Building design

The exterior surfaces of the Templeman III & IV building are treated in two styles, which differentiate the programmatic uses within the building. The inmate housing is largely homogeneous, with a modular system of beige-grey pre-cast concrete panels; while the administrative offices and visitor's center are peppered with asymmetrical accents, but keep within the overall boxy aesthetic. Window openings will use a "storefront system of insulated glazing" and be occluded by slatted metal screening and accented with a blue light shelf.

The Historic Districts Landmarks Commission (HDLC), which advises on the design for all public buildings as part of the Design Advisory Committee, has suggested that the heavy fenestration details on the inmate housing tower can be eliminated, since the metal screening is not integral to the buildings security (because the prison tower has a double-wall), and so unnecessarily contributes to a fortress-like aesthetic. Therefore, CPC staff recommends that the applicant consider modifying the architectural elevations, either by removing the metal screening or placing it at an angle to the wall plane, rather than running it flush or perpendicular with the window plane.

Since the architectural design and building components of the housing tower are modular, one can describe the whole building by describing one ward – and then imagining that ward duplicated three times in rotation (forming a cross) and extruded four times upward. Each ward is in shape of an "L" with an octagonal control room placed right at the pivot point – allowing the guards to visually monitor the two halves of the "L" unobstructed. Each ward is composed of a main floor with inmate housing along with dining space, day rooms and recreation space, and a second mezzanine level with cell blocks, which is stacked vertically on top of main floor housing. The mezzanine levels are always built-out as cell blocks, with in-cell bathrooms – whereas the main floors have a mix of cell blocks and dormitory bunk-style beds for better behaved inmates.

Recreation space for inmates will take place almost entirely within the interior of the building; no outside exercise yards are planned within the site design. Every ward on each floor has its own recreation space, so overall the recreation space takes up a considerable portion of the housing area, although each space in and of itself is quite small. The Templeman III & IV building will have six (6) recreation spaces per floor, whereas the Templeman I & II building will have eight (8) recreation spaces per floor. These gym spaces are nested at the interior corners of the cross, and are illuminated by large plate glass windows set in an open steel-frame grid extending up vertically up the face of the prison.

Temporary housing

The applicant also intends to place several additional modular units of temporary detention housing on the site, to reduce prisoner over-crowding while the new facility is under

construction. Four modular 50' x 200' one-story rectangular buildings are proposed for the skinny tip of the triangular site, in the area between South Lopez Street and South Jefferson Davis Parkway. These buildings are aligned parallel to Perdido Street, and extend along a central corridor extending from a guard control building and intake/drop-off loading dock at the east end, down to a video-visitation booth on the far western end of the site. Four inmate exercise yards are planned for the rear area facing the railroad tracks. The site plans indicate that these exercise yards spill beyond the boundary of the conditional use permitted site onto the Poydras Street right of way, which is owned by the City of New Orleans. Because the applicant did not include this property as part of the petitioned site, the applicant must submit revised site plans showing that all encroachments have been removed from the Poydras Street public right of way. Further, if the applicant plans to use any portion of Poydras Street for correctional activities temporarily, or make any improvements to this property:

- The applicant shall secure a long-term lease of servitude for existing improvements made upon the Poydras Street right-of-way, including but not limited to the 12-foot concrete security wall between South White and South Lopez Streets, and the paved storage yard area between South Rendon Street and South Jefferson Davis Parkway.

The Department of Safety and Permits has granted OPCSO approval to place these additional units on site under the previous conditional use permit – but with the understanding that these units are temporary in nature, and will be removed within five years of construction. The OPCSO's planning consultant has affirmed that the Sheriff's intention is to only keep this facility operational as long as necessary, and in all likelihood there will be no further need for temporary housing upon occupancy of the Templeman III & IV replacement. City Planning seeks affirmation of this intention, and so requests that:

- The applicant shall include a note on amended site plans stating that all temporary inmate housing (including tent city and modular units) will be removed upon completion of Templeman III & IV.
- The applicant shall remove all temporary inmate housing from the petitioned site as a requirement for any amendment of the Conditional Use permit, and as a precondition for receiving a building permit for Templeman I & II facility.

Housing Facility Capacity

The Sheriff has provided City Planning with detailed statistics regarding inmate capacity at their facilities pre-Katrina, post-Katrina and projected capacity estimates for the new facilities under review. Prior to the Storm, the OPCSO could house 7,564 inmates, but since this time several critical facilities were destroyed, and capacity was cut by more than 50% to 3,552 beds. Much of this capacity will be regained with the replacement of Templeman III & IV (1,438 beds) and Templeman I & II (1,834 beds), although after the temporary tent city and modular housing units are removed, the total capacity will still remain below pre-Katrina

levels.

The OPCSO has affirmed that their long-term goal is to house only 4,500 inmates, with a capacity of 5,000 beds – allowing a 10% margin for fluctuations in population size. However, the building plan submitted as part of this application calls for a larger total capacity of 5,832 beds. Ultimately it is the Sheriff’s responsibility to assess his facility’s needs.

The following chart provides details on specific facility capacity:

<u>Facility name</u>	<u>Pre-K</u>	<u>Post-K</u>	<u>Projected</u>
Orleans Parish Prison (OPP)	831	831	831
House of Detention (HOD)	841	841	841
Conchetta (CTA)	408	408	408
Community Correctional Center (CCC)	1,280	0	0
South White Street women's facility (SWS)	288	288	0
Temporary Tent City Detention facility (TNT) ²	-	704	0
Templeman I (TP1)	898	0	-
Templeman II (TP2)	936	0	-
Templeman III (TP3)	1,204	0	-
Templeman IV (TP4)	234	0	-
Templeman V (TP5)	316	316	316
Broad Street Work-Release	164	164	164
Fisk School Work-Release	164	0	-
Temporary Modular Housing Unit facility*	-	400	0
New Templeman III&IV Replacement	-	-	1,438
New Templeman I&II Replacement	-	-	1,834
Total Inmate capacity	7,564	3,952	5,832

*The Temporary Modular units have not yet been constructed, but are included in the Post-K column because they are not considered part of the projected permanent capacity.

Height, Area and Bulk Requirements

Article 7, Section 7.4.8 of the Comprehensive Zoning Ordinance states that height, area and bulk requirements for Heavy Industrial HI zoning apply to all conditional use permits within this district, unless modified by City Council in conjunction with approval of the conditional use permit. Heavy Industrial zoning (HI), has no requirement for front yard setbacks, and because every boundary side of the site fronts on a public right of way, all yards may be

² “Developing a Master Plan for Public Safety” Powerpoint presentation, Sheriff Stabilization Plan, April 13, 2007 (Blakely, Hill, Budzinski, et al).

considered front yards, meaning there is no yard setback requirement for the site.

There is no maximum height limit in HI, except where a HI building adjoins a residential district – in which case a building is required to be set back one foot from the yard line for every foot of building height exceeding 50 feet³. From a legal land use perspective, adjoin means to “share a boundary”, or be “touching, contiguous to” one another⁴. The Department of Safety and Permits, who acts as Zoning Administrator, interprets the Comprehensive Zoning Ordinance to mean that when a residential district is across the street it is not considered to adjoin the site. Therefore, this provision of the CZO regarding HI height/setback requirements is not applicable, and so there is no maximum height limit nor is there a height/setback requirement.

Floor Area Ratio

The Floor Area Ratio (FAR) is the total floor area of a building or buildings divided by the area of the lot on which it is located.⁵ The Floor Area of a building is the gross horizontal area of the several floors of a building measured from the exterior faces of exterior walls and is comprised of the following: elevator shafts and stairwells, floor space for mechanical equipment, penthouses, interior balconies, and any space for residential use. The floor area does not include off-street parking spaces and loading berths, accessory water tanks or cooling towers, uncovered steps, attic floor space with headroom of less than seven feet six inches.⁶ The HI Heavy Industrial District regulations limit the FAR to 1.5. Since the site in question is 692,604 square feet, this effectively permits a total floor area of 1,038,906 square feet, as a combination of existing and proposed building gross square footages of the existing buildings, three are slated to remain on site: the Sheriff’s office (the former Textile Mill building) at 36,600 sq. ft., the Templeman V housing facility at 28,790 sq.ft., and the South White Street women’s facility at 18,342 sq.ft. – for a total of 85,742 sq.ft. The three proposed permanent buildings add up as follows: the Kitchen/Warehouse/Plant at 163,885 sq.ft., the Templeman III&IV facility at 453,940 sq.ft., and the Templeman I&II facility with a preliminary estimate of 311,000 sq.ft. – for a total of 928,825 sq.ft. Together, the proposed and existing building totals combine for a total floor area of 1,014,567 square feet; which yields a satisfactory FAR of 1.46, therefore no waiver is required.

