

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

TO: D. C. Zoning Commission

FROM: *HLS for*
Ellen McCarthy
Interim Director

DATE: March 30, 2005

SUBJECT: Preliminary Report on Zoning Commission Case No. 05-12.

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APPLICATION

In January 2005, the Office of Zoning received an application submitted on behalf of Hostelling International USA and The Potomac Area Council of American Youth Hostels, Inc., the Applicants, requesting Zoning Commission review and approval of text amendments to the current Zoning Regulations for the following:

- 1) Add a definition of Hostel to Section 199
- 2) Remove the term Hostel for the definition of "Inn."
- 3) Include Hostel as an allowable use in Sections 512, 601.1 (d), 710.6 (h), 801.6, and 901.1 (d); and
- 4) Exempt hostels from the mandatory residential requirement of the DD overlay..

These amendments would allow the potential expansion of the existing hostel use at 1009 11th Street, NW in Square 342, within the DD/C-3-C (Major Business and Employment Center and Downtown Development overlay) zone district.

RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission set the application down for a public hearing.

BACKGROUND

Hostels are membership establishments utilized by individual travelers and organized groups such as the Girl Scouts. Facilities include self-service kitchens or on-site meal services, separate male and female shower and restroom facilities, living or common areas, and dormitory sleeping arrangements. Individual rooms usually accommodate between 4-12 beds in a "bunk" configuration for a modest rate. The Certificate of Occupancy issued for the current use was for a rooming house.

~~ZONING COMMISSION~~
District of Columbia

CASE NO. 05-12
EXHIBIT NO. 8

According to the Statement in Support of Text Amendments dated January 25, 2005, the purpose of the amendments is "... to enable the only Hostelling International Youth Hostel in Washington, D.C. to expand or be rebuilt to the full density on its existing site in Downtown." The existing facility can accommodate 250 beds, and the Applicant wants to the ability to expand to the maximum floor area ratio allowed in the DD/C-3-C zone district of 9.5 (no new construction is proposed in the next several years).

In 1989, the Zoning Commission adopted Order No. 614 (Transient Accommodations) which excluded hostels from the definition of a rooming house and including this use in the definition of the inn use. The Statement indicates these changes have rendered the current use nonconforming, because 3.5 FAR of *residential* uses are not provided on- or off-site (refer to Exhibit 3). Without pursuing combined lot development, the maximum future non-residential development potential FAR on this site is 6.0 (per Sections 1706.5 [a] and [b]). Establishing a Planned Unit Development on the site is not an option because the subject property does not have the minimum area of 15,000 square feet per Section 2401.1 (c). Based on these considerations, the Applicant proposed to modify the Zoning Regulations by:

- Changing the 'inn' definition to eliminate the 'hostel' land use;
- Adding the following new definition to Section 199 Definitions;

"Hostel – an establishment providing transient sleeping and living accommodations, typically characterized by low cost, share use of one or more self-service kitchens, common areas, meeting rooms, sleeping rooms and bathroom facilities. Sleeping rooms and bathroom facilities are typically dormitory style for multiple individuals, although private rooms with and without bathroom facilities may also be available. A hostel provides overnight accommodations only to members;"

- Amending lists of allowable uses to include "hostels" along with for hotel and inn uses (Sections 512, 710.6 [h], 801.6, 601.1 [d], and 901.1 [d]); and
- Adding the following provision to eliminate the mandatory residential requirement for an existing hostel use in DD/C-3-C zone districts:

"1706.20 A hostel in existence and having a valid Certificate of Occupancy as a rooming house as of (the effective date of the adopted text amendment) shall be allowed to continue in operation as a conforming use and shall be allowed to expand or rebuild to the maximum height and FAR set forth in §§ 1706.4 (a), 1706.5 (a) or 1706.6 (a), as applicable, and shall not be subject to the residential use requirements §§ 1706.3 through 1706.6."

The Statement concludes with comments that:

- Specifying section number (in proposed Section 1706.20) reinforces the Applicant's stated desire to have the potential to build to a 9.5 FAR;
- Concerns about extensive development of hostels should be allayed by the relative low rates charged at the facilities compared with the high cost of assembling additional sites

in the Downtown;

- The subject property is presently the only nonprofit youth hostel in the Downtown; and
- Future development of the hostel would not result in harm to the zone plan.

The subject property is 0.11 acre (5,043 square feet) in area and located northeast of the L Street intersection the 11th Street, N.W. The current (youth) hostel use first occupied the existing seven-story building in 1987. Surrounding development consists of a vacant four-story building abutting the site to the south, immediately adjacent to the referenced intersection. There are also four office buildings ranging from two-to-eight stories in height (one with ground floor retail space); the adjoining property to the north (currently a paved parking area) is in the permit process for a high-rise residential building with ground floor retail.

