



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240



June 10, 2020

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Property: **Philadelphia Navy Yard Receiving Station, 4801 South Twelfth Street,
Philadelphia, PA**

Project Number: **39329**

Dear [REDACTED]

I have concluded my review of your appeal of the June 3, 2019 Decision of Technical Preservation Services (TPS), National Park Service, denying certification of the Part 2 – Description of Rehabilitation application for the property cited above (the Decision). The appeal was initiated and conducted in accordance with Department of the Interior regulations [36 C.F.R. part 67] governing certifications for federal income tax incentives for historic preservation as specified in the Internal Revenue Code. I thank you and [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] for meeting with me on September 16, 2019, and for providing a detailed account of the project. I am also grateful for the tour of the property with [REDACTED] on September 27, 2019, when I happened to be in Philadelphia on personal business.

After careful review of the complete record for this project, including the materials presented as part of your appeal, the additional information Ms. Hamilton submitted after our appeal meeting, and my observations from the site visit, I have determined that the proposed rehabilitation of the Philadelphia Navy Yard Receiving Station is not consistent with the historic character of the property and that the project does not meet the Secretary of the Interior's Standards for

Rehabilitation (the Standards). However, I have further determined that the project could meet the Standards if you modify certain aspects of the project to comply with conditions described in this letter and submit those modifications to TPS for review through the normal process.

Therefore, I affirm TPS's June 3, 2019 Decision in part, reverse TPS's June 3, 2019 Decision in part, and recommend submitting an amendment to TPS to address the issues and suggestions identified herein.

The Receiving Station is a monumentally scaled institutional building that occupies an entire city block within the former Philadelphia Navy Yard. It is comprised of three block-long wings constructed in 1919 (south), 1941 (north), and 1942 (west), and two shorter wings constructed in 1942 (east). The 1942 construction of the west wing and the two shorter east wings unified the building and created a C-shaped building around a courtyard open to the east that includes two one-story service wings, also constructed in 1942. The main building is three tall stories above a raised base, with projecting, gable-roofed pavilions at the end of each wing, arched single-story loggias on the street facades, octagonal rooftop cupolas in the center of all three main wings, and a three-story central pedimented entrance portico on the west elevation. The Receiving Station was a processing facility for new recruits, with administrative offices and examination, records, and other rooms for processing enlistments, and barracks, a commissary, and other facilities needed to house and support the recruits. The building will be rehabilitated into a 230-room hotel that includes amenities such as a ballroom, meeting rooms, a pool, patios, and decks.

In its denial decision, TPS determined that there are seven issues that individually and collectively cause the proposed rehabilitation to fail to meet Standards 1, 2, 5, 6, and 9. Those Standards are:

(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities

and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The seven denial issues are:

1. Construction of a new, five-story guest room addition with a large mechanical penthouse, thus effectively six stories, in the middle of the courtyard which will obscure views of the three main wings and alter the relationship of the wings to one another, contravening Standard 9. TPS stated that the *“addition in and of itself causes the project not to meet the Standards.”*
2. The two one-story wings in the courtyard will be demolished without sufficient evidence that the wings are deteriorated beyond repair, contravening Standards 5 and 6.
3. The rear (east) façade of the center wing will be covered by an extension of the center wing, allowing guest rooms along a double-loaded corridor, but hiding the dormers and gable roof of the center wing when viewed from the courtyard. TPS stated that, *“Enclosing the entire back wall of the west wing does not meet the Standards.”*
4. Two other additions for a ballroom and a pool will flank the new guest room addition in the courtyard, filling the area between the addition and the north and south wings. TPS stated that, *“The cumulative effect of all of the work proposed for the courtyard will markedly alter the historic appearance and character of that space and of the historic building. This proposed work does not meet Standards 2 and 5, which require that the historic character and appearance of a property be preserved, and will cause the overall project to not meet the Standards.”*
5. A restaurant deck is proposed to project from the north half of the west wing loggia, raised eight inches to be level with the first floor. TPS determined that the proposed deck would be, *“an intrusive, incongruous, and incompatible new feature that detracts from the historic appearance and character of a primary elevation of the building.”* TPS also objected to the three proposed barrel awnings from the portico loggia down to the sidewalk as incompatible. TPS concluded that, *“This work to the west and primary elevation does not meet Standards 2 and 9, which require that the historic character of a property be preserved and that new additions and exterior alterations be compatible with an historic building, and, in and of itself, precludes certification of the rehabilitation.”*
6. The deck height of the north and south loggias will also be raised eight inches, potentially impacting the brick piers of the loggias. More than half of the windows in the three loggias will be connected to doors to provide guest room balconies, with low partitions

demarcating each space. TPS determined that, *“These changes greatly alter these elevations and cause the overall project to not meet the Standards.”*

