



## Chapter 6 - Section 4(f) Evaluation

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### What is in Chapter 6?

Chapter 6 focuses on the Section 4(f) process as it pertains to this project. It evaluates the proposed project alternatives for the Whitton Expressway study corridor and their potential effect on parkland and historic properties.

The project's prison access alternatives affect the following Section 4(f) resources:

- One individually eligible historic property – Lincoln University President's House;
- One historic district – Craftsman/Monastery Eligible District (provisionally eligible); and,
- Two public parklands – Park Place and the City's Greenway Trail.

The historic resources discussed in this chapter are those that the study team identified from the historic survey as eligible for the NRHP and that the project is anticipated to result in an adverse effect upon. Exhibit 6-1 displays the location of each resource. Extensive planning efforts to avoid and minimize the project's effect are addressed in this chapter as well as potential mitigation for the resource impacts.

### What is the 4(f) process?

The Section 4(f) legislation, as established under the U. S. Department of Transportation Act of 1966 (49 USC 303, 23 USC 138) provides protection for publicly owned parks, recreation areas, or wildlife and/or waterfowl refuges of national, state or local significance or an historic site of national, state, or local significance from conversion to transportation usage. Section 4(f) also applies to all archaeological sites on or eligible for inclusion on the National Register and which warrant preservation in place. The FHWA may not approve the use of publicly owned land or a publicly owned park; recreation area; wildlife and waterfowl refuge of national, state or local significance; or a historic site of national, state or local significance unless a determination is made that:

- There is no feasible and prudent alternative to the use of the land from the property; and
- The action includes all possible planning to minimize harm to the property resulting from such use (23 CFR 771.135).

Section 106 of the National Historic Preservation Act of 1966 requires that FHWA take the effects of federally-funded and permitted projects on historic properties into account, to coordinate these effects with the staff of SHPO and interested parties, and to avoid or mitigate any adverse effects on historic properties. Further, Section 106 requires that FHWA give the Advisory Council on Historic Preservation a reasonable opportunity to comment on such actions. Section 106 applies to properties that have been listed in the NRHP, properties that have been determined to be eligible for inclusion in the National Register, and properties that may be eligible but have not yet been evaluated. If a property has not yet been listed to the National Register or determined eligible for inclusion, it is the responsibility of the Federal agency involved to ascertain its eligibility, following procedures spelled out in Advisory regulations (36CFR800.4(c), where the procedures and appropriate National Register regulations are cited.

The National Register of Historic Places Criteria for Evaluation is found in 36 CFR 60.4. The criteria includes the quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and:

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- (A) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- (B) that are associated with the lives of persons significant in our past;
- (C) that embody distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction, or
- (D) that have yielded, or may be likely to yield, information important in prehistory or history.

## What is the proposed action?

As noted in Chapter 1 of this EIS, MoDOT and FHWA are proposing to make modifications to existing portions of the Whitton Expressway in Cole County, Missouri. For the proposed action, the defined Whitton Expressway study corridor consists of a western terminus located at Bolivar Street with an eastern terminus of the study corridor at the Eastland Drive interchange and from 300 feet south of Whitton Expressway to McCarty Street on the north. The EIS also examined access to the MSP site, located north of McCarty Street. The study

corridor encompasses those areas that most directly affect downtown Jefferson City and the prison redevelopment site. The EIS process concluded that the Identified Preferred Alternative would consist of Mainline Alternative 6, the Madison Overpass, coupled with prison access Alternative G, Lafayette Full Interchange with Clark Realignment. This is the proposed action for this 4(f) statement.

## **What Section 4(f) resources does the project affect?**

### **Lincoln University President's House property**

The Lincoln University President's House property (601 Jackson Street) is eligible for the NRHP under Criteria B and C, for both its historic relationship to an individual, Hugh Stephens, and its local significance in architecture. See Exhibit 6-1. The Lincoln University's President's House, a limestone building, was constructed in the Williamsburg Style in 1913. There are three outbuildings and a structure associated with this residence. The first is a one-story garage that was constructed at the same time as the original residence. The second outbuilding is a modern shed. The third outbuilding is a small, pyramidal roofed building that is constructed out of the same limestone as the original residence. This building appears as though it is for outdoor use, as it only has two walls; the western and southern walls are not extant. This corner of the building is instead supported by a limestone pier. The building constructed at the same time as the original residence, sits on top of an old well that was used during the Civil War. Hugh Stephens, the original owner of the house, had the well covered over and the small building or "well house" constructed for safety reasons. In its original location, the well house was constructed at the same time as the main residence, and covers an historic well, this building is a contributing element to the property's NRHP eligibility. The structure associated with the residence is a limestone wall that runs along the northern edge of the property. This wall was built at the same time as the original residence, and is constructed out of the same limestone that was used on all of the original buildings. As it is in good condition, is in its original location, and associated with the main residence, this wall is a contributing element to the property's NRHP eligibility.

