Testimony: Board of Zoning Adjustment
Re: BZA Application Number 16878
June 11, 2002
Special Exception for Nonprofit Use of the Cady Lee Mansion
Washington D.C.

I would like to thank the Board for this opportunity to present comment in support of the request by The Forum for Youth Investment for a special exception for use of the Cady Lee Mansion as their nonprofit office space. I am Frances E. Phipps, and am speaking today not only as the restorer and former owner of the Mansion, a Class II monument on the National Register of Historic Places, but also as the President of The Phipps Group, an award-winning land-use and economic development firm which has worked in the Takoma area for over twenty years.

Why I Bought the Mansion: The Cady Lee Mansion stands at the prominent corner of Piney Branch Road and Eastern Avenue – the gateway to the District of Columbia from Maryland. It is an extraordinary example of the Queen Anne style of Victorian architecture and because of its location and its elegance, the Mansion is regarded as a critical element of the Takoma architectural landscape.

Built in 1887 by Henry A. Cady, the Mansion was designed by Leon Dessez a prominent turn-of-the-19th century architect who also designed the Admiralty House, now the official resident of the Vice President. With the death of the eldest Cady daughter in 1973, the fate of the house hung in the balance. The estate offered the property for sale for over two years, but the only offer came from the Dryfuss Brothers Development Corporation which intended to demolish the house and build 12 additional apartment units on the site. They had already developed the 54 unit apartment buildings next door. With a contingent contract in hand, Dryfuss then applied for a demolition permit at the end of 1974. Four citizens, of whom I was one, protested this request and were granted one year in which to find a purchaser for the house which was now in very poor condition. Rescue came in the form of a young couple from Pennsylvania who took on the massive job of renovation.

However, with their separation in 1984, the property began once again to seriously deteriorate. It was listed for sale – starting in 1995 - for about five years without any purchasers. The slate roof had been leaking in many areas for over a decade causing plaster collapse and water damage to ceilings, walls and floors. The porch roof was completely deteriorated and the porch itself was pulling away from the structure, with structural damage to the porch piers and joists. Most windows were inoperable and the gas had been turned off. The house was in need of major repairs.

I live two blocks away, and in June 2000 I noticed a huge new hole in the fascia board under the second floor downspout. I knew what the water penetration was doing to the interior, so I pulled my car over, knocked on the door, and offered to purchase the house. My construction firm had just completed renovations on another property, and the timing was right.

Real Estate Assessment of the Marketability of the Mansion: Locational Defects: Many of my friends in the real estate industry cautioned me against purchasing the Cady Lee because of what they considered to be significant and incurable locational defects. These defects were: location at the busy intersection of Piney Branch and Eastern; location abutted by Metro and railroad tracks; and location bordered by a large condominium project. The Cady Lee is, in fact, the only single-family structure on Eastern Avenue in the District which is characterized by apartment buildings and the Metro station.

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Journalist attention to the property shared the realtors' assessment:

- In an article titled *"An Uphill Battle, Again"* in the Washington Post Real Estate section of October 16, 1999, Sandra Fleishman wrote: "But Bentley has found how tough a sell a historic property in an nonhospitable location can be. In checking with architects, nonprofit organizations, District and

  Takoma Park officials, historic preservation groups, National Park Service officials and neighborhood groups, Bentley has encountered more than one person who just couldn't get past the location. 'We even had a couple of Realtors who wouldn't even come see it,' Bentley said."

- In an article title *"The Cady Lee House: Frances Phipps' Work in Progress,"* in the Takoma Voice of January 2001, Alan Abrams wrote: "Moreover, its very location was a deterrent to ordinary house hunters. When the house was built, its proximity to the trolley made it a prime site. Today, the house is "orphaned," as Phipps puts it, severed from physical connection with Takoma DC by railroad tracks to the west, garden-style condos to the south, and a busy thoroughfare to the north. Set against the District Line to the east, it is disassociated from Takoma Park, Md. Real estate agents have characterized the property as unmarketable."

