

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

IN THE MATTER OF:	)	
	)	Case No. 05-12
HOSTELLING INTERNATIONAL	)	
	)	

Thursday,
October 27, 2005

Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 05-12 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Former Council Chamber at 441 4th Street, Northwest, Washington, D.C., Carol J. Mitten, Chair, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice Chairperson
KEVIN HILDEBRAND	Commissioner (AOC)
JOHN G. PARSONS	Commissioner (NPS)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN	Acting Secretary
--------------------	------------------

OFFICE OF PLANNING STAFF PRESENT:

ARTHUR JACKSON
JENNIFER STEINGASSER

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

ALAN BERGSTEIN, ESQ.

This transcript constitutes the minutes
from the public hearing held on October 27, 2005.

A-G-E-N-D-A

Preliminary Matters	4
Presentation by Applicant	7
Presentation by Office of Planning	16
Voting by Commission	19

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

P-R-O-C-E-E-D-I-N-G-S

6:42 a.m.

CHAIRPERSON MITTEN: Good evening, ladies and gentlemen.

This is a public hearing of the Zoning Commission of the District of Columbia for Thursday, October 27, 2005.

My name is Carol Mitten and joining me this evening are Vice Chairman Anthony Hood and Commissioners John Parsons and Kevin Hildebrand.

The subject of this evening's hearing is Zoning Commission Case No. 05-12. This is a request by Hostelling International USA for text amendments to Title 11 of the District of Columbia Municipal Regulations to allow the existing International Hostel at 1009 11th Street, N.W. to be enlarged or rebuilt to the maximum density of the applicable DD/C-3-C district and to exempt the Hostel from the residential use requirement of Section 1706.5B.

Notice of today's hearing was published in the *DC Register* on August 26, 2005 and copies of that hearing announcement are available to you and they are on the table near the door.

This hearing will be conducted in accordance with the provisions of 11 DCMR Section 3021.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

1 The order of procedure will be as follows:

2 We'll take up any preliminary matters and
3 then we'll have the presentation by the petitioner of
4 the report by the Office of Planning. Report by any
5 other Government Agencies. The report by the affected
6 ANC; in this case it's 2F. Organizations and persons
7 in support and organizations and persons in
8 opposition.

9 The following time constraints will be
10 maintained in this hearing:

11 Organizations will have 5 minutes and
12 individuals will have 3 minutes.

13 The Commission intends to adhere to these
14 time limits as strictly as possible in order to hear
15 the case in a reasonable period of time. The
16 Commission reserves the right to change the time
17 limits for presentations if necessary and notes that
18 no time shall be ceded.

19 All persons appearing before the Commission
20 are to fill out two witness cards and those cards are
21 also on the table near the door. Upon coming forward
22 to speak to the Commission please give both cards to
23 the reporter who is sitting to our right.

24 Please be advised that this proceeding is
25 being recorded by the Court Reporter. Accordingly we

1 ask that you refrain from making any disruptive noises
2 in the hearing room.

3 When presenting information to the
4 Commission please turn on and speak into the
5 microphone at the tables in front of us first stating
6 your name and home address. When you are finished
7 speaking please turn the microphone off so that it
8 doesn't pick up any background noise.

9 The decision of the Commission in this case
10 must be based on the public record. To avoid any
11 appearance to the contrary the Commission requests
12 that persons present not engage the members of the
13 Commission in conversation during a recess or at any
14 other time. Staff will be available throughout the
15 hearing to answer any procedural questions and you can
16 direct those to Ms. Schellin.

17 Please turn off all beepers and cell phones
18 at this time so as not to disrupt the hearing.

19 At this time we'll take up any procedural
20 matters. Ms. Schellin, anything?

21 MS. SCHELLIN: Nothing.

22 CHAIRPERSON MITTEN: Ms. Giordano, anything?

23 Okay. Then I'd invite you to come to the
24 table and make your presentation.

25 MS. GIORDANO: Good evening, Madam Chair and

1 members of the Commission. For the record my name is
2 Cynthia Giordano with Arnold and Porter law firm. To
3 my left is Mr. John Cannon on behalf of the applicant.
4 He is the Assistant Director of Hostel Development for
5 Hostelling International USA. And of course Nate
6 Gross is on my right from Arnold and Porter also.

7 We have a brief presentation this evening.
8 Mr. Cannon is going to give a little background on his
9 organization and their Hostel operation in Washington
10 and what the goals and objectives are for this text
11 amendment and the importance of it to his
12 organization. And then Mr. Gross will just briefly
13 review the zoning issues in the case. So with that
14 I'd like to ask Mr. Cannon to proceed.

