



United States Department of the Interior



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

1.A.2.(0573)

January 26, 2026

[REDACTED]

Property: **Pisos de Don Juan, 405 Calle San Francisco, San Juan, PR**
Project Number: **TPS # 40681, Parts 2 and 3**
Appeal Number: **1706**
Action: **Final Administrative Decision**

Dear [REDACTED]

I have concluded my review of your appeal of the August 1, 2025 Decision of Technical Preservation Services (TPS), National Park Service, denying the Part 2 – Description of Rehabilitation and Part 3 – Request for Certification of Completed Work 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 the Federal income tax incentives for historic preservation as specified in the Internal Revenue Code. I thank you and [REDACTED] for your participation in the appeal meeting on October 21, 2025, and for providing a detailed account of the project.

After careful review of the complete record for this project, including the materials presented as part of your appeal, I have determined that the rehabilitation of the Pisos de Don Juan is consistent with the historic character of the property and that the project meets the Secretary of the Interior's Standards for Rehabilitation (the Standards). I hereby reverse the denial of the Part 2 – Description of Rehabilitation and Part 3 – Request for Certification of Completed Work applications issued in the TPS Decision of August 1, 2025.

The Pisos de Don Juan is a six-story L-shaped apartment building that was constructed in 1937 overlooking the Plaza de Colón. It was certified as a historic structure contributing to the significance of the Old San Juan Historic District on October 7, 2019. The period

of significance of the historic district ends in 1939, so the significant features, materials, and spaces of the building are those that date to the original 1930s construction.

Retail commercial space and a residential lobby occupied the first floor, and the upper floors contained three apartment units per floor. Two of the units on each floor featured balconies and/or loggia spaces at the building façade that overlook the Plaza. The apartment floor plans were unusual in that private hallways that accessed the bedrooms and bathrooms of a unit were arranged around and along open lightwells with railing-height walls creating something like multi-story balconies along at least two sides of each of four lightwells in the building. This arrangement provided views into and communication between the private areas of different apartment units across the lightwells. According to a previous building owner, apartment residents traditionally hung curtains, or something similar, to gain privacy. In the 1990s wood louvers were installed to provide a more substantial separation. As a mid-block building, these lightwells were the primary source of light and air for most of the spaces within the building. As such, unit hallways featured transoms above doors and at least two different types of borrow lite windows.

The features and design of the Pisos de Don Juan appear to have been conscious design choices that respond to the climate of San Juan in a time before air conditioning was a feasible option. The lightwells, open air hallways, operable transoms and borrow lite windows all provided for air movement and admittance of mostly indirect sunlight. Unfortunately, these same design features are problematic in terms of modern fire safety, privacy needs, and the introduction of air conditioning systems. In addition, the building was in poor condition prior to the project as documented in structural engineer reports and photographs showing extensive damage to the reinforced concrete structural system.

I have reviewed the work completed in this project taking into account the condition of the building and the considerable, technical feasibility challenges that would have been inherent to anyone undertaking a rehabilitation of this building.

One of the primary reasons for the TPS Denial was based on the cumulative effect of treatments that resulted in *“the removal of all historic interior architectural features, materials, and finishes throughout the building.”* The letter further explains,

“Before work began, the exterior and interior of the building, with the exception of much of the first floor, had a high level of architectural integrity. While some areas of the concrete structure, including areas with exposed rebar, and some of the wood louvers in the lightwells on the upper floors were deteriorated. However, these materials and features should have been repaired, or, if beyond repair, replaced in-kind, in accordance with the Rehab Standards.”

The denial letter goes on to state,

“nearly all historic features, materials, and finishes have been removed from the interior, including all wood doors and transoms; the concrete

knee walls, wood louvers, and transoms for all five lightwells; the historic tile at the front and rear stairs and in a number of other areas, etc.”

Based on information provided since the denial by TPS, and given the extent of damage to the concrete structure, I do not agree with all of TPS’s individual findings to reach a cumulative effect.

First, in both a post-denial information exchange with TPS and as part of your appeal, you have provided documentation showing that the wood louvers and transoms at the lightwells were non-historic features installed in the 1990s. You have also demonstrated that deterioration of the building necessitated extensive repair of the majority of the concrete structure, particularly on the fifth and sixth floors. Removal and reinstallation of many features and finishes appears unavoidable. With this information, I have determined that the removal of the wood louvers and the treatment of the concrete structure and features is consistent with the Standards.