7. The interior of the building will be significantly modified, primarily by raising the floor levels of the second and third floors, effectively lowering the sill heights to a level appropriate for the new use. The new floor heights will necessitate removing the existing staircases and rebuilding them. Exterior walls will be furred out three-and-a-half inches to add insulation, and the new finishes will present a more luxury, upscale appearance.” TPS determined that, *“The changes to the floor height and the removal or covering up of historic materials and finishes do not meet Standards 2 and 5, which require that the features, materials, and spaces of a property be preserved. The changes do not preserve the simple historic appearance and character of the building, also as required by Standards 2 and 5.*

In my review, I first assessed the overall character of the property and the hierarchical integrity of its various functional areas. The physical characteristics of the Receiving Station are deceptive. Although it appears to be a traditional, three-story, Georgian-style building, it is a massive, block-square, sixty-foot tall, concrete barrack for sailors. The massing of the building is formed by three long and relatively thin gable-roofed wings that form a large U-shape, open to the east. The wings overlap at their corners, and there are shorter cross wings at the open end of the U, all of which create projecting pavilions with end gables at each corner. Collectively, the five wings create a C-shaped plan. The gable roofs are slate and lined with single-window dormers; each of the three main wings has at its midpoint an ornamental octagonal cupola with arched openings and a copper-roofed dome and finial. The brick exterior features an elaborate brick cornice and is primarily intact, with some infill of the loggias on the north and west wings. The windows are simple punched openings with stone sills. The main entrance is in the middle of the west wing with a projecting gable-roofed portico on four colossal-order brick piers.

On the interior, each floor is tall, fifteen feet on the first floor and thirteen feet on the second and third floors, with interior windowsill heights four-and-a-half feet above floor level. The building’s interior is functional and utilitarian in design, with few details of note. The first floor is partitioned into offices, as is part of the second floor, but the rest of the second and third floor and attic are mostly open spaces.

The two one-story wings in the courtyard are flat-roofed brick boxes with simple brick parapets, the northern one being food storage and a kitchen serving the commissary in the north wing and the southern one being a laundry. Although the Part 2 application had insufficient information for TPS to determine the condition of the two wings, from my tour of the property, I concur with the applicant’s assessment that both courtyard wings are significantly compromised and deteriorated. The courtyard is paved over its entire area and has few access points other than

emergency exits from the three main wings, demonstrating that it was a utilitarian service area, not a bucolic feature that the word “courtyard” could imply.

The principal character-defining feature of the building is the imposing mass and materials of the three street facades facing South Twelfth Street (west), Constitution Avenue (south) and Normandy Place (north). Those three facades are prominently visible from a significant distance, from the new Central Green Park to the north and League Island Park to the south, and from the open space around the Chapel of the Four Chaplains on the west. By contrast, the short cross-wings, which narrow the opening into the courtyard, face South Eleventh Street (east) and a new building across the street. Consequently, the east side of the building can only be seen from the Eleventh Street right-of-way, and views into the courtyard itself are limited to a short stretch of Eleventh Street. There are few tall buildings to the north and east of the Receiving Station and its distinctive gable roofs, dormers, and cupolas are a stark contrast to the rectangular, flat-roofed, masses of the large industrial buildings to the south and west when viewed from I-95, a considerable distance.

The courtyard is defined by the three long wings and the two shorter cross-wings. The facades of the wings facing into the courtyard, unlike those on the street facades, come straight down to grade, with no articulation except periodic emergency exits. The courtyard is filled at grade by the laundry and kitchen wings, which respectively connect to the south and north wings. Each service wing had loading docks for trucks facing the middle of the courtyard and all of the remaining open space is 100% paved. Thus, at grade, and inside the two service wings, the courtyard has a utilitarian, industrial character. However, the courtyard-facing facades above the first floor are similar to the upper floor street facades, with punched windows, stone sills, brick cornices, and slate-covered gable roofs with dormers. The courtyard, and especially the laundry and kitchen wings, are secondary features due to their “back of the house” features and utilitarian character.

