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May 16, 2003

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05 MAY 16 AM 9:50

VIA HAND DELIVERY
Zoning Commission for the
District of Columbia
441 4th Street, N.W., Suite 210S
Washington, D.C. 20001

Re: Application for a Text Amendment to the Zoning Regulations for the Metropolitan Police Department: Z.C. Case No. 02-28TA

Dear Members of the Commission:

On behalf of the Metropolitan Police Department, enclosed please find an original and twenty copies of the Prehearing Statement with exhibits for filing in accordance with the District of Columbia Zoning Regulations. No hearing fee is required in accordance with 11 DCMR § 3043.1.

We look forward to the Commission's consideration of this application and confirmation of a hearing date. Should you have any questions or need additional information, please do not hesitate to call me.

Very truly yours,

Christopher H. Collins

Christine Moseley Shiker

Enclosures

cc: Ellen McCarthy, Office of Planning (Via Hand Delivery, w/enc)

ZONING COMMISSION
District of Columbia
Case 02-28TA
Exhibit 12

ZONING COMMISSION
District of Columbia
CASE NO.02-28
EXHIBIT NO.12

PREHEARING STATEMENT

OF THE APPLICANT
TO THE
DISTRICT OF COLUMBIA ZONING COMMISSION
FOR A
TEXT AMENDMENT
TO THE ZONING REGULATIONS

FOR

THE METROPOLITAN POLICE DEPARTMENT

Zoning Commission Case No. 02-28TA

PREFACE

This Prehearing Statement and attached documents (the "Prehearing Submission") are submitted on behalf of the Metropolitan Police Department (the "MPD") in support of its application to the Zoning Commission for the District of Columbia (the "Zoning Commission") for the enactment of a comprehensive set of amendments to the Zoning Regulations for the District of Columbia (the "Zoning Regulations"). These amendments will establish zoning regulations for new MPD Facilities and the expansion of existing MPD Facilities.

The MPD originally filed an application with proposed amendments and supporting documents with the Zoning Commission on July 26, 2002 (the "Application "). Since that time, the MPD has revised the proposed amendments to reflect comments and issues raised by both the Office of Planning in its report to the Zoning Commission dated August 30, 2002, and the Zoning Commission at its public meeting on September 9, 2002.

As set forth below, this Prehearing Submission, along with the original Application, meets the filing requirements for an application for a text amendment under Chapter 30 of the District of Columbia Zoning Regulations.

DEVELOPMENT TEAM

Applicant:	Metropolitan Police Department 300 Indiana Avenue, N.W. Washington, D.C. 20001
Real Estate Consultant:	CB Richard Ellis 700 14th Street, N.W. Suit 200 Washington, D.C. 20005
Land Use Counsel:	Holland & Knight LLP 2099 Pennsylvania Avenue, N.W Suite 100 Washington, D.C. 20006

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CERTIFICATION OF COMPLIANCE WITH SECTION 3013 OF THE ZONING REGULATIONS

The Applicant hereby certifies that this submission, twenty copies of which were filed with the Zoning Commission on May 16, 2003, complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, and that the application is complete.

Subsection	Description	Page
3013.1(a)	Information Requested by Commission	Prehearing Statement
3013.1(b)	List of Witnesses	Exhibit D
3013.1(c)	Summary of Testimony of Applicant's Witnesses and Reports for Record:	
	Eric Coard, Senior Executive Director, Corporate Services Metropolitan Police Department	Exhibit E
	Steven E. Sher, Land Planner	Exhibit E
3013.1(d)	Additional Information	Submitted herewith or with PUD Submission
3013.1(e)	Reduced Plans	Not Applicable
3013.1(f)	List of Maps, Plans or other Documents Readily Available Which Will Be Offered Into Evidence	Exhibit F
3013.1(g)	Estimated Time Required for Presentation of Applicant's Case	Exhibit D

The undersigned HEREBY CERTIFIES that all of the requirements of Section 3013 of the Zoning Regulations have been complied with. In accordance with Section 3013.8, this application will not be modified less than twenty days prior to the public hearing.