It is worth noting that the combined floor area total of 1,014,567 does not include the temporary tent city jail near South White Street and Jane Alley, nor does it include the proposed temporary detention facility between South Lopez and South Jefferson Davis Parkway. Because these facilities are provisional, they were not included in the calculation.

³ **Table 7.D Notes**, *Comprehensive Zoning Ordinance*.

⁴ Princeton online dictionary, <http://wordnetweb.princeton.edu/perl/webwn?s=adjoin>; also: Title Guaranty Insurance Co. Real Estate Glossary <http://www.titleguarantynm.com/glossary/index.asp>

⁵ **Article 2, Section 2.2.79** *Floor Area Ratio* of the Comprehensive Zoning Ordinance.

⁶ **Article 2, Section 2.2.78.a. thru l.** of the Comprehensive Zoning Ordinance.

Open Space Ratio

There is no Open Space Ratio requirement in HI zoning districts.

Yard Setbacks

There are no Yard Setback requirements in HI zoning districts.

Accessibility / Egress

Currently, all vehicular access to the site in question is via Perdido Street. Perdido Street itself, however, has been cordoned off by security fencing from Jane Alley to mid-block between South White Street and South Dupre Street. According to the Department of Public Works, the OPCSO never sought permission to close this public right of way. However, the OPCSO has informed the City Planning staff that there is little alternative because the former intake center was razed to make way for new construction, and the temporary intake center (in the kitchen warehouse next to the House of Detention) does not have a secure sallyport, so the closed street is a necessary safety precaution for transferring prisoners. The OPSCO has declared their good faith intention to remove the obstructions on Perdido Street once the new permanent intake and processing center is complete, and the CPC staff seeks assurance of this intention, therefore:

- The applicant shall remove all obstructions to automotive and pedestrian traffic, and restore the public right of way on Perdido and South White Streets prior to receiving a certificate of occupancy for the new Templeman III & IV facility from the Department of Safety and Permits.

A traffic analysis was submitted by the applicant, which identified restoring traffic flow on Perdido Street as a key objective for traffic amelioration. With Perdido Street closed, all traffic into the Correctional Complex must travel either through the secondary residential side streets between Tulane and Perdido, or is diverted to a hazardous intersection at South Broad and Gravier Streets, which has no traffic signal. This has a negative impact upon the quality of life and safety within the neighborhood.

At the far western end of the site – the tip of the triangle – there is a discreet access point to the site where the old nub of South Jefferson Davis Parkway turns onto Perdido Street under the South Jefferson Davis Parkway viaduct. CPC staff is of the opinion that this is the most preferable access point for delivery trucks, buses, and other large vehicles because it requires no transit through residential communities.

On the uptown side, there is no public vehicular access to the site, because of the Pontchartrain Expressway & UPT/Amtrak railroad right of way. However, there is a remaining portion of the Poydras Street right of way, a 35 foot wide strip which runs along the entire edge of the petitioned property between it and the Amtrak right of way. Part of this portion of Poydras Street is incorporated into the Correctional Complex, is inside the concrete security wall and is known as Ring Road, the other part of Poydras Street is an unimproved service road which runs along the outside edge of the concrete security wall.

The service road extends from the Sheriff's vehicle storage area at South Rendon Street down to a parking lot under the South Broad Street viaduct, and connects up to Poydras Street. Currently, the Sheriff's officers patrol this road to monitor the back edge of the site facing the interstate. But part of the construction plan is to upgrade this perimeter track using crushed stone to allow contractors to move heavy equipment and modular concrete building parts onto the construction site to avoid further deterioration of Perdido Street. The Sheriff's consultant has further informed CPC staff that this roadbed will be temporary, and that the crushed stone will be removed and then re-graded with topsoil within three years of Templeman I & II's reconstruction. CPC staff agrees that this is a good strategy, but realizes landscaping is ultimately the City of New Orleans' responsibility.

The other half of the Poydras Street right of way is inside the security wall, and is known as Ring Road, which allows for some circulation within the secure prison perimeter. The most recently submitted site plans indicate that all three proposed buildings will encroach this Ring Road, which is outside of the petitioned site. However, an earlier schematic plan indicated that this Ring Road would be broadened and improved as an internal axis of movement, allowing distribution of goods and services within the confines of the complex, removing the necessity of exiting out onto Perdido Street.

The widening and improvement of Ring Road is critical to ensure Fire Department access to all sides of the proposed buildings, particularly Templeman III & IV and the South White Street women's facility, the posteriors of which are not readily accessible from any public or private right of way. **New Orleans Building Code Amendment 912.7.3**⁷ requires that fire lanes shall be located from whichever portion of any structure can be reached with 150 feet of fire hose. Fire lanes are required to be a minimum of 20 feet in width, and fire lane road surfaces shall be constructed in accordance with the regulations of the Department of Public Works, Standard Plans and Specifications. City Planning has been verbally assured that the Ring Road will be broadened to a minimum of 20 feet, although it is not shown as such on any of the submitted site plans.

Further, **Amendment 912.7.3.2** requires that any such fire lanes more than 100 feet long shall either connect at both ends to a dedicated street or be provided with a turn-around having a minimum radius of 50 feet. It has been mentioned in discussion that, when the new Kitchen and Housing facilities come online and the old South White Street female inmate

⁷ City of New Orleans Public Ordinance, November 2007, Amendments to International Building Code (M.C.S. 22,938), supplementing the Building Code of the City of New Orleans Ordinance No. 11,625

housing and tilapia farm can be razed, that this Ring Road will be extended further down the back of the site to connect to Poydras Avenue under the South Broad Street viaduct. The CPC staff is persuaded that building-in the capacity for robust internal circulation within the Correctional Complex is the optimum long-term strategy for mitigating traffic, increasing complex efficiency, permitting emergency access, and minimizing security risks.

- The applicant shall submit a phasing plan showing that, upon demolition of South White Street women's housing facility and relocation of the tilapia farm, Ring Road shall be extended to a secure gate on Poydras Avenue under the South Broad Street viaduct.

Lastly, in case of emergency the site itself needs to be properly equipped with Fire Department Connections, commonly known as fire hydrants, although the design of Connections can vary as long as they meet the specifications of the Sewerage and Water Board. Because the site in question is zoned Heavy Industrial, **Amendment 912.6.2.3** requires that hydrants shall be located to permit all sides of the building to be reached by a hose lay not in excess of 300 feet.

- The applicant shall secure approval of revised site plans by the New Orleans Fire Department, regarding the following building code specification, and submit approved revised site plans to the City Planning Commission:
 - Widening of Ring Road to a minimum width of 20 feet.
 - Improvement of Ring Road roadbed to meet fire lane specifications, subject to additional review and approval by Department of Public Works.
 - Installation of approved Fire Department Connections where necessary so that no portion of any proposed building is further than 300 feet from a Connection.
 - Specifications on hose outlet size and threading, subject to additional review and approval of the Sewerage and Water Board.
 - Location of an adequate turn-around of minimum 50 foot radius at any point where Ring Road dead-ends and is further than 100 feet from a dedicated street.

Landscaping & Screening

The applicant has indicated that minor ornamental landscaping will be planted along Perdido Street entrance alongside the Kitchen Warehouse facility, and at the Visitor's Center entrance plaza, but has given no other indication of planting locations on the site. In addition, no detail regarding species or planting proximities has been submitted. No landscaping improvements are planned for the rear of the site, abutting the railroad tracks and I-10,

because the conditional use permit does not extend beyond the existing perimeter security wall and the Sheriff claims to have no authority to make improvements to City property.

- The applicant shall submit detailed landscape plans prepared by a licensed Louisiana landscape architect indicating the items listed below. The landscape plan shall be subject to final approval by City Planning Commission staff and by the Department of Parks and Parkways for any proposed planting within a public right-of-way.
 - Landscaping improvements within the proposed parking lot, on islands, medians, and along perimeter ground not improved with asphalt paving.
 - Shade-plantings along the Perdido Street side of the Intake and Processing Center sallyport, between the building and the sidewalk as space permits, providing a planting bed of not less than two (2) feet.
 - The genus, species, size, location, quantity, and irrigation of all proposed plant materials within both the common areas and the street rights-of-way within the site, with applicable remarks and details.

The staff is concerned that the site plans make no provision for outside exercise space for inmates within the site master plan. Although there is ample indoor recreation space provided within the housing facility, direct access to fresh sun and air is a primary quality of life concern for all people, regardless of incarceration. The staff, therefore, recommends that the applicant provide either an additional exterior green space of a sizable concentration that can be used for recreation, or provide written commitment to continue the Sheriff's mural art program and other outdoor programs, which currently allows inmates access the outdoors under supervision.