On the interior, the most significant character-defining features are the tall volumes of the spaces, with exposed concrete structure as the ceilings. The first floor has offices with non-historic dropped ceilings, the only large space being the commissary in the north wing. The second floor has offices and open spaces. The third floor and attic are mostly open spaces. Although the spaces are tall, the windows on the second and third floors are a detriment because the sill height is so far above the floor. I have determined that there is little significance to the interiors except for their tall ceilings.

With regard to Denial Issue 1, TPS found that “*the massing, size and scale of the proposed addition are not compatible with the historic building,*” and that “*the addition in and of itself causes the project not to meet the Standards.*” I agree with TPS because, as proposed, the addition will rise above the gable ridge of the historic roofs and the mechanical equipment will

be even taller, rising to the height of the cupola domes. However, I note that TPS did not specifically object to an addition in this location, but only to the “*massing, size and scale*” of the particular design presented in the application. Taking into consideration economic and technical feasibility as described in 36 C.F.R. 67.7(b), my review has determined that the addition’s location and footprint within the courtyard are a reasonable option because the courtyard is the only location on the property that is secondary in relation to the historic character of the three main wings. However, the addition’s primary fault is its height. A smaller addition of this kind could potentially comply with the Standards if the height of the addition was held to the height of the historic brick cornice, the rooftop mechanical equipment did not exceed the height of the historic gable ridges, and the narrowed east end of the addition did not exceed one story to avoid cutting off views to the east from courtyard guestrooms. Although reducing the size of the addition will reduce the number of guest rooms, I note that it may be possible to locate some guest rooms in the attic with windows in the existing dormers.

With regard to Denial Issue 2, TPS did not receive sufficient information to determine if demolition of the laundry and kitchen wings is warranted. After inspecting the two wings, I believe them to lack the architectural character and distinction that defines the historic character of the rest of the complex. In this case, their purpose-built design is functionally obsolete and not readily adapted to new use. Moreover, they appear on inspection to be significantly deteriorated. Thus, although demolition of historic features is not a recommended treatment, in this case, I believe that the proposed demolition of the laundry and kitchen wings could be reasonable and compliant with the Standards. However, TPS did not receive an opportunity to consider the conditions witnessed during my site visit. Without providing TPS that opportunity, I must affirm TPS’s decision on this issue.

With regard to Denial Issue 3, extending the rear (east) wall of the west wing to make it deep enough for a double-loaded guest corridor will add twenty-four guest rooms to the second and third floors, reducing the programmatic need for an even larger addition in the courtyard. It is in a secondary location and will impact less than 10% of the exterior facades of the building, but it will impart a subtle change to the proportions of the courtyard. I have determined that, except for the addition in the courtyard, this is the only other location on the property where an addition can be constructed with only a minor visual impact. Consequently, although I agree that covering the rear façade of the west wing with an addition is generally not a recommended treatment, in this case, I find that the change will have a minimal impact on the overall historic character of the property and thus to be compliant with the Standards.

With regard to Denial Issue 4, the pool and ballroom additions, TPS determined that they will markedly alter the appearance and character of the courtyard. I note that the pool and ballroom additions will be in the same respective locations as the laundry and kitchen wings and will match their single-story height. Assuming that you can provide TPS with sufficient information

to justify the demolition of the laundry and kitchen wings, I find that the pool and ballroom additions would not have a significant impact on the historic utilitarian character of the courtyard and could thus comply with the Standards.

