

## **Briefing Statement: Valley Forge NHP and the American Revolution Center**

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### **Overview**

Public Law Public Law 106-86 of 1999 authorized the United States Secretary of the Interior to enter into a partnership with the American Revolution Center (ARC) to construct a museum on federal land within the boundary of Valley Forge National Historical Park. The National Park Service (NPS) subsequently worked in partnership with ARC toward the goal of building a museum of the American Revolution that would feature the collections of both partners. The partners chose a site for the museum adjacent to the current park Welcome Center, developed the interpretive and educational underpinning for the museum, planned and designed the museum, and assessed environmental impacts of the museum. NPS staff also curated ARC's collection during that time. Over \$1 million in federal funds and thousands of hours of NPS staff time were devoted to advancing the project.

In 2005 ARC ended the partnership. In 2006 ARC requested to restart negotiations for a partnership, and NPS concurred. Negotiations proceeded until early 2007, when ARC terminated negotiations. ARC subsequently acquired a 78-acre park inholding and announced plans to develop the land with a museum and commercial facilities apart from the museum building.

### **Background on Loss of Inholding:**

The United States Congress established an amended boundary for Valley Forge NHP in 1980 which included several hundred acres of land in Lower Providence Township, north of the Schuylkill River. Most of the land within the amended boundary has been acquired by the park through the years. The ability for the federal government to acquire land within the park's boundary depends on the concurrent availability both of willing sellers and also of federal land acquisition funds.

The 78-acre parcel is open land that was part of the Continental Army's Valley Forge winter encampment of 1777-78 and that has been farmland for over three centuries. It has been the park's first priority for land acquisition for many years. A federal / local partnership to acquire it stalled in 2006 when the federal government was unable to provide its share. With the acquiescence of the NPS, ARC took over the federal interest in fall 2006, having stated in writing that they would build a museum on this land and "remove 78 acres within the park's legislated boundary from probable commercial development".

In June 2007, however, ARC introduced a proposed ordinance in Lower Providence Township to rezone the property to allow development in addition to the museum. The rezoning was approved on September 6, 2007. ARC acquired the property on September 7, 2007.

### **Current Status of Inholding:**

ARC has submitted a development proposal to Lower Providence Township, which is available for review at [www.lowerprovidence.org](http://www.lowerprovidence.org). A public meeting to conduct a preliminary review by the township planning commission is scheduled for April 23, 2008. The current development proposal includes only a portion of the development that is permitted by-right under the new ordinance, and that may be added to the site in the future.

Thirty days from passage of the rezoning ordinance, township residents and the National Parks Conservation Association (NPCA—an independent, membership organization dedicated to protecting the park system and that is unrelated to NPS) filed a challenge to the ordinance. The township Zoning Hearing Board dismissed the challenges. The appellants will decide whether to bring the challenge in the County Court of Common Pleas. The NPS is not a party to the challenge.

The Trust for Public Lands has stated that it is willing to acquire the parcel from ARC and convey it to the NPS for preservation.

### **Role of the National Park Service in Planning and Zoning of Inholdings:**

Through the NPS Organic Act, the NPS has an obligation to comment and provide information to local authorities on initiatives that will affect park resources. The Pennsylvania Municipalities Code, which is used by all jurisdictions to govern development through ordinance, mandates that municipalities hear public comment, including comment by adjacent landowners, when considering zoning matters. Twenty-five per cent (800 acres) of Valley Forge NHP lies within Lower Providence Township. Staff of Valley Forge NHP provided written and verbal comments both to ARC and also to the township planning commission and board of supervisors during the period in which the rezoning was under consideration by the township (early June to early September).

NPS will consult with and provide comments to the township and other reviewing agencies on the proposed development plans that are now under review.

### **Concerns about Non-Museum Development:**

NPS established a record of comment during the township's public process noting that it could support the construction of a museum alone but that the additional development in accordance with the new zoning ordinance will cause irreversible harm to the site and to the park. The ordinance permits numerous uses in addition to a museum, including a conference center, hotel, restaurants, a camp ground, retail stores, parking garages and parking lots. The enacted ordinance:

- allows 25% impervious coverage—19.5 acres
- allows a building footprint of over a half million square feet
- allows an unlimited amount of sidewalks, plazas, and pervious paving, including parking lots
- allows a hotel and unlimited ancillary commercial uses to be built whether or not a museum is constructed;
- provides no upward limits for the sizes of structures;
- provides inadequate setbacks and screening of parking, roads, and structures from adjacent boundaries with the park;
- provides no screening for views to the development from higher elevations in the park south of the river
- provides inadequate and, in most cases, no performance standards for protection from light pollution and glare;
- allows a structure(s) up to 130' tall.

The federally owned lands of the park surround this parcel on three of its four sides, or 96% of its boundary. As NPS has consistently stated, if the site is developed to the full degree of development

permitted by the ordinance, the historic, archeological, natural, open space, and scenic values of the land would be destroyed. In addition to the destruction of historic and natural resources on the site itself, development of the parcel will adversely affect resources and visitors within the park. The proposed extensive facilities on this site will be fully visible from both the north and south sides of the park.

### **Looking Ahead**

Since ARC's termination of the partnership, NPS has remained open to renewing discussions of a partnership to build the museum on the original site adjacent to the Welcome Center. The park cooperates with a number of partners that have the ability to bring value to joint initiatives in visitor services and education, and welcomes ARC to join these initiatives.

A number of major capital investments are underway in the park, including the rehabilitation of the Washington's Headquarters area to provide new visitor orientation, education, and services. The park also is working toward expansion of the current Welcome Center to include additional space for changing exhibits, interpretive media, and visitor services.

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