- The applicant shall submit a revised site plan showing additional green space of a sizable concentration within the Correctional Complex that can be used as an outdoor recreation area for inmates.

In addition, it is not possible to screen multiple edges of the conditional use site with landscaping, specifically along Perdido Street and I-10, City Planning believes that the only possible remediation is to visually block views of the prison ground interior with tall opaque walls. Submitted plans indicate that portions of the original twelve(12)foot concrete walls will be retained as part of the future site, and City Planning believes that the dimension and style of any new walls should be consistent with that of existing concrete walls, therefore:

- The applicant shall install a continuous opaque concrete perimeter wall twelve (12) feet in height along Perdido Street and I-10 that matches the dimension and style of the existing concrete walls.

The Templeman V facility will remain on site in its existing form, and is not presently screened with concrete perimeter wall in a manner consistent with the majority of the site. Instead, it is screened with double chain-link fencing with concertina wire, in plain public

view. City Planning staff requests that the applicant replace the existing exposed chain-link-concertina-wire fencing with a twelve (12) foot concrete wall along Perdido Street, to bring this facility within the secure perimeter, and visually screen the facility from the public right of way on Perdido Street.

Trash Storage & Removal

Overall, the building and site plans provide ample space for sorting, storage and removal of trash from the prison compound. Trash and refuse for all proposed permanent buildings will be centralized behind the loading docks at the Kitchen/Warehouse facility. Inside the new kitchen building, space will be provided for sorting, recycling, and trash compaction, a chilled trash space will prevent spoilage of biodegradable matter, and a double-walled enclosed room behind the building will be used to store old grease and waste oil. The site plan shows three paved pads for dumpsters, one of which will be inside an enclosed garage by the compaction hopper, and two of which will be outside the building at angled berths.

Because they are not recessed into the building like the loading dock, these outside spaces will be directly visible looking down South Gayoso Street through the warehouse gate. The site plans give no indication that visual screening will be used to block this view. Since the angled Trash Dock will serve as the horizon point for the South Gayoso Street sightline, the staff recommends that either the building design be modified to recess the Trash Dock similarly to the loading dock, or to provide visual screening to occlude the direct view of the dumpsters from off-site.

Also, the site plan does not indicate what dumpster style (roll-off, hook-off), collection method (front-loading, rear-loading), or service provider will be employed to handle refuse collection. The staff recommends that the applicant submit a litter abatement program letter to the staff to keep on file in case of any violations, which indicates the method of handling of trash.

- The applicant shall either modify the location of dumpster berths or provide visual screening as part of the site design so that the Trash Dock at the rear of the Kitchen/Warehouse/Plant will not be visible from the public right of way.
- The applicant shall provide to the City Planning Commission a litter abatement program letter, inclusive of the stated location of litter storage, the type and quantity of trash receptacles, the frequency of litter pickup by the Department of Sanitation or a contracted trash removal company, and the clearing of all litter from the sidewalks and street rights-of-way. The name and phone number of the owner/operator of the development shall be included in this letter to be kept on file in case of any violation.

Signage

The only signage proposed on the site is incorporated into the façade of the visitor’s center of the Templeman III & IV replacement building. The signage consists of repeating words and phrases such as “Honor”, and “Protect”, which will be repeated across the façade above ground level, but in different asymmetrical sizes and positions. No indication is given that this signage will be illuminated, and so the staff has no objection to the signage as proposed for the façade.

However, no plans have been submitted regarding other signage for the site, such as security, parking or directional signs for traffic, and so City Planning requests that the applicant provide more specific detail regarding signage.

- The applicant shall submit a detailed signage plan indicating:
 - The location, text and dimension of all signs posted around the perimeter of the petitioned site, or which are visible to the public.
 - Which signs will be illuminated, and specifications for said signs.

Lighting Plan

The applicant has not submitted a lighting plan identifying potential locations for security illumination around the site, and though there are no lighting guidelines for the HI Heavy Industrial District, the staff believes that due to the size of the development site, its adjacency to a residential neighborhood and the heavily trafficked corridor I-10, a lighting plan should be submitted for review by the City Planning Commission staff and the Department of Public Works.

- The applicant shall submit a lighting plan for the petitioned site for review and approval by the staff of the City Planning Commission and the Department of Public Works.

Public rights-of-way/infrastructure/other agencies

With regard to the Department of Public Works, the curbs and sidewalks along the Perdido Street frontage will need to be replaced. Any existing and unused curb cuts along any frontage will need to be restored. Approval of plans for such reconstruction will need to be secured from said Department.

- All proposed curb cuts shall require the approval of the Department of Public Works. All curbs and sidewalks along the Perdido Street frontage shall be replaced and any existing and unused curb cuts along either street frontage shall be restored. Approval

of plans for such reconstruction shall be secured from the Department of Public Works.

Hours of operation

The correctional complex as a whole will be operational 24-hours a day, 365 days a year, because inmates will be housed at the institution year round. However, it is worth differentiating between the three main access points to the prison complex, each of which will have very different hours of operation. These three main access points are: the Intake and Processing Center, the Visitor's Center, and the Kitchen Warehouse loading dock.

Because police work and arrests occur every hour, the Intake and Processing Center (IPC) will be active at all hours of the day. Currently, the Sheriff processes 200 new inmates per day, and before Hurricane Katrina the Sheriff was processing 250 per day. Inmates are not necessarily processed one-at-a-time; it may be in clusters or groups as well – so although the IPC will be open at all hours, the activity level is likely to be uneven rather than constant. Even so, the Intake and Processing Center sallyport, with its entrance off Perdido Street and South Dupre Street will be operational at all hours of the day, year-round.

As to the Visitor's Center, no specific information on operating hours was provided as part of the plans, but the Sheriff's office has indicated that the Center will only be open for limited windows of time during the day, according to a rotating visiting hours schedule. This will mitigate the stream of visitor traffic to the site, making it less of a crush and more of an even flow, throughout the day. Since visiting hours are only during the day, traffic in and out of the parking lot is likely to be limited at night.

The Kitchen/Warehouse/Power Plant facility does not currently have any set hours of operation. It is likely that the building will be staffed and online at all hours because it provides critical support to the housing buildings, although the staff is primarily concerned with the timing of truck deliveries and trash collection through the South Gayoso Street gate. The South Gayoso Street gate is directly adjacent to a residential community and a public park, and truck traffic to this access point is likely to cause an impact upon the quality of life in this neighborhood.

- The Sheriff's department shall restrict loading dock activity at night, so that no truck deliveries or trash collection occurs between the hours of 10 pm and 6 am.

E. What is the potential traffic impact? What are the off-street parking requirements? Can the required number of off-street parking spaces be provided on site, or would a waiver be required?

Traffic Impact

The petitioned site is bounded on its downriver side by Perdido Street, which is a minor street with one lane of travel in each direction and on-street parking on both sides of the street.⁸ Its upriver side is bounded by the Poydras Street right-of-way, which is unpaved. A railroad track used by Amtrak is adjacent to the right-of-way, and Interstate 10 is located beyond the railroad track. The site extends from South Broad Street on its river side to South Jefferson Davis Parkway on its lake side. South Broad Street is a major street with two lanes of travel in each direction. Adjacent to the site, the South Broad Street viaduct crosses the Amtrak railroad line and Interstate 10. A curvilinear on-ramp merges with the elevated viaduct from the end of Poydras Street, parallel to which is a road traveling directly adjacent to the site and connecting Perdido Street to the downriver bound lanes of South Broad Street. South Jefferson Davis Parkway is also a major street with two lanes of travel in each direction and ramps into an elevated viaduct adjacent to the site, similar to South Broad Street.

The former street rights-of-way traversing the site have been revoked and are occupied by buildings and enclosed by walls. Additionally, a portion of Perdido Street between Jane Alley and South Dupre, and a portion of South White Street between Perdido and Gravier Streets have been enclosed by fencing by the applicant and are closed to public access. This was done to provide a secure perimeter between the temporary inmate processing center across Perdido Street from the petitioned site and the inmate housing facilities within the petitioned site.