With regard to Denial Issue 5, the restaurant deck projecting from the north end of the west wing loggia, TPS determined that it would be intrusive, incongruous and incompatible. I agree with TPS that it will be an intrusion into the historically open space in front of the west wing. However, I disagree that it is incongruous and incompatible because it will be an extension of the existing terrace of the entrance portico. The deck will impact only a small portion of the three main wings as it will be the only new feature projecting into the open space in front of any of those three long façades. The deck will extend from the terrace on the north side of the entrance portico to the south wall of the north wing, approximately 85' along façades that total 960' in length. It will match the first-floor height, which is seven steps or approximately 4' above grade on a façade that is 60' tall. Consequently, its visual impact from most perspectives will be relatively minor. Further, although TPS did not mention the handicap ramp proposed for the south side of the entrance portico terrace in the denial decision, the regulations state, "*The Chief Appeals Officer may base his decision in whole or part on matters or factors not discussed in the decision appealed from.*" [36 C.F.R. 67.10(c)]. Here, I have determined that the handicap ramp is intrusive and incompatible in its proposed location because, when coupled with the proposed restaurant deck, the two new features would obstruct both side views of the entrance portico. Thus, the combination of the deck and ramp does not meet the Standards. Instead, as we discussed during the appeal meeting, I note that if the handicap ramp could be incorporated into the footprint of the restaurant deck, it would significantly reduce the cumulative visual impact of the two new features and comply with the Standards.

With regard to the three barrel awnings, which TPS determined to be incompatible, at the appeal meeting you proposed to reduce the number of awnings to one. I note that the proposed materials are fabric on a metal frame, thus the single awning will be minimally intrusive and easily reversible, and that the arched profile of the one awning matches that of the adjacent arched loggias and the arched window in the portico gable above it. Consequently, I find that the revised proposal of a single, arched-profile awning complies with the Standards.

With regard to Denial Issue 6, raising the floor level of the loggias to be level with the first floor interiors, I agree with TPS that doubling the thickness of the loggia floors when viewed from the street will change their physical and visual character, be incompatible with the base detail of the loggia columns, and force the alteration of the historic balcony railings. However, during the site visit, we inspected a similar change at the nearby PIDC office, where the raised loggia floor was held to the back face of the loggia columns, thus preserving the historic loggia floor edge at its original thickness, preserving (except on their inner side) the loggia columns base detail, preserving the original loggia railings, and hiding the height of the raised loggia floor in the

shadow of the railings. While the plan proposed to TPS fails to comply with the Standards, I note that the treatment at the PIDC office, if applied to the Receiving Station, could both allow the loggia floor heights to be raised and preserve the historic visual appearance and character of the loggia floors, column base details and railings, and thus would likely comply with the Standards.

With regard to converting loggia windows to doors, I disagree with TPS's assessment of the impact. Although 9 of the 14 windows in the north half of the west loggia were proposed to be converted to doors to connect the dining room with the deck, TPS did not note that only 1 conversion was proposed in the south half of the west loggia. Thus, only 10 of the 28 west loggia windows are proposed for conversion. In the south loggia, 8 of the 16 windows are proposed to become doors to create guest room terraces on the loggias. And, TPS did not note that none of the 16 windows in the north wing loggia will be converted to doors.

At the appeal meeting, you proposed to reduce the number of new door openings in the north end of the west loggia from 9 to 2. Consequently, the number of windows proposed to be converted into doors is now 11 (3 on the west loggia and 8 on the south loggia). All of them will be set back from the face of the loggias and thus in deep shadow. I find that the cumulative impact of the now-reduced number of door conversions on the overall historic character of the property is minimal and thus complies with the Standards. Similarly, I find that the 10 low-rise partitions that will define the guest room terraces in the south loggia, which will be hidden behind the loggia columns, will be minimally intrusive and will comply with the Standards.

With Regard to Denial Issue 7, raising the floor height of the second and third floor and the consequent removal of the historic stairwells, although I agree with TPS that these are significant changes and ordinarily would not comply with the Standards, the unique circumstances of this property warrant reconsideration of that determination. In hotel conversions in former office buildings, or in this case a former barrack, where each guest room has a bathroom, the associated plumbing is a challenge and can force the installation of dropped ceilings, chases and soffits. In the Receiving Station, the unusually tall ceilings and high window sills offer another option – raising the floors to hide the plumbing supply and waste pipes. The raised floors will also provide space for HVAC equipment and ducts without having to install ductwork in the guest rooms themselves. And, even with the raised floors, the rooms will still have tall ceilings, remaining faithful to the historic volume of the space when perceived by guests. Consequently, in this specific case, I find that raising the second and third floor levels is a reasonable treatment and will comply with the Standards.

