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To: DCOZ - ZC Submissions (DCOZ); Schellin, Sharon (DCOZ)
Subject: Case 23-25 Public Comments from Harry Barnes

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Case 23-25 Public Comments from Harry Barnes

As a longtime resident of the District of Columbia, I am outraged that the Zoning Commission acted arbitrarily and incorrectly to set down Case 23-25 related to upzoning the Chevy Chase Commons (AKA Chevy Chase Civic Core) as rulemaking, rather than contested. The Zoning Commission took this action, despite the testimony of Attorney Edward Hanlon, who demonstrated clearly that regulations stipulate that the hearing for the CC Commons must be conducted as contested, not as rulemaking; despite the concern of at least one Zoning Commissioner that the hearing should be conducted properly as contested; despite the Resolution of the ANC 3/4G Commissioners demanding a contested hearing; despite the pleas of local residents, including those living adjacent or in close proximity to the CC Commons, that the Commission conduct the hearing as contested.

While the Commission, though its Director Sara Barden, asserted, erroneously, that it had absolute discretion to set down the Case in the manner of its choosing, Chair Hood made it absolutely clear that he felt personal irritation with and animus against citizens of the District of Columbia residing in "Ward 3—West of the Park," and that his intention was to avoid personal inconvenience and discomfort that he might experience, if those citizens were accorded their proper right to engage fully in the zoning process. While Chair Hood may feel that his convenience is of greater value than the rights DC citizens affected by his actions, his arrogant, brazenly autocratic behavior undermines public confidence in the objectivity and evenhandedness of the Zoning Commission and brings disrepute upon the Government of the District of Columbia in condoning his behavior.

The Chevy Chase Commons is a prized public resource, not only to the residents of Chevy Chase, but to all citizens of the District of Columbia. The zoning hearing for this significant property should be conducted to accord those citizens their right to a contested case in compliance with the DC regulation.

Harry Barnes
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