To the south across K Street, an Embassy Suites Hotel is under construction, and excavation is underway for a new 300,000 square foot office building to the west across 11th Street. The southern portion of this square (including the subject property), properties to the south, and directly east and west are in DD/C-3-C zone districts. Properties to the north are within DD/Community Business Center Districts (C-2-B) zone districts (refer to Exhibits 1 and 2). The site is also three blocks away from Mount Vernon Square, four blocks from the new D.C. Convention Center, and within a half-mile of the entrance to the Mount Vernon Square-7th Street-Convention Center Metrostation.

ANALYSIS

OP's review of this proposal considered whether it is generally consistent with intent of the Zoning Regulations and with the Comprehensive Plan. This proposal would allow the existing transient accommodation, the only one of its type in the Downtown, to expand to an extent originally intended "To encourage construction of new housing and retention of existing housing so that a sizeable residential component is created that will help accomplish the balanced mixture of uses essential to a 'Living Downtown.' " The existing use represents a unique transient housing opportunity tailored for individual members and groups traveling to the District from all over the world. A representative of the D.C. Hotel Association noted that there is a significant need for this type of facility in light of the dearth of low-cost tourist accommodations in the District in general, and the Downtown in particular.

Proposed changes to Section 199 would benefit the regulations by clarifying the uniqueness of the hostel use. New proposed Section 1706.20 strives to limit the applicability of the existing use, and OP is considering whether modifications of other existing provisions may also be appropriate. Lastly, staff concurs with the contention that the cost of assembling land in the Downtown should limit the applicability of the proposed changes beyond the subject property.

The Generalized Land Use Map of the Comprehensive Plan designates the square for a mixture of High Density Commercial, the business and retail heart of the District with a mix of employment, retail, office, cultural and entertainment centers, and High Density Residential characterized by high-rise apartment buildings as predominant uses.

Section 101 of the Comprehensive Plan includes the following major theme:

“101.1 In the process of developing the District elements of the Comprehensive Plan (‘The Plan’) ... the following ten (10) major themes were discerned:

(c) Developing a living downtown: ...”

Section 104 of the Plan explains the importance of this theme:

“104.1 The Mayor’s Downtown Committee worked for over a year to develop policies to strengthen Downtown as the region’s retail and cultural center, to re-establish a residential community in the heart of the District, to increase the number of *hotels* for business and *tourism* alike, to increase the number of jobs for District residents, and to promote easy access to Downtown from outlying parts of the District and region. The product of that work is the Downtown Element.”

The reference to *hotels* for *tourism* appears inclusive of transient accommodations such as inns and therefore hostels based on the referenced definition in the Zoning Regulations. In this light, the Downtown Element identifies the following specific objectives for hotel (inn and hostel) land uses in the heart of the District:

“904.1 The Downtown hotel land use objective is *to obtain a substantial increase in the number of hotels and hotel rooms* in Downtown.

904.2 The policies established in support of the Downtown hotel land use objective are as follows:

- (a) *Encourage and give priority to clustering of hotels and convention center related uses around the new Convention Center at Mount Vernon Square,***
- (b) *Facilitate development of hotels elsewhere in Downtown, with emphasis on the Gallery Place area, along Pennsylvania Avenue, N.W., along and near Massachusetts Avenue, N.W., in the hotel-residential incentive zone, Thomas Circle, the area north of the Convention Center, and Downtown East;***
- (c) *Create mechanisms to ensure that hotel sites are available to meet the targets for hotels and undertake special programs as necessary to achieve hotel development;***
- (d) *Encourage the retention and development of a full range of hotels in the Downtown area, especially moderately priced hotels; and***
- (e) *Encourage the development of new hotels and other convention center related uses near the new convention center north of Mount Vernon Square, including such development on sites both south and north of Massachusetts Avenue, with emphasis on sites around Mount Vernon Square, especially those adjacent to the convention center, while preserving the residential character of the existing neighborhoods east, west and north of the new convention center.”***

This project would further these themes and objectives by:

- Allowing the existing hostel use to continue and potentially expand to substantially increase in capacity;
- Retaining current and future transient housing facilities within three blocks of Mount Vernon Square and the new D.C. Convention Center, and just south of Massachusetts Avenue, N.W.;
- Providing a “mechanism to ensure (this hostel site remains) available;” and
- Encouraging the potential development of a larger tourist accommodation with *no* impact on residential neighborhoods around the Convention Center.