With regard to replacing all of the stairwells, their character is industrial – concrete stairs and landings with pipe railings with two horizontal mid-rails. They are not significant character-defining features. Further, in any new use, they would have to be heavily modified to meet

current life/safety standards. And, the changed floor heights will force their reconstruction. I find that their removal and reconstruction does not contravene the Standards.

With regard to the insulation and gypsum wall board proposed to be added to the exterior walls, the existing exterior walls in the offices already have that treatment, as evidenced by the depth of the window reveals in those spaces. I have determined that adding insulation where the exterior walls are painted concrete block (primarily the third floor) would be consistent with similar treatments in other areas of the building and thus is a reasonable treatment compliant with the Standards. With regard to the new finishes proposed in the guest rooms, the use of gypsum wall board and simple trim is consistent with that found in the office areas of the building. And, leaving the concrete ceiling structure exposed is consistent with the historic conditions and will restore those areas where non-historic dropped ceilings have been installed. Accordingly, I find that the proposed interior treatments and finishes are consistent with the historic character of the property and comply with the Standards.

Ostensibly a three-story, Georgian Style barrack, the Receiving Station is a massive, reinforced concrete building occupying a city block with a scale that rivals the Navy Yard's industrial buildings to the south and west. It has five overlapping and interlocking wings that define its perimeter and together encircle a utilitarian service courtyard with laundry and kitchen wings. The size and scale of the property and the complex geometry of its floor plan creates significant hierarchical differences among the various character-defining features and viewsheds so that the cumulative impact of the proposed changes is not so severe as to cause denial of the overall project. Most of the changes to which TPS objected are segregated and seen in isolation from one another, significantly reducing their cumulative impact. And, only the height of the proposed courtyard addition will significantly impact the building's environment. Consequently, and with consideration of economic and technical feasibility, the changes proposed are reasonable. Thus, I disagree with TPS that the cumulative impact of the proposed changes to the building contravenes Standard 1.

Although I concur with TPS that the rehabilitation as proposed cannot be approved, I have dismissed Denial Issues 3 and 7 outright and dismissed Denial Issue 4 subject to the resolution of Denial Issue 2. I believe that your minor proposed changes to bring into compliance with the Standards the entrance portico awning in Denial Issue 5 and the number of windows converted into doors in the north half of the west loggia in Denial Issue 6 would comply with the Standards and thus partially dismiss just those aspects of Denial Issues 5 and 6. In addition to affirming Denial Issue 2 because of the failure to provide sufficient information to TPS, I have determined that there are three specific substantive aspects of the project that together cause the current plans to contravene the Standards. In this case, it is the size of the courtyard addition in Denial Issue 1; the location of the handicap ramp on the west wing, when relative to the restaurant decking on the same wing, in Denial Issue 5; and the treatment of the loggia floors in Denial Issue 6.

However, I have identified possible changes that could bring the overall project into conformance with the Standards.

1. Reduce the size of the courtyard addition by reducing its height to the height of the historic brick cornice, limiting the height of the rooftop mechanical equipment to not exceed the height of the historic gable ridges, and limiting the height of narrowed east end of the addition to one story to avoid cutting off views to the east from courtyard guestrooms, as described above.
2. Move the location of the handicap ramp on the west wing from the south side of the entrance portico to within the footprint of the restaurant deck on the north side of the entrance portico, as described above.
3. Modify the proposed treatment of the loggia floors to match that found on the loggia floor of the PIDC office building, as described above.

Although I believe that these changes could bring the overall project into compliance with the Standards, the details of how each change should be accomplished will require submission of new information not previously reviewed or subject to a decision by TPS. Thus, those changes are beyond the scope of this appeal. They will require review and approval of an amendment showing the revised designs submitted through the normal process to the Pennsylvania SHPO and TPS

As the Department of the Interior regulations state, my decision is the final administrative decision with respect to TPS's June 3, 2019 Decision regarding rehabilitation certification. A copy of this decision will be provided to the Internal Revenue Service. Questions concerning specific tax consequences of this decision or interpretations of the Internal Revenue Code should be addressed to the appropriate office of the Internal Revenue Service.

Sincerely,



John A. Burns, FAIA, FAPT
Chief Appeals Officer
Cultural Resources

cc: PA SHPO
IRS

[REDACTED]