My Goal for the Cady Lee: Continuing Economic Life: I have been an active preservationist for over thirty years. First as a policy maker with the federal government, then as a planner in historic communities, and for the last 18 years also as the president of a construction firm specializing in historic renovation.

During this time, ***the preservation community has come to realize that the true challenge of historic preservation is to design a continuing economic life for our historic resources so that they remain competitive and economically attractive to the private market within a framework which preserves the historic asset.***

With this realization, the preservation movement has shifted its focus from regulation to economic inducement. It was due to this that we have seen the passage of historic tax credit legislation on the federal and local levels and the concerted effort of many jurisdictions to find new uses and grant new flexibility for the magnificent but deteriorating structures within their boundaries. It was specifically for this reason that the historic preservation community in Washington, DC carefully revised is R-1 zone to include nonprofit organizational use of historic structures – in an attempt to attract owners who both could and would be able to maintain large historic properties.

My goal for the Cady Lee was to give the property new economic life by transforming it into a "marquee" property which could retain its historic integrity located at the "gateway" to the Nation's Capital. This approach was successful, and a wide variety of interests were attracted to the project. The one serious single family prospect withdrew from consideration last December because they couldn't tolerate the possibility of a regional bike trail in the back yard. All other serious interest was for a variety of commercial uses – many of which are permitted by right in the zone, but in my judgment would be more destructive of the property; i.e., private club; a school; a bed and breakfast facility; a social service provider; a nonprofit dance studio.

Ideal Purchaser: The Forum for Youth Investment: In adaptive re-use terms, office use of a residential structure is the gentlest form of adaptation. My objective was to find a purchaser who was both willing and able to protect not only the exterior of the mansion, but the interior first floor "grand rooms" as well. The Forum for Youth Investment was able and willing to make that commitment, as the elegance and openness of the first floor provides them the type of meeting space they were seeking for their headquarters.

On a more personnel note, I was delighted with their offer for three specific reasons: (1) I knew the Executive Director and had already sold her and her husband a restored Victorian for their personal residence. In fact, they are neighbors and I have been continually impressed by their exacting maintenance of their residence; (2) The Forum is a locally based nonprofit, committed to their mission and to the Takoma community; and, (3) they are financially able to maintain the property.

Impact of the New Use:

Non profit office use of the Cady Lee Mansion will be compatible with the residential use of the 54 unit Eastmont Condominium to the south, as the normal office hours of 9 to 5 are the very time when most residents will be at work. The mansion will have only light use during the evenings and weekends when most residents are likely to be home. Additionally, there is a 8' fence – lined with evergreen trees - separating the condominium from the mansion.

The proposed number of parking spaces (10), disbursed along the circular driveway in the back yard and in front of the garden shed are located in a manner which takes advantage of parking patterns established over the years by prior residents. The former owner had rented out rooms as well as the third floor apartment, and tenant vehicles had long established an edge of the driveway parking pattern – adjacent to the large oak trees - which avoided an unsightly concentration of vehicles. During construction, my crew parked their trucks in the same configuration. Last Autumn, I removed a huge trash pile from a level portion of the ground next to the driveway and installed a large garden shed, with space for additional parking in front of the shed. This arrangement added to landscaped aspect of the rear yard had the additional advantage of sheltering – in part – the view from the condominium.

I am pleased that the Forum has chosen to address the issue of parking placement in the same manner as was established during the single family residential use of the past twenty years. This will help maintain the historic residential aspect of the exterior of the house and its relationship with the back yard.

In Conclusion:

The last time I addressed the Board was back in February in support of the Katz development project for Carroll Street next to the Metro tracks. As a planner, I mentioned that due to locational constraints, this site had remained undeveloped for over 20 years. I prefaced my remarks by stating that in planning terms: "all's well that ends."

The Cady Lee Mansion shares these same locational constraints as the Katz project, and for the past 30 years it has gone through a continuing series of "perils of Pauline cycles" under single family

ownership. With the advent of The Forum for Youth Investment as owners and proven stewards of historic property, and their commitment and financial resources to maintain the mansion, I am hopeful that we have "ended" this distressing cycle and "ended it well."

For these reasons, I urge the Board to grant the special exception to the Forum for Youth Investment.