Based on this information, OP concludes the proposed text amendments to the Zoning Regulations not appear inconsistent with Comprehensive Plan, and supports more specific goals pertaining to hotels, and particularly to tourist accommodations.

OP will work with the Applicant and the Office of Attorney General to further refine the proposed text provisions and has requested the applicant provide more specifics about the need for low-cost hostel accommodations the District in general and the Downtown area in particular.

The Office of Planning supports the proposed redevelopment as being consistent with the overall goals for the Downtown area, particularly in furtherance of the developing a Living Downtown. Retention and expansion of such a unique transient accommodation will continue to encourage visitors from around the world to reside and experience the Heart of the District, ultimately supporting efforts to keep Downtown alive after 5:00 P.M. OP will continue working with the applicant to address the referenced concerns.

EMc/afj

Attachments:	Exhibit 1	Aerial Map with Zoning
	Exhibit 2	Oblique Area of Square 342 (view to the East)
	Exhibit 3	Chapter 17 Downtown Development Overlay District, Pertinent Provisions

Chapter 17 Downtown Development Overlay District, Pertinent Provisions

1706 RESIDENTIAL AND MIXED USE DEVELOPMENT

- 1706.1** The policies and objectives for residential use and development in and near Downtown as specified in the Comprehensive Plan shall be the following:
- (a)** To encourage construction of new housing and retention of existing housing so that a sizeable residential component is created that will help accomplish the balanced mixture of uses essential to a “Living Downtown”;
 - (b)** To create the greatest concentration of housing in the Mount Vernon Square area;
 - (c)** To encourage residential and mixed use development along Massachusetts Avenue;
 - (d)** To promote mixed use development including residential use south of Massachusetts Avenue, extending to the south through Judiciary Square north, Chinatown, and Gallery Place; and
 - (e)** To support the significant residential development in the Market Square subarea in the 7th Street and Pennsylvania Avenue area.
- 1706.2** The housing requirements and incentives of this section shall be applicable only in the Housing Priority Area, which is depicted in Map B and which is described by squares in §1706.8, provided that the transferable development rights provisions of §1706.3 shall be applicable throughout the DD District. Map B is incorporated by reference. ...
- 1706.5** In the DD/C-3-C zone the following residential and mixed use provisions shall apply:
- (a)** The maximum FAR shall be 9.5 as a matter-of-right, which FAR may be devoted to all residential use or may include commercial or nonresidential uses as provided in this subsection;
 - (b)** Each lot shall provide on-site or account for off-site in a combined lot development no less than 3.5 FAR of residential use;
 - (c)** On a lot that is south of Massachusetts Avenue, up to 1.4 FAR of the residential requirement may be met by constructing or financially assisting affordable housing as defined in this chapter and as governed further by the provisions of this section;
 - (d)** On a lot that is north of Massachusetts Avenue, up to 1.05 FAR of the residential requirement may be met by constructing or financially assisting affordable housing as defined in this chapter and as governed further by the provisions of this section; and
 - (e)** If such affordable housing is provided off-site pursuant to paragraph (c) or (cl) of this subsection, commercial or nonresidential FAR may be substituted on-site, or in a combined lot development, by the same amount of gross floor area as the affordable housing, up to the maximum limit of 1.4 FAR south of Massachusetts Avenue or 1.05 north of Massachusetts Avenue. ...
- 1706.8** For the purposes of permitting and governing combined lot developments as provided by §1708, the Housing Priority Area is divided into three (3) subareas as follows:

(b) Housing Priority Area B, the Mount Vernon Square South area, comprises the DDE-2-C and DDE-3-C zoned properties that are located south of Massachusetts Avenue, including squares and parts of squares numbered 247, 283, 284, 316, 317, **342**, 343, 371, 372, 427, 428, 452, 453, 485, 486, 517, and 529; ...

1706.9 Combined lot development as authorized and governed by §1708 may be used by two (2) or more properties within any one of the three identified Housing Priority Areas, but not by properties in different Housing Priority Areas.

1706.13 If a development project includes both required residential uses and nonresidential uses, whether on the same lot or in a combined lot development, no Certificate of Occupancy shall be issued for the nonresidential space until a Certificate of Occupancy has been issued for the residential space: Provided, that, the following requirements are met: ...

(b) At least seventy-five percent (75%) of the commercial development that triggers the residential use requirement shall comply with the timing requirements of this subsection.

1706.14 In the Housing Priority Area the maximum height of a building shall be as provided in §§1701.7 and 1706.15 of this chapter.

1706.18 Renovation of a nonresidential building in existence as of the January 18 1991, and having a height of six (G) floors or less at and above grade shall not trigger a housing requirement as provided in this Section.