15 MR. CANON: Good evening, Madam Chairperson
16 and members of the Commission. I'm John Cannon,
17 Assistant Director of Hostel development with
18 Hostelling International.

19 I just want to speak very briefly first of
20 all just to let you know who we are. Our corporate
21 name is American Youth Hostels Incorporated. We're a
22 501(c)3 non-profit organization with a charitable
23 educational mission which is to help all, especially
24 the young, to gain a greater understanding of the
25 world and its people through hostelling.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And so I wanted to just very briefly
2 acquaint you with what hostels are since many people
3 are not familiar with it. They're basically low cost
4 accommodations that are achieved by using shared
5 bedrooms, self-service kitchens, shared restroom
6 facilities, shared common spaces. And they're
7 typically invaded with a spirit of cooperation and
8 friendliness. And with Hostelling International we
9 offer a variety of programs that help our visitors to
10 become familiar with the many aspects of the cities
11 and towns and areas in which they're visiting.

12 The basic typical guest is what we call a
13 free and independent traveler 18 to 24 years old,
14 typically international coming from all over the
15 world. In the District of Columbia this hostel is a
16 little bit unique in that we get a lot more domestic
17 travelers in those age categories than most of our
18 other major urban hostels. But we also get people of
19 all ages at the hostels, we don't have an age limit.

20 The other major category of guest is groups.
21 And we get a tremendous variety of group guests
22 anywhere from Girl Scouts and Boy Scouts, church
23 groups, school groups, groups of adults, international
24 groups that are organized.

25 And in addition to those two main categories

1 of tourists we host many, many people that are coming
2 to the District of Columbia for a variety of non-
3 tourist reasons. We host many people who are coming
4 to various events at the Convention Center. All sorts
5 of events that are happening on the Mall. Marches,
6 demonstrations, you name it. Anyplace that there's
7 people that need a cheap place to stay they're staying
8 at the hostel.

9 The rates that we charge start at around \$25
10 per night. So you can see it's quite a difference
11 from what you're typically paying at a hotel in
12 downtown Washington.

13 The current situation in this particular
14 facility is it's a 28,000 square foot building. We
15 have 250 beds and it's really not quite adequate for
16 our needs just as it stands, and we've known that for
17 quite some time and we've had the intention that
18 someday we will be redeveloping. But what's happened
19 in the past few years is I'm getting barraged
20 constantly with telephone calls from people having an
21 interest in buying our property. And so we felt that
22 it was really important for us to know what our status
23 is with this property. And in fact we had a very
24 serious offer from the people who are developing the
25 property immediately to our north, the 1010

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Massachusetts Avenue property. And our concern is
2 that if we don't make a decision now, if we decide not
3 to sell, and all the property around us is developed
4 and we're left with a 5,000 square foot piece of
5 property can we redevelop on it or will it be vastly
6 diminished in value. Because it's just a lone 5,000
7 square foot piece of property that's not very
8 attractive to most developers who might want to buy.
9 So we really need to know, can we redevelop this in a
10 way that's going to be feasible, financially feasible
11 for our organization or is it something that we just
12 need to go ahead and sell now while there's a market
13 for the building?

14 The difficulty for us is that we love our
15 location and we think our location is very important
16 for our operation and we think it's very important for
17 the city. It's proximity to the Mall makes it very
18 attractive for all of the people that are our guests
19 who are coming to see the major attractions in
20 Washington, D.C. The young people look for this sort
21 of central city location. They really value it
22 because it allows them to sort of be injected into the
23 center of the city and they get to know the
24 neighborhoods. And it's very important to these
25 international travelers who are typically very curious

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 and active and are very thorough tourists.

2 With the groups, the groups find it
3 critically important to be in a location such as this
4 because for (1) they have tremendous cost consequences
5 of having to pay for public transportation. If you
6 have a group of 50 Girl Scouts and you have to buy
7 Metro passes for every one of them, it significantly
8 increases the cost of the trip, sometimes making it
9 infeasible. And also the difficulty of herding all of
10 these people on and off of public transportation is
11 something that they really like to avoid. So for both
12 constituencies it's very important to be in the center
13 of the city.

14 And if you look around the world, you find
15 that all major international cities around the world,
16 I don't know if there are any exemptions, have
17 Hostelling International hostels in the center city
18 somewhere. The city of Chicago thought enough about
19 it that they gave us \$3 million to help us to develop
20 a facility at the South Loop in Chicago in 2000.

