

**Pomeroy Gardens L.P.**  
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September 16, 2024

District of Columbia  
Board of Zoning Adjustment

**RE: Case No 21058; Proposed Development at 2424 Pomeroy, Rd. SE (Square 5873, Lots 856,857,104,903, and 932); Rupsha 2011, LLC**

Dear Board of Zoning Adjustment,

I am a representative of Pomeroy Gardens LP the owners of Pomeroy Gardens Apartments located immediately adjacent to the proposed site at 2424 Pomeroy Road, SE. I am writing to voice our concerns regarding the proposed development 2424 Pomeroy Road, SE (Case No 21058). As we have stated in previous correspondence to the Board of Zoning Adjustment, representatives of Rupsha 2011 LLC, and the local ANC, we do not oppose development on the site. However, we do believe that the current development proposal lacks important considerations that impact the community and local environment and would like to ensure that the following questions and concerns are being noted and dealt with appropriately.

**Concern #1 Site Elevation and Environmental:**

We have enclosed several photos of the site showing that the site elevation drops sharply from the top of Elvans Road to Pomeroy Road. During our renovation in 2017 and 2018 we discovered significant erosion under building 2412 which entailed a six by seven-foot cave under the foundation of the building closest to the proposed site caused by years of storm and spring water infiltration. We had to go through the expensive process of correcting this issue with concrete piers and beams and rebuilt the entire base foundation of the building and also had to take measures to ensure proper drainage of water around the property. Nothing in the proposal that we have seen, with the exception of one catch basin in the rear of the building, suggests that the developer has even considered this concern.

There is a steep elevation change between the high point on Elvans Road at 178 ft to the area behind 2412 Pomeroy Road at 125 ft. That is aside from the area behind 2412 Pomeroy where the low point is 168 feet down to a level of 142 at the low point on Pomeroy Road. We have attached pages from our building plans that show the elevations. Water runoff and the effects of excavation on the neighboring property need to be studied and addressed at this 70,000 square foot site. In addition, we are also concerned about potential sub-surface water flow when a new building is built which may alter its natural flow. The proposed retaining wall as shown on the drawings presented will require extensive engineering and water redirection—a subject not yet addressed.

I have directed this question to both the developer and to the architect. As a neighbor I should not have to ask in a public meeting for clarification. An explanation and some amount of evidence are required here to assuage my concerns.

In addition, a portion of this site was used as a heavy equipment training and dump site in the 1970's and 1980's. We have attached some archived site images from the environmental study we were required to have before rehabilitation of Pomeroy Gardens Apartments that show the site being cleared. We have also attached photos of the site showing the type of debris just below and on the surface. Given the hazards, such as asbestos and lead, of construction debris during this time frame, it is important that neighbors and the broader community be assured that any soil being disrupted does not contain hazardous materials or is otherwise properly being contained and removed from the site.

### **Concern #2 Parking:**

As stated previously, we are the owners of Pomeroy Gardens Apartments—an immediate neighbor to the proposed development. The updated plans for the site now call for 23 parking units to service 39 units (12 five-bedroom and 27 three-bedroom units). While this may be code compliant, a practical and informed view of the situation is necessary. A 39-unit apartment community with this type of unit mix, housing approximately 180-200 people or more, will most certainly serve many more than 23 full-time driving-aged residents. The lack of parking to support this development will lead to an overflow into surrounding parking lots including Pomeroy Gardens Apartments. Pomeroy Gardens has 60 apartments with a mix of two and three-bedroom units, yet our parking lot with more than 40 spaces is always full in the evenings.

By having only 23 parking spaces for 39 units the residents in the proposed development will frequently be attempting to park by trespassing on the Pomeroy Gardens parking lot, creating security problems for our residents and enforcement issues for ownership and management. The developer is aware of our feelings on this. He can offer to tow, he can offer to put up gates, however, practically speaking, on a Friday or Saturday night, is he prepared to tow and how do we enforce a towing agreement, and even more to the practical point of the matter, how does he tow swiftly and efficiently with current city regulations on towing? This clearly threatens to upend our contractual obligations to tenants vis-a-vis their lease agreements which promise clear and safe access to parking amenities. We would also like to point out that street parking on a Friday or Saturday night up Pomeroy Road to Stanton Road presents access problems for ambulances and fire emergency vehicles. We have attached photos of the parking lot and a view of the street that shows how Pomeroy Road is too narrow for street parking.

### **Concern #3 Density:**

The proposed development would increase density in the community without any evident plan to address the social impact resulting from the density. While there is a plan for green space, there is no plan for a playground or protected activity space to support the families this potential development would bring into the community. While I have no first-hand knowledge of the financing model for this proposed project, I'm assuming the developer is embracing a model of

mixing traditional low-income housing with voucher tenants, relying on voucher choice to maximize the rents of 3- and 5-bedroom apartments. This then makes it in essence a privately financed, publicly subsidized public housing facility with no social service supports and no safety net—no health or security services for whom, under this assumed model, are residents of the District that are in most need. We are asking for a plan that provides appropriate support for this population and aims to keep the community safe and healthy and on a trajectory that adds to and uplifts the neighborhood much in the spirit of the more recent developments in the neighborhood of apartments, single family homes, and the social support provided by Martha's Table and local educational institutions.

#### **Concern #4 Inadequate Use of Available Space**

We are also concerned about the failure of the proposed developer and the office of planning to explore the potential of a 77,000 + square foot site with the elevations that this site has for greater density given proper social and community support. It is not out of the realm of possibility. In fact, we had studied the site early on several years ago and had proposed a mid-rise building with underground parking by building into the hill. We have attached the narrative plan for this concept.

Another suggestion, which came from this developer, was to build 65 townhomes going from Elvans Road down to Pomeroy. We have less of a concern with 65 townhomes with some space for five bedrooms than we do with warehousing people in the confines of a small apartment building with very small bedrooms. Greater density is possible in this development with space and support enough to help the community continue to grow and thrive. We understand that it is not the District's role to tell someone what to build, however it is their role to think through the process and ensure that what is built is best for the community.

Due to the concerns outlined above, we must raise objection to the proposed development at 2424 Pomeroy Rd as it is currently planned. We would urge the Board of Zoning Adjustment decline the applicant's request for multifamily zoning in favor of encouraging development of single-family housing which better utilizes the site and better serves the community.

Here is a link to a Dropbox with attachments and photos in support of this letter.

Sincerely,

Walter Johnston  
Acting Director of Pomeroy Gardens  
Housing Development Inc.