Properties fronting on Perdido Street adjacent to the site are occupied by a mixture of residential, commercial, industrial and public uses, as are the minor streets connecting Perdido Street to Tulane Avenue, which is a major street located two blocks downriver from the site. Due to the large size of the proposed development, a traffic impact analysis was ordered by the applicant, prepared by a consultant and submitted to the City for its review. The conclusion reached by the consultant for the applicant is copied below for reference:

The results of this analysis indicate that the signalized intersections that provide access to the OPCS facilities and other planned and proposed developments in the study area can accommodate future traffic demand. This conclusion is based upon sufficient excess capacity that is exhibited under current traffic demand and future traffic operations. (p. 24)

The submitted traffic impact analysis was also reviewed by the Department of Public Works, but the staff has not yet received any correspondence from that agency regarding the

⁸ *New Century New Orleans Master Plan Transportation Plan*, City Planning Commission, 2004 (map 3).

proposal. The applicant must secure the approval of the Department of Public Works for the submitted traffic impact analysis. In the event that any adverse impact was to be determined to occur as a result of the proposed development, the applicant should also be required to contribute toward roadway or signalization improvements in the vicinity of the development as deemed necessary by the Department of Public Works.

- The applicant shall secure the approval of the Department of Public Works for the following:
 - a.) the location and construction of all proposed curb cuts and the restoration of any existing curb cuts that are not to be utilized as part of the development;
 - b.) the replacement or restoration of all sidewalks adjacent to and across a street from the site as deemed necessary;
 - c.) the installation of vertical curbs along all street frontages adjacent to the site;
 - d.) the installation of all subsurface drainage for the proposed development; and
 - e.) a traffic impact analysis for the proposed development, including any mitigation measures deemed necessary should significant adverse impact to the transportation system be determined by the Department of Public Works to be likely to occur as a result of the proposed development.

As noted in the Design Review Section, the applicant shall withdraw all fences and obstructions from the Perdido Street right-of-way adjacent to the site upon the completion of the new Inmate Processing Center and Housing Unit structure.

Off-Street Parking

Prisons are not listed as a use category in the parking requirements provided in **Article 15, Section 15.2.1. Off-Street Parking Regulations for All Districts, Except the CBD Districts and the Vieux Carré Districts** of the Comprehensive Zoning Ordinance. As a result, the staff consulted with the Department of Safety and Permits, which determined that required parking for prisons is to be calculated by applying the “office or office building” use category to the square footage of administration and central services buildings. All other uses on the site (cell blocks, kitchen/warehouse building, etc) are accessory to the prison and incidental thereto, and no parking is thus required for those structures. The requirements for the proposed prison facility are provided in the table below:

REQUIRED OFF-STREET PARKING BY PROPOSED USE

<i>Use or Use of Category</i>	<i>Spaces Required per Basic Measuring Unit</i>	<i>Floor Area of Administrative and Central Service Buildings⁹</i>	<i>Spaces Required for this Request</i>
Office or office building, post office, studio or clinic	1 per 400 square feet of floor area; 3 spaces minimum	82,300 square feet	206

The plans provided by the applicant indicate that zero (0) off-street parking spaces would be provided on the site, which constitutes a request for a waiver of two hundred six (206) spaces. One hundred forty-seven (147) spaces are indicated as “planned future parking” on the site of the eight existing tent prisons, all of which are to be demolished upon the completion of the “New IPC/Housing Units (‘Tower 1’)” on the portion of the site between the former South White and South Dupre Street rights-of-way. An additional fifty-nine (59) off-street parking spaces are indicated as “planned future parking” on a lot across Perdido Street from the site between South Dupre and South Gayoso Streets. Together, the two lots would provide two hundred six (206) parking spaces, which is equal to the required number of spaces for the proposed uses.

The staff supports granting the requested waiver for the following reasons. First, the new prison would provide the same number of off-street parking spaces as previously existed on the site but would have significantly fewer prisoners. Based on conversations with the applicant, the reduction in the daily prisoner population is due to recent initiatives undertaken by the Orleans Parish District Attorney to reduce the waiting time between arrest (and subsequent detention) and final disposition of criminal charges. Overall, the entire prison system campus (covering facilities both within and outside the petitioned conditional use site) accommodated a daily population of approximately 7,564 prisoners in 2005. Currently, the prison system accommodates approximately 3,552 prisoners. According to the applicant’s projections for the future, the prison would have a maximum capacity of 5,832 prisoners. This amounts to an overall 23% reduction in prison population from 2005. On the petitioned site itself, 3,876 prisoners were accommodated prior to Hurricane Katrina and 2,042 prisoners would be accommodated in the future, which would amount to a 47% decrease in daily prison population.¹⁰ This reduction in the number of prisoners has and will continue to result in a decreased impact on the surrounding community in terms of traffic to and from the site and parking need, both for the sheriff’s staff and for visitors. The new facility should also result in operational efficiencies in terms of the number of staff needed to guard, maintain, and service the facility, which in time should result in a decreased need for staff parking on the site.

9 Comprising the floor areas of each of the following structures: the existing Sheriff’s Office building, the New IPC/Housing Units building (Tower 1), the office and administrative space in the Kitchen Warehouse Campus Central Plant building, and the existing Templeman V building.

10 Not including the “Housing Tower 2” facility, which would add 1,834 beds to the petitioned site. This facility is located on land partially owned by the City of New Orleans and no funding has been secured for its future construction. Any approval for its construction would require a future amendment to the conditional use.

Second, the applicant¹¹ has acquired ownership of several parcels of land across Perdido Street from the petitioned site upon which off-street parking lots are now located. The exact number of spaces in these lots was not provided to the staff by the applicant. Because the parking spaces on these sites are used by vehicles servicing facilities on both sides of Perdido Street, the applicant did not believe it would be possible to allocate a discrete number to the petitioned site as off-site parking in accordance with the provisions of **Article 15, Section 15.2.4 *Joint Use of Off-Site Facilities*** of the Comprehensive Zoning Ordinance. However, it is important to consider that these lots currently provide parking for the Sheriff's facilities and will be able to continue to do so during the construction process and into the future. Representatives of the applicant indicated to the staff that the applicant would prefer in the future to consolidate its operations into the petitioned site on the south side of Perdido Street and to join with other criminal justice agencies in the construction of a multi-level parking garage on a single site on the north side of Perdido Street. However, any plans for such would be contingent on future funding, which is not possible to predict at this time.

Third, the staff recommended a waiver of the required two hundred eighteen (218) parking spaces for the prison on the site as part of the conditional use approved in Zoning Docket 68/91. In justifying its recommendation, the staff noted in its report that it was believed that at least some of the required parking could in the future be provided where the "tent city" was at that time located. In the subsequent ordinance (Ordinance 14,762 M.C.S.) approving the conditional use, the City Council required that eighty-three (83) off-street parking spaces be provided in the area between South Jefferson Davis Parkway and South Rendon Street and that the remaining one hundred seventy-three (173) spaces be provided in the "tent city" area upon the removal of the tents. The "tent city" was eventually removed and was replaced with a parking lot, although the exact number of spaces located therein is not presently known. Due to damage from Hurricane Katrina and subsequent demolition, the "tent city" facilities were reconstructed. Upon the completion of the new facility, the present "tent city" prison will be demolished and will be replaced by a parking facility that has been estimated by the applicant to contain one hundred forty-seven (147) off-street parking spaces. An additional fifty-nine (59) spaces would be located in a lot across Perdido Street from the site. As a result, the waiver would in practice be of a temporary nature. The staff therefore recommends the following waiver and proviso:

- The applicant shall be granted a waiver of **Article 15, Section 15.2.1. *Off-Street Parking Regulations for All Districts, Except the CBD Districts and the Vieux Carré Districts*** of the Comprehensive Zoning Ordinance, which requires the provision of two hundred six (206) off-street parking spaces, to permit the provision of zero (0) off-street parking spaces, subject to the requirements indicated in the related condition pertaining to the future provision of off-street parking on the site.
- Upon the issuance of a certificate of occupancy by the City of New Orleans for the new

¹¹ The Criminal Sheriff of the Parish of Orleans and/or the Law Enforcement District of the Parish of Orleans.

Inmate Process Center and Housing Units building, the applicant shall demolish the eight existing tent prison structures and shall restore the existing off-street parking lot upon which they are located to use as one hundred forty-seven (147) parking spaces. At that time, the applicant shall further establish fifty-nine (59) off-street parking spaces within three hundred (300) feet of the site in accordance with the provisions of **Article 15, Section 15.2.4 Joint Use of Off-Site Facilities** of the Comprehensive Zoning Ordinance. The applicant shall secure the approval of the staff of the City Planning Commission for the design of the parking lot, including all fencing and landscaping, prior to its construction. The applicant shall apply for an extension of this condition in accordance with the procedures for amending a conditional use if such parking will not be provided within five (5) years from the date of final approval of this conditional use.

Off-Street Loading

In accordance with **Article 15, Section 15.3.1. Table of Requirements** and **Table 15.G Loading Requirements** of the Comprehensive Zoning Ordinance, off-street loading spaces are required for office space as indicated in the table below.