Respectfully Submitted,

HOLLAND & KNIGHT LLP

By: Christy Shiker
Christine Moseley Shiker

LIST OF EXHIBITS

Description	Exhibit
Compilation of Existing MPD Facilities	A
Proposed Amendments to the Text of the Zoning Regulations	B
Document Indicating Changes to Previously Submitted Proposed Amendments to the Text of the Zoning Regulations	C
List of Witnesses and Estimated Time for Presentation of Case	D
Outlines of Testimony for Witnesses	E
List of Maps, Plans or Other Documents Readily Available Which Will Be Offered Into Evidence	F

I.
INTRODUCTION

This Prehearing Statement and attached documents are submitted on behalf of the Metropolitan Police Department, the duly authorized police force for the District of Columbia, (the "MPD"), which occupies numerous police and law enforcement and related law enforcement-supporting facilities ("MPD Facilities") throughout the District of Columbia. A compilation of existing MPD Facilities is attached hereto as Exhibit A. The MPD requests enactment of a comprehensive set of amendments to the Zoning Regulations to codify zoning requirements for future new MPD Facilities or expansion of existing MPD Facilities.

II.
BACKGROUND

Prior to the enactment of Home Rule in the District of Columbia, there was no distinction between the federal government and the District of Columbia government for zoning purposes: both were exempt under federal and District of Columbia law from zoning regulation. Although a Commissioner's Order directed that the policy of the District of Columbia should be that its agencies would attempt to comply with zoning, such buildings were not subjected by any law or regulation to the requirements of the Zoning Regulations.

The Comprehensive Plan Amendment Act of 1989 amended the District of Columbia Code to require most buildings and property owned by the District of Columbia government to comply with zoning. The Comprehensive Plan Act was implemented through the Zoning Regulations by the enactment in 1990 of

Section 106.5 of the Zoning Regulations, subjecting to the Zoning Regulations all District-owned buildings and land that were in existence, or substantially planned, documented and invested in prior to May 23, 1990, and all changes or expansion in use of such land or building buildings, with the exception of District of Columbia buildings and land within the boundaries of the Downtown Urban Renewal Plan and the Shaw School Urban Renewal Plan. As discovered by the Department of Recreation during the planning of its facilities expansion program, there has been very little added to the Zoning Regulations since the enactment of Section 106.5 that gives guidance to the Zoning Commission as to how governmental facilities should be treated under the Zoning Regulations. Outside of sparing references to District of Columbia Public Schools, there are very few references in the Zoning Regulations to *any* governmental facility.

As the MPD conducts its facilities planning program, it is in need of guidance from the Zoning Commission as to what the applicable zoning regulations and requirements are and should be for MPD Facilities. The MPD, therefore, is seeking a comprehensive set of amendments to the Zoning Regulations to provide for the operation of law enforcement and related law-enforcement supporting facilities in appropriate zone districts according to the scope, focus and intensity of the MPD activity conducted at the site.

III.
PROPOSED AMENDMENTS TO THE ZONING REGULATIONS

A. Original Proposed Amendments

In its original Submission, the MPD stated that it requested amendments to the Zoning Regulations that would do the following:

1) provide definitions distinguishing a police facility with activities having a citywide focus ("Metropolitan Police Department general facility") from a facility with a focus on a smaller sub-area of the City ("Metropolitan Police Department local facility");

2) establish an MPD local facility as a matter-of-right in any Residential District and, by carry-over, in all SP, C, C-M and M Districts;

3) allow expansion of existing local and general facilities in Residential Districts in accordance with the height, area and bulk requirements of the underlying zone in which the facility is located;

4) establish an MPD general facility as a matter-of-right in SP and less restrictive districts;

5) permit all MPD facilities as a matter-of-right in Waterfront Districts;

6) permit all MPD facilities as a matter-of-right in Mixed Use (CR) Districts;

7) establish parking requirements for MPD facilities in the ratio of 1 space for every 600 square feet of gross floor area and cellar floor area beyond the first 2,000 square feet in the R, C-1, C-2-A and C-3-A Districts, and 1 space for every 1,800 square feet of gross floor area beyond 2,000 square feet in all other districts; and

8) permit stacked parking at MPD facilities.

These original proposed amendments sought to balance the critical importance of the public safety function of the MPD and the MPD's resulting need for maximum flexibility in locating police facilities to best serve the public, with the duty of the Commission to ensure the compatibility of allowable uses within various zone districts. The proposed amendments categorized MPD Facilities according to the scope of use occurring therein, allowing lower intensity facilities serving a discrete area, such as police district headquarters and substations, in *all* zone districts, and allowing facilities with a more citywide focus, including specialty division and support services, in the SP District and all less restrictive districts.

