

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT
B21-0697, The Advisory Neighborhood Commissions Omnibus
Amendment Act of 2016**

Thursday September 29, 2016

Testimony of Beth Purcell on behalf of the Capitol Hill Restoration Society

My name is Beth Purcell, and I am testifying as Chair of the Historic Preservation Committee of the Capitol Hill Restoration Society (CHRS), the largest civic organization on Capitol Hill. We are fortunate to have a large historic district where there is a lot of development, including large mixed use projects at Hine School and Frager's Hardware, as well as many smaller projects. CHRS, relying on volunteer architects and experts in historic preservation, regularly represents the Capitol Hill community before the Historic Preservation Review Board (HPRB). We strongly object to the proposed amendment of the Historic Landmark and Historic District Protection Act of 1978 (Historic Preservation Act) included within the ANC Omnibus Amendment Act of 2016 (proposed ANC Act).. We ask that it be deleted in its entirety.

The proposed ANC Act mistakes the design review process before the HPRB for a liquor license review before the Alcohol Beverage Regulation Administration (ABRA) and seeks to limit both to the same categories of public testimony. Section 25-601 of the D.C. Code gives standing to seven categories of individuals or organizations “to file protest against a[n ABRA] license.” Section 4 of the proposed ANC Act would delete the references to so-called “groups of 5” and citizens associations from Section 25-601. Section 5 of the proposed ANC Act would apply the amended list of potential ABRA protesters to HPRB proceedings.

Whatever the merits of the proposed change regarding ABRA proceedings, the HPRB process requires a fundamentally different approach. Unlike ABRA, the HPRB does not issue licenses or permits. It reviews proposed designs for new construction in historic districts or alteration of existing buildings, which are subject to the Historic Preservation Act. DCRA issues all building permits, following reviews by a variety of other agencies and offices. Witnesses before the HPRB such as CHRS are not “protesting” a license but offering views on a proposed design. Under the historic preservation regulations (DCMR 10C), HPRB welcomes public testimony from all interested parties – including property owners without limitation, ANCs, members of the public as individuals and preservation and other organizations. Section 110.4 specifically provides that “[t]he officially adopted written views of Advisory Neighborhood Commissions shall be accorded great weight in the historic preservation process as provided in the ANC Act.”

There is no need for any change in the Historic Preservation Act or regulations to protect the statutory authority of ANCs.

Thank you for considering our testimony.