REQUIRED OFF-STREET LOADING BY PROPOSED USE

<i>Use or Use Category</i>	<i>Floor Area in Square Feet</i>	<i>Loading Spaces Required in All Districts Except Vieux Carré Districts CBD-1, CBD-3, CBD-4</i>
Apartment building, apartment hotel, hotel offices or office building, hospital or similar institutions, places of public assembly	82,300 square feet	two

According to the submitted plans and information presented by the applicant’s representative at the Design Advisory Committee meeting, two (2) off-street loading spaces would be provided on the site in the former South Dupre Street right-of-way adjacent to the proposed new inmate processing center/housing unit structure. No waiver of off-street loading is therefore necessary.

F. Comments from other agencies/departments/committees

Design Advisory Committee

Jan Garbers and Nicholas Farrae of TMG Consulting, David Croft of Sizeler Thompson Brown Architects, and Gerald Hebert of Grace and Hebert Architects appeared on behalf of the applicant before the Design Advisory Committee at its meeting on April 7, 2010. They provided an overview of the project.

The representative of the Department of Parks and Parkways asked about landscaping within the proposed parking lot area. Project representatives discussed that the idea is to provide a nice presence. They also discussed proposed grass areas inside the compound,

possibly including grass spaces in proposed “L” shape areas on the site.

The Parks and Parkways representative asked if there would be planting along the proposed Ring Rd. on the site, which is adjacent to I-10. Project representatives responded that the Sheriff’s office does not own the property in the corridor facing I-10, but that the Sheriff wants green space both within and outside of the prison compound. The goal is to clean up the Broad Street/ I-10 node. Applicant representatives also discussed that if all works as planned, there will be a second-floor main corridor connecting different buildings on the site.

The committee asked about the square footage of the buildings, and why it has grown and gone vertical. Applicant representatives responded that the sheriff’s goal with the new facility is to meet American Correctional Facilities standards, which has increased square footage needs. Regarding parking, there was also the comment that the hope is to eventually be able to demolish the Community Correctional Center and have some parking there. Representatives also noted that there is uncertainty regarding the future of the current South White Street women’s facility and the tilapia farm, though there is high probability both would come down. Both the South White facility and the sheriff’s office would have to stay in place until construction is completed.

The representative from the Historic District Landmarks Commission (HDLC) asked about the site plan for the towers, and if there has been consideration of a different footprint to allow for more green space. Applicant representatives noted that the key issue in correctional facilities is separation, and visibility for security reasons. They noted that inmates will not be using the green space for recreation, except possibly on rare occasions. HDLC noted that from an architectural standpoint, the tower/green space configuration does not work.

HDLC also engaged in a discussion with the applicant regarding the materials to be used in the exterior skin of the buildings. As part of that discussion, project representatives said they are now studying if the buildings will be “green,” though they may or may not go through LEED certification.

In subsequent clarifying discussion with HDLC representatives, they made the following suggestions about the proposed prison facility:

- 1) The horizontal metal screens covering the windows on all elevations should be eliminated. Should the owner/architect desire screening to further articulate the elevations it should be placed at an angle to the wall plane rather than flush with the window in order to avoid a fortress like aesthetic.
- 2) The openings at the Perdido Street elevation of should be made larger and more transparent, if allowable in terms of security. The horizontal slits currently proposed offer

a very hard and imposing edge on an elevation that faces green space and residential areas.

3) The HDLC is opposed to the creation of surface level parking in front of the proposed new building. While they understand that this is caused largely by the phasing of construction, surface level parking in front of a building is antithetical to best practices in urban design and will have a very negative impact on the site in general. If the surface level parking is retained, it should be enclosed with perimeter fencing including a masonry chain wall with metal picket fence above in order to create a street edge. In addition, substantial landscaping should be incorporated in order to minimize the negative impact of the parking.

The committee asked about landscaping of the parking lot, with the hope that there could be a tree for every ten (10) parking spaces. Applicant representatives noted that there is a landscape plan for the kitchen facility now beginning construction, but there is no landscape plan at this point for Phase II of the project. There was also a comment that it would be good to have trees along the I-10 border of the facility. Applicant representatives also noted that there are many entities involved with that corridor.

The representative from the Council on the Arts noted that the Sheriff's Office has had a long history of running an arts project for the wall on the perimeter of the prison along the I-10 corridor. Applicant representatives noted again that there are a number of different entities engaged with the land between the wall and I-10.

A representative of City Planning asked about how loading will work. Applicant representatives commented that the goal will be to have everything come in through the main entry with distribution from the warehouse. Though this is the goal, the problem for now is that all buildings are not being built simultaneously.

Applicant representatives also noted that the proposed Ring Road will be widened to 25 feet, and that there are currently prisons outside of the perimeter. (Note: In subsequent conversation they clarified that the widening was only tentative.) They also noted that HVAC will be contained in a roof penthouse.

Planning Advisory Committee

Jan Garbers and Nicholas Farrae of TMG Consulting, David Croft of Sizeler Thompson Brown Architects, and Gerald Hebert of Grace and Hebert Architects appeared on behalf of the applicant before the Planning Advisory Committee at its meeting on April 14, 2010.

The representative of the Department of Public Works (DPW) asked project representatives if the traffic analysis had been accepted by DPW traffic experts. The

response was that it is still under review by Mr. Yrle of DPW.

The representative of DPW asked about plans to have traffic move on an interior road along the wall, and temporarily along the exterior of the traffic wall on the expressway side of the site. Applicant representatives noted that the plan is for traffic to move inside the exterior wall. During construction, the plan is for a temporary road to run along the exterior of the current wall, which should be removed once construction is complete. The DPW representative asked about permission from railroad representatives to use that land; applicant representatives noted that the railroad had provided approval but that they were awaiting the signing of a Cooperative Endeavor Agreement to give the city's approval.

The representative of the Department of Parks and Parkways (DPP) noted that they will need to review landscape plans for the project. The applicant representative noted that he had just delivered a detailed landscape plan for the kitchen facility that is now beginning construction. DPP reiterated that landscape plans for the entire project will be required; a representative of the City Planning Commission noted that the recommendation could include provisos regarding landscape plans.

The representative of the Property Management Division of Real Estate and Records (RER) asked if any columns from the overhead bridge would extend into the right of way and therefore need a servitude. The response was no.

The representative of the Sewerage and Water Board (SWB) inquired about the possibility of any new buildings being built over existing sewer or water lines. Attendees noted that portions of a few streets on the site had been revoked a number of years ago. It was noted in the discussion that the applicant should check to see if any buildings are to be built over existing servitudes. Therefore, CPC staff recommends the following proviso:

- The applicant shall work with the Sewerage and Water Board as necessary for the retention or relocation of any sewer or water lines affected by the proposed development.

NOTE: Staff subsequently confirmed that the survey shows that revocations have been completed and recorded.

The representative of RER asked about the portion of the temporary building that seems to extend across the Poydras Street right of way, and what will happen with the temporary building. RER and applicant representatives discussed the situation, noting that the tentative plan is for the temporary building to be demolished after five years. Project representatives noted that that will be based on FEMA.

The representative of RER asked if there is a master plan for the site. A project representative noted that there is a Phase V plan in project documents.¹² A project representative also described that eventually the idea for the site is for all access to come in through the kitchen/warehouse, and that the hope is to have vocational facilities on the site. The representative of the RER requested a proviso stipulating that if the Sheriff's department decides to use the site of the temporary building beyond the temporary use, they should work with the city to acquire the right of way.

The DPW representative asked if the Sheriff's office would take over maintenance of catch basins inside the perimeter wall. A project representative said that all internal drains will be tied into a wet well system.

A CPC representative asked about an encroachment of the planned kitchen facility beyond the property line; project representatives indicated that they are working with Entergy on a servitude.

A CPC representative made a motion of no objection to the request subject to further review by DPP, DPW, CPC and SWB, which was seconded by DPW and passed unanimously.

G. What effects/impacts would the proposed use have on adjacent properties?

The proposed facility under which this Conditional Use application falls represents the first portion of a phased recovery and rebuilding of Orleans Parish Criminal Sheriff's office facilities. The site has been used for criminal justice facilities for many years. The purpose of this Conditional Use application is to replace previous "piecemeal" Conditional Use permits, and to consolidate the petitioned site under a single Conditional Use permit. Prisons are a Conditional Use in the HI District.

One of the key goals of this project is to consolidate more of the criminal justice facilities within the perimeter of the site, some of which temporarily located beyond the perimeters after the facility flooded in the wake of the 2005 levee failures. Currently, several facilities, such as the kitchen and prison intake center, are now adjacent to the site, and outside of the site's perimeter.