21 I guess a little bit about the uses. When
22 we redevelop we're at 250 beds, now we're thinking
23 that we need to be at 350 beds. Right now we're at
24 about a little over 100 square foot per bed. Where we
25 really need to be is something closer to 140 to 150

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 square feet per bed for the entire facility. And the
2 reason for that is that we need a variety of common
3 spaces in the building and we need a variety of
4 kitchens. Typically the groups need their own
5 kitchens so that they're not interfering with the
6 individual travelers who are also cooking their meals
7 in the facility. And then we need a variety of common
8 spaces because it's in the common spaces that the
9 interaction, the intercultural understanding, that's
10 where everything really happens in the hostel. You
11 may think if your experience is only hotels, what's
12 the big deal? But people who stay in hostels they
13 come there expecting that there is going to be some
14 common space where they can interact with people and
15 they expect to have this interaction. They expect to
16 have friendly interaction with people. Make friends
17 go out and do things in the city with these people.
18 And that's the sort of thing that we do very
19 intentionally to try to encourage this sort of
20 intercultural understanding that happens in a hostel.

21 So I think that pretty much covers it. All
22 right. Thank you.

23 MR. GROSS: Nathan W. Gross for the record.

24
25 The two zoning constraints that we

1 identified that are advertised text amendments as a
2 way to solve this when Mr. Cannon came to us are:

3 (1) A hostel is currently a subcategory
4 within the definition of inn in the zoning
5 regulations. So an inn has various subcategories
6 including hostel. The problem we noted was that part
7 of the definition states that central dining other
8 than breakfast for guests is not allowed. And this
9 came out of an approach to an inn when the hotel
10 regulations were updated that basically tried to make
11 an inn a simple kind of a hotel without a requirement
12 for a restaurant or common rooms and so on. However,
13 the prohibition against dining goes against what
14 hostels like to do, which is to have self-service
15 kitchens. And in this case they would like to have
16 two where the guests can prepare their own meals, any
17 of the meals, and have a common area for dining as
18 well.

19 And so the advertised text to resolve that
20 will just stay within the definition of the inn but
21 make an exemption as follows:

22 For the purposes of this definition
23 limitation on central dining does not prohibit an inn
24 from allowing guests to prepare their meals at
25 centrally located cooking facilities and to eat such

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 meals at a central dining area. So that would solve
2 zoning issue number one.

3 Zoning issue number two is the property
4 zoned DD/C-3-C which is a mixed use zone, as the
5 Commission knows, with a mandatory housing
6 requirement. And the zoning formula is told in CF9.5
7 FAR of which 3.5 FAR has to be residential. So that
8 on this small lot of 5,043 square feet the existing
9 building is actually at a 9.5 FAR. So that if in
10 building a new hostel if they could only go to 6 FAR
11 for the hostel and then had to add a 3.5 FAR
12 residential component it would be financially
13 infeasible. You'd have these problems of the elevator
14 cord using up a lot of space and separate access and
15 egress for the residential. And it just wouldn't
16 work.

17 So the second part of the proposed zoning
18 solution is that for the existing hostel only but not
19 any future owner or anybody else the housing component
20 would be waived if a new hostel is built to the 9.5
21 FAR. And the 9.5 would accommodate about 48,000
22 square feet and the 350 rooms that Mr. Cannon
23 described.

24 We also identified the fact that a PUD would
25 not be an option because it's only 5,000 square feet

1 and minimum land area would be 15,000 for a PUD.

2 We believe that this unique use can justify
3 the minor change of policy here for this one cited.
4 This use contributes, we believe, very strongly to
5 living downtown and the adopted policy goals as the
6 Office of Planning report has laid out very well. You
7 have lots of evening activity. You have low cost
8 accommodations for travelers which are emphasized in
9 the downtown plan as well.

10 Other than the hostel, really, there's the
11 Harrington Hotel for regular hotel guests and high
12 school groups and others and then there's the hostel.
13 Everything else is business hotels and pretty
14 expensive.

15 Finally we appreciate the Office of
16 Planning's creative and beneficial modification that
17 they proposed to the advertised text in which they
18 would tie the exception on the housing requirement to
19 the land area of lot 810 presently. And that way in
20 case the hostel is able to be part of an assembly in
21 the southern part of this square, the housing
22 component to be waived can be allocated and then it
23 might be more efficient for the hostel to be built as
24 part of a larger development. So we appreciated that
25 recommendation by the Office of Planning.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And that's all I will say. Madam Chair, we
2 would recommend and request that the Zoning Commission
3 approve the proposed amendments. Thank you.