### **Craftsman/Monastery District**

The Craftsman/Monastery District consists of four properties located on Lafayette Street just north of Whitton Expressway (See Exhibit 6-1). The district contains four buildings that were constructed at the same time in an identical Craftsman style. This district contains buildings that possess social as well as historical and architectural significance. The district is located within the area that was the "Foot" neighborhood of Jefferson City—a historically African American neighborhood with close ties to Lincoln University. Several important individuals resided in these homes, including Lorenzo Green and Cecil Blue, both Lincoln University professors and prominent members of the African American community. This district is important because it was part of the "Foot" neighborhood. The "Foot" was a traditionally African-American neighborhood centered near Lincoln University. This portion of what was

the “Foot” is now part of the Central East Side neighborhood. The property is eligible under Criterion A, B and C. The period of significance for this district under Criterion A would be from circa 1930 to the early 1960s, after the construction of Whitton Expressway and under Criterion C circa 1915.

### **Park Place**

Park Place, as displayed in Exhibit 6-1, is a park located over two parcels south of Park Avenue, east of Pine Street, west of Olive Street and separated by Center Street. Park Place is an approximately 0.7 acre site. The site is surrounded by residential properties. There is a playground on the west portion of the park. There is a half-basketball court on the western end of the east portion. East of the basketball court is an open turf area which is used for informal activities. Access to Park Place is available from Park Avenue, Pine Street, Olive Street and Center Street.

Jefferson City Parks and Recreation owns the facility. Jefferson City Parks and Recreation operates 15 parks. The park facilities include a wide variety of recreational facilities and specialized attractions such as an overlook of the Missouri River. Six of these parks are considered neighborhood parks, including Park Place.

### **East Branch – Greenway Trail**

The portion of the East Branch Greenway Trail that passes through the study area runs from Elm Street to McCarty Street and follows a channeled portion of Wears Creek. As displayed in Exhibit 6-1, the trail runs underneath Whitton Expressway and runs north to McCarty Street. Construction was completed on this portion of the trail in May 2008. In addition to general bicycle and pedestrian use, the trail is used as an educational/fitness resource for Lincoln University. The trail is intended, in part, to help eliminate the perceived barrier between the neighborhoods and parks on opposite sides of Whitton Expressway. The East Branch can be accessed from Elm, Miller or McCarty Streets.

The Jefferson City Parks and Recreation Department operates the Greenway Trail. The various properties that the East Branch follows are owned by either the Jefferson City Housing Authority or the Parks and Recreation Department. The East Branch connects to a piece of the Greenway Trail that runs through Myrtle, Smith and Livingston Park and Community Park. Other connections to the East Branch are planned but have not been constructed.

## **How does the project affect these Section 4(f) resources?**

This section includes a description of the impact of the project on each of the Section 4(f) resources listed above. There are no constructive use impacts from this project. To see the impacts of the Identified Preferred Alternative on each of the resources see **Exhibit 6-1**.

### **How is the Lincoln University President's House property affected?**

The improvements to Whitton Expressway would directly impact a contributing element of Lincoln University President's House property (601 Jackson Street). A small outbuilding or "well house" and limestone wall at the northern edge of the property could be affected by benching of the existing rock cut that faces the expressway. This rock benching is needed to address safety and maintenance concerns. The No Build Alternative would not affect the Lincoln University President's House property.

### **What effect does the project have on the Craftsman/Monastery District?**

The No Build Alternative would not require the acquisition of additional right of way at Lafayette Street and would not affect the Craftsman/Monastery District. The Identified Preferred Alternative would require the displacement of all four properties making up the Craftsman/Monastery District. The District would be impacted by the northwest ramp of a new Lafayette interchange, requiring the full acquisition of that parcel.

### **How is Park Place affected by the project?**

The No Build alternative would not require the acquisition of additional right of way along Olive Street and would not affect Park Place. The Identified Preferred Alternative would impact 0.07 acres of the park's 0.7 acres. The realignment of Clark Avenue requires this portion of Park Place in order to avoid the residences on the east side of Olive Street.

### **How is the East Branch – Greenway Trail affected by the project alternatives?**

The No Build alternative would not require the impacts to the East Branch. The Identified Preferred Alternative would require the temporary closure of the East Branch of the Greenway Trail during construction of the new Lafayette Street interchange. Once construction is complete the East Branch would reopen.