Much of the parking for the facility takes place on neighborhood streets. Perdido Street is currently blocked near Jane Alley; this is the current drop-off point for prisoner intake and processing. The Perdido Street closure has the effect of routing prison-related traffic entering the site through the secondary streets.

¹² See attached one-page exhibit entitled "Preliminary development plan for Orleans Parish Criminal Sheriff's Office Complex"

Adjacent properties currently represent a mix of industrial, commercial and residential – even a small park sits directly across Perdido Street from the prison site. New development in the surrounding several blocks over the past few years has mainly been new multifamily housing. Much of the commercial use in the area is bail bond businesses, which typically operate 24 hours a day.

The Conditional Use would facilitate bringing into the secure perimeter of the petitioned site a number of prison and prison-related functions that now impact directly upon the neighborhood. (The new kitchen facility, which will be moved from outside to inside the perimeter, is already beginning construction. The Zoning Administrator determined that it is being rebuilt on the same site where it was located prior to being damaged in the 2005 floods, and therefore did not need Conditional Use approval.) Long-term plans also call for eventual establishment of a parking facility on the site, once permanent prisoner housing is completed. Tentative projections also call for the eventual reopening of Perdido Street.

Overall, the combination of consolidated facilities within the perimeter, enhanced design and landscaping as visible from the adjacent neighborhood and nearby I-10 corridor, and will serve to partially mitigate the assumed negative impact that a prison site would have on any adjacent neighborhood. The eventual provision of parking spaces within the perimeter, assuming this happens, will have a significant positive impact, since Perdido Street and the intersecting side streets have become, in essence, a parking lane for the prison site.

III. COMPREHENSIVE PLAN

Is the proposed action supported by or in conflict with policies or strategies of the *New Century New Orleans Master Policy Plan* or the *Unified New Orleans Plan*?

The proposed action is **supported** by the following section of the *New Century New Orleans Master Policy Plan*:

Introduction – Community Goals: Improved Public Safety: “Making cities safe is vital to our survival. Making citizens and visitors *feel* safe is essential to our redevelopment. (Introduction p. 2)

The proposed action is **supported** by the *1999 Land Use Plan*, which proposes “Institutional” use for the site.

The proposed action is **supported** by the *Unified New Orleans Plan (UNOP) CityWide Recovery Plan*, which recommends repairing, renovating or replacing the Orleans Parish Detention Facilities as having “high” recovery value. (p. 285)

The UNOP District 4 Recovery Plan notes as one of its recovery projects revitalization of the nearby Tulane Avenue commercial corridor, with emphasis on the New Orleans

Biosciences Economic Development District. In addition, the *draft Justice Facilities Master Plan Introduction and Executive Summary (8/7/07)* notes that while the UNOP plan defines the area more in terms of the medical facilities in the area, the proposed redevelopment of justice facilities in the area will enhance redevelopment possibilities for the area.

The proposed action is **supported** by the *Plan for the 21st Century: New Orleans 2030*, which at this writing has been approved by the City Planning Commission and is under consideration by the City Council.

Volume 2, Chapter 10, "Community Facilities, Services and Infrastructure," Goal 2A: "All public safety facilities should be state-of-the art with integrated services." (page 10.13)

IV. SUMMARY

The Orleans Parish Sheriff's Office is undertaking the recovery and rebuilding of facilities damaged in the 2005 flooding in the wake of Hurricane Katrina. The applicant wishes to rescind conditional uses approved in 1985 and 1991, which allowed for the establishment and expansion of the prison, along with their subsequent administrative amendments. This current conditional use application is designed to cover with a single conditional use permit the entire complex within these boundaries. This conditional use would facilitate bringing into the secure perimeter of the petitioned site a number of prison and prison-related functions that now impact directly upon the neighborhood.

The petitioned property consists of several lots in the triangular space bordered by South Jefferson Davis Parkway, the I-10/Pontchartrain Expressway corridor, Perdido and South Broad Streets. The first phase of the recovery, a kitchen warehouse and campus central plant facility, is moving forward with the determination by the Zoning Administrator that because it is rebuilding on its original location Conditional Use approval was not needed.

The second phase is to replace the Templeman III & IV inmate housing facility, which suffered extensive flood damage from Hurricane Katrina and has been demolished. The building integrates many critical prison functions into one building – in addition to blocks of cells, it will have an intake processing facility, administrative offices, a public lobby and visitation center.

The third phase, which is tentative, is on the former site of the Templeman I & II buildings, which has been demolished. The intent is to rebuild a second inmate housing facility on that site.

While construction for the new permanent facility is underway, the applicant also intends to place several additional modular units of temporary detention housing on the site, to reduce prisoner over-crowding.

The petitioned site currently has inmate housing in tents on the lot bordered by 2700 Perdido Street. Plans tentatively call for parking on this lot once permanent inmate housing is complete and the tents are dismantled. According to OPSCO, prior to Katrina, the OPSCO could house more than 7,000 inmates. Capacity with the new facility is expected to be approximately 5,800.

Currently, all vehicular access to the site in question is via Perdido Street. Perdido Street has been cordoned off by security fencing at Jane Alley, as a security measure. The several blocks across Perdido Street from the site include a mix of residential (occupied and unoccupied), a trucking business, several bail bond offices, a small park, a secured parking lot for telecommunications trucks, and a new multifamily development, along with several buildings that are part of the criminal justice complex. Much of the parking for the facility takes place on neighborhood streets.

Long-term plans call for eventual establishment of a parking facility on the site, once permanent prisoner housing is completed. Tentative projections also call for the eventual reopening of Perdido Street.

Overall, the combination of consolidated facilities within the perimeter, enhanced design and landscaping as visible from the adjacent neighborhood and nearby I-10 corridor, will serve to partially mitigate the assumed negative impact that a prison site would have on any adjacent neighborhood. The eventual provision of parking spaces within the perimeter, assuming this happens, will have a significant positive impact as well.

V. **PRELIMINARY STAFF RECOMMENDATION**¹³

The staff recommends approval of Zoning Docket 30/10, subject to one (1) waiver and twenty-three (23) provisos.

Waivers

1. The applicant shall be granted a waiver of **Article 15, Section 15.2.1. *Off-Street Parking Regulations for All Districts, Except the CBD Districts and the Vieux Carré Districts*** of the Comprehensive Zoning Ordinance, which requires the provision of two hundred six (206) off-street parking spaces, to permit the provision of zero (0) off-street parking spaces, subject to the requirements indicated in the related condition (see proviso 22) pertaining to the future provision of off-street parking on the site.

Provisos

¹³ Subject to modification by the City Planning Commission.

1. The applicant shall re-subdivide the petitioned lots into one lot of record.
2. The applicant shall submit revised site plans demonstrating that no permanent structure encroaches upon the Poydras Street right of way.
3. The surface parking lot shall be enclosed with perimeter fencing – such as a low masonry chain wall with half metal picket fence above – in order to create a street edge along Perdido Street and the curvilinear South Broad Street/Poydras Service Drive.
4. The applicant shall alter the sallyport window openings at street-level on Perdido Street so that they are larger and more transparent, as long as security is not compromised.
5. The applicant shall be required to amend this Conditional Use permit for the petitioned site when plans for the construction of the proposed Templeman I & II facility are ready, by submitting floor and site plans to City Planning for review, as a precondition for building permit issuance.
6. The applicant shall secure a long-term lease of servitude for existing improvements made upon the Poydras Street right-of-way, including but not limited to the 12-foot concrete security wall between South White and South Lopez Streets, and the paved storage yard area between South Rendon Street and South Jefferson Davis Parkway.
7. The applicant shall include a note on amended site plans stating that all temporary inmate housing (including tent city and modular units) will be removed upon completion of Templeman III & IV.
8. The applicant shall remove all temporary inmate housing from the petitioned site as a requirement for any amendment of the Conditional Use permit, and as a precondition for receiving a building permit for Templeman I & II facility.
9. The applicant shall remove all obstructions to automotive and pedestrian traffic, and restore the public right of way on Perdido and South White Streets prior to receiving a certificate of occupancy for the new Templeman III & IV facility from the Department of Safety and Permits.
10. The applicant shall submit a phasing plan showing that, upon demolition of South White Street women’s housing facility and relocation of the tilapia farm, Ring Road shall be extended to a secure gate on Poydras Avenue under the South Broad Street viaduct.
11. The applicant shall secure approval of revised site plans by the New Orleans Fire Department, regarding the following building code specification, and submit approved revised site plans to the City Planning Commission:
 - a. Widening of Ring Road to a minimum width of 20 feet.