The flexibility contained in the original proposed amendments was also reflective of the fact that these public safety facilities that serve only a portion of the city, such as a police district headquarters and substations, are more geographically constrained in terms of where such facilities must be located. Conversely, facilities that serve a citywide function could be located anywhere in the District, providing a greater opportunity to find space for such facilities outside the residential zones. In recognition of the parking needs of MPD Facilities, the original proposed amendments recommended the same parking requirements as office uses in lower density commercial zones and permitted stacked parking at MPD Facilities.

B. Modifications to Proposed Amendments

Since filing its Application, the MPD has had the benefit of comments from the Office of Planning in its report to the Zoning Commission dated August 30, 2002 (the "OP Report"), and the Zoning Commission discussion of this application at its public meeting on September 9, 2002. As a result of these comments, the MPD has revised the original proposed amendments as indicated in Exhibits B and C. A discussion of the modifications follows:

1. Definitions

On page eight of the OP Report, the Office of Planning recommended modifications to the definition of Metropolitan Police Department General Facility and Metropolitan Police Department Local Facility. The Commission also requested these changes. All requested modifications have been made.

As a result of follow-up discussion with the Office of Planning, additional definitions have been included.

(a) Regional Command Centers have been defined as follows:

> Regional Command Center: a building and associated land used for administrative control and managerial services and community outreach for a specific geographic area that encompasses two or more districts or commands of the Metropolitan Police Department.

These uses are less intense than general facilities.

(b) Neighborhood Policing Centers (formerly identified in the Application as "Community Policing Centers"), which are relatively small resource centers for local facilities, have been defined as follows:

> Neighborhood Policing Center: a building and associated land used as a liaison and resource center for a limited purpose for a specified area in the city, to supplement the Metropolitan Police Department local facilities.

The centers are staffed by police officers 12-16 hours on weekdays, and handle complaints and issues within a specific community. The two existing examples of Neighborhood Policing Centers include the Latino Center at 1800 Columbia Road, N. W. in Adams-Morgan and the Asian Liaison Center at 611 H Street, N. W. in Chinatown. Officers assigned to these Centers speak the foreign language of that particular community. These centers are incorporated as rooms in a building or as a storefront facility. Not included on the list of locations are the numerous small accommodations provided by community associations and merchants, which typically include places for officers to stop off and do paperwork, make phone calls, etc. Neighborhood Policing Centers serve to increase the effectiveness of policing in the community and create little intrusion in the community. This use is less intense than a typical local facility.

2. Classifications

The Office of Planning has also requested that the MPD clarify the nature and extent of the following uses:

(a) *Jail Facilities*: Jails are within the jurisdiction of the Department of Corrections and not the MPD. Although all police district headquarters include holding facilities, these facilities are not long term or overnight cells and are, therefore, not classified as jails. In addition to the police district headquarters, the MPD currently has two temporary detention facilities:

501 New York Avenue, N.W., which is for temporary holding and processing of juveniles, and 300 Indiana Avenue, N.W., which is a holding/processing facility for individuals awaiting court appearances, or awaiting bail.

(b) *The Canine Squad*: The Canine squad is currently a part of the Special Operations Division ("SOD") and will remain with the SOD. The canine squad is housed at the Training Academy at Blue Plains *(see below)*.

(c) *Training Academy*: The Training Academy was originally identified in the Application as "training units." This is the primary facility where police officers go for general and specialized training. The Academy is located at Blue Plains, and there is sufficient parking for this purpose.

(d) *Equestrian Unit:* This unit is also a part of the SOD and is currently located on federal land at Fort Dupont Park on Minnesota Avenue, N.E.

3. Modifications to MPD Facilities Permitted as a Matter-of Right or by Special Exception

(a) On page eight of the OP Report, the Office of Planning recommended that certain changes be made to those uses permitted as a matter of right. First, the Office of Planning recommended that vehicle maintenance facilities not be permitted as general facilities in the Waterfront District. This modification has been made.

(b) Although the Office of Planning supported general facilities as a matter of right in the SP and all less restrictive districts, the Zoning Commission expressed concern about the matter-of-right use of some types of general facilities in the SP, W, and CR zones. The Commission expressed concern about the following

general facilities: (i) "vehicle-intensive uses" (such as mobile crime unit); (ii) uses involving animals (such as canine and equestrian units); and (iii) uses with potential external effects (such as the bomb squad and laboratory). The Commission suggested that these uses not permitted as a matter-of-right be permitted by special exception.