### **Could the Section 4(f) resources be Avoided?**

The Identified Preferred Alternative consists of an interchange at Lafayette and a realignment of Clark Avenue. Both the half- and full- interchange alternatives at Lafayette Avenue would impact the Lincoln University President's House property and the Craftsman/Monastery District. The Clark Realignment portion of the Identified Preferred Alternative would have an impact to Park Place. The only true avoidance alternative would be a variation of the Clark Realignment option. The variation, the Clark Avoidance option, would shift the realignment to the east to avoid Park Place Park. The Avoidance Alternative is shown on **Exhibit 6-2**. To see how the Avoidance Alternative compares to the other alternatives see **Exhibit 6-3**.

The Avoidance Alternative performs well in some respects. It manages to avoid Section 4(f) resources while still providing access to the prison. However, the Avoidance Alternative does

not provide direct access to the prison redevelopment site's initial phases of construction. The initial phases of the redevelopment occur at the prison's "front door" at Lafayette Street. The Avoidance Alternative does not provide access to Lincoln University and Jefferson City High School. Meeting these access needs are elements of the Purpose and Need. This prevents the Avoidance Alternative from being a feasible and prudent alternative.

**The Identified Preferred Alternative offers the most direct and best access to the prison redevelopment site,** Lincoln University and Jefferson City High School compared to the other Prison Access Alternatives. The Prison Redevelopment Authority considers Lafayette Street to be the site's front entrance and the realigned Clark Avenue would tie in with the site's internal street system at the southeast corner. The benefit of the Lafayette interchange is that it also provides direct access from Whitton Expressway to the campus of Lincoln University and Jefferson City High School.

The Identified Preferred Alternative is most compatible with local planning efforts such as the Central East Side and MSP Redevelopment's Framework Plan. It provides the most direct access to the prison redevelopment site. The Lafayette Interchange is supportive of the new infrastructure identified in the Central East Side Plan. It also supports the neighborhood plan's recommendation for addressing the traffic capacity and operational concerns of Whitton Expressway as they relate to traffic operations throughout the neighborhood. The Central East Side Plan has also identified some of the impacted properties for redevelopment and the Identified Preferred Alternative fits within these plans. These potential improvements were expected to not only satisfy the demands of neighborhood traffic, but also to manage the traffic volumes associated with the proposed prison redevelopment project located adjacent to the northeast side of the Central East Side Neighborhood.

There appear to be no feasible and prudent alternatives to impacting the well house and wall associated with the Lincoln University President's House and the Craftsman/Monastery District. There appears to be no feasible and prudent alternatives to avoid the impact to Park Place, or the temporary impacts to the East Branch.

## **What measures are available to minimize the impacts of the project on Section 4(f) resources?**

### **Architectural Resources**

The measures to minimize harm include agreement among the SHPO, ACHP and FHWA through the Section 106 process. This scenario anticipates an adverse effect without relocation of the buildings. Photographic and other records would be supplied with additional documentation. Although the documentation effort does not avoid an adverse effect, it does result in mitigating the adverse effect. Procedures for determining the level of documentation necessary for each resource are included in the draft Memorandum of Agreement, which is located in **Appendix 4f-A**.

### **Park Place**

Mitigation options to minimize harm to Park Place include replacing the impacted 0.07 acre on two of the adjacent sites that are being acquired by the project as well. This would replace the open turf area adjacent to the existing park with nearly 0.2 acres of land which is more than twice the area impacted. There appear to be no feasible and prudent alternatives to impacting Park Place. Impacts to Park Place have been minimized to the extent possible and mitigation measures developed that do not adversely affect the activities, features and attributes that qualify the resource for protection under Section 4(f).

### **East Branch – Greenway Trail**

The new ramps for the Lafayette interchange will be on structure so the East Branch can continue to cross under Whitton Expressway and will be maintained at its current location to continue to provide bicycle and pedestrian access. During the temporary closure of the East Branch, a detour along Elm Street west from Lafayette Street to Jackson Street and north along Jackson Street could be signed and maintained for bicyclists and pedestrians wishing to get from one side of Whitton Expressway to the other.

All measures to minimize impacts have been taken for all 4(f) resources.

### **Coordination**

Commission on July 24, 2008 to discuss the impacts to Park Place and the proposed mitigation. Because this portion of the project is expected to be managed by the City, the Commission approved the proposed mitigation pending approval by the City of Jefferson Parks and Recreation Commission. A Parks and Recreation Commission meeting was held on August 12, 2008 where the Whitton Expressway EIS was an agenda item. The impacts to the park and proposed mitigation were discussed. Following the meeting the public was given an opportunity to comment on the impacts and mitigation for Park Place. Documentation of this coordination can be found in **Appendix 4f-B**.