- b. Improvement of Ring Road roadbed to meet fire lane specifications, subject to additional review and approval by Department of Public Works.
 - c. Installation of approved Fire Department Connections where necessary so that no portion of any proposed building is further than 300 feet from a Connection.
 - d. Specifications on hose outlet size and threading, subject to additional review and approval of the Sewerage and Water Board.
 - e. Location of an adequate turn-around of minimum 50 foot radius at any point where Ring Road dead-ends and is further than 100 feet from a dedicated street.
- 12.** The applicant shall submit detailed landscape plans prepared by a licensed Louisiana landscape architect indicating the items listed below. The landscape plan shall be subject to final approval by City Planning Commission staff and by the Department of Parks and Parkways for any proposed planting within a public right-of-way.
- a. Landscaping improvements within the proposed parking lot, on islands, medians, and along perimeter ground not improved with asphalt paving.
 - b. Shade-plantings along the Perdido Street side of the Intake and Processing Center sallyport, between the building and the sidewalk as space permits, providing a planting bed of not less than two (2) feet.
 - c. The genus, species, size, location, quantity, and irrigation of all proposed plant materials within both the common areas and the street rights-of-way within the site, with applicable remarks and details.
- 13.** The applicant shall submit a revised site plan showing additional green space of a sizable concentration within the Correctional Complex that can be used as an outdoor recreation area for inmates.
- 14.** The applicant shall install a continuous opaque concrete perimeter wall twelve (12) feet in height along Perdido Street and I-10 that matches the dimension and style of the existing concrete walls.
- 15.** The applicant shall either modify the location of dumpster berths or provide visual screening as part of the site design so that the Trash Dock at the rear of the Kitchen/Warehouse/Plant will not be visible from the public right of way.
- 16.** The applicant shall provide to the City Planning Commission a litter abatement program letter, inclusive of the stated location of litter storage, the type and quantity of trash receptacles, the frequency of litter pickup by the Department of Sanitation or a contracted trash removal company, and the clearing of all litter from the sidewalks and street rights-of-way. The name and phone number of the owner/operator of the development shall be included in this letter to be kept on file in case of any violation.
- 17.** The applicant shall submit a detailed signage plan indicating:
- a. The location, text and dimension of all signs posted around the perimeter of the petitioned site, or which are visible to the public.

- b. Which signs will be illuminated, and specifications for said signs.
18. The applicant shall submit a lighting plan for the petitioned site for review and approval by the staff of the City Planning Commission and the Department of Public Works.
 19. All proposed curb cuts shall require the approval of the Department of Public Works. All curbs and sidewalks along the Perdido Street frontage shall be replaced and any existing and unused curb cuts along either street frontage shall be restored. Approval of plans for such reconstruction shall be secured from the Department of Public Works.
 20. The Sheriff's department shall restrict loading dock activity at night, so that no truck deliveries or trash collection occurs between the hours of 10 pm and 6 am.
 21. The applicant shall secure the approval of the Department of Public Works for the following:
 - a. the location and construction of all proposed curb cuts and the restoration of any existing curb cuts that are not to be utilized as part of the development;
 - b. the replacement or restoration of all sidewalks adjacent to and across a street from the site as deemed necessary;
 - c. the installation of vertical curbs along all street frontages adjacent to the site;
 - d. the installation of all subsurface drainage for the proposed development; and
 - e. a traffic impact analysis for the proposed development, including any mitigation measures deemed necessary should significant adverse impact to the transportation system be determined by the Department of Public Works to be likely to occur as a result of the proposed development.
 22. Upon the issuance of a certificate of occupancy by the City of New Orleans for the new Inmate Process Center and Housing Units building, the applicant shall demolish the eight existing tent prison structures and shall restore the existing off-street parking lot upon which they are located to use as one hundred forty-seven (147) parking spaces. At that time, the applicant shall further establish fifty-nine (59) off-street parking spaces within three hundred (300) feet of the site in accordance with the provisions of **Article 15, Section 15.2.4 *Joint Use of Off-Site Facilities*** of the Comprehensive Zoning Ordinance. The applicant shall secure the approval of the staff of the City Planning Commission for the design of the parking lot, including all fencing and landscaping, prior to its construction. The applicant shall apply for an extension of this condition in accordance with the procedures for amending a conditional use if such parking will not be provided within five (5) years from the date of final approval of this conditional use.
 23. The applicant shall work with the Sewerage and Water Board as necessary for the retention or relocation of any sewer or water lines affected by the proposed development.

VI. REASONS FOR RECOMMENDATION

1. The plans as proposed would consolidate prison facilities within a unified perimeter. This consolidation will lessen the impact on the surrounding neighborhood.
2. The replacement of existing Conditional Uses with a single Conditional Use will simplify a complicated zoning situation.
3. The repair, renovation or replacement of Orleans Parish Detention Facilities is designated as having “high” recovery value as a Community Facilities Public Safety project in the Unified New Orleans Plan CityWide Recovery Plan.

VII. PUBLIC HEARING (April 27, 2010)

Proponents

Anthony Mumfrey of TMG Consulting, 365 Canal St., Suite 1170, New Orleans, spoke on behalf of the Orleans Parish Sheriff’s Office in support of the measure. He expressed that the Sheriff’s Office has been working with FEMA, the City and the State to bring back prison facilities, which are essential to public safety, following the devastation of Hurricane Katrina. He noted that the kitchen/warehouse facility is already under construction, and that the sheriff’s office and the City Planning Commission have been working together in a cooperative and professional manner for several months on the Conditional Use application under consideration today. He noted that the Sheriff’s Office is amenable to most of the provisos in the staff report, except for provisos 7, 8, 9, 13 and 21(e).

He requested deletion of proviso 13, relating to additional green space for inmate recreation, noting that the facility will meet American Corrections Association design standards, which include meeting the recreational needs of inmates as well as safety needs of the public. He said that the proviso was “vague” and “unreasonable.”

He requested deletion of provisos 7 and 8, related to removal of temporary inmate housing facilities on the site. He noted that it is the Sheriff’s responsibility to determine needed inmate space. He stated that these provisos would allow the sheriff to have only 3998 spaces when the projected need is 5832. He also noted that for the City Planning Commission to “supplant the sheriff’s determination” with “its own judgment” would be a “heavy liability of the Planning Commission.”

He requested deletion of proviso 9, related to the reopening of Perdido Street, saying that the street will be reopened when the Sheriff determines that there is a full complement of inmate housing. He said that reopening Perdido Street with temporary housing still in place would have an adverse impact of the area’s safety and security as well as servicing of the temporary housing,

Regarding proviso 21(e) pertaining to a traffic impact analysis, he notes that he understood it to mean identifying mitigation measures, not providing those measures. He requested deletion if it meant the Sheriff's office would have to provide such measures.

Commissioner Sloss asked staff to comment on these requests, and more specifically re measures 7,8 and 21 (e). Staff noted that they had discussed the issues with the applicant and could work with them as needed toward resolution of the issues. More specifically, staff explained rationale, noting that plans as submitted show removal of tents and placing parking on the space. Staff also noted that while the Sheriff has to determine what the appropriate needs are, the tent city has to be removed in order to accommodate parking and the opening of Perdido Street.

Commissioner Johnson asked about the parking lot, and if it will be resurfaced with drainage. Staff explained that aerial photos of the site as provided by the applicant showed that the lot was previously paved and striped.

Re the traffic analysis covered in proviso 21(e), staff noted that such provisos are standard in project of this size and involving this much traffic, and that such analyses typically recommend measures and are provided to the Department of Public Works, which reviews and provides guidance. This is what applicants are expected to do.

As further context, staff also noted the significant traffic and parking impact that the prison site as it is currently has on the surrounding neighborhood, with little available parking on-site as of now.

Commissioner Williams asked about how this request relates to the previous conditional uses on the site, and if it expands the footprint. Staff noted that the previous conditional use approvals were in 1984 and 1991, each with subsequent amendments, and that they covered the same general area as staff recalled. Staff also explained that a goal of the current conditional use is to "wipe the slate clean" and create one conditional use by putting the entire site under a single conditional use provision. Staff also noted that since Katrina, some prison facilities have extended beyond the site boundaries and into the neighborhood, and that this prison rebuilding project will bring some of those facilities back into the site footprint, which could benefit the neighborhood..

Commissioner Amadee asked for elaboration regarding the temporary housing, the request by the Mid-City Neighborhood Organization for input, and the issue of City Planning Commission liability.

Staff noted that the challenge with the application is that there is some uncertainty with the timing of the third phase of the project, since the Templeman I and II phase of the project is less certain than the other phases, and that there was some concern as to how long the temporary housing would remain onsite. Staff noted that the provisos were included as a

way to provide some standards for that to happen. The City Planning Commission executive director added that the intent of provisos 7 and 8 was not to set the number of beds or impede operation of the prison, but that City Planning was trying to determine when and where parking would come online, and when the right-of-way would be reopened.