4 CHAIRPERSON MITTEN: Thank you. Anything
5 else? Okay.

6 Questions from the Commission? Anyone have
7 questions? I think it's on.

8 COMMISSIONER PARSONS: I do have one. Do
9 you have a maximum length of stay? Can somebody live
10 there for a period of 6 months to a year?

11 MR. CANON: No, it varies from hostel to
12 hostel. I believe in this hostel the maximum length
13 of stay is just under 30 days. We typically do not
14 allow a length of stay long enough for the person to
15 be considered a resident under the local laws.

16 COMMISSIONER PARSONS: That's exactly the
17 right answer. Thank you.

18 CHAIRPERSON MITTEN: Anyone else? Okay.
19 Thank you.

20 MR. CANON: Thank you.

21 CHAIRPERSON MITTEN: And then we're ready
22 for the report by the Office of Planning, Mr. Jackson.

23 MR. JACKSON: Good evening, Madam Chair and
24 members of the Commission.

25 My name is Arthur Jackson, Zoning

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Development of Youth Specialist in the District of
2 Columbia Office of Planning. I will present a brief
3 summary of the overall findings and conclusions in the
4 Office of Planning's final report.

5 And the applicant basically has presented
6 the case and they've acknowledged the changes that OP
7 recommended to Section 1706.2. So essentially the
8 Office of Planning will stand on the record but state
9 that we strongly support a proposal to modify the
10 definition of the inn as advertised and adopt the
11 proposed amended section 1706.2 just to clarify that
12 an activity that's normally accommodated with hostel,
13 which is to the group/individual cooking and eating,
14 would be allowed in the new facility.

15 With that we will close our comments and
16 we'll be able to answer any questions.

17 CHAIRPERSON MITTEN: Okay. Thank you, Mr.
18 Jackson.

19 Any questions for Mr. Jackson? Commissioner
20 Hildebrand.

21 COMMISSIONER HILDEBRAND: I did have one
22 question. It is the intent in your recommendation
23 that the exemption from not allowing central cooking
24 also pertains to bed and breakfasts and to tourist
25 homes, it's not just hostels. So anything in an inn

1 category would then be allowed to have a cooking
2 facility and a dining facility as long as the meals
3 were prepared by the guests themselves?

4 MR. JACKSON: Yes.

5 COMMISSIONER HILDEBRAND: Okay.

6 CHAIRPERSON MITTEN: Anyone else? Okay.
7 Thank you, Mr. Jackson.

8 I don't see anyone here from another
9 government agency and I don't see anyone here from ANC
10 2F.

11 And I'll just ask, although I don't see
12 anyone who is probably going to testify, but is there
13 anyone who would like to testify in support? Is there
14 anyone who would like to testify in opposition? All
15 right.

16 Ms. Giordano, did you want to say anything
17 in closing?

18 MS. GIORDANO: No, Madam Chair. If the
19 Commission feels comfortable, we would appreciate a
20 bench decision. Basically the purpose of the
21 amendments as indicated are to facilitate keeping this
22 important facility in our city. Thanks.

23 CHAIRPERSON MITTEN: Thank you. I think we
24 are all comfortable with proceeding with a bench
25 decision. So with that I would move approval of Case

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 No. 05-12 with the amended language as suggested by
2 the Office of Planning in their October 13th report to
3 the Commission.

4 VICE CHAIRPERSON HOOD: I'll second.

5 CHAIRPERSON MITTEN: Thank you. Is there
6 any discussion? Then all those in favor please say
7 aye.

8 COMMISSION: Aye.

9 CHAIRPERSON MITTEN: Mrs. Schellin, we have
10 none opposed.

11 MS. SCHELLIN: Thank you. Staff would
12 record the report as zero to one to approve Zoning
13 Commission Case No. 05-12. Commissioner Mitten
14 moving. Commissioner Hood seconding. Commissioners
15 Hildebrand and Jeffreys in favor. I'm sorry,
16 Commissioners Parsons and Hildebrand in favor.
17 Commissioner Jeffreys is not present, not voting.

18 CHAIRPERSON MITTEN: Thank you. And just so
19 it's clear to everybody, that was proposed action and
20 then after we make a referral to the National Capital
21 Planning Commission then we would take final action at
22 a subsequent meeting.

23 Thank you all for coming out tonight. Have
24 a good evening.

25 We're adjourned.

1 (Whereupon, the above matter was concluded
2 at 7:03 p.m.)
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20