Second, materials in the file and information highlighted during our meeting documented the deterioration of the concrete knee walls. Due to the failure of the lightwell coverings during Hurricane Maria, these features and spaces were subject to several years of weathering before repairs could begin. During our meeting you confirmed that the building has four lightwells rather than the five identified in the TPS Decision, and you also identified locations where the concrete knee walls at the lightwells were repaired and are extant. In these locations, new glazing has been installed above the knee wall, an alteration that is compatible with the historic condition. In other locations, the concrete knee walls have been replaced with metal railings. You explained that this alteration was necessary to achieve minimum required egress corridor width along the hallways. A better solution could have been the installation of solid, thin profile railings that maintained the solid appearance of the concrete knee walls. However, I find that the project maintained the most important aspect of these spaces, which are the lightwells themselves as an integral part of the upper-level floor plans, around which the floor plans have been largely retained. In addition, enough of the historic fabric and material has been retained between the limited areas of knee walls that remain and the more extensive historic full-height walls with windows into the light wells that this aspect of the project minimally meets the Standards. My determination on this topic is due, in part, to the consideration that any reuse of this structure would have required some level of compromise related to these spaces in order to make the building safe by modern standards of fire safety and egress, and the choices made in this case appear to be at least minimally compliant with the Standards in addressing that compromise.

Third, tile flooring throughout the building was documented before demolition began. In reviewing the pre-construction and mid-construction photos, I find that there were few areas of historic tile that were in a condition to retain as a finished floor. More than nineteen different tile patterns existed, and they appear to date from a wide range of eras and periods. The predominant tile flooring was a non-historic large-format square tile. Of the visible earlier-period mosaic tile floors, most had visible cracks, scars, and areas of missing or patched tilework. Some of the early-period 1-inch by 1-inch tile was retained

and preserved as part of the project, as shown during our meeting. In most areas, new tile was installed. Given the wide variety of tile that existed at the beginning of the project and a lack of clear evidence that indicated which, if any, of the surviving tile was original to the building, I have determined that the flooring treatment meets the Standards.

Fourth, I agree with TPS that the removal of the wood door openings with transoms is inconsistent with the Standards. You provided communication from a previous owner that the wood doors were all 1990s replacements, and while that is likely true, it can also likely be true that the door jambs, trim, and transoms were historic features that should have been preserved. I would also include that the historic borrow lite windows should have been retained and reinstalled and/or replaced to match.

The TPS Denial was, in part, based on the cumulative effect of interior alterations that they determined did not meet the Standards. With the clarifications and additional information that you have provided, I find that the only remaining problematic issue related to the interior work is the removal of the historic doorways and transoms. I have determined, however, that for this particular project, this treatment does not sufficiently erode the historic character of the interior as to cause the overall project to fail to meet the Standards on a cumulative effects basis.

The other primary reason for the TPS Denial was “*infilling and altering the recessed loggias at the balconies on the front façade.*” At the beginning of the project, these openings on the front façade had previously been infilled on the second floor, eliminating the loggias on that level. In examining the photos that documented these spaces on the 3rd to 6th levels before the project began, I note that the floor surface of the balcony is not continuous with the inset loggia. Both areas featured tile, but between the balcony and the loggia there is a small but distinct change in floor level and the tile changes to different patterns that appear to be unrelated to the balcony pattern in all spaces where tile remains. This seems to show that the tile of the loggia space historically continued through to interior spaces of the apartment units. This information indicates that the loggia spaces were more closely tied to the living space of the apartments, and I have determined that altering these spaces to enclose them and shift the building envelope to the front façade is not contrary to the Standards. The new infill at the arched openings is set behind the wall opening, consists primarily of glass, and the framing is dark in color. While the size of the framing is larger than what is typically advised in similar scenarios, this building has the benefit of shade on these openings cast by the projecting balconies. In addition, the new infill is sufficiently set back from the decorative architectural elements of the front façade, including columns, their bases and capitals, such that no historic fabric of the primary façade has been damaged or destroyed. The setback contributes to the shadowed appearance. As a result, this design maintains the appearance of a dark void in the historic openings, and I have determined this treatment to be consistent with the Standards.

As the Department of the Interior regulations state, my decision is the final administrative decision regarding certifications of rehabilitation for the Federal income tax incentives for historic preservation. 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,

JENNIFER PARKER

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Date: 2026.01.26 11:38:05 -05'00'

Jennifer Parker
Chief Appeals Officer
Cultural Resources, Partnerships, and Science Directorate

cc:

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