Regarding any liability on behalf of the City Planning Commission, the City Attorney noted that City Planning makes recommendations to City Council, who ultimately makes the decision and enforces, so she did not believe that this left City Planning open to liability.

Re the Mid-City Neighborhood Organization's request, Staff noted that CPC has encouraged project representatives to talk with the organization and has provided the organization's contact information to the applicant.

Opponent

Evelyn Baudoin-Glasper, 3547 Roger Williams St., New Orleans, noted that she has purchased property on Perdido Street and has businesses in the area, and is concerned about dislocation and reimbursement for property. She was concerned about people in the neighborhood being dislocated, and noted the pending hospital project. She noted that she is not in opposition to the prison project, but was speaking for information only.

Rebuttal

Dr. Mumphrey noted that Sheriff is endeavoring to move forward, and wants to provide permanent facilities and parking as quickly as possible.

Re the liability question, he noted that he was mainly referring to public safety liability of not having appropriate facilities to house projected prison capacity.

He said that no dislocation is occurring or projected to occur. He said that the Sheriff has been meeting with neighborhood residents, and invited the opposition speaker to attend. He asked to be in contact with her.

Regarding the temporary housing, he noted that the Sheriff projects needing 5832 spaces, and that Templeman I and II would include 1834 spaces. Therefore, if Templeman I and II cannot go ahead and they don't have the temporary housing, the facility would be 1834 spaces short.

Commissioner Sloss asked about the current population. Dr. Mumphrey said that there are currently 3952 spaces now, which is not adequate for future needs. Commissioner Sloss asked about timing for going from 3952 to 5832 spaces; Dr. Mumphrey said that would happen when both Templeman III/ IV and I/II are completed.

Commissioner Brown asked if the prison was at capacity before the storm. Dr. Mumphrey responded that the prison had 7564 spaces and about 7000 inmates pre-Katrina, and that the population and projected needs have both gone down post-storm.

Dr. Mumphrey urged that the conditional use be granted, but without the provisos previously noted.

VIII. ZONING MEETING (April 27, 2010)

The Senior City Planner presented a summary of the material in the foregoing report.

The City Planning Commission executive director noted that the Mid-City Neighborhood Organization had requested a deferral of this agenda item.

Commissioner Robinson then made the following motion, which was seconded by Commissioner Duckworth and adopted.

Motion

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 30-10 IS HEREBY RECOMMENDED FOR **APPROVAL** SUBJECT TO ONE (1) WAIVER AND TWENTY-THREE (23) PROVISOS. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

Waivers

1. The applicant shall be granted a waiver of **Article 15, Section 15.2.1. *Off-Street Parking Regulations for All Districts, Except the CBD Districts and the Vieux Carré Districts*** of the Comprehensive Zoning Ordinance, which requires the provision of two hundred six (206) off-street parking spaces, to permit the provision of zero (0) off-street parking spaces, subject to the requirements indicated in the related condition (see proviso 22) pertaining to the future provision of off-street parking on the site.

Provisos

1. The applicant shall re-subdivide the petitioned lots into one lot of record.
2. The applicant shall submit revised site plans demonstrating that no permanent structure encroaches upon the Poydras Street right of way.

3. The surface parking lot shall be enclosed with perimeter fencing – such as a low masonry chain wall with half metal picket fence above – in order to create a street edge along Perdido Street and the curvilinear South Broad Street/Poydras Service Drive.
4. The applicant shall alter the sallyport window openings at street-level on Perdido Street so that they are larger and more transparent, as long as security is not compromised.
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6. The applicant shall secure a long-term lease of servitude for existing improvements made upon the Poydras Street right-of-way, including but not limited to the 12-foot concrete security wall between South White and South Lopez Streets, and the paved storage yard area between South Rendon Street and South Jefferson Davis Parkway.
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 - c. Installation of approved Fire Department Connections where necessary so that no portion of any proposed building is further than 300 feet from a Connection.
 - d. Specifications on hose outlet size and threading, subject to additional review and approval of the Sewerage and Water Board.

- e. Location of an adequate turn-around of minimum 50 foot radius at any point where Ring Road dead-ends and is further than 100 feet from a dedicated street.
12. The applicant shall submit detailed landscape plans prepared by a licensed Louisiana landscape architect indicating the items listed below. The landscape plan shall be subject to final approval by City Planning Commission staff and by the Department of Parks and Parkways for any proposed planting within a public right-of-way.
 - a. Landscaping improvements within the proposed parking lot, on islands, medians, and along perimeter ground not improved with asphalt paving.
 - b. Shade-plantings along the Perdido Street side of the Intake and Processing Center sallyport, between the building and the sidewalk as space permits, providing a planting bed of not less than two (2) feet.
 - c. The genus, species, size, location, quantity, and irrigation of all proposed plant materials within both the common areas and the street rights-of-way within the site, with applicable remarks and details.
13. The applicant shall submit a revised site plan showing additional green space of a sizable concentration within the Correctional Complex that can be used as an outdoor recreation area for inmates.
14. The applicant shall install a continuous opaque concrete perimeter wall twelve (12) feet in height along Perdido Street and I-10 that matches the dimension and style of the existing concrete walls.
15. The applicant shall either modify the location of dumpster berths or provide visual screening as part of the site design so that the Trash Dock at the rear of the Kitchen/Warehouse/Plant will not be visible from the public right of way.
16. The applicant shall provide to the City Planning Commission a litter abatement program letter, inclusive of the stated location of litter storage, the type and quantity of trash receptacles, the frequency of litter pickup by the Department of Sanitation or a contracted trash removal company, and the clearing of all litter from the sidewalks and street rights-of-way. The name and phone number of the owner/operator of the development shall be included in this letter to be kept on file in case of any violation.
17. The applicant shall submit a detailed signage plan indicating:
 - a. The location, text and dimension of all signs posted around the perimeter of the petitioned site, or which are visible to the public.
 - b. Which signs will be illuminated, and specifications for said signs.
18. The applicant shall submit a lighting plan for the petitioned site for review and approval by the staff of the City Planning Commission and the Department of Public Works.

19. All proposed curb cuts shall require the approval of the Department of Public Works. All curbs and sidewalks along the Perdido Street frontage shall be replaced and any existing and unused curb cuts along either street frontage shall be restored. Approval of plans for such reconstruction shall be secured from the Department of Public Works.
20. The Sheriff's department shall restrict loading dock activity at night, so that no truck deliveries or trash collection occurs between the hours of 10 pm and 6 am.
21. The applicant shall secure the approval of the Department of Public Works for the following:
 - a. the location and construction of all proposed curb cuts and the restoration of any existing curb cuts that are not to be utilized as part of the development;
 - b. the replacement or restoration of all sidewalks adjacent to and across a street from the site as deemed necessary;
 - c. the installation of vertical curbs along all street frontages adjacent to the site;
 - d. the installation of all subsurface drainage for the proposed development; and
 - e. a traffic impact analysis for the proposed development, including any mitigation measures deemed necessary should significant adverse impact to the transportation system be determined by the Department of Public Works to be likely to occur as a result of the proposed development.
22. Upon the issuance of a certificate of occupancy by the City of New Orleans for the new Inmate Process Center and Housing Units building, the applicant shall demolish the eight existing tent prison structures and shall restore the existing off-street parking lot upon which they are located to use as one hundred forty-seven (147) parking spaces. At that time, the applicant shall further establish fifty-nine (59) off-street parking spaces within three hundred (300) feet of the site in accordance with the provisions of **Article 15, Section 15.2.4 Joint Use of Off-Site Facilities** of the Comprehensive Zoning Ordinance. The applicant shall secure the approval of the staff of the City Planning Commission for the design of the parking lot, including all fencing and landscaping, prior to its construction. The applicant shall apply for an extension of this condition in accordance with the procedures for amending a conditional use if such parking will not be provided within five (5) years from the date of final approval of this conditional use.
23. The applicant shall work with the Sewerage and Water Board as necessary for the retention or relocation of any sewer or water lines affected by the proposed development.

YEAS: Amadee, Brown, Duckworth, Johnson, Sloss, Robinson, Williams

NAYS: none

ABSENT: Lawrence, Volz

VI. REASONS FOR RECOMMENDATION

1. The plans as proposed would consolidate prison facilities within a unified perimeter. This consolidation will lessen the impact on the surrounding neighborhood.
2. The replacement of existing Conditional Uses with a single Conditional Use will simplify a complicated zoning situation.
3. The repair, renovation or replacement of Orleans Parish Detention Facilities is designated as having “high” recovery value as a Community Facilities Public Safety project in the Unified New Orleans Plan CityWide Recovery Plan.