The MPD has classified the above-referenced uses as follows:

(i) *Vehicle Intensive Uses*: The only MPD Facility that would constitute a vehicle intensive use is the vehicle maintenance facility, which the MPD agrees should be limited to the Commercial and Industrial zones as a matter-of-right. The vehicle maintenance facility is currently located at 2175 West Virginia Avenue, N.E., in an industrial zone, with adequate parking.

The mobile crime unit, however, is not a vehicle intensive use. This unit includes several equipment vans for on-site investigations and does not, contrary to the suggestion in the name, employ large numbers of vehicles.

(ii) *Uses Involving Animals*: The two primary uses involving animals are the equestrian unit and the canine squad. As set forth above, the equestrian unit is currently located at Fort Dupont Park and has a capacity for up to twenty-four horses. The canine squad is currently located at the Training Academy at Blue Plains. MPD agrees that any future relocation of these uses should be limited to Commercial and Industrial zones as a matter-of-right.

(iii) *Uses with Potential External Effects, Such as Bomb Squad and Laboratory*: The Zoning Commission questioned whether the bomb squad and

the laboratory would have a negative external effect. The MPD does not believe that either of these MPD Facilities create negative external effects. The bomb squad includes specialized personnel and vehicles that are dispatched from an existing location at the Harbor Unit at 550 Water Street, S.W. to handle bomb threats. Suspected bombs and other devices are either diffused on-site or are taken to a remote location for detonation. In either instance, care is taken that there will be no adverse effects on the citizens of the District or their property. Such devices are not taken back to the bomb squad facility for disposition. Similarly, the laboratory is a testing facility and does not produce any noxious odors, fumes, vibrations, glare, smoke, noise, steam, cinders, dust, fly-ash, heat or other such external effects. If any research is necessary to determine what a particular piece of evidence is, either the FBI or the DEA lab is used for that purpose. Accordingly, there is no need for any change to the proposal for either bomb squad or laboratory uses.

(c) The Office of Planning also recommended that expansion of existing general facilities be permitted in the Residential Districts only by special exception. MPD agrees to this.

(d) The Zoning Commission has suggested that the MPD helicopter and radio transmission facilities would be treated identical to similar uses under the Regulations. MPD agrees that any new facilities should be treated in this manner. The helicopter facility is currently located at a leased property at 1725 South Capitol Street, S.E., and will remain at that location. The MPD will

also retain its existing emergency helicopter landing facilities at the Second, Third and Fifth District Headquarters.

There are numerous antennas around the District, some of which are on government property, and others of which are on leased property. A list of antenna sites is included as part of Exhibit A. A new radio transmission facility will be located at the Fleet Maintenance Facility at 2175 West Virginia Avenue, N. E., in an industrial zone.

4. Parking

On page ten of the OP Report, the Office of Planning stated that the demand for parking at police facilities varies from that of a standard office building due to overlapping shifts and shift changes. The Office of Planning, thus, proposes that the text amendments allow the use of stacked parking (except for visitor parking) and require one parking space for each employee on the single largest shift for all new MPD Facilities established after the effective date of the regulations.

Such a stringent parking requirement would be unduly burdensome for the District of Columbia to achieve and is not appropriate for MPD Facilities. MPD has addressed this issue by scheduling staggered roll calls at its facilities so that there is no overlap of shifts. This proposal assumes that all personnel drive to work. Clerical workers work during the daytime shift, and many take public transportation. In addition, personnel expand or contract on a given shift based upon a particular need or event. There is no demonstrated negative effect currently

from the parking practices at MPD facilities, and the OP proposal is unduly burdensome.

No other use in the District of Columbia requires one space for each building occupant (i.e., office worker, dwelling resident, religious institution congregant, retail shopper, etc.) to be counted at the point where the greatest number of occupants are on-site. The MPD submits that its proposal for parking is fair, adequate and reasonable.

IV.
STANDARDS APPLICABLE TO AN APPLICATION FOR A ZONING TEXT AMENDMENT

The Zoning Act sets forth the criteria which the Zoning Commission must apply in adopting zoning regulations. As set out in Section 6-641.01 of the District of Columbia Official Code, the underlying purposes of the Regulations are to "promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia and its planning and orderly development as the national capital." Section 6-641.01 of the Code directs the Zoning Commission to make its regulations "not inconsistent with the comprehensive plan for the national capital." Section 6-641.02 sets forth further standards directed at supporting the general well-being of the District of Columbia. The Commission must apply these standards and criteria in determining whether to approve a requested amendment to the Regulations.

