



**Historic
Anacostia
Preservation
Society**

July 20, 2016

Anita Bonds, Chairperson
Committee on Housing and Community Development
Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 110
Washington, DC 20004

Re: Bill B21-06907, ANC Omnibus Amendment Act of 2016

Dear Chairman Bonds:

We are writing to express our strong objection 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) now before you. We ask that it be deleted in its entirety.

The proposed ANC Act mistakes the design review process before the Historic Preservation Review Board (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 7 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 are not “protesting” a license but offering views on a proposed design. Under the historic preservation regulations (Section 110 of Title 10C of the DC Municipal Regulations), HPRB welcomes public testimony from all interested parties – including property owners without limitation, ANC ‘s, 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 ANC’s.

Sincerely,



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cc: The Honorable Phil Mendelson
The Honorable Kenyan McDuffie
The Honorable Vincent Orange
The Honorable David Grosso
The Honorable Elissa Silverman
The Honorable Brianne Nadeau
The Honorable Jack Evans
The Honorable Brandon Todd
The Honorable Charles Allen
The Honorable Yvette Alexander
The Honorable Mary Cheh
The Honorable LaRuby May
David Maloney, DC SHPO, DC Office of Planning