The proposed text amendment meets the standards for approval as follows:

A. Health, Safety and General Welfare

The proposed text amendment will further the health, safety and general welfare of the District of Columbia by providing the District of Columbia government and its citizens with clear standards for the appropriate placement of police facilities, and to assure the citizens of the District that MPD facilities are located to best serve the public safety and health needs of District citizens. The classification of MPD facilities into "general" and "local" facilities also contributes to orderly planning and development by providing for the placement of such facilities among compatible uses.

B. No Adverse Impact

The proposed text amendment will not have an adverse impact on the public. Police protection, one of the most important public services provided by the District, must be strategically located and disbursed through the City to provide these essential services in rapid fashion. Most of the facilities affected by the text amendment already exist, and are well within the height, bulk and area requirements of the zones within which they are located. In addition, the zoning categories selected as appropriate for the MPD facilities are appropriate to the types of activities that will be conducted therein.

C. Consistency with the Comprehensive Plan

The requested amendment will be consistent with the following major themes, goals and objectives of the the Comprehensive Plan Amendment Act of 1999:

- Stabilize and improve the District's neighborhoods. (Section 102)

- Promote enhanced public safety. (Section 110)
- Locate public facilities to provide optimum service and to support the land use, transportation, economic and social development, and neighborhood objectives. (Section 606)
- Improve public safety and increase the sense of safety in Downtown day and night. (Section 922)
- Determine the District government's land, building and facilities requirements. (Section 1115)
- Ensure the construction, rehabilitation, and maintenance of facilities essential for public service delivery in Ward 1 and locate public facilities to provide optimum service and to support land use, transportation, economic and social development, and neighborhood improvement plans throughout Ward 1. (Section 1217)
- Ensure the construction, rehabilitation, and maintenance of facilities essential for public service delivery to Ward 2. (Section 1313)
- Improve existing public facilities in Ward 3; specifically, police service delivery should be expanded, recognizing that while Ward 3 has a low violent crime rate relative to other wards, its level of property crime is the highest in the city. (Section 1405)
- Ensure coordinated planning, construction, renovation and maintenance of public facilities for an adequate public service delivery system in Ward 4. (Section 1517)

- Provide adequate public facilities to support the cost-effective delivery of municipal programs and services and to support economic development and neighborhood improvement objectives in Ward 5. (Section 1616)
- Ensure the construction, rehabilitation and maintenance of facilities essential for public service delivery to all citizens in Ward 5. (Section 1617)
- Provide adequate facilities for the efficient distribution of services that promote the health, education and welfare of the citizens of Ward 6. (Section 1717)
- Provide adequate public facilities to support the delivery of municipal programs and services and to support economic development and neighborhood improvement objectives in Ward 7 and to locate public facilities to provide optimum service to the Ward 7 community and to support the land use, transportation, economic and social development, and neighborhood improvement objectives of Ward 7. (Section 1817)
- Ensure that adequate and high quality neighborhood-based public services and facilities are available and accessible to the Ward 8 community at a minimal cost. (Section 1917)

V.
CONCLUSION

For the reasons stated above, the Metropolitan Police Department respectfully requests that the Zoning Commission approve the requested amendments.

Respectfully submitted,

HOLLAND & KNIGHT LLP
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Washington, D.C. 20006
(202) 955-3000

By: _____
Christopher H. Collins, Esq.

By: _____
Christine Moseley Shiker, Esq.

WAS1 #1128364 v3

A

LIST OF MPD FACILITIES

EXISTING FACILITIES			
Municipal Building	300 Indiana Avenue, NW	SQ 533, Lot 831	Unzoned[1]
1st District Headquarters	415 4th Street, SW (Tax records show address as 415 6th Street, SW)	SQ 494, Lot 28	C-3-C
1st District Substation	500 E Street, SE (Tax records show address as 434 5th Street, SE)	SQ 845, Lot 3	CAP/R-4
2nd District Headquarters	3320 Idaho Avenue, NW	SQ 1818, Lot 849	R-5-A
3rd District Headquarters	1620 V Street, NW	SQ 175, Lot 827	C-2-A
4th District Headquarters	6001 Georgia Avenue, NW	SQ 2983, Lot 801	C-2-A/R-5-A
4th District Substation	750 Park Road, NW	SQ 2894, Lot 896	R-4
5th District Headquarters	1805 Bladensburg Road, NE	SQ 4395, Lot 811 and 817	C-M-1
6th District Headquarters	100 42nd Street, NE (Tax records show address as 110 42nd Street, NE)	SQ 5083, Lot 803 and 808	R-2/R-5-A
6th District Substation	2701 Pennsylvania Avenue, SE	SQ 5581, Lot 804	R-5-A/C-2-A
7th District Headquarters	2455 Alabama Avenue, SE	SQ 5728, Lot 800	R-5-A
Police Harbor Unit, SOD Harbor Branch	550 Water Street, SW	No Lot or Square (Pier)	W-1
Training Academy, Firing Range Office, Impoundment Lot, K-9 Training Building	4665 Blue Plains Drive, SW	Parcel 253, Lot 26	C-M-1
ROC North	801 Shepherd Street, NW	SQ 3026, Lot 806	R-4
Mobile Crime Unit	3515 V Street, NE	PAR 0173-0095	C-M-1
	3521 V Street, NE	PAR 0173-0093	C-M-1
Fleet Maintenance Facility, Radio Shop	2175 West Virginia Avenue NE	Parcel 153, Lot 159	C-M-2
SOD HQ (Special Ops)	2301 L Street, NW	SQ 37, Lot 0837	R-5-B

[1] The municipal building site is un-zoned and exempt from zoning per Section 106.4 of the Zoning Regulations. Section 106.4 provides that properties owned by the D.C. government in the Central Area...shall not be included in any zone district. The Central Area is defined in Section 199.1 of the Zoning Regulations as "the area included within the combined boundaries of the Urban Renewal Plan for the Downtown Urban Renewal Area and the Urban Renewal Plan for the Shaw School Urban Renewal Area, as approved and modified periodically by the National Capital Planning Commission and the Council of the District of Columbia."

SOD Tactical Branch	300 G Street, NE	Square 752	R-4
SOD Traffic Branch	501 New York Avenue, NW	Square 482, Lot 800	DD/C-2-C
Latino Center (Neighborhood Policing Center)	1800 Columbia Road, NW	SQ 2551, Lot 78	C-2-B
Asian Liaison Center (Neighborhood Policing Center)	611 H Street, NW	SQ 453, Lot 803	DD/C-3-C
Youth & Family Service Center	1700 Rhode Island Avenue, NE	SQ 4134, Lot 800	C-2-A
Youth & Family Service Center (Cellblock only)	501 New York Avenue, NW	Parcel 129, Lot 102	DD/C-2-C
Equestrian Center	Fort Dupont Park (owned by the National Park Service)		
Narcotics Investigation	1215 3rd Street, NE	SQ 772, Lot 6	C-M-1
Property Division	2235 Shannon Place, S.E./ 2250 Railroad Avenue, SE	SQ 5784, Lot 898	C-M-1
Recruiting Branch	#6 DC Village Lane, SW 1A	Parcel 253	C-M-1
Residential Training	#6 DC Village Lane, SW 1B	Parcel 253	C-M-1
Transmission Building	6001 Georgia Avenue NW	SQ 2983, Lot 801	C-2-A/R-5-A
Antenna Sites	2245 Irving Street SE St. Elizabeth's Hospital 4001 Nebraska Avenue NW National Cathedral Old Post Office Buidling 1919 Connecticut Avenue		



PROPOSED AMENDMENTS
TO THE ZONING REGULATIONS TO ACCOMMODATE
FACILITIES OF THE METROPOLITAN POLICE DEPARTMENT

1. Add new definitions to Section 199, as follows:

   Police Department General Facility: a building and associated land used for facilities of the Metropolitan Police Department that operate across the city as a whole, including but not limited to the Department's headquarters, vehicle maintenance facilities, laboratories, training units, special operations, tactical units, canine squad, bomb squad, and harbor units.

   Police Department Local Facility: a building and associated land, used as a headquarters for one of the local districts of the Metropolitan Police Department (including substations and other Department facilities that operate within a specific area of the city. This definition shall include a Regional Command Center, a building and associated land used for administrative control and managerial services and community outreach for a specific geographic area that encompasses two or more districts or commands of the Metropolitan Police Department, and a Neighborhood Policing Center, a building and associated land used as a liaison and resource center for a limited purpose for a specified area in the city, to supplement the Metropolitan Police Department local facilities.

2. Permit Local Facilities to be located as a matter-of-right in any Residential District, and by carry-over, in all SP, CR, C, C-M, M, and W Districts, by

   a. Deleting the word "and" from the end of §201.1(p);

   b. Changing the period to a semi-colon and adding the word "and" at the end of §201.1(q); and

   c. Adding a new §201.1(r) to read as follows:

      (r) Police Department Local Facility.

3. Permit all other MPD facilities in Residential Districts which were in existence as of May 23, 1990, to be expanded only as a special exception, by adding new §§ 224 to read as follows:

   224 Police Department General Facilities

      224.1 A Police Department General Facility, in existence as of May 23, 1990, shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

224.2 The expansion shall be within the height, area and bulk requirements of the underlying zone.

224.3 The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area.

4. Permit Police Department General Facilities as a matter-of-right in Special Purpose and less restrictive districts by:

   a. Deleting the word "and" from the end of §501.1(g);

   b. Changing the period to a semi-colon and adding the word "and" at the end of §501.1(h); and

   c. Adding a new §501.1(i), to read as follows:

      (i) Police Department General Facility, in existence as of May 23, 1990

5. Permit MPD facilities as a matter-of-right in Waterfront Districts by:

   a. Deleting the word "and" from the end of §901.1(t);

   b. Changing the period to a semi-colon and adding the word "and" at the end of §901.1(u); and

   c. Adding a new §901.1(v), to read as follows:

      (v) Police Department Local Facility and Police Department General Facility, excluding vehicle maintenance facilities and uses involving animals.

6. Permit MPD facilities as a matter-of-right in Mixed Use (CR) Districts by:

   a. Deleting the word "and" from the end of §601.1(s);

   b. Changing the period to a semi-colon and adding the word "and" at the end of §601.1(t); and

   c. Adding a new §601.1(u), to read as follows:

      (t) Police Department Local Facility and Police Department General Facility, excluding vehicle maintenance facilities and uses involving animals.

7. Establish parking requirements for MPD facilities by adding the following to the table in §2101.1, under the category of institutional uses:

USES	NUMBER OF PARKING SPACES REQUIRED
Metropolitan Police Department general facility or local facility:	
All R Districts, C-1, C-2-A, C-3-A	In excess of 2,000 square feet, 1 space for each 600 square feet of gross floor area and cellar floor area
All other Districts	In excess of 2,000 square feet, 1 space for each 1,800 square feet of gross floor area

8. Allow MPD facilities to use stacked parking as a matter-of-right by:

a. Revising §2117.4 to add a second excepted section, as follows

2117.4 Except as provided in §§2117.15 and 2117.16, ...

b. Adding a new §2117.16, to read as follows:

2117.16 Required parking spaces for a Police Department General Facility or Police Department Local Facility may be arranged so that all spaces are not accessible at all times.



PROPOSED AMENDMENTS
TO THE ZONING REGULATIONS TO ACCOMMODATE
FACILITIES OF THE METROPOLITAN POLICE DEPARTMENT

1. Add new definitions to Section 199, as follows:

~~Metropolitan~~ Police Department ~~general facility~~General Facility: a building and associated land~~,~~ used for facilities of the Metropolitan Police Department that operate across the city as a whole, including but not limited to the Department's headquarters, vehicle maintenance facilities, laboratories, training units, special operations, tactical units, canine squad, bomb squad, ~~etc~~and harbor units.

~~Metropolitan~~ Police Department ~~local facility~~Local Facility: a building and associated land, used as a headquarters for one of the local districts of the Metropolitan Police Department (including substations and ~~community policing centers), regional commands and~~ other Department facilities that operate within a specific area of the city. This definition shall include a Regional Command Center, a building and associated land used for administrative control and managerial services and community outreach for a specific geographic area that encompasses two or more districts or commands of the Metropolitan Police Department, and a Neighborhood Policing Center, a building and associated land used as a liaison and resource center for a limited purpose for a specified area in the city, to supplement the Metropolitan Police Department local facilities.

2. Permit ~~local facilities~~Local Facilities to be located as a matter-of-right in any Residential District, and by carry-over, in all SP, CR, C, C-M, M, and ~~M~~W Districts, by

   a. Deleting the word "and" from the end of §201.1(p);

   b. Changing the period to a semi-colon and adding the word "and" at the end of §201.1(q); and

   c. Adding a new §201.1(r) to read as follows:

      ~~"~~(r) ~~Metropolitan~~ Police Department ~~local facility; and"~~Local Facility.

3. Permit all other MPD facilities in Residential Districts which were in existence as of May 23, 1990, to be expanded ~~in accordance with the height~~only as a special exception, ~~area and bulk requirements of the underlying zone~~ by adding ~~a~~ new ~~§201.1(s)~~§§ 224 to read as follows:

~~(s)~~224 ~~"Metropolitan~~ Police Department ~~general facility~~General Facilities

224.1 A Police Department General Facility, in existence as of May 23, ~~1990."~~1990, shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

224.2 The expansion shall be within the height, area and bulk requirements of the underlying zone.

224.3 The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area.

4. Permit ~~MPD general facilities~~Police Department General Facilities as a matter-of-right in Special Purpose and less restrictive districts by:

a. Deleting the word "and" from the end of §501.1(g);

b. Changing the period to a semi-colon and adding the word "and" at the end of §501.1(h); and

c. Adding a new §501.1(i), to read as follows:

(i) ~~Metropolitan~~ Police Department ~~general facility~~General Facility, in existence as of May 23, 1990

5. Permit ~~all~~ MPD facilities as a matter-of-right in Waterfront Districts by:

a. Deleting the word "and" from the end of §901.1(t);

b. Changing the period to a semi-colon and adding the word "and" at the end of §901.1(u); and

c. Adding a new §901.1(v), to read as follows:

(v) ~~Metropolitan~~ Police Department ~~general facility and local facility~~Local Facility and Police Department General Facility, excluding vehicle maintenance facilities and uses involving animals.

6. Permit ~~all~~ MPD facilities as a matter-of-right in Mixed Use (CR) Districts by:

a. Deleting the word "and" from the end of §601.1(s);

b. Changing the period to a semi-colon and adding the word "and" at the end of §601.1(t); and

c. Adding a new §601.1(u), to read as follows:

(t) ~~Metropolitan~~ Police Department ~~general facility and local facility~~Local Facility and Police Department General Facility, excluding vehicle maintenance facilities and uses involving animals.

7. Establish parking requirements for MPD facilities by adding the following to the table in §2101.1, under the category of institutional uses:

USES	NUMBER OF PARKING SPACES REQUIRED
Metropolitan Police Department general facility or local facility:	
All R Districts, C-1, C-2-A, C-3-A	In excess of 2,000 square feet, 1 space for each 600 square feet of gross floor area and cellar floor area
All other Districts	In excess of 2,000 square feet, 1 space for each 1,800 square feet of gross floor area

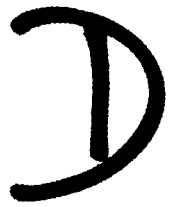
8. Allow MPD facilities to use stacked parking as a matter-of-right by:

a. Revising §2117.4 to add a second excepted section, as follows

2117.4 Except as provided in §§2117.15 and 2117.16, ...

b. Adding a new §2117.16, to read as follows:

2117.16 Required parking spaces for a ~~Metropolitan~~ Police Department ~~general facility or local facility~~General Facility or Police Department Local Facility may be arranged so that all spaces are not accessible at all times.



List of Witnesses

Eric Coard, Senior Executive Director, Corporate Services
Metropolitan Police Department

Steven E. Sher, Land Planner
Holland & Knight LLP

ESTIMATED TIME REQUIRED FOR PRESENTATION OF APPLICANT'S CASE: 1.0 Hours

WAS1 #1176421 v1

E

Outline of Testimony of Eric Coard,
Senior Executive Director, Corporate Services,
Metropolitan Police Department

I. Introduction

II. Description of Metropolitan Police Department

III. Discussion of Existing and Planned Metropolitan Police Department Facilities

IV. Conclusions

WAS1 #1178785 v1

Outline of Steven E. Sher,
Land Planner

I. Introduction

II. Zoning Background for Treatment of Metropolitan Police Department Facilities

III. Proposed Amendments

IV. Compliance with Standards Applicable to an Application for a Zoning Text Amendment

- A. Health, Safety and General Welfare
- B. No Adverse Impact
- C. Consistency with Comprehensive Plan

V. Conclusions

F

LIST OF MAPS, PLANS, OR OTHER DOCUMENTS READILY AVAILABLE WHICH MAY BE OFFERED INTO EVIDENCE

1. Exhibits Herein
2. Exhibits Submitted with Original Application
3. Zoning Regulations and Map of the District of Columbia
4. Generalized Land Use Map of the District of Columbia
5. District of Columbia Comprehensive Plan ("Comprehensive Plan")
6. Orders of the D.C. Zoning Commission and Board of Zoning Adjustment
7. Orders and Reports of District and Federal Agencies
8. Publicly Available Information from District of Columbia
9. Publicly Available Information